

## THE HELPLESS SUPERVISOR

Vrunda Moghe

ONE of the easiest ways for a girl to be very unpopular is to be a duty-conscious supervisor during the Bombay University Examinations. Having had to face the boredom of unemployment for about a year I had decided to work as a supervisor. As a student I had seen supervisors pace up and down with placid looks on their faces and I wondered if I could be equally detached in such a tension-filled hall. My doubts proved to be right.

I entered the assigned hall with heaps of blank papers that had all the necessary moral and academic instructions regarding the behaviour of students. Barely did I reach the table when I heard someone saying, "Oh! This dame! Copy blindly and fearlessly." I became alert and tried to carry out my duty with the utmost care. Soon after the customary rounds of the Senior Supervisors, the classroom echoed with whispers. I requested them to keep quiet but with no success. I threatened to take away their papers. The silence that followed was, short-lived. Students turned round and freely discussed the question paper. My colleague from the next block told me I was in the wrong and not the students. I was only a dumb observer; my job had begun rather badly.

On the second day, a young supervisor told me that a certain boy in my class was of a nervous type, and I should comfort him a little. Before the examination began I went to him and said that there was nothing to be afraid of. After 30 minutes he called and said flatly he was going to refer to a book. I said no. Barely had I spoken when I felt I was no more in the examination hall but in Share Bazar at its peak hour. More shocking it was to see humble looking girls amongst the brokers. It was impossible to check them. I walked out of the class and returned only when there was some silence. I helplessly observed the cheating that went on. I went out again and hurriedly came back saying that the Senior Supervisors were raiding the classrooms and taking necessary action. The next few minutes tit-bits of paper flew out of the window from

all directions, from shoes, broad belts, pockets and other cubby-holes. After this, activity slackened, writing tapered off, only nervous stares at me and at the doorway lingered. I knew that those little bits of paper were their sole beneficiaries. I kept the ploy going by repeating that they were not going to be excluded from a thorough search and that I had given them fair warning. My class was empty much before schedule.

The next day the staff-room buzzed with my name. I was called a fool for not allowing the students to have their "rights". My unpopularity mounted and I overheard plans to "hammer" and "handle" me on the last day of the examination. I could picture myself riding in an ambulance.

My worried mother and two servants came to escort me to and from the college. Their travel expenses exceeded by meagre earnings (which I received months later.)

While most students relied on the obvious methods of cheating, some devised more elaborate and organised systems. Papers were passed through windows. Watches were synchronised and at a given time

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# Between You & Me and The Lamp Post



## Tide Turns in Vietnam

SO the Cassandras have proved wrong once again. South Vietnam has not fallen; and President Nixon's trip to Moscow was a resounding success.

When we last wrote on Vietnam in the May issue, the initial momentum of aggression was still carrying the North Vietnamese invaders forward and many who rant against "imperialism" in India and elsewhere were rubbing their hands in glee, quite impervious of the fact that the Soviet tanks that were rolling southwards were made outside Asia. Even then we were confident that the tide would turn, and that is precisely what has happened by now. Whether at An Loc or at Kontum or at Hue, the Communist attack has ground down to a halt. North Vietnam has lost, according to the best calculations, over 50,000 men. The American blockade and the retaliatory bombing of military targets in North Vietnam are doing the rest. If only these elementary measures had been taken a few years ago, there would have been no North Vietnamese attack on the South.

What was disquieting was to see many in India and elsewhere equate military superiority with justice and right so long as the Soviet tanks rolled southwards. Now that the tide has turned and the aggression is about to be repelled, will that equation end? The fact is that, in history, military strength and justice do not always coincide. Many a time it looks indeed as if "right is forever on the scaffold, wrong forever on the throne." But there are exceptions, and Vietnam looks increasingly like being one where strength, justice and freedom are found fighting on the same side.

## What Has the Summit Achieved?

IN the May issue, we had suggested that, until the Soviets call off their running dogs in Vietnam, President Nixon should refuse to visit Moscow. In the light of developments since, it must be conceded that President Nixon has kept his end up without having to cancel his Moscow trip. Contrary to the unfounded reports emanating from North Vietnam repeatedly published by the *New York Times* there was no lifting of the blockade and no cessation of bombing either before, during or after the Moscow talks. It is the Kremlin that had to eat crow, and they have done it with quite good grace. Communists have one virtue, they have no false sense of prestige. As Lenin wired Trotsky many years ago about the sacrifices that should be made for successful negotiations: "If necessary, wear a petticoat."

Volumes of comment have been published about the Moscow Summit. Perhaps the journal which gave to its editorial the title "One and a half cheers for half an agreement" summarised the situation best. Nothing striking has happened, nothing much has been given away and perhaps nothing very much has been gained. To those who believe that now the lion and the lamb will lie down together it would be useful to quote an editorial in the French Communist journal *Humanite* which, commenting on the summit, wrote that peaceful coexistence "is not an idyll" but is on the other hand "the pursuit of class struggle on the international level by means other than war" and, more important, it helps to create favourable conditions for the communist cause. The *Kommunist*, the main organ of Soviet ideology, also recently wrote about "the imminent process of replacement of capitalism by socialism" and the part the international communist movement has to play in bringing about the conclusion of that process.

What has emerged is an alliance of convenience and the suspension of hostilities between the two Superpowers. Mr. Nixon required this for electoral purposes; the Soviet dictatorship for primarily economic reasons. As the French paper *Les Echos* of Paris put it: "Twenty-seven years after the end of World War II, the motherland of socialism asks the leader of the capitalist world for help in extricating itself from an economy of scarcity."

