

Political Opportunism

Arvind A. Deshpande

THE gods that are now presiding over our political destiny seem to be in the mood in which Shakespeare was when he created his comedies. The Indian political scene today resembles the *Mid-Summer Night's Dream* and no one is more serious in this comic play than the actors themselves. What follows is only an attempt to discover some method in the current madness, especially in the madness plaguing U.P., Bihar, and West Bengal.

The internal conflict within the Congress party has imparted instability to the political life of the country in general. It has also affected almost all the other political parties. If all this leads to a re-examination of the party system in this country, the present situation may well prove to be a blessing in disguise. Certain things, however, have become obvious following the split in the Congress:

(1) The divorce of principles and ethics from power in India today is almost as complete as in any totalitarian country except that in the latter they do not pretend to hold to the canons of personal morality. In Bihar even personal morality does not seem to count.

(2) The age of absolute majority has ended and coalition will be the pattern for the coming decade and in this pattern even small parties are likely to get away with the lion's share.

(3) Almost all parties have been forced to make radical gestures and use the leftist language knowing fully well that in the current unstable condition all that they can do is to attend to the business of efficient government and the containment of subversion, and somehow keep the democratic rule going.

Although there is so much talk about socialism and a new era, what is actually going to happen is that an era of free enterprise with a minimum action on the part of government is about to begin. In other words, we will have minimum government and maximum individual enterprise, and the socialist parties by playing the game of power politics and a war of attrition will unconsciously help this process. In fact in Uttar Pradesh the two so-called socialist parties namely the two Congress Parties have been at such a war of attrition and have made an unconditional surrender

to a party like the BKD whose programme is certainly to the right of centre. With the split in the Congress, Mr. Charan Singh, with the 98 MLA's supporting him, naturally became a king maker. What has horrified both the Congress parties is that instead of remaining a king-maker he has made himself the King. It is futile to find out which of the major parties in U.P. was more opportunistic. The only fact to be noted in this drama is that Mrs. Indira Gandhi is very keen on asserting her authority, in the States ruled by Congress(O) and she is prepared to pay almost any price for this. It is absolutely necessary for her to capture power in U.P., her own home State, in Bihar, which sends a large number of persons to Parliament and also if possible in Mysore and Gujarat, the two remaining States belonging to Congress (O). In short, things will continue to be chaotic in U.P. One remembers late Dr. Ambedkar's words and lament that U.P., inspite of being politically unstable and economically backward, should be destined to rule India. The fact that failure in U.P. would also make it difficult for Mrs. Gandhi to face the parliamentary mid-term election once again proves that whatever happens in U.P. is of direct and immediate consequence to stability, order and progress at the national level.

The people of Bihar are perhaps the most miserable in the country today. They have given up hope even without fighting. No one can predict what will happen in Bihar. The SSP which is quite strong in Bihar suffers from utter confusion. If Mr. Charan Singh at least knows his goal the leaders of SSP are utterly confused about their goal. The party, as the late Dr. Lohia used to say, does have "the will to power", but it lacks the capacity to govern. It is a pity that the smaller parties such as the SSP, and PSP are not yet prepared to govern although they have received almost three years' notice and some experience. While these parties may have programmes on paper, the only parties that seem to be capable of providing stable administration belong to the so-called Right.

If the people of West Bengal completely upset the calculations of political analysts in the mid-term poll, the United Front rulers seem to have excelled them in this art. It is said that Lenin made Marx stand on his head. Mr. Jyoti Basu and his colleagues seem to make everybody stand on his head. In any case the days of the United Front Government seem to be numbered. With the split in the Congress Mr. Ajoy Mukherjee seems to think that like Mr. Charan Singh he can remain the Chief Minister of West Bengal with

the help of the ruling Congress and drive the Marxists out of government. One can only wish him god speed.

To sum up, the political situation today remains very fluid with almost all the political parties trying their best to avoid the mid-term parliamentary election but unconsciously working for it. There is still hope of a two party system being thrown up by the present chaos. It would be in the national interest if all the parties help this process. All of them especially the two Congress Parties must allow each other a period of consolidation and reorganisation. Every party, consistent with national interest and security, should be allowed to rule if people prefer its rule. A Mid-term parliamentary election will only mean a new parliament in which no single party will have more

than 100 to 150 members. As is evident now, coalition government at the centre is the inevitable next phase of our political development. If there are too many parties in Parliament then the things that are now happening in U.P. and Bihar will also happen at the Centre and there will be no chance of stability or ordered progress. It is, therefore, time that both the ruling Congress and the Opposition Congress as also the other democratic parties gave serious thought to all this and forged alliances which would be natural, programme-based and enduring.

All the present stresses and strains may be termed as a crisis of ambition and political opportunism. Our democracy will survive only if political parties show understanding and practise a little self-denial.

WITHOUT COMMENT

Soviet Editor Quits

Alexander Tvardovsky, the indomitable 60-year-old editor of *Novy Mir*, the last Soviet literary journal of real quality, has resigned.

His exit does not come as a surprise, but the seismograph of the Soviet intelligentsia is recording the shock waves of a powerful earthquake, and the signs of turbulence continue.

A heavy pall of fog now lies over the future of Soviet literature, blotting out hopes of any worthwhile progress in a new direction. The removal of Tvardovsky is a disaster from which Soviet literature will take a long time to recover.

The departure of Tvardovsky is the climax of a steady campaign against liberal, experimental tendencies in the arts which has been going on for some years and gathered momentum after the invasion of Czechoslovakia in 1968.

