

SALVAGING FUNDAMENTAL RIGHTS

S. P. Aiyar

A QUARTER of a century has just elapsed since the Constitution of India was inaugurated and as one reflects on the vicissitudes through which this noble instrument of government has passed one recalls the words of Rajendra Prasad in the Constituent Assembly. "Whatever the Constitution may or may not provide, the welfare of the country will depend", he said, "upon the way in which the country is administered. That will depend upon the men who administer it... India needs today nothing more than a set of honest men who will have the interest of the country before them... We can only hope that the country will throw up such men in abundance." It is a sad comment on our public life that twenty-five years later, the Constitution, which was conceived in liberty and dedicated to the goals of a free society based on social and economic justice, equality of opportunity and the unity of the nation should stand 'defaced and defiled' as one of our great constitutional lawyers* has now written.

The main cause, if one is compelled to select the most important from a welter of contributory factors, is the continued dominance of a single party for most of this period. In the Nehru era of Indian politics, as it is popularly known, there was a semblance of political stability but the economic policies of that period contributed immensely to the economic crisis and eventual social disruption which one witnesses today. Economic programmes and policies resulting in an administrative jungle of permits, licences and controls, black-market and corruption; restrictions on business and trade and property rights and the growing disparities between rich and poor despite socialist declarations had prepared the soil for a revolution of rising frustration. In his perceptive study of *Jawaharlal Nehru, A Contemporary's Estimate* (1966), Walter Cocker observed: "It is hard to escape the fear that the main achievement of Nehru's economic and social policy will turn out to be social disruption." These trends acquired a terrifying swiftness in the second

phase of one-party dominance under the Ruling Congress after the General Election of 1971. Statist policies, partly radical but mostly populist, were pushed through with little regard to constitutional implications and the new style of politics born in a life and death struggle against the 'old men' of the Congress was concerned with immediate political success rather than strengthening the norms of public life in a democracy. Within the brief span of three years the fundamental rights of citizens suffered erosion through constitutional amendments rendered possible through massive parliamentary majority and the judicial process was sought to be corrupted by injecting politics into it. The public has been confused by specious and misleading arguments of the politicians while the apathy of the masses

IN THIS ISSUE

We make no apology for reproducing from the normally staid *Times* of London a manifesto for a middle class revolt against statism in U.K. How much more reason there is then for similar anger and revolt on the part of the middle class in India?

"Our Constitution Defaced and Defiled" is the description that eminent lawyer N. A. Palkhivala gives to the state to which the Constitution has been reduced. Prof. S. P. Aiyar comments on this theme.

We welcome our new contributor, Miss Ruzbeh Antia, who tells us about the seething cauldron of discontent of students in the St. Xavier's College.

B. P. Singh, President of the Farmers' Federation of India, speaks out for the farming community oppressed by the Socialist government in Delhi.

* *Our Constitution Defaced & Defiled* by N. A. Palkhivala (Macmillan, Rs. 25/-)

makes possible the destruction of the democratic freedoms of the citizen. The situation is well expressed in the words of Joseph Story quoted by Sachchidananda Sinha in the Constituent Assembly in December 1949. "Republics are created" he said, "... by the virtue, public spirit, and intelligence of the citizens. They fall when the wise are banished from the public councils, because they dare to be honest, and the profligate are rewarded, because they flatter the people, in order to betray them."

If the Constitution today stands 'defaced and defiled' it is due as much to the apathy and ignorance of the citizens as the politician's appetite for power. Palkhivala expounds this theme with that celebrated eloquence which has made him famous. In part I, he discusses the nature and philosophy of rights, the implications of the Twenty-fourth and Twenty-fifth Amendments, specially that notorious Article 31 C which he rightly describes as "an outrage on the Constitution", the role of the Courts and the dangerous doctrine of having "A Judiciary made to measure."

The inclusion of Fundamental Rights in the Constitution is viewed in the perspective of History. Rightly does he say: "Compulsions of History dictated that the rights of the citizens should be guaranteed by the Constitution. The country was to become a free democracy for the first time in its 5000 years old history. Freedom had not been bred in the bones of the people; and in such a country the basic human freedoms needed a constitutional force to fight against the inevitable onslaughts of power hungry politicians." This is a view exactly the opposite of what the Simon Commission held in 1930. Its Report had said: "Many of those who came before us have urged that the Indian constitution should contain definite guarantees for the rights of individuals... Experience, however, has not shown them to be of any great practical value. Abstract declarations are useless, unless there exists the will and the means to make them effective." It seems ironical that we have now reached a point in our political development when the view of the Simon Commission seems to get reinforced by the deliberate attempts of politicians to nibble away at the rights of the citizen. Palkhivala quotes with approval, at the head of one of his chapters, the words of Justice Learned Hand: "Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it."