How enduring are the agreements? After all the Soviets have a record of having violated 24 out of 25 agreements reached with the US in the past (see page 14).

Perhaps, after all, when the dust has settled, it will have turned out that the main tangible achievement of President Nixon's visit to the Soviet Union is that more than two hundred eyesore buildings long marked for demolishing were torn down along the routes that the President was expected to take. The empty lots, which were planted with lawn almost overnight, are being described by the grateful people of Moscow as 'Nixon Squares.'

## The Real Danger

THE only disquieting factor in the current international situation is the overgenerous diplomatic offer made by President Nixon to the North Vietnamese that, if they stop their acts of aggression, agree to a cease-fire and release American prisoners, he would withdraw the remaining American forces in Vietnam

within four months. This of course is an ambiguous statement. Let us be grateful it is. Alarmists have pointed out that, if North Vietnam were to be cute enough to accept it, they could violate the cease-fire and seek to overrun South Vietnam as soon as the American forces have withdrawn. This view was expressed some time back by the leading American political analyst, James Burnham, who described it as not terms of peace but "a capitulation." On the other hand, it can be argued that the withdrawal of the remaining ground forces from Vietnam does not mean that President Nixon will not send his air forces and navy from outside South Vietnam into action again if the communists were to violate the cease-fire which would be internationally supervised.

There would still remain the fact that Quang Tri and a small area south of the Demilitarised Zone would remain under communist occupation. The chances happily are that the North Vietnamese, who are the Irish of Asia, will ignore President Nixon's offer long enough for them to be driven out of Quang Tri and across the DMZ. There is no reason why, if the South Vietnamese and the Americans continue to show the same determination that they have done, every inch of South Vietnamese territory should not be liberated from the aggressor by autumn or winter this year.

### Communist C.M. in Orissa

WITH the nomination of a Communist gauleiter in Orissa, the Communist take-over of India takes one step forward. It is no accident that another former card-holding member of the Communist Party, who is the General Secretary of the AICC, was sent down to Bhubaneswar to ensure the "election" of Mrs. Nandini Satpathy. Thus, without the people of Orissa having had any say in the matter, they have swung overnight from a Swatantra-led regime to a Communist Chief Minister! That is democracy.

Indeed, Mr. Chandrajit Yadav himself would by now have been Chief Minister of U.P. but for the fact the Communists decided it was much better to have their man as the General Secretary of the ruling party than as the Chief Minister of a State. So the invitation was turned down. After all, is it not the most accurate of the descriptions of the Soviet regime that it is the dictatorship not of the Proletariat but of the Secretariat?

Will this latest development make all those who have been jubilating in the press and otherwise on the setback that the so-called "leftists" have suffered as a result of the ticking off by the Prime Minister think again? One doubts it. It is so much easier to take the line of least resistance and hope, like Mr. Micawber, that something will turn up to ensure that everything ends up all right. Having opened up a direct pipeline to Moscow Mrs. Indira Gandhi can certainly be expected,

from time to time, to slap down any "Leftists" who get too uppity. That does not, however, presage any change of direction or retracing of steps as those who harbour these illusions so fondly choose to believe.

No tears need be shed that the Swatantra-Utkal Congress coalition has at last come to an end. Indeed, this opportunist misalliance should never have come into existence in 1971. If the Swatantra Party had acted correctly and gone into opposition after the State Assembly elections of 1971, in which they lost ground considerably after having been in office, it is *they* who would have been getting ready to step into office again after Mrs. Satpathy had had her innings and been found wanting and *not* the other way about.

### The Next Laureate

THE British indulge in a game that recurs every generation or so and that is the game of choosing their Poet-laureate. The question now is who will succeed Cecil Day-Lewis as Britain's laureate? Many names are being bandied in the British press. According to a columnist in the *Observer*, the front runners are: "Auden backed by Spender or Spender backed by Auden. Outsiders: Sir John Betjeman backed by Sir John Betjeman, or Robert Graves backed by everyone else."

But some of those tipped are already asking to be excused. "I do not want to do anything that would make me more hated by other writers than I really am," says Stephen Spender. W. H. Auden, his own candidate, writes from Austria to the *London Times* that he is "most distressed" at the suggestion that he should give up his American citizenship to accept the honour. "Even if I coveted the post," he says, "which I do not, to do such a thing for such a motive I should regard as contemptible."

The yearly stipend for the post — £100 — is not

### IN THIS ISSUE

Mr. R. K. Narayan, the eminent novelist, has written a delightful satire on what will happen when music, in its turn, comes to be nationalised.

Mr. S. Rangnekar, one of the up and coming men in the world of Management, shows how "slow scientists and fast machines" can ruin the national economy.

Mr. A. G. Noorani writes about judges — British and Indian.

Mr. Anil Dharkar contributes a review.

Last but not least, Miss Vrunda Moghe, who has joined the staff of *Freedom First*, tells of her shattering experience as a supervisor during an examination conducted by Bombay University.

excessively attractive. In the old days, the appointment used to be a political one, a practice that New Delhi has recently been following in the patronage which it dispenses in the cultural field and the Akadamis. The last Conservative choice, Alfred Austin, appointed in 1896, is reported to have penned the following lines testifying to his merit after the then Prince of Wales was operated on for appendicitis:

'Across the wires the electric message came.  
He is no better, he is much the same.'