Novy Mir was a thorn in the side of those Soviet writers whose quality of work was far below the level of their positions in the literary hierarchy, conformists who hated to see others succeed where they had failed.

Tvardovsky has twice been editor of *Novy Mir*, first between 1954 and 1958, when he was sacked by Khrushchev for publishing some controversial work by Ehrenburg and others. He was reinstated in 1958 and since then has maintained very high standards in *Novy Mir*.

It was during his editorship that Alexander Solzhenitsyn's 'One day in the life of Ivan Denisovich' was published. Many other major works of the Soviet literature of the past decade first came to light in the magazine.

—*The Observer* (London), February 15.

Bertrand Russell

We pay our respectful homage to Earl Bertrand Russell who died on 2nd February at the ripe old age of ninetyseven. Earl Russell was an eminent philosopher and mathematician and an active political and social reformer. He stood for a new social order based on freedom and equality. He was a passionate champion of freedom in all walks of life. The cause of freedom in any part of the world always found in him an able advocate.

In the last few years of his life, Earl Russell was mainly engaged in a campaign for the preservation of peace and for the avoidance of a nuclear holocaust. In that campaign he adopted many a time harsh and unfair attitude towards the Democracies and a partial attitude towards Russia. That was, however, just one phase of his life.

The work that he did in the earlier periods of his life is far more important and abiding. He has made lasting contributions to many departments of learning and also to English literature. He was the most profound and creative of the minds of the twentieth century.

Louis Fischer

The world of letters and the world of dedicated fighters for the cause of freedom and democracy has sustained another grievous loss through the death of the American writer and political scientist, Mr. Louis Fischer. Mr. Fischer has written extensively on a variety of political and other topics. His sympathies were universal. He was a great friend of India. We pay our tribute to his memory.

Bank Nationalisation And Fundamental Rights

A. G. Mulgaokar

THE judgment of the Supreme Court in the Bank Nationalisation Ordinance and Act cases is now out and has deservedly attracted considerable public attention and a certain amount of adverse comments as well. That most of these adverse comments have been from certain political angles and on the part of the so-called left-wing politicians can be understood against their ideological background. But, on the other hand, it should also be borne in mind that when the people lose their confidence in politicians and officials they are apt to look to the judiciary for the vindication of their rights, which they suppose are being assailed by unscrupulous set of politicians.

It is important to remember at all times that in a democratic set up the place of the Supreme Court is not to provide legislative correction, nor even to suggest legislative corrections but only to administer the law as it stands and interpret the Constitution. Anything else it does would be necessarily beyond the scope of its proper function. The exact rule and function of the Supreme Court can therefore be briefly described as being complimentary to the legislature and not supplementary.

In the judgment which the Supreme Court has just delivered in the two cases, of the Ordinance and the Act, it has no doubt gone back on certain judgments which it had previously delivered on the same subject. But this they are entitled to do and, therefore, it must not be considered as anything extraordinary. The questions decided were: (1) Whether the Ordinance promulgated in exercise of the power under Art. 123 of the Constitution was invalid, because the condition precedent to the exercise of the power did not exist. (2) Whether in enacting the Act the Parliament encroached upon the State List in the Seventh Schedule of the Constitution, and whether, therefore the Act was outside the legislative competence of the Parliament. (3) Whether the Act violates fundamental rights. (4) Whether the Act violates the guarantee of the freedom of trade. The Supreme Court came to the conclusion that in view of their decision on the validity of the Act any decision on the validity of the Ordinance would be academic. The Court did not accept the contention of the petitioner that Parliament encroached upon the State List in the Seventh Schedule. It decided, however, that the Act did violate fundamental rights of the petitioner and also the guarantee of freedom of trade.

The criticism which is being directed against the judgment is mostly ill-informed but not all the criticism

has the advantage of ignorance, particularly where the criticism is on the part of lawyers. The Prime Minister is reported to have remarked that the judgment "shows what obstacles are placed in the way of those who want to bring about any change or to do something new". Now, even an ex-Judge of the Supreme Court has joined the ranks of the critics forgetting that in delivering the judgment the Supreme Court was well within its rights and has certainly not done anything unconstitutional. Mr. Justice Shah is wellknown for his judicial deportment and integrity and the rest of his colleagues also enjoy a high reputation. It is all the more necessary when criticism is made by people who occupy or have occupied responsible positions to remember that under a Federal written Constitution the Supreme Court performs a necessary role and is entitled to its views.

If any fault is to be found with the judgment, it is only with that part of it in which the judges decide not to deliver any judgment with regard to the legality of the Ordinance. The question had been fully argued before them and the circumstances in this particular case were such that a finding on its legality could have been well given because after all the question is not only a most important one but is also likely to crop up repeatedly in the near future. The position at present though not free from doubt is briefly this: In the past the Privy Council has held that under the 1919 and 1935 Government of India Acts the Governor-General was the sole authority for deciding whether an emergency existed necessitating the promulgation of an Ordinance. That view was based on the fact that the Government of India under those Acts was in effect the Governor-General. That inspite of the somewhat limited representative character, the Government was the Governor-General, conducted under the supervision of the Secretary of State for India who was responsible to the Parliament. Therefore, when the Governor-General promulgated an Ordinance, the Privy Council would not question the fact of emergency to meet which the Ordinance was promulgated by the Governor-General. At present, we in India have not merely a representative Government, that is a Government responsible to the Legislature and, if *pro-forma*, the President promulgates an Ordinance he does this on the invitation of the Government and therefore it becomes necessary to test whether in fact there is an emergency which calls for the promulgation of the Ordinance. The Supreme Court in refusing to decide this question has, it is felt,

missed a good opportunity of laying down the law on the subject.