Inhospitable Environment

In several arresting sentences he refers to the inhospitable environment in which the Constitution now functions: "The real danger which India faces today is from the men who hunger and thirst for power and whom Milovan Djilas called 'The New Class'. They have little respect, and less concern, for the basic

human freedoms of the citizen. Their irresponsible readiness to amend the Constitution with a view to constricting liberty is only tantamount to a confession of personal unfitness to work, what one Supreme Court judge aptly called, 'Our sublime Constitution.' " Again: "In India freedom is not more than one election away from extinction. When an attempt to uphold the rule of law is called 'vested interests', and when preservation of the sanctity of the Constitution is called the handiwork of 'reactionary forces', it should be clear to any thinking mind that freedom is in peril."

One of the untenable arguments advanced by Communists and other radicals is the 'bourgeois' character of the Constitution and the inherent conflict between fundamental rights and the Directive Principles. Palkhivala categorically rejects this view: "There can be no inconsistency or collision between the fundamental rights and the directive principles since they are on different planes. There can be no conflict between the ends and the means. The only conflict is between the Constitution and those who refuse to accept the discipline of the Constitution. On the University campus, refusal to accept discipline is called 'student unrest'; in the political capitals, refusal to accept discipline is called 'progressive radicalism'."

In my view, the most important and valuable part of this book is the thorough examination of Parliament's power to amend the Constitution. It reflects Palkhivala's brilliant legal acumen and forensic ability. In line with the classic presentation of his arguments in the *Fundamental Rights Case* he emphasizes that "Parliament's power to amend the Constitution does not comprise the power to alter or destroy any of the essential features, basic elements or fundamental principles of the Constitution." Rightly does he argue that Parliament is a creature of the Constitution which is the source of its power and cannot therefore assert its supremacy over the fundamental law. Moreover, Parliament cannot be identified with the people's will. The Twenty-fourth Amendment, he says, has brought about a revolutionary change in the Constitution by seeking to transfer sovereignty from people to Parliament. In the final pages he shows how the Court's decision in the *Fundamental Rights Case* had expressly repudiated Parliament's competence to alter the basic features of the Constitution. In doing this "something precious has been salvaged out of the tempest that raged over the Government's claim to wreak the Constitution." The trend of the decision indicated in unmistakable terms that Parliament's power of amendment is restricted and that it could not "arrogate to itself the role of the Official Liquidator of the Constitution."

This book is an important contribution to liberal constitutionalism and a passionate plea for freedom. Will the voices be heard?

THE ANGER OF THE MIDDLE CLASS

WHO are the middle class? They can be defined in relatively restricted terms so that they appear to be a small minority of senior professional people, or they can be defined to include everyone who owns his own house, or works in a white collar job. In that case the middle class is at least half our society.

The wider definition is probably the more accurate, but the truth is that there are a number of indicators, each of which has a scale of significance. Education is one of the most important indicators, and later the age at which formal education ends the higher the probability that the person concerned belongs to the middle class. Property is another indicator; one may impose a cut off point and say that there is a separate class of the rich, but up to that point the larger a family's assets, the more likely that family is to belong to the middle class. It is the same with jobs; all lawyers are professional men and belong to the middle class, but a High Court Judge belongs to it more emphatically than a fledgling articulated clerk.

What does the middle class do? It organises the country. It is very hard for a man to be in a position in which he can issue instructions and not find himself a middle class person. This is almost as true of trade union leadership as it is of industrial leadership. The trade union leader is nowadays a professional man whose profession is to organise trade unions, and that is skilled and exacting profession which most of us would lack the patience or the shrewdness to perform. But modern trade union leaders, like Mr. Len Murray or Mr. Arthur Scargill, who are well educated men of considerable gifts, can be seen to be pillars of the middle class just as much as the directors of ICI.

This is true not only of those trade union leaders who appear on television, and in industry it is true not only of top management. Any man who sees his career as a progress rather than a static occupation has inevitably acquired the central attitude of middle class life. Any job, however junior, that is on a ladder of promotion naturally produces those attitudes of competitive ambition which lie at the heart of middle class culture. Any person who sees life as a process of effort and improvement has accepted the main principle.