### Colour Blind?

WHAT time Prime Minister Indira Gandhi was fraternising in Czechoslovakia, a country that has become what the French communist poet Louis Aragon calls a "Biafra of the Spirit", with those who welcomed the Soviet invaders in 1968, President V. V. Giri distinguished himself by confirming on June 17 that the real intentions of the "agrarian reformers" who are in office in New Delhi is to destroy peasant proprietorship and collectivise the land in India. In somewhat different language, he repeated the disclosure made by the Maharashtra Minister, Dr. Antulay, a few months earlier. These men have nothing but contempt for the idea of giving what President Giri described as "small bits of land" to the landless, notwithstanding that it happens to be the professed objective of their own ceiling legislation.

Making a subtle distinction between collective and cooperative farming and his own panacea of "joint farming" — a distinction without a difference — President Giri made his meaning clear by observing that the Bulgarian communists' "ideas of social justice find an echo in our own situation." The President was paying a tribute to the Soviet stooge, Georgi Dimitrov, Secretary of the Comintern, whom the Red Army, when it occupied Bulgaria, imposed on that country as Prime Minister.

When the President and Prime Minister of this country appear to be colour blind and unable to distinguish between patriots and quislings in East European countries, the honest citizen may well ask: "What price Indian independence?"

### A Bad Conscience

THE ground swell of emotion that swept Britain after the death of the Duke of Windsor, formerly King Edward VIII, who gave up his throne for the woman he loved, is quite understandable. There was a general feeling that the ostracism of the Duchess of Windsor, who had proved to be a devoted and dedicated wife, had lasted much too long. Many people in England have suffered from a sense of guilt for having allowed Stanley Baldwin, the then Prime Minister, and the Archbishop of Canterbury to force the king's abdication because he insisted on marrying

a commoner, an American and a divorcee whom he loved.

It is estimated that more than 70,000 people from all over Britain made the pilgrimage to Windsor to be present at the funeral. The Duke died amid a growing feeling that the Palace and the Government should have invited him to come home to spend his last few years on English soil and, interestingly enough, pro-royalist sentiments were expressed by members of the British Labour Party which has not been particularly known for attachment to royalty. Among them was Marcus Lipton, M.P. Another M.P., William Hamilton, tabled a motion in the House of Commons condemning "the cant, hypocrisy and humbug of the current Establishment, including the Royal Family." Mr. Hamilton went on to express the hope that Prince Charles would, in course of time, marry a divorced hippie.

### 'Secularism' and the Minorities

MEMBERS of the minority communities who cheerfully voted for the Prime Minister and her Party at the time of the elections in 1971 and 1972 must be having second thoughts. The steam-rolling through Parliament of the Aligarh Muslim University (Amendment) Bill, which deprives that institution of its traditional character, the attack on Christian and Muslim minority institutions in Kerala, and the threat held out by Mr. H. R. Gokhale, the Law Minister, to amend the Constitution to remove from such institutions the protection given to them by the Constitution will strike members of the minority communities and friends of the minorities, who had fondly believed in the 'secular' character of the ruling Congress Party, as a peculiar reward for the way in which the Muslims and other minorities misguidedly voted *en bloc* for those who are now installed in office.

While the rioting and turbulent incidents in U.P. may be dismissed as the work of an aggressive minority, all inquiries tend to show that a large majority of the staff and students of Aligarh Muslim University resent both the content of the recent legislation and the manner in which it was ruthlessly rushed through Parliament.

So too in Kerala, where even the allies of the Congress Party, namely the Muslim League and the Communist Party, have refused to go along with the Congress Party in the attack on minority educational institutions which have so handsomely contributed to the high rate of literacy and education in that State.

Perhaps it is just as well that the process of re-education of the minorities has started early. There are many other lessons that they and others who do not belong to the minority communities have to learn before they realise their folly in falling for the siren song of those whom they followed so blindly.



# SLOW SCIENTISTS AND FAST MACHINES

Sharu S. Rangnekar

**I**N India, electronic digital data processing equipment—popularly called “the computer”—has been a subject of a long controversy characterised by more heat than light. The first commercial computer was introduced in India by ESSO in 1961. At the end of the first decade of computerisation, we have about 150 computer units in operation and another 50 units under active planning. Out of these, about 60% are used mainly for commercial applications—while the others are used mainly for assisting scientists in their computational work.

The commercial applications have been under vigorous attack—particularly during the last five years—on account of their possible adverse impact on clerical employment. Initially, many of the commercial applications on the computer were of the clerical labour saving variety; however, recently there has been a shift towards using the capability of the computer for tackling management decision problems in the area of inventory control, production planning, distribution, etc. Such a use is also paving the way for using the computer for an integrated management information system.

Meanwhile, there has been a controversy also in the field of hardware (i.e. computer equipment). Initially, IBM were given a licence to overhaul and reassemble their 1401 computer in India as this equipment was rendered obsolete by their System 360 (and the recent System 370) elsewhere in the world. International Computers Limited (known as ICL) were also granted a licence to produce their 1901A computer in collaboration with Bharat Electronics—a public sector undertaking. Subsequently, a new public sector undertaking ‘Electronics Corporation of India Limited’ (ECIL) was started in Hyderabad and developed a small computer. The relative merits of these computers are being argued at length—not so much on the basis of their capabilities as computers, but on the basis of various ideological factors like private sector—public sector—joint sector as well as Indian/Foreign equity holding.