The Supreme Court Judgment lays down the following in its various parts: "Jurisdiction of the Court to grant relief cannot be denied when by State action the rights of the individual shareholder are impaired, even when that action impairs the rights of the Company as well. The test in determining whether the shareholder's right is impaired is not formal; it is essentially qualitative: if the State action impairs the right of the shareholders as well as of the Company, the Court will not, concentrating merely upon the technical operation of the action, deny itself jurisdiction to grant relief."

"The object of Act 22 of 1969 is to transfer the undertaking of each named bank and to vest it in the corresponding new bank set up with authority to carry on banking and other business. Each such corresponding new bank is controlled by the Central Government and of each the entire capital stands vested in and allotted to the Central Government." "It is necessary to determine the true scope of 'banking' in Entry 45, List I, the meaning of the expression 'property' and the limitations on the power of the Parliament to legislate in respect of acquisition of property in Entry 42, List III. The expression 'banking' is not defined in any Indian statute except the Banking Regulations Act, 1949. There is no evidence that the named banks were before July 1969 carrying on non-banking business distinct and independent of the banking business or that the banks held any distinct assets for non-banking business apart from the assets of the banking business. By enacting that the corresponding new banks may carry on business specified in Section 6(1) of the Banking Regulations Act and the named banks shall not carry on banking business as defined in Section 5(b) of that Act the impugned Act did not encroach upon any Entry in the State List. By Section 15(2)(e) of the impugned Act the named banks are expressly reserved the right to carry on business other than banking, and it is not claimed that thereby there is any encroachment upon the State List. 'Exercise of the power to legislate for acquisition of the undertaking of the named banks also does not trespass upon the State List.'"

On the point of infringement of the fundamental rights this is what the Supreme Court had to say: "By Arts. 31(1) & (2) the right to property of individuals is protected against specific invasions by State action. The function of the two clauses—Cls. (1) & (2) of Art. 31 is to impose limitations on the power of the State and to declare the corresponding guarantee of the individual to his right to property. Limitations on the power of the State and the guarantee of right are plainly complementary. Protection of the guarantee is ensured by declaring that a person may be deprived of his property by 'authority of law': Art. 31(1); and

that private property may be compulsorily acquired for a public purpose and by the 'authority of law' containing provisions fixing or providing for determination and payment of compensation: Art. 31(2). Exercise of either power by State action results in abridgement—total or partial—of the right to property of the individual. Article 19(1)(f) is a positive declaration in the widest terms of the right to acquire, hold and dispose of property, subject to restrictions (which may assume the form of limitations or complete prohibition) imposed by law in the interests of the general public. The guarantee under Art. 19(1)(f) does not protect merely an abstract right to property; it extends to concrete rights to property as well.

"The constitutional scheme declares the right to property of the individual and then delimits it by two different provisions: Art. 19(5) authorizing the State to make laws imposing reasonable restrictions on the exercise of that right, and cls. (1) & (2) of Art. 31 recognizing the authority of the State to make laws for taking the property. Limitations under Art. 19(5) and Art. 31 are not generically different, for the law authorizing the exercise of the power to make the property of an individual for a public purpose or to ensure the well-being of the community, and the law authorizing the imposition of reasonable restrictions under Art. 19(5) are intended to advance the larger public interest. It is true that the guarantee against deprivation and compulsory acquisition operates in favour of all persons, citizens as well as non-citizens, whereas the positive declaration of the right to property guarantees the right to citizens. But a wider operation of the guarantee under Art. 31 does not alter the true character of the right it protects. Article 19(5) and Art. 31(1) & (2), in our judgment, operate to delimit the exercise of the right to hold property.

"Under the Constitution, protection against impairment of the guarantee of fundamental rights is determined by the nature of the right, the interest of the aggrieved party and the degree of harm resulting from the State action. Protection of the right to property or personal freedom is most needed when there is an actual threat. To argue that State action which deprives a person permanently or temporarily of his right to property, or personal freedom, operates to extinguish the right or the remedy is to reduce the guarantee to an empty platitude. Examining the problem not merely in semantics but in the broader and more appropriate context of the constitutional scheme which aims at affording the individual the fullest protection of his basic rights and on that foundation to erect a structure of a truly democratic polity, the conclusion, in our judgment, is inevitable that the validity of the State action must be adjudged in the light of its operation upon the rights of the individual and groups of individuals in all their dimensions."

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Sino-Soviet Conflict

Adam Adil

WHEN in 1949 communist hegemony was established on Chinese mainland and the Soviets began their fraternisation with their Chinese comrades, it was beyond anybody's wildest dreams that the two giants of the communist world would fall out so bitterly just within two decades. Today, the Soviet Union and China are not only hostile to each other but are almost on the verge of a violent clash.

It all began when, following the denigration of Marshall Stalin by Khrushchev in 1956, Russia and China could not see eye to eye together. Ideologically they were drifting apart. There was, of course, no question of either of them renouncing Communism. Both were communist in the orthodox sense and one surpassed the other in its ideological rigidities. Though Stalin was denigrated, Russia had not switched to democracy and liberalism. Yet, the Chinese began to suspect the Russians and described them as revisionists. Revisionism under Communism is blasphemy and anyone who is guilty of such a blasphemy is an outcast. Hence, for the Chinese the Russians became outcasts, never to be befriended. The following years were marked by mutual recrimination and name-calling, and endless disputations and polemics.