Ambition

This attitude can be admired or regretted. "Eschew ambition, by that sin fell the angels", wrote Milton, and, by the standards of the contemplative, this energy is a distraction from the real understanding of life. Yet it is personal ambition which pulls the world along. The middle class man, who believes himself to be successfully advancing his own interests, is in fact helping to pull the coach of society. He succeeds only by work-

ing hard and skillfully at his job, and his job would not exist if society did not feel the need of it.

This ambition usually extends beyond one life time. Most of us wish to give our children at least the advantages we had ourselves, and if possible want to provide that they should have a better chance. This is not only a question of money, but of nurture, of family support and of education. Some middle class people have capital which they want to hand down; almost all are concerned to see that their children should have as good an education as possible; education is the link of the generations, and the concern of the middle class for education is a great advantage to their children and through their children to society.

This is most important in an historic society like that of Britain. We all know families with a tradition of teaching, or science, or medicine, law, or business. For these families as much as for landowners or the aristocracy, each generation builds on the shoulders of the previous one. There is a continuum of the family experience which does not disadvantage other families, but adds to the total capacity of society.

Powerful Forces

The fundamental proposition of the middle class is therefore something like this: "I want to lead as successful and creative a life as I can, because I believe that will be best both for me and society. I want my children to have the best chance to lead a similar life, because that will be good both for them and society, according to their particular talents. I hope to give my children as good a family life and as good an education as they can get, and if possible to leave them sufficient money to have some extra security and some extra opportunities.

In practice this is the doctrine of most of the middle class, including most Labour Members of Parliament. They do struggle for self improvement and advancement; they do care about their children's education; they do try to give their children the best chance in the world, and many of them hope to leave at least a little money behind them. If one casts one's eye over the Cabinet, it is a body of ambitious men (otherwise they would not be there) most of whom are concerned and within reason ambitious parents. How could it be otherwise?

Yet, if one looks at the present situation in Britain, these normal ambitions are opposed by powerful forces. It is obvious that the middle class are becoming extremely angry about inflation, which they know to be a threat in itself to these purposes. This is true of teachers; it is true of doctors; it is true of most professional and managerial people employed by the state

and many in private industry. How many salaried people have real incomes, after tax, level with the income for the same job in 1970? Some do, but a great number do not. Yet that is not the sole cause of their resentment. Much of the resentment springs from what seems to them inordinate trade union settlements which both outstrip and perpetuate inflation. When, as with consultants, they are also exposed to trade union bullying on the organisation of their profession, the anger becomes explosive.

The danger is that the two halves of the society, the professional or administrative and the manual, the salary earner and the wage earner, will build up a mutual resentment which denies their ultimate dependence on each other. Neither can be free from blame; we do not have the hardest working factory operatives in the world, but we do not have the best managers either.

Inflation is not only reducing middle class living standards, in a way not so far true of trade unionists, it is threatening long term aims. Inflation is now pushing private education out of the reach of many middle class families who expected to be able to afford it. At the same time the destruction of the grammar schools, and the attack on the direct grant schools, leaves for many only comprehensive education as the alternative. And, as they see it, comprehensive education, at least in London and some of the big cities, is no good, or not good enough.

Of course, if this is true, comprehensive education is not good enough for anybody, middle class or not. Yet middle class parents are angrier because a proper academic education is necessary for their children to follow them in a professional or managerial career, and because their educational expectations are higher. London parents in particular believe that the comprehensive schools open to their children are deficient in discipline, academic standards and personal continuity of teaching. There is little doubt that violence and vandalism are much more serious problems in at least London comprehensive schools than they ever were in grammar schools. Many middle class, as well as many wage earning, families bring up their children to traditional standards of conduct which they do not believe that the comprehensive schools will reinforce, even if they do not actually undermine them.

The middle class also see the taxation policy of the present Government as hostile to their aim of building a continuous family through generations of time. The Capital Transfer Tax is in fact fairer to widows than was the old Estate Duty, but the proposition that you should be taxed on an interest free loan to your own children seems to them an altogether unjust intrusion into the ordinary process by which one generation of a family helps another.

For these reasons many people in the middle class feel all the resentment and anxiety of being boxed in. The doctors, who know that they would be earning several times as much almost in any comparable country and find private wards being closed because, on ideological grounds, the cleaners refuse to clean them, are the group who are nearest to action. Mrs. Castle seems to be intent on making the same misjudgement of their mood that Mr. Heath made of the miners. In their sense of social usefulness, their unity and now their indignation, the doctors are the miners of the middle class.