In planning for the next generation the politicians have used their favourite gimmick i.e. forming committees to avoid facing the problems in this field. After having a few committees to look at the automation problem, the Government of India appointed the “Electronics Commission” in February 1971 to formulate the policies for electronic equipment. Commissions in India are notorious for their leisurely pace of work. However, Electronics Commission seems to be determined to create a record of slowness. In the course of one full year, it has been able to draft a policy only for the “electronic desk calculators”—which form the

tail of the elephant. It is reported that when one of the members was asked as to when and what generation of computers will be available in India, he replied, “have patience; when the Electronics Commission talks of planning for the next generation, it means next generation of computer users—and not of computers!”

## *The New Brahmins*

We were accustomed to having such brazen behaviour from the civil service personnel who used to man similar commissions in the past. After the decline and fall of the civil service through their bungling of the public sector and development plans, the government has resorted increasingly to scientists. This looked like an improvement and people expected to get quicker and better solutions through a scientific analytical approach.

Unfortunately, this has not happened. The scientists, stepping into the shoes of the civil servants, have picked up the same attitudes that vitiated the performance of the civil service. They have imitated the civil servants in adopting the ‘Brahmic Arrogance’ i.e. a feeling of superiority based on the myth that they are the omniscient and omnipotent elite group. So, instead of finding the humility of knowledge, we find the arrogance of ignorance. Although the Electronics Commission is determining the future of computers—which are used substantially by industrial concerns—the Commission members are drawn exclusively from the scientific circles and no representation has been given to commercial computer users. It is not surprising, therefore, that the Commission talks airily about huge “Regional Computer Centres” which will be forced upon the commercial users. It also talks about determining the appropriate computer applications for the commercial concerns—although this is as ridiculous as the commercial users determining the scientific applications that would be appropriate for computer use.

The idea of Regional Computer Centres having large-sized computers is indeed a good one and is most suitable for scientific applications where the big computation capacity is not only advantageous, but also essential in many cases. It is quite probable that many commercial users would gladly take advantage of such centres for a few of their applications. However, such centres can be supplementary to the smaller individual installations and cannot substitute them. Most commercial applications have rigid deadlines to meet and it will not be feasible to wait in the queue. The alternative, i.e. to have Regional Computer, is also a day-

dream in the present situation. Firstly, the Indian Post and Telegraph Department cannot provide a reliable data transmission system. Secondly, considering the increase in the computer size required to cope with the real-time applications and the cost of connecting the computer to individual peripheral equipments, the savings in the computer cost (higher size being more economic) may be more than offset by the cost of these auxiliaries.

The Electronics Commission also talks of having a completely indigenous computer for commercial use "similar to the Indian motor-cars"—to quote the words of Mr. M. G. K. Menon, Chairman of the Electronics Commission. Such an "Ambassador" brand of computer is obviously not something the commercial users can look forward to with any degree of enthusiasm. Even if the quality and reliability problems are tackled successfully, the problem of soft-ware remain insurmountable. The best-known computers today provide soft-ware support comprising several hundred man-years of systems and programming work. To deny ourselves this advantage would mean undertaking a project to "rediscover the wheel".

Recently it has been reported that the Electronics Commission is seriously considering a proposal to collaborate with the U.S.S.R. for the manufacture of the MIR-2 computer. Very little is known about Russian computers—but the international reputation of Russia in the computer field is not particularly high. To prefer expertise of such doubtful value to the tried and tested computers of the IBM and ICL type seems to be dictated more by ideological intimacy rather than by analytical evaluation.

It is obvious that the deliberations of the Electronics Commission have been painfully slow and their conclusions have been grossly unrealistic. The basic reason for this situation is that the Commission has insulated itself from the major computer users i.e. the commercial computer executives. Furthermore, there is a dangerous tendency amongst scientists today to spread themselves thin in various committees and this affects adversely the output of all of them. Here again the scientists are imitating the civil servants in grabbing as many positions of power as they can. Several of them are on dozens of committees—in addition to one or two full-time jobs!

The delay in the Commission's decisions on individual computer projects is causing a major headache to computer users. The progress of technology has lengthened the horizons of planning and it is essential to plan at least three to five years in advance. And yet a lack of clear direction with regard to computer hardware makes such planning a futile exercise.

Slow horses and fast women are known to ruin individual fortunes! Slow men and fast machines can ruin Corporate fortunes!! Slow scientists brooding on fast machines may well ruin the electronics industry in India!!!

## SAD FOR KATHY

**P**ERHAPS the most eloquent testimony to the prevailing mood of pessimism among Soviet citizens comes from a young American student radical, Miss Kathy Boudin, who was hiding and sought by the Police in connection with an explosion which destroyed a house in Greewich Village. Prior to this event, Miss Boudin had spent 15 months in the Soviet Union and published a highly informative article in the magazine *Leviathan*, on the feelings and opinions of Soviet students and intellectuals.

To the young intellectuals Kathy met, socialism seemed humanity's blind alley. For them, she wrote, "planning was part of a disappointed dream. The word itself had a hostile set of associates..." They were especially "bitter" about the lack of freedom to live in the city of one's choice, for in the Soviet Union, anyone wishing to live in such cities as Moscow, Kieve or Leningrad must first secure the approval of the police authorities, and young dissidents felt keenly that only in such cities could they form communities to overcome their isolation. They felt that this and other abuses of human freedom were inherent in the system of centralised economic decisions, and that doing away with central planning entirely was the only—but altogether unlikely—alternative.

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# MUSIC & THE FIFTY-FIVE YEAR PLAN

R. K. Narayan

WHEN music comes to be nationalized, the Director-General of Music will say in his administration report: "During the period under review two thousand hours of vocal and sixteen hundred hours of instrumental music were provided for a total audience of 1,25,000."