Till recently, however, there was no violence between the two, but violence was soon to come. The ideological dispute was converted into a violent border clash. It was over a minor issue of the island in Ussuri River—an island which the Russians call Damansky and the Chinese Chenpao. The Chinese argued that the island legitimately formed a part of China and that it was seized by the Russian Czars for their own imperial purposes. China advanced claims also to some other parts of Russia. The Russians disputed the Chinese claims.

Although Russia has fortified its border areas, it seems, she is keen to settle its border disputes with its communist "brother" and even explore the possibilities of persuading China to rejoin the world communist fraternity under the leadership of the Soviet Union.

According to latest reports, Moscow is giving top priority to this effort. The leader of Moscow's high level negotiating team in Peking, the First Deputy Foreign Minister, Mr. Vassily Kuznetsov, is understood to have decided upon a long spell of talks with his Chinese counterpart, Mr. Chiao Kuan-hua, in which he will try to find out if the Chinese are ready not only for a border settlement but also for ending the ideological quarrel and returning to the world communist fraternity.

Probably the Russians were heartened in this direction by the Chinese willingness to renew the border talks—broken off by Moscow in December—and also to

broaden the basis of discussions to include the issues of trade and diplomacy between the two countries.

A recent article in *Pravda* by Mr. Sergei Tikhvinsky, advisor to the Soviet negotiating team in Peking, also illustrates Soviet anxiety to put an end to mutual splitting tactics between the two countries. Mr. Tikhvinsky has almost confirmed the reports of the Soviet offer to China to conclude a pact of non-aggression or non-use of force in the settlement of the border disputes. Mr. Tikhvinsky stated: "The Soviet Union is doing everything to have good neighbourly relations with the Chinese Peoples' Republic—relations based on principles of respect of the sovereignty, territorial integrity and non-use of force."

In the meantime, China has agreed to talks with the U.S.A. in Warsaw and the talks have already started. In fact, these talks were expected a year ago; but they were held up, though for no particular reason. The Sino-U.S. talks would serve one definite purpose: they would frighten the Soviet Union into settlement of the border dispute with China, lest, with some sort of settlement with U.S.A., China should prove too recalcitrant to the Soviet Union. True, in the event of a violent clash between China and Russia, the U.S.A. would not side or sympathise with China; on the contrary its sympathies might be with Russia; for, understandably in American estimation, friendship with Russia at the present moment is more valuable and enduring than with China. The Chinese might be friendly today, but how they would behave the next day is anybody's guess. Chinese diplomacy is at its lowest ebb, and likely to make more enemies than friends.

The American willingness to resume talks with China, is obviously motivated by the idea of reducing Chinese pressure in South-East Asian countries. After its aggressive adventure against India in October 1962, China has become a menace to the countries which lie on the periphery. United States wants China to behave reasonably well not only with its neighbour countries but also with other countries of Asia and Africa. The success of Chinese talks with U.S.A. is bound to have healthy effect on the Chinese relationship with other countries.

But obviously, Russians would not appreciate the American motives in their talks with the Chinese. They would like the relations between U.S.A. and China permanently strained so that China faces two enemies at the same time.

In spite of the flexible policy that Russia has adopted in its border talks with China, it does not appear that China would respond with the same flexibility. The

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The Supreme Court then said: "We are therefore unable to hold that the challenge to the validity of the provision for acquisition is liable to be tested only on the ground of non-compliance with Art. 31(2). Article 31(2) requires that property must be acquired for a public purpose and that it must be acquired under a law with characteristics set out in that Article. Formal compliance with the conditions under Art. 31(2) is not sufficient to negative the protection of the guarantee of the right to property. Acquisition must be under the authority of the law and the expression 'law' means a law which is within the competence of the Legislature, and does not impair the guarantee of the rights in Part III. We are unable, therefore, to agree that Arts. 19(1)(f) and 31(2) are mutually exclusive."

On the point of compensation the Supreme Court lays down the following principles: "We are unable to hold that a principle specified by the Parliament for determining compensation of the property to be acquired is conclusive. If that view be accepted, the Parliament will be invested with a charter of arbitrariness and by abuse of legislative process, the constitutional guarantee of the right to compensation may be severely impaired. The principle specified must be appropriate to the determination of compensation for the particular class of property sought to be acquired. If several principles are appropriate and one is selected for determination of the value of the property to be acquired, selection of that principle to the exclusion of other principles is not open to challenge, for the selection must be left to the wisdom of the Parliament.

Compensation to be determined under the Act is for acquisition of the undertaking but the Act instead of providing for valuing the entire undertaking as a unit provides for determining the value of some only of the components, which constitute the undertaking, and reduced by the liabilities. It also provides different methods of determining compensation in respect of each such component. This method for determining of compensation is *prima facie* not a method relevant to the determination of compensation for acquisition of the undertaking. Aggregate of the value of components is not necessarily the value of the entirety of a unit of property acquired; especially when the property is a going concern with an organized business. On that ground alone, acquisition of the undertaking is liable to be declared invalid, for it impairs the constitutional guarantee for payment of compensation for acquisition of property by law. Even if it be assumed that the aggregate value of the different components will be equal to the value of the undertaking of the named bank as a going concern the principles specified, in our Judgment, do not give a true recompense to the banks for the loss of the undertaking."