The trade unions broke the Heath Government, and they did so because they were put on the defensive by the Industrial Relations Act. The middle class now feels that it has been put on the defensive by the Labour Government. Some Ministers, particularly Mr. Foot and Mr. Benn, seem to ordinary people to be governing in a class sense, not caring about the nation as a whole. One has to remember too that it is the economically weakest section of the middle class which is most vulnerable, the most politically sensitive, and the largest. If the Cabinet does not recognise the danger of the middle class revolt, then their good work could be swept away with the bad. To govern in a national rather than class sense is not an option for a British party; it is a condition of existence.

Courtesy: *The Times*

STATEMENT ABOUT OWNERSHIP AND OTHER PARTICULARS OF FREEDOM FIRST

- | | |
|--|---|
| 1. Place of Publication | Bombay |
| 2. Periodicity of its publication | Monthly |
| 3. Printer's Name,
Nationality, Address | J. R. Patel
Indian
The Inland Printers,
Gamdevi Road,
Bombay 400 007. |
| 4. Publisher's Name,
Nationality, Address | J. R. Patel
Indian
127, M. Gandhi Road,
Bombay 400 001. |
| 5. Editor's Name,
Nationality, Address | M. R. Masani
Indian
127, M. Gandhi Road,
Bombay 400 001. |
| 6. Names and addresses of
individuals who own the
newspaper and partners or
shareholders holding more
than one per cent of the total
capital. | Democratic Research
Service,
127, M. Gandhi Road,
Bombay 400 001. |

I, J. R. Patel, hereby declare that the particulars given above are true to the best of my knowledge and belief.

1st March 1975. J. R. Patel
Signature of Publisher

DIWALI IN DECEMBER

Ruzbeh Antia

THE din of exploding fireworks reverberated through the neo-Gothic archways and corridors of St. Xavier's College, serving as a reminder that things were not as peaceful as the subdued nineteenth-century stone façade suggested. Inside, the students were seething with indignation, which now erupted in the form of an agitation. The fireworks signalled the start of hostilities.

As soon as the bell announced the beginning of recess, the students assembled in the Canteen, which served as their battleground. Their war-cry was "Freedom of Expression", "Unconditional Forms" and "Democratisation of the Canteen Committee". To any casual observer of the scene, this sounds dangerously like gibberish, but anyone fairly conversant with the problems of Universities in general, and Indian Universities in particular, will recognise the broader implications of these issues.

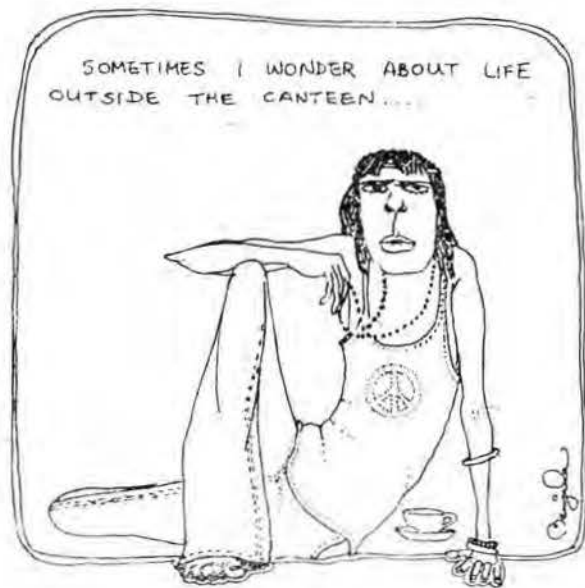
Like much of India's political and social life, the educational system too, is a legacy of the British 'raj'. The system was primarily designed by Lord Macaulay for the mass-production of clerks to assist the British in the running of their administrative empire. Therefore, quite understandably, colleges sought to inculcate the clerical qualities of routine thinking, unquestioning acceptance of the dictates of superiors and intellectual mediocrity.

Tragedy

The tragedy, however, is that independent India remains wedded to this obsolete system. In other fields there have been considerable changes, so that India no longer requires clerks to carry out the decisions of the *burra sahibs* but young men and women with new ideas and the ability to execute them. The young graduates leaving Universities every year find themselves thoroughly ill-equipped to fit this new role.