The Nation's musical policy will, needless to say, bear the colour and stamp of the Minister holding the portfolio. He may decree that a Fifty-five Year Plan for the musical revival and integration of the country through music should be taken up immediately. In order to facilitate the integration of North and South, it will be suggested that a South Indian audience should sit through a performance of North Indian music for a minimum of twelve hours each quarter, and *vice versa*. And the audience must show no boredom or weariness. Any sign of restlessness will be viewed as an unnational activity. Yawning at such a function will be punishable with both fine and reprimand. Looking about for an exit will be interpreted as a lack of interest in the performance; the burden of proving otherwise will be on the man so charged.

In every Music Sabha there will be a Government-appointed Watch-and-Ward Inspector with a staff commensurate with the strength of the Sabha. His business will be to keep an eye on the audience and see that people do not nod. If he sees someone nodding during a performance, he will be quite entitled to switch off the microphone of the singer and switch on his own microphone, which he will always keep cleverly concealed on his person, and cry, preferably in a musical manner, "Wake up, citizens, this is not the time to sleep." His impressions in the matter shall be final during the recital. Disputes, if any, shall be referred to the Music Tribunal, which will meet once in three months at Calcutta, Bombay and Madras, and which shall have jurisdiction over all matters pertaining to music. Any member of the Tribunal shall be entitled to enter any Music Sabha and stop the performance at whatever stage, without assigning any reason for his action, but it is understood this is purely a technical provision, to be used only in an emergency.

Musicians will be recognized as the torchbearers of culture. For this purpose once in every three years there shall be elected the Grand Musician of the Indian Republic, who shall be given a scroll with this honour inscribed thereon. He shall be entitled to first class one way train ticket or air fare, whichever may be less, from his town of birth to the Capital. He shall be assigned a definite precedence in all official banquets—his degree shall not be less than that

of the Chief Conservator of Forests and between the Director-General of Fisheries and Synthetic Rice. He shall be given a basic salary and an absorbable allowance not exceeding one half of the maximum grade of the curator of a museum. He shall be entitled to a pre-audited allowance for throat pastilles, coffee, *pan* or such mood-inducing articles.

## *Rhythm & Blues*

It must be recognized that musicians and all artistes are men of moods. Every effort must be made to accord recognition to this fact. However, music being a nationalized activity coming within the Fifty-five Year Plan and the Government being anxious not to lose valuable time, musicians will be well-advised to retain their good moods, as far as possible. The words, "as far as possible," are used advisedly, just to indicate that every effort will be made to treat a musician's moods with tolerance and understanding. In this the musician shall also accord the maximum cooperation possible, in the following manner: whenever he is likely to get into an undesirable mood which is apt to mar a performance, the musician shall send an advance notice of it to the Director of Meteorology, who shall incorporate it in his daily weather report. When it is done the artiste shall be deemed to be on leave with average pay. Such a period shall not be counted against his total leave unless it is extended beyond ten days, which will not be sanctioned unless accompanied by a life certificate.

The Government has no reason to doubt that it is moving on the right lines. Composers are particularly requested to remember that the Government recognizes the fact that every freedom should be given to artistes and no restriction should be placed on them in any manner, since art will flourish only in an atmosphere of the greatest freedom; we are now living in a secular State and the Fifty-five Year Plan holds top priority. It is desirable that composers, in addition to their usual preoccupation with love, devotion, etc., compose songs that will give our villagers (remember that the real India is in its 500,000 villages) incentive to try the Japanese method of rice cultivation, conserve topsoil, and mend their own roads and drains without waiting for Government help. We have no doubt that the future of our country, as well as world peace, depends upon the revival of our music, which can be achieved only through the successful working of our Fifty-five Year Plan.

—Courtesy: T. Chowdiah Smaraka Ramaseva  
Samithi Souvenir, 1972.



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# HIS LORDSHIP THE JUDGE

A. G. Noorani

**T**HERE is no guarantee of justice except the personality of the judge", that great jurist Ehrlich sagely remarked. No judicial system, no matter how well devised, will be of any avail if the men who run it lack character. A Lord Chancellor who was criticised for some of his judicial appointments expressed the same idea in typical British humour when he said that a judge ought, first, to be a gentleman; if he knew some law besides, so much the better.

In the Hamlyn Lectures delivered in 1970, (*The English Judge*; Arrow Books, 30 p.) Mr. Henry Cecil gives an excellent account of the English Judge as he is and as he is regarded by the common man. His famous humour never deserts him. The book deserves a wide readership in India where the idea of a "committed judiciary" is seriously being advocated by people who ought to know better.

In Britain, "the editor of one newspaper had the impression that in recent years judges appear to have become tools of the Establishment and much less robust in defending the freedom of the ordinary citizen.

"I was surprised at this criticism if it was intended to mean that the judges ran with the government of the day, because they certainly do not. Still less do they run with the civil servants of the day. I can only think of one case where it was at first suggested that judges had been influenced by the wishes of the Establishment. On examination this criticism turned out to be wholly without foundation..."

In India, barring a very few exceptions, there is little criticism of the judiciary; that is, serious, informed criticism, as distinct from denigration or adulation. We need a study on the lines of Mr. Cecil's. It is an impressive effort.

"I investigated the known background of close of half the full-time professional judges in office (117 out of 235) when I made my enquiries and shall state where they were educated, how many of them marry, how they fared in their final Bar Examinations, what their hobbies are and so on.