It will be seen that the judgment does in many ways create history, laying down as it does broad and healthy principles on the points of fundamental rights, and compensation to be paid in cases of compulsory acquisition. The thanks of the public are due to Dr. R. C. Cooper and Mr. Palkhivala, but for whose efforts this matter would not have been agitated or presented with such skill in the Supreme Court.

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One Year's Balance Sheet

Analyst

AT the time of writing (15 Feb.), the UF Ministry is still alive. Perhaps it will complete one year of its existence. With such a thumbing majority in the legislature (218 out of 280) this is no wonder, and yet many, including its partners, expected its fall several times since last October.

The UF started its career with a great anti-Centre stance, picking on incidents at Durgapur and Cossipore, but after a sharp behind-the-scene confrontation with Home Minister Chavan the scene discreetly shifted to the 'home front'.

The UF led by the CPM then got busy in giving beatings to "enemies" of the UF, namely the Congress workers, and they so succeeded in it that the Congress, already isolated, were completely demoralised and practically went out of the picture.

The police and the administration were taken in hand. As land was being forcibly occupied and industrial managers and directors were being gheraoed and manhandled, the police either became inactive or were being beaten up. Their desperate situation led to anger and these were misdirected cleverly to overt action in the Assembly on July 31. This gave a wonderful opportunity to intervene and undermine the morale of police officers as well as men. Today the police as well as the general administration have no discretion and are completely manipulated to party ends, although there is now a conflict between the partners about those ends. Shuffling and reshuffling of posts by the Home Minister is going on and even fresh recruitment is politically oriented.

In the initial months the industrywise labour demands were raised and these were fully backed by the Government and conceded by the industry. But now the industrial situation is characterised by (a) flight of all new capital—it is estimated that over 500 new units are being set up by Bengal's industrialists outside Bengal, (b) closures and lockouts by many industries, (c) lack of orders due to fear of inability to keep to delivery schedules, (d) bitter inter-union rivalries leading to clashes and murders, (e) fear and flight of the managerial talent, and finally (f) increasing unemployment.

In the rural areas over 300,000 acres have been forcibly occupied and harvested and in addition many a small peasant has lost his harvest to armed rural gangs. The police and magistrates—even the temporary mobile ones (several hundreds of them)—have

helped this process and a kind of "peace" exists. The High Court's injunctions in hundreds of land cases have been respected by ignoring them completely. The rural entrepreneurs are sulking and are buying peace at any price. The rice-mill-owners are purchasing the looted paddy, thus increasing the funds of the party concerned. But the crucial question of rural credit will raise its ugly head soon enough. Land is not enough for distribution among the land hungry, and the inevitable conflict on this score will begin afresh.

The central stage of the UF governmental experiment was occupied by inter-party relationship. Since June, inter-party clashes have continued unabated. At first it was expressed at the lower echelons, in the districts—land or fishery occupation, school capturing, labour troubles. Murders and serious clashes increased in number. Numbers of incidents increased, the areas covered widened, middle leadership of parties also affected, endless discussions were held at State level, formulae were drawn up and redrawn, agreements were arrived at and revised. But the tension mounted. Nothing could stop it. CPM seemed to be the major party involved in most cases, but other parties were guilty as much, as, except the Bangla Congress, nobody objected to the forcible extension of party influence on principle. The CPM was at a greater advantage as it could operate the key ministries to serve its aims. Relations between the partners got embittered and ultimately the Bangla Congress which had submissively and passively dittoed till September took the initiative in criticising the whole trend. Its programme of mass hunger-strike, seemingly ineffective, was successful in the sense that one of the UF partners struck a critical note publicly and the public in the rural areas responded well. A new political factor emerged.

But the Bangla Congress with the strategic position of Chief Minister in its hands and with big popular backing stopped there. It did not know what to do with it. It could not maintain its initiative. It had no political demand of a positive and concrete nature. It thus got bogged down in irrelevant controversies. The other parties which were critical of CPM but were ideologically more prone to CPM ideas than the Bangla Congress did not want to clear the issue with the CPM either. The CPM, sensing this political weakness and vacillation of its critics stuck to its position

with much verbal aggression and began to undermine the prestige of the Chief Minister frontally.

The politics at the Centre, with the Congress split in two, has played its role as well. The Prime Minister badly needs the support of the CPM members of Parliament and is therefore not inclined to encourage Ajoy Mukherjee any more. The CPM, on its part, has made it plain that any attempt to disturb the UF government even indirectly will mean severe consequences. Therefore Home Minister Chavan has declared publicly that law and order has not broken down in West Bengal, in clear contrast to his earlier concern.

A definite process of satellisation of the smaller parties has already taken place and even the Forward Bloc, the Bangla Congress and the CPI will find their parties divided if the UF government is broken up. The CPM has demanded fresh elections in such a contingency and it is quite likely that in many constituencies the elections will not be free.

The CPM has within one year grown tremendously. It has a membership of nearly 30,000, associate membership of nearly 65,000 and a para-military volunteer corps of 110,000 apart from 500,000 of Kisan Sabha membership and trade union, student, youth

and women membership of another 200,000. Thus, today it can field at least 350,000 to 400,000 on a para-military basis, holding key positions in industry, transport, communications, government, and out of the way semi-liberated rural areas. Another 100,000 can easily be added if other satellite parties who are more extremists are counted.