This is the root cause of the growing disenchantment with college education, and its manifestations are to be seen in the mushrooming agitations that have rocked campuses in recent years. For instance, the problem of freedom of expression. The Indian student is faced with two contradictory viewpoints. On the one hand, he is fed with a lot of pep-talk about his fundamental right to freedom of expression in democratic India. He also witnesses the growth of what he considers a fairly liberal press and other modes of expression. Yet, in the immediate milieu in which he moves—his family and his college—this freedom has always been restricted. If his mind has been opened to outside influences, he begins to question this state of affairs and to demand his right.

St. Xavier's, though one of the oldest colleges in Bombay, is also one of the most progressive. The College administration recognised the right of the students to express their thoughts and grievances freely and without fear of repercussions. Thus, besides the official college annual, there was a plethora of journalistic efforts by the students themselves. One of these was the *Xavierite* — the official mouthpiece of the Students' Union Council. This was managed by an editorial board to which one staff-adviser was also appointed. Due to endless internal wrangling, however, two professors resigned from the board in quick succession. The board then decided that it would be better off without a staff-adviser. The College management agreed, but something else happened which made



it impose a condition — that it be allowed to make whatever deletions and alterations it thought fit.

What made the administration harden its attitude was the controversy over a one-page, cyclostyled newsletter called *Xavierchute*. This was an underground sheet which attacked both the administration and the Students' Union Council in highly abusive language. Much friction was generated all round, and the administration ordered all those involved in *Xavierchute's* publication to confess or else face expulsion. What antagonised the student community was that some of the rebellious young journalists were expelled even after submitting a written confession.

Freedom of expression is a very loosely used term and immature college students often confuse it with irresponsible libel. When this happens, as it recently did at St. Xavier's, all other college publications are penalised. For a while, stringent censorship may be imposed, and ultimately things might come to such a pass that these publications might be entirely withdrawn from circulation.

The second issue about which the students of St. Xavier's College chose to protest was the granting of forms for the University examinations. Under the old system, no student could appear for a University examination without a form from his college stating that he had passed a preliminary college examination and had fulfilled the stipulated percentage of attendance. Most college students feel that this system is

did the Principal announce that forms would be given unconditionally the stir petered out.

No Solution Yet

The real issue is left hanging in mid-air. Time and again such agitations focus on the problems facing University education in India, but they die down or are killed before any attempt at resolving them can be made. Every one is content with stop-gap arrangements; for example, at St. Xavier's it was decided to grant forms unconditionally. The students could thus claim a victory—but what has changed? The conscientious students go back to their lectures and library books, and the not-so-conscientious ones return to the canteen and the eternal cups of tea. If anything, they will become even more casual in their attitude now that the forms are in their pockets and the real problem—that of an outmoded examination system and an even more outdated educational system—still looms ahead like a giant cobweb.

The third demand, that of the democratisation of the canteen committee, is one connected only with St. Xavier's College and can therefore be dealt with more briefly. In 1973, the canteen, the nerve-centre of St. Xavier's, (as of most other colleges), was placed in charge of a student committee for a year. The management promised that this arrangement would be made permanent if the experiment proved a success. Even though the Committee managed the canteen fairly efficiently, nothing was done by the administration to implement its assurance.

For a long time there had been a lot of friction on all these counts between the student leaders and the administration of St. Xavier's College, but in December 1974 the heat was turned on and it all exploded into the open. People began to sit up and think; to ask why there was so much trouble on Indian campuses, for the St. Xavier's agitation was just one of many all over the country. Various explanations were put forward—some placed the blame squarely on the students; others distributed it equally; a few perceptive observers even pointed a finger at the entire educational system. But most failed to realise that it is society's way of thinking that is at fault.

Students are often blamed for going to college just to have fun — yet they might pertinently inquire what other channels society has left open for them if they wish to 'have a good time.' Many of them, left to themselves, would never have stepped into colleges. Yet they are caught up in a system that attaches an overblown value to college education—not from an intellectual or even a professional point of view, but solely as a means of social prestige—a kind of social identification tag. If this is what society wants, then the answer to its needs does not lie in colleges, but in finishing schools where human beings can be trained like pedigree poodles or cocker spaniels.

THE UNTOUCHABLES

Indira Gandhi, eyes ablaze,
Addressed her tennis team.
"Don't volley with South Africa;
I can't stand their regime.
Apartheid is a sin," she said,
As Hindus stood aghast.
Now there's a pretty how-de-do
From folks who gave us "caste".

W. H. VON DREELE

very unfair, because the college has no justification in judging the progress made by a student throughout the year on the basis of only one examination. The students of most Bombay colleges were up in arms over this question in February-March last year. At that stage, Bombay University had given in to their demands and made the preliminary examination optional. Later, however, the University failed to clarify its stand, and as a result confusion still prevails in most colleges.