"I have also made extensive inquiries from most sections of the population (in and out of prison) to find out what people, who are able to express an opinion, think of the present judges..." I should mention that there are 2,800 barristers and 20,000 solicitors in England. The opinions Mr. Cecil quotes a good deal are those of school boys. Their reactions vary.

To one, "the English judge is usually short and fat or tall and thin and he is generally sarcastic and always wears National Health glasses or a monocle. He is generally biased towards youngsters and lenient towards women showing plenty of leg. The judges are

always old and carry pictures of Judge Jeffreys around in their pockets, so that they can do a spot of hero worship during the recess."

Another, aged 15, was more reverent and astonishingly articulate. After describing the paraphernalia of justice, he wrote, "But however much the actors improvise and toy with words, the crux of the plot centres on the lead character, the judge. It is he who has the best though fewest words, who directs and produces the play and has the final summing-up in the tense last scene. It is he who sits above the rest—old, wise, like an owl blinking at the bright flashy lights of modern recklessness and brashness that he sees brought before him each day. And when all the animals of the wood bring before him their squabbles to resolve, he, perched above them on his branch, pauses a minute and refers to his past experience and then gives his decision, which no one except the noisiest and cockiest young animal ever questions. But the judge does not stand entirely alone, he is backed up by the whole English legal system which is, or at any rate seems, the epitome of all that is fair and just and, not meaning to be snide, British."

## Only Human

The British judicial system and the men who run it are deservedly envied by the rest of the world. Truly, no other country in the world can boast of higher standards. Yet, until a quarter century ago, the Lord Chief Justice was appointed on political grounds.

And, for all its excellence, the system was not without its own miscarriages of justice. Mr. Cecil, once again, relies on a school boy to give the right answer: "The main thing wrong with the English judge and for that matter any judge is that he is only human."

Judges are in a privileged position but the privilege is also accompanied by certain disabilities. A judge may not write to the press in reply to criticism. Lord Maugham, when Lord Chancellor, broke this rule and was criticised for doing so.

On the other hand, it must never be forgotten that while every person abuses his power from time to time, "a judge has many more opportunities of doing this than most other people. One unfair remark by one judge can bring the judiciary as a whole into disrepute... the judge is in a unique position. Not merely is everything said by him during a case absolutely privileged, but he cannot be shouted down as in Parliament, or even answered back if he refuses to allow it. He can cause great misery and frustration to parties, witnesses and advocates. The harm that a judge can do is not merely in actual injustices, that

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is, wrong decisions, but in sending litigants (and advocates) away with a feeling that their cases have not been properly tried.

"The public puts great trust in our judges, and, on the whole, this trust is not abused. But a few judges do occasionally say wounding and hurtful things to or about witnesses, counsel or solicitors and the person concerned usually has no remedy."

The whole atmosphere surrounding a judge is conducive to this: "He is treated in court with a subservience and flattery which probably obtains nowhere else and, as he probably gets a similar kind of treatment outside court, it isn't good for some of us."

#### *A Modicum of Conceit*

There are three correctives. One is the judge's own innate good manners and the others are the independence of the Bar and the concern and vigilance of the Press.

Mr. Cecil is at pains to impress the reader about the occupational hazards of the legal profession: "You cannot expect the average judge to be modest at heart. Success at the Bar normally requires at least a modicum of conceit and he cannot drop it on appointment. But he should be able to control the look of the thing. Those who cannot should not be appointed."

From this follows his remarkable suggestion that a

barrister who is under consideration for a judgeship should have to undergo a probationary period before he is finally appointed. This can be done by making him a deputy-judge, if necessary several times, or a deputy-magistrate.

Mr. Cecil is so carried away by his enthusiasm that he does not stop to reflect on the implications of his idea. Judgeship should not go to the person who begs for it but to the kind who need to be persuaded to accept it. A probationary period is not likely to help in the persuasion. This is all the more so now that the conditions of office are far less attractive than before.

"Judge's incomes are worth far less than they were in real terms, nearly all of them travel by public transport, many help with the washing-up and most of them have learned from personal experience how the man on the Clapham omnibus lives," Mr. Cecil writes of the English judge whose salary has been raised in order to keep him in reasonable comfort.

One wonders what he would think of the Indian judge whose salary is the same as it was decades ago and who is treated with increasing indifference and lack of respect by the Government? The Law Commission's Report submitted in 1958 awaits implementation. Meanwhile, Ministers of the Government of India from time to time lecture to judges how they ought to behave themselves. The judges cannot reply. But the Bar and the public as a whole can and should.

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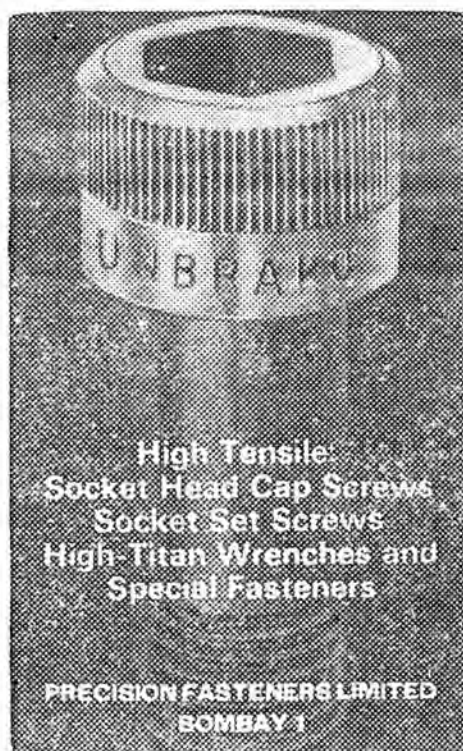
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MURATIP KRI

## Review

### Philosophers and Kings:

*Studies in Leadership*, reprinted from *Daedalus* by Popular Prakashan (407 pp. Rs. 10).