The CPM thinking today is increasingly based on the militaristic concepts of revolutionary struggle, against the might of the Centre, and it conceives of the strategic positions in the Ministry or in the parliamentary front as merely contributory to that struggle. Considered from this angle, the CPM in West Bengal has come out in flying colours in terms of Leninism, in the race for leadership with other Communist groups, in this centennial year of the birth of that great strategist.

The State has been weakened, the other political parties have been denuded of their sting and counter-attacking or mobilising power, the revolutionary party has been entrenched, its base widened, its revolutionary consciousness increased, its discipline emphasized and its supervisory cadre trained and tuned. This is the net balance in one year.

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very fact that the Chinese have demanded that the Soviet Union must first acknowledge that it was in illegal occupation of thousands of miles of Chinese territory seized by force by the imperialism of Czarist Russia is an indication that the Chinese are out to put impossible conditions. The Chinese are not such innocents as to imagine that the Soviet Union would make such a confession. It is fairly certain, therefore, that the Chinese are not willing to settle their border dispute with Russia at least for some time to come.

It is imperative that in such a situation, India must consider the possibility of starting its own dialogue with China so that the tensions between the two countries could be eased to some extent. While the U.S. is showing its willingness for talks with China, there is no reason why India should adopt a rigid attitude. India's flexibility in this respect will at least serve one purpose: it will put a check to the windfall Pakistan is having by its friendship with China at India's expense.

It is true that it is not certain that China would respond to India's gesture; it may even mistake this gesture as a sign of India's military weakness. In that case, India must let China know that it will go ahead with recognition of the Taiwan regime as representing the whole of China and take necessary follow-up actions. This will put China in its proper place and make it realise the consequences of India's recognition of the Formosa regime.

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I, V. B. Karnik, hereby declare that the particulars given above are true to the best of my knowledge and belief.

1st March, 1970

V. B. KARNIK
Signature of Publisher

Gandhi And The American Scene

Sadhu Singh Dhani

SO many books have been written about Gandhi, that if a new book is to have an impact, it must have a fascinatingly new approach or an outstanding literary merit. The book under review* cannot claim the latter, although it is written in a clear, simple, and in places vigorous style. It has, however, the advantage of a distinctive approach. The American reaction to Gandhi over almost fifty years, its changing moods under fluctuating conditions, ranging from idle curiosity to serious commitment, is depicted here with sympathetic understanding and faithful endeavour based on extensive research.

To anyone who has lived on the North American continent during this period, the book must bring many memories of the American reaction to the Mahatma—some irritating by their naivety, even folly, others very exhilarating for their broad humanity and moral grandeur. Many significant events and tall personalities arise before one like ghosts of dead yesterdays and sometimes one is compelled to ask: was it necessary to have such controversies over simple things? One meets in these pages, among others, John Haynes Holmes, Oswald Garrison Villard, Roger Baldwin, Norman Thomas, Reinhold Niebuhr, Martin Luther King, Louis Fischer and Vincent Sheean. Some of the issues which provoked them to take their respective stands still vibrate with life, a few, in fact, are so loaded with emotions that the inner tension often breaks out in a fury of violence.

The book, moreover, presents its theme in a historical perspective; Emerson, Walt Whitman and Thoreau are brought in with their relevant contribution and provide some depth to it. A common misunderstanding about the influence of Thoreau's *Civil Disobedience* on Gandhi is rectified as a result of a meticulous study. The author shows that Gandhi found in the sage of Walden a confirming rationale for *Satyagraha*, and not the initial inspiration for it, as often claimed even by serious students.

The basic issue that emerges out of the book is that of "non-violence." One chapter deals with its "anatomy"; in another it is compared with pacifism; still another gives Niebuhr's argument against Gandhi; and two chapters are devoted to Gandhian non-

violence and the American Negro. There is the definite meaning and significance attached to it in the Gandhian concept of *Satyagraha*, both in its basic philosophy and day-to-day practice. This differs from certain other concepts of non-violence, in particular those of the pacifists. The appeal of *Satyagraha* is rooted fundamentally in love and truth; its effect, therefore, is bound to be very limited in a society which considers both love and truth bad for business, and where business is all-important.

The technique of *Satyagraha* can be separated from its philosophy. Many in the Indian National Congress, in fact, accepted it only as a technique and not as a creed. The ethos of Indian culture provided, no doubt, an ideal condition for its success, although both Khan Abdul Ghaffar Khan and Martin Luther King used it effectively. Both, however, were men of deep religious faith.

In spite of the fact that conflicts in the world have sharpened and multiplied, *Satyagraha* has not become a popular remedy for their solution—not even in India. In the U.S.A., for instance, where the constitutional guarantee of equality for all men, the avowed Christian faith of the vast majority of the citizens, and their sensitivity to public opinion at home and abroad, should make it an ideal technique for vindicating the rights of the Negroes. The advocates of Black Power, impatient with the meagre results so far achieved, have discarded it. What happens, asks Stockley Carmichael, its most articulate leader, when powerless conscience meets conscience-less power? And he replies that a "non-violent approach to civil rights is an approach that black people cannot afford and a luxury white people do not deserve". This is all the more disappointing because Gandhi gained his first victory for *Satyagraha* in South Africa against humiliating racial discrimination. The Mahatma would probably reply with a smile that no conscience is altogether without power, and no society can survive for long without conscience. He would perhaps add that *Satyagraha* has the power not only to vindicate the Negroes but also to redeem the Whites.