This, many feel, was the most important issue at stake, because it struck at the heart of the matter. It drew attention to the fact that the entire examination system was arbitrary and outmoded. Yet one doubts whether this was the real motivation behind the stir. To most students who spend their entire day at college lazing in the canteen, examinations are an unnerving prospect. They accept them as a necessary evil, but the fewer these are the better. So they would rather have things the easy way and obtain the essential forms without fulfilling any of the conditions. It was basically the laziness and lethargy of the majority of students that prompted the stir at St. Xavier's College. The proof of this statement lies in the fact that no sooner

NO FAMINE IN INDIA?

B. P. Singh

IT is no secret now that in recent months, thousands have died of starvation and millions of others are facing acute food shortage in our country. Spokesmen of the Government say that there was no famine and there had been no starvation deaths in the country. They however, concede, that "acute scarcity conditions" prevail in many parts of the country, and that there have been some deaths due to 'malnutrition'. This kind of semantic hairsplitting does not help anybody, nor does it alter the situation that many have died for want of food and many more are likely to meet the same fate in the near future. It is not only my forecast, but it is also the considered view of Dr. Borlaug, the most eminent agronomist of the world today.

When a few persons die as a result of police firing or any other unnatural cause, there is invariably a demand for judicial or expert enquiry. When thousands have died for want of food, there is all the more reason to demand an open enquiry into the causes that have led to starvation deaths in the country. I now publicly demand such an enquiry.

Who Is Responsible?

Who or what causes are responsible for food scarcity in our country?

Is the agro-climatic condition in India so poor, that it can no longer sustain the large population of the country?

Or are our farmers incapable of taking to improved farming leading to higher production?

Or are the rich farmers and traders the real villains who are holding the nation to ransom?

Or, is it our own Government, who by pursuing a futile policy of socialisation of agriculture, have made progress in agriculture impossible?

The Union Minister of Agriculture and Irrigation has tried to explain the present food scarcity by saying that it was partly nature-made and partly man-made, implying thereby, that nature was unkind in recent years and that whatever was produced, has been cornered by the rich farmers and traders for profiteering. This explanation is quite wrong, except to the extent that the present scarcity is surely man-made. But the persons responsible for it are not the rich farmers and traders but the persons sitting in the Government of India at Delhi.

Susceptibility to vagaries of nature and tendency to hoard foodgrains are symptoms of the diseased condition of Indian agriculture, and not the cause of it. Drought and floods are not unsurmountable difficulties, specially for a country like India, whose agriculture potential remains largely unutilised, and which is

capable of feeding at least three times its present population. Should such a country go with a begging bowl all over the world, whenever it does not rain or rains incessantly, for a few weeks during the rainy season, because that is all that happens during what has been called drought and flood. Is there any other country, except the communist countries, where drought and floods have so often been blamed for food shortages? Drought particularly, is a condition which can be fully met if adequate irrigation facilities are available. In India in most parts of the country, sub-soil water is abundantly available which needs only to be pumped up for production of crops in any season of the year. One may ask why, after two decades of planning, the percentage of irrigated land in the total cultivated area of the country has moved only from 17 to 22. There are a number of other questions, I would like to ask our policy makers.

Why has the public sector outlay on development of agriculture been less than 25 per cent of the total outlay on plans when agriculture is the basic industry of our country, contributes nearly 50 per cent to the national income and supports 70 per cent of the population of the country?

Why is it that a country, which has the technological and resource capability to produce nuclear explosions

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has so far failed to produce indigenously even one-fourth of its total fertilizer requirement?

Why have the land reform measures, instead of being carried out in one stroke, been made a continuing process, which has completely shattered the sense of security amongst the farmers, without which of course, no agricultural progress is possible?

A United Nations study to find out which factors were responsible for rapid agricultural growth in any country had come to the conclusion that agricultural progress was possible only in those countries in which farmers were assured that the benefits of land improvement and higher production would largely accrue to them and their descendants and would not be taken away from them on one pretext or the other. Today in India neither the land nor the produce of the land is safe from the predatory laws of the Government.

Unparalleled Feat

Regarding doubts about the capabilities of our farmers, it is sufficient to say that perhaps there is no other country in the world in which production of wheat has been more than doubled within a short span of four years, a feat which has been accomplished by Indian farmers between 1966-67 and 1970-71.