THE question of leadership has fascinated us throughout the ages. Initially through a mixture of fact and legend, historiography brought to us the stirring deeds and lives (suitably refurbished) of heroes of the past. In religion, in the guise of exploring revealed truth, the lives of messiahs were introduced to us. This kind of biography was on a particular level: it was taken for granted that Rome must have been founded by Romulus, that the discovery of fire must have been made by Prometheus.

A major transformation began in the seventeenth and eighteenth centuries. Hobbes and Locke in their theories of social contract emphasised the rights of the individual rather than the duties of the ruler. For Adam Smith the origin of economic harmony was in the self-interest of the buyer and the seller. Marx saw the mainspring of history in the tension between the "forces and relations of economic production."

In all this, there was no place for the leader who could change the course of history: instead of the "anonymous individual" of the natural law philosophers we now had the anonymous masses.

And, as Prof. Rustow points out, even Freudian psychology did not make any immediate difference, even though Freud himself had applied his technique to individuals (Oedipus, Moses, Leonardo). Instead of this, his followers restricted the use of psycho-analytic techniques to the treatment of middle-class neuroses.

But the revolutions, economic crises and wars of this century have brought back the leader on the stage, and personalities like Lenin, Hitler, Stalin and Gandhi to name a few, have once again made the study of leadership a fascinating and essential one.

*Daedalus*, the Journal of the American Academy of Arts and Sciences, in its 1968 summer issue took up the subjects as a multi-disciplinary issue: "the psychologist relates the leader's outward personality to his childhood and the intimate experiences of his later years, the social scientist traces the logic that animates his followers, the historian assesses the influence of leader and followers on a broader stream of events."

The question the contributors asked themselves was not the simple "Who is this leader?" but instead "Who is leading whom from where to where?"

Prof. Erikson's essay, "In Search of Gandhi", can be singled out of this collection not just because of its interest to Indian readers but because it uses Freudian psycho-analytic techniques on a towering historical personality. Prof. Erikson of Harvard University is currently at work on a psychoanalytical study of

"the origins of militant non-violence in Gandhi's life and in Indian history." This essay is a sort of mid-term report.

In effect, Erik Erikson puts Gandhi on the couch. Certainly there cannot be many leaders who are more inviting targets for a Freudian approach. His *Experiments with Truth* which is confessional auto-biography, is a happy hunting ground. Does Gandhi "emphasize selectively some experiences omit other equally decisive ones"? Does he "reveal flamboyantly some deed to disguise or deny equally obvious commitments"? Does he "argue and try to prove what seems to purify and confirm his historical role and to try to correct what might spoil the kind of immorality he has chosen for himself"?

This psycho-analytic approach to history, the psycho-historical approach if you will, may be legitimate but it can also be dangerous and become an easy tool for debunking (Note Arthur Koestler's *The Yogi and the Commissar* and other related writings). Happily Prof. Erikson is aware of the dangers and brings a scholarly humility to his work.

Prof. Erikson gives an example of another kind of pitfall in the psycho-historical approach. Victor Wolfenstein in *The Revolutionary Personality* asks of Gandhiji's famous salt-march "Why did Gandhi choose the salt tax from among his list of grievances as the first object of Satyagraha?"

Part of Wolfenstein's answer is:

Another line of interpretation, which is consonant with the view I have been developing of Gandhi's personality, is suggested by Ernest Jones' contention that one of the two basic symbolic significances of salt is human semen. If it had this unconscious meaning for Gandhi, then we may understand his depriving himself of condiments, including salt, as a form of sexual abstinence, involving a regression to an issue of the oral phase. In the context of the Salt march, Gandhi's taking of salt from the British can thus be seen as reclaiming for the Indian people the manhood and potency which was properly theirs.

But to quote Prof. Erikson this "One-way symbolization . . . by which the non-sexual always symbolizes the sexual", assumes "that the erotic is more central to infantile and primitive experience than are the cognitive and the nutritional". But is this true in cases where survival is at stake, "where sexuality is not so obsessive as it becomes in the midst of affluence"? In the Indian context of chronic semi-starvation, it would be more appropriate to assume first of all, that "salt means salt". It is a question of determining the "place of sexuality in man's whole ecology."

The other essays deal with Nkrumah, de Gaulle, Newton among others. Popular Prakashan is to be congratulated on making this book available at so low a price. An interesting sequel might bring these various approaches to bear on one personality.

ANIL DHARKAR



## BROKEN PLEDGES

*In seven summit meetings between a U.S. President and a Soviet leader, 25 agreements have been reached. The Soviets have violated 24 of those 25 agreements, according to a staff study for the U.S. Senate Judiciary Committee. Here is their record:*

1943. At Teheran, in meeting with British Prime Minister Winston Churchill and U.S. President Franklin D. Roosevelt, Joseph Stalin made four major agreements. Russia broke all of them.

1945. At Yalta, in another wartime Big Three meeting, Russia entered into six major agreements, of which five were violated.

1945. At Potsdam, where President Harry Truman represented U.S. in a summit meeting after Germany's surrender, Stalin made 14 major agreements. All were broken.

1955. At Geneva, in a Big Four meeting including France, Russia agreed that Germany's reunification problem should be settled by free elections. Moscow later refused to permit such elections.