The book could have fulfilled a greater purpose if it had attempted to examine the possibilities of a Gandhian solution of such problems which torment American society and often erupt in reckless violence. This, an essential part of the book's theme, is missing; it has been missed very greatly by this reviewer. Perhaps Dr. Seshachari would be stirred to add the crowning chapter to the next edition.

* *Gandhi and the American Scene* by C. Seshachari, Published by Nachiketa Publications Ltd., Sleater Road, Bombay 7. Price Rs. 20.

Strike In Jamshedpur

Dear Sir,

THE fear that the top-ranking readers of a Journal, believed to be reliable, might be misled by the various pleas made out in R. Muthuswamy's article titled "Jamshedpur Strike-Lessons", in your February 1970 issue (No. 213), calls upon me to send in some contradictions. I am qualified to do so, having been interested, if not directly involved, in the Jamshedpur Labour Movement, during the past more than four decades. I had myself been a 'worker' and had held offices in some of the local Unions.

Muthuswamy speaks of "Our industrial-relations policies and practices, over the past two decades". He is evidently referring to the period since the advent of political Independence; but he ought to have been more clear about the contents of the term 'our'. Probably he means Employers like Mr. J. R. D. Tata and the Congress party governmental leviathan that had been monopolistically ruling over the land during the said period. Or, is he excluding Mr. Tata and such others, and blaming only the Government?

The "15 per cent membership prescription" had little to do with affairs here. For reasons evident, it had been the policy here, all along, to recognise Congressite Unions only. And in the event of open rivalry, collaborationists were given preference over more militant ones, in spite of the latter enjoying a much better following. The policy sometimes went to the extent of manoeuvring to impose unmistakable "political leadership" of the variety mentioned, in preference to any other, and also in preference to non-political and that belonging even to their own 'workers'. Recognized Unions here have been mostly what are technically called Company Unions.

The plea about Communist attempt to take over is imprecise, puritan and scare-mongering. The last and ONLY attempt was NOT "within ten years", but more than eleven years back. There was no such attempt this time. As a result of the crushing defeat of 1958, Labour here is afraid of following the Communists and the latter, in their turn, are unable to lead. The 'attempt' this time was Congressite (as differentiated from INTUCite). It is not quite correct to call the leaders involved as "dissident section of INTUC union". They have succeeded only in a very small measure in creating rivalry within one or two INTUC unions here and that too with factional Congressite political backing. The strike was conducted mostly by temporary Struggle Committee, the so-called United Front only providing loud speaking, tall-talking leaders from out-station, which is a necessity in time of war. After the end of the strike, all that has evaporated. The local United Front was even

worse than the dis-United political Front in West Bengal. Naturally, there was not sufficient effort for "positively establishing" alternative leadership. Even the purpose of "dethroning the existing recognized union" was not actually there. Left Communists are practically non-existent, organizationally, in the local labour field, and the Samyukta and Praja Socialist unions are only paper organizations, apart from being faction-ridden. Taking advantage of the atmosphere created by Indira Gandhi, it was rather local Congressmen who brought about the United Front, for self-aggrandisement, i.e., because they in themselves had not the capacity to provide the whole of the glamorous leadership necessary. Right Communists were there merely because they did not want to get 'isolated', as the theory goes. The Strike was actually controlled by Mastans (strong men)—or *Dadas*, as they are called at Bombay—among the 'workers' themselves, who had the capacity, when needed, even to throw out professional leaders. So, if it was an attempt at all "to take over trade-unions in a crucial industrial centre", it was Factional Congressite, rather than Combined Communist.

Simply because the Strike was continued after 'substantive' demands had been conceded (notably, through stooges), does not make it 'politically-motivated'. Counter-acting imposed, unwanted, leadership does fall within trade-unionism itself. Demand for withdrawal of charge-sheets and suspension orders is as much a trade-unionist demand as any other—rather more so, in view of the basic issue of victimization. Victimization has been one of the foremost motives of industrial employers in India, and 'outside' leadership is therefore an important need of the Indian Trade Union Movement.

So the facts—at least so far as Jamshedpur is concerned. Providing recognition only to a Majority Union is just common sense. When that is not done voluntarily, legislation is certainly called for; much harm has rather been done already through 'voluntarism'. The Employers, in collaboration with the Government, have refused to deal with Unions chosen, rightly or wrongly, by the 'workers', and so have made those ineffective.

N. K. SANE

Eighth Avenue
Jamshedpur
9th February 1970

Editor, *The Democrat*

Mr. Muthuswamy writes:

Mr. Sane has not differed from my article as far as the substantive part is concerned. He is one with me that a majority union must be elected as representative

Search For Truth

Padma Bhavnani

ONLY One Year* is not an apologia for Svetlana Alliluyeva's defection from the Soviet Union. She needs none. She has broken away from Communism once and for all.

After she left Russia, whilst in India, she took a decision that "there can be no return". This however, was not the idea with which she had obtained permission from the Kremlin to come here. She faithfully searches her mind and examines herself from all aspects. It is a book of self-analysis. Consequently it is a flashback to her entire life since the first event that left an indelible mark on her life, namely, the death of her mother when she was six.

She was, like everyone else in the U.S.S.R., brought up and educated in Communism. There was no getting away from it. The pathetic reality, however, of numerous incidents so movingly referred to in the book could not but generate a feeling of revolt in one whose emotions and feelings were akin to those of the mother, who believed that one cannot live "by bread alone", and whose outlook was diametrically opposed to that of the father who never believed in the existence of God.

The cruel discovery of her mother's death having been a suicide or murder, realisation of the fact that the life of any man in the Soviet Union depended upon one word from her father, cognition of the fact that theoretical Marxism and Communism which she had studied had nothing whatsoever to do with the actual conditions in the U.S.S.R., where "secret police resembled the German Gestapo and its social aspect was some strange hybrid" appear to have made her brain throb. One feels the same pang, the same grief, the same emotion she describes in simple spontaneous prose.

(Continued from page 10)

union and legislation is called for to achieve this objective. This is exactly the point I made in my article when I stated that the wishes of all workers must be ascertained in determining a representative union. My reference to our industrial relations policies and practices was in this context and the word 'our' contains everyone concerned with good industrial relations. Mr. Sane should be happy that both myself and the *Freedom First* have already advocated this line and are supporters of the secret ballot system embracing all workers to choose the representative union, with the union given statutory rights.

As regards the other remarks of Mr. Sane, while appreciating his point of view, I would only say that the article has not made out any case as he presumes to think and it was concerned only with the practices as they exist today.

Her book evidences a search for truth. The process is both difficult and painful. It is more difficult for a sensitised person like Svetlana to break with the past knowing as she did that there would be no going back, at the same time realising that another opportunity would not come her way again. Hence the hesitation to take a final decision. Once however, she discovered the Truth she has the courage to stick to it with a pious hope that this decision would not jeopardise the lives of her two children.

The arrest of close relatives and friends, the knowledge that intellectuals who had brought fame to their country were made to live like recluses, forbidden to go abroad, forbidden to meet even in Moscow innocent foreigners, living under the strictest supervision, with no one hearing of the numerous 'secret prizes' and decorations they had received, the exploitation of Jews when it suited the Party, all these are vividly brought before the reader's mental eye. These and other such incidents with which the book abounds created a revolt in her mind.

When she speaks of pain, anguish and agony or of parental joy she shows restraint. Her feelings towards her father at the time of his death are contradictory. She had learnt of the sharp differences between Lenin and Stalin. Stalin developed to its furthest limits all that he had inherited from Lenin. Stalin's 'collective farming' had nothing to do with Lenin's 'co-operative plan'. She was also aware that most people considered him a friend. She experienced pain and relief together.

The condemnation of Stalin after his death was near universal. She decided to adopt her mother's name to dissociate herself from Stalin, and Stalinism.

In the years of Khrushchev, some liberties and the Twentieth Congress of the C.P.S.U. had, as Svetlana says, done much for her generation. But all this died with the fall of Khrushchev. The collective leadership of the Triumvirate—Kosygin, Brezhnev and Mikoyan, headed by Suslov, followed the line of Stalinism. History began to repeat itself. The artistic element was curbed and was considered the most 'restless'. The life of intellectuals has not altered. They still have no hope of a freer and brighter future. The Kremlin refused to register her marriage to Brajesh Singh, an Indian Communist. She could not take her dying husband to India when he so desired. All this destroyed her faith in Communism and all that it stood for.

She has been through varied experiences since she entered the American Embassy in New Delhi which she has endured remarkably. Her new friends, her new freedom, will in the years to come help her fulfil her mission.

* *Only One Year* by Svetlana Alliluyeva; Translated by Paul Chavchavadze, Hutchinson & Co. '35sl.

With Many Voices

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

—Tennyson.

Our Constitution aimed at making India the land of opportunity; our politicians have converted it into a land of opportunism. They have made socialism the opiate of the people.

—N. A. Palkhivala, *Opinion*, February 3.

India had seen a mushroom growth of "all kinds of socialists lately"—birthday socialists, festival socialists, conference socialists, procession socialists and weekend socialists.

—Nath Pai, *Times of India*, February 6.

Nationalisation of banks has been Mrs. Gandhi's raging commitment and also her blazing political talisman.

—*The Economic Times*, February 11.

West Bengal is in the hands of a violent mobocracy.

—*March of the Nation*, February 14.

If a Nobel prize were available for patience under every indignity, it should be awarded to Shri Ajoy Mukherjee, Chief Minister of West Bengal.

—*Swarajya*, February 14.

Yesterday it was the topless wonders in the social world. Today it is the topplers in political life.

—Frank Moraes, *Indian Express*, February 16.

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

Please enrol me as a subscriber to FREEDOM FIRST.

I remit the annual subscription of Rs. 5.00

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Signature

Blood debt would be repaid in full when the time comes.

—A. K. Gopalan, Marxist M.P., *Statesman*,
February 19.

Economic brinkmanship is what this country needs.

—Asoka Mehta, *Statesman*, February 19.

Political parties have a strangle-hold on students' associations in the Banaras, Allahabad, Lucknow and other universities.

—*Free Press Bulletin*, February 20.

The plea that the social goals set out in the Constitution cannot be realised in accordance with the provisions of the Constitution is a mere alibi.

—Justice Hegde of the Supreme Court, *March of the Nation*, February 21.

National leadership depends for its authority not on the will of the people but on its alliance with regional barons.

—Durga Das, *Economic Times*, February 24.

Industrialisation at its best breeds Hippies.

—Northcote Parkinson, *Indian Express*,
February 25.

Foreign aid has a great future—behind it.

—U.S. Congressman quoted in *Opinion*, January 27.

I don't know who is not a socialist in this country today.

—Jayaprakash Narayan, *Statesman*, January 31.

The older I get the more I judge people by their character and not by their ideas.

—Jawaharlal Nehru quoted by Andre Malraux in
Anti-Memoirs