As regards the charge that rich farmers and traders are holding the nation to ransom, its utter hollowness has already been proved by the failure of the deboard-

ing raids to bring down prices of wheat, except temporarily, even in wheat growing districts, such as Meerut and Muzaffarnagar in UP.

Prof. Shenoy has very correctly pointed out that the main cause of stagnation in agriculture is its capital starvation. Not content with merely denying agriculture its due share of public finances for development, the Government has pursued a trade and price policy which has squeezed the maximum savings out of agriculture for utilisation elsewhere.

The prosperity or otherwise of the average Indian farmer is dependent, not on the value, in absolute terms, that he gets for his one quintal of wheat or rice, but on what he can buy by selling one quintal of wheat or rice. He has to sell his produce at the wholesale price at the village level which is invariably lower than at the mandi level, and has to buy his consumption goods at the village level which is invariably higher than towns. Therefore, in order to judge whether he is getting a fair price for his produce or not, comparison should always be made between the prices received and paid by him. The UP Government Department of Statistics and Economic Intelligence has been recording indices of prices paid and received by farmers, using the base year 1957-58 = 100. According to their computation, the index of prices paid by farmers rose to 357.9 during the quarter ending June 30, 1974. In 1957-58, the average price of wheat in UP was Rs. 42.08 per quintal. If the purchasing power of

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one quintal of wheat was to be retained at the same level as it was in 1957-58, the procurement price of wheat should have been Rs 150.60. The Government procured it, under DIR at Rs 105/- per quintal, depriving the farmers of Rs. 45.06 per quintal, and thereby depressing their earnings and their capacity to invest in land, and their enthusiasm to grow more wheat. In the year 1973-74, the index of prices paid by UP farmers was 312.4; therefore the procurement price of wheat in that year should have been 131.45 and not Rs. 76.00 per quintal, as was fixed. Similar calculations in case of rice would bring out the fact that on an average farmers have been getting about Rs. 50.00 per quintal less than what was their due, if the prices had been fixed according to the principle of parity, which seeks merely to strike a balance between prices paid and prices received by farmers, and is not over-generous towards farmers.

In the year 1973, the total procurement of all foodgrains in India was 8.3 million tons. Calculating at the rate of Rs. 50.00 per quintal, the total loss suffered by farmers on account of Government purchases adds to more than 400 crores of rupees. This roughly represents the money transfer from agricultural to non-agricultural sector in one year only, and that too on transactions relating to foodgrains only. If account is taken of infra-parity payments made to farmers in respect of cotton, sugar cane etc, the total amount of money transfer from agricultural to non-agricultural sector will exceed the total public sector outlay on agricultural development in any single year.

The Farmers' Federation of India which is a representative body of farmers, has not opposed the imposition of taxes on those farmers, whose incomes exceed the exemption limit for general income tax. But it has firmly taken the stand that "the burden of direct taxes on agriculturists, in whatever names these may be imposed, should not exceed the direct tax burden on non-agriculturists on comparable income".

I have come to the conclusion that narrating our tale of woe is a waste of effort, as far as our present day rulers are concerned. They are determined and ruthless—though their determination is for a wrong cause, namely socialisation of agriculture. Socialism may have many blessings to confer on society, but affluence in agriculture is certainly not one of them. It is not only a matter of coincidence that most of the communist countries are heavy importers of foodgrains.

It would be wrong to assume, that socialisation of agriculture always means pooling of land and resources for establishment of collective farms on the Russian model. That is only one of the ways to socialise agriculture and that too a very crude one. More subtle and indirect means are now being perfected to achieve the same results. The aims of socialisation are two-fold. The first is to establish full control over agriculture, in order to squeeze the maximum saving out of it

for utilisation elsewhere. The other aim is to gain and perpetuate total political control over the rural population, by liquidating that class of people, who could be potential opponents of the regime. Socialisation of agriculture is akin to colonisation of a country. The only difference in this case is, that colonizers do not come from abroad.

As far as the industrialisation of the country is concerned, that could be achieved by leaving surpluses of agriculture into the hands of the agriculturists. They too, if they can accumulate capital, will establish small industries of their own in the countryside. But in that case, industrialisation would take place in the private sector, which of course, is an anathema to the socialists.

Diversion of savings of agriculture into the public sector, and liquidation of the potential opponents of the regime—the twin aims of socialisation of agriculture, it is now believed, can be realised without resorting to the brutal methods of Stalin. The new methods are turning the terms of trade against farmers, overburdening them with taxes, and repeatedly lowering ceilings on land holdings to drive away from agriculture all those who aspire to live even a moderately decent life. Once the countryside is denuded of such persons, politicians will find it easy to manipulate the ignorant and poverty stricken rural masses. Prime Minister Indira Gandhi is using this subtler method to socialise agriculture.

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MARX Vs CONFUCIUS

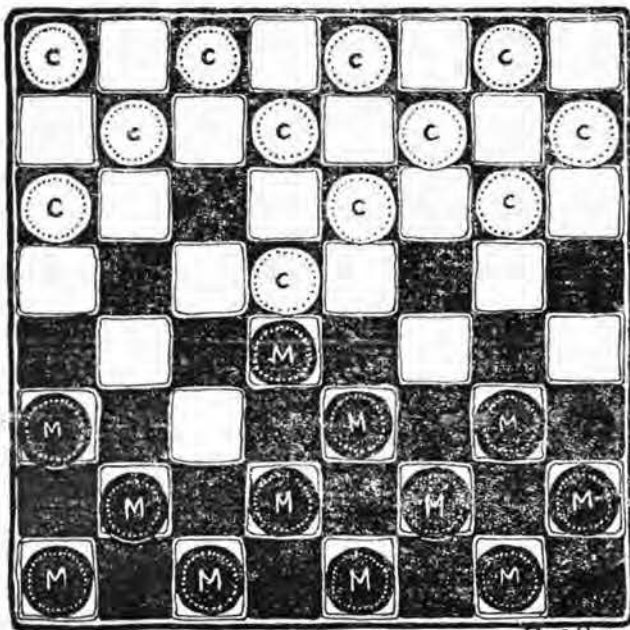
Russel Kirk

NOT many days ago, I stood atop a concealed battery in Quemoy, the island fortress of the Republic of China, Nationalist China. Quemoy lies within swimming distance of the Chinese mainland, just off Amoy; it is the farthest-flung defense of civilization against the Cultural Revolution.

When I write "civilization" with reference to China, I mean the pattern of moral and social order which

for ROC. He believes that Mao developed the anti-Confucius crusade as a whip with which to flog Lin Piao, when that previously useful zealot had grown too great. In his youth, Lin Piao had written an essay or two about Confucius; this early indiscretion could be employed to prove that Lin was no true Marxist, but a reactionary secretly bent upon undoing the Glorious Revolution. Also, many other eminent Chinese Communists having naively flirted with Confucian thought in their salad days, this whip of scorpions could be employed against such of them, from time to time, as might require liquidation—Chou En-lai, for instance.

Doubtless there is truth in this hypothesis; yet not the whole truth. Chinese Communist detestation of Confucius began earlier than the conspiracy against Lin, and indeed is a logical necessity for the Cultural Revolution. For Marxism professes to be a complete ethical and social system, supplanting all the fallacious systems of earlier ages. The teachings of Confucius must be extirpated utterly, if the teachings of Marx and his Chinese disciples are to prevail forever. Just so, the Russian Communists correctly recognize the necessary opposition of Christian belief to Marxist faith (even though Marxism is a heresy from Christia-



Confucius gave to the Chinese people, five centuries before the birth of Jesus of Nazareth. Until the Communists seized power, there subsisted a longer ethical and social continuity in China than anywhere else in the world, and that continuity was founded upon the teachings of Confucius. Nowadays the remnant of that great continuity may be found only in Taiwan and its dependencies, and among some of the overseas Chinese.

In Communist China, the ferocious campaign against the influence of Confucius has been renewed. Chiang Ching, the wife of Mao Tse-tung, has been preaching a crusade against the dead Confucius and (insane conjunction!) the dead Lin Piao, Communist ideologue. Only a few weeks ago, at Chufu, the birthplace of Confucius, tremendous quantities of Confucian classics were burnt publicly. These had been confiscated from private libraries.

During my recent fortnight in Taiwan, I conversed with Mr. Tsai Weiping, vice minister of foreign affairs

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nity); but they have not ventured upon quite so merciless a programme of "Thorough" as the Chinese.

Marxism, in fine, is an inverted religion, and its dogmas cannot tolerate the competition of other religions and philosophies. Confucianism also is a religion—though a religion in the sense that we speak of "the religion of Plato." The great sage was a humanist—concerned, as was Socrates for the most part, primarily with the ethical, rather than the metaphysical and transcendent. If one reads Confucius and the commentators upon him, one discovers that political order had primacy with Confucius, and that Confucius' concept of