*The Russians similarly have failed to keep many other international agreements with the U.S. Examples:*

In World War II, the Soviets promised Western allies they were seeking no territorial aggrandizement. But Russia by 1948 controlled 11 countries—plus East Germany—and 750 million people.

Russia repeatedly promised the U.S. between 1942 and 1946 that it would guarantee freedom and free elections in Hungary, Bulgaria, Poland, Czechoslovakia and Rumania. All those countries wound up with Communist dictatorships.

The Kremlin pledged to repatriate World War II prisoners, but instead sent millions of them to slave-labor camps.

Russia gave the U.S. a promise that Korea would be free and independent—then set up a Communist government in the northern half of the country and masterminded an attempt to invade and conquer the rest of Korea.

The Soviet Union promised the U.S. that it would treat Germany as one country after World War II—then sealed off its occupation zone, turned it into a separate country and is now seeking to make Germany's division permanent.

Russia's promise of free travel between Berlin and the West has been broken repeatedly. Outstanding examples of this were the Berlin blockade of 1948-49 and the 1961 construction of the Berlin Wall.

Russia repeatedly assured the U.S. in 1962 that the arms build-up in Communist Cuba was purely defensive in character—then secretly put in offensive missiles aimed at the U.S.

In 1970 Russia approved of a U.S. cease-fire plan in the Middle East, then helped Egypt violate it by moving SA-2 and SA-3 anti-aircraft missiles up to the Suez Canal.



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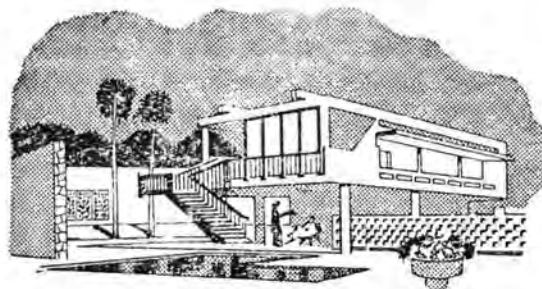
*THE HELPLESS SUPERVISOR — Cont'd from page 1*

students walked to the toilet and returned with written papers. When I threatened to report a student to the authorities he menacingly told me that he was the son of a Police Inspector. I told him that it would make no difference if his father were the Director General of Police. I tried to take action against him but the matter was quickly hushed up. Much later I was told that in vacant houses nearby a regular Helpers Club existed. Students not appearing for the exams managed to get blank papers. Question papers were procured well in advance in the form of "important questions". Answers were written on the blank papers and then smuggled to the distressed students in the examination hall.

One student, whose frequent sojourns to the toilet were noted was reported to the authorities and punitive action taken. But in the due course of injustice his behaviour was condoned through the good offices of a prominent Congressman in the district. And the fruits of the student's labour netted him 61% in the First Year Arts Examination.

Maybe it was the presence of my maternal escort or the students' elation that exams were over and they had beaten the system, that I was spared physical mutilation. I was so thoroughly exasperated with the ways of examinations that I remarked to a student, that dishonesty never pays. I met him after the results were released.

"Madam" he said, "dishonesty pays, I got a first!"



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

The name of every virtue at its apex is courage.  
—Winston Churchill quoted in *Time*, May 15.

You can do many things with defectors, as you can  
with bayonets, but you cannot count on sitting on them.  
—*Economist*, April 29.

Socialist leaders handle national property as their own  
but, at the same time, they waste it as if it were some-  
body else's. Such is the nature of ownership and  
government of the system.  
—Milovan Djilas in *The New Class*.

The less developed countries have awakened into a  
century where everybody wishes to ride two horses  
simultaneously: the horse of economic equality and  
the horse of economic development. The USSR had  
found that these two horses will not go in the same  
direction and has therefore abandoned one of them.  
—W. Arthur Lewis in *The Theory of  
Economic Growth*.

There is only one way to stop the killings; that is to  
keep the weapons of war out of the hands of the  
international outlaws of North Viet Nam.  
—President Nixon in *Economist*, May 13.

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UNCTAD presumes that the US is a giant cow and  
that there should be a teat for every developing  
country in the world.

—*Time*, May 29.

The French adore other people's monarchs.  
—*Time*, May 29.

If violence is as American as cherry pie, in that  
overcelebrated phrase, it is also as German as strudel,  
as Russian as borsch, as Japanese as sake.  
—*Time*, May 29.

There are apparently a number of people in high  
positions in the ruling party who want to see this  
country become a larger edition of Burma. They have  
lost the capacity not only to think for themselves but  
also to draw appropriate lessons from the bitter ex-  
perience of others.  
—Sham Lal in *The Times of India*, May 19.

No power on earth is stronger than the United  
States of America today. None will be stronger than  
the United States of America in future.  
—President Nixon quoted in *Free Press Journal*, June 3.

Many Moscovites jokingly refer to Nixon as  
"Moscow's new chief architect."  
—*Time*, June 5.

An ancient Washington gag is that an unsuccessful  
weapon is about to be renamed 'the civil servant' be-  
cause it won't work and you can't fire it.  
—*Time*, June 5.

There is no security on this earth—there is only  
opportunity.  
—Gen. Douglas MacArthur quoted in  
*Indian Express*, June 13.

This is the Silver Jubilee year of Independence both  
in Pakistan and in India. But it is a jubilee without  
jubilation in both countries.  
—C. Rajagopalachari in *Swarajya*, June 10.

The Soviet response to the mining of Haiphong  
harbour was about as tough as sadly overcooked  
spaghetti.  
—*March of the Nation*, June 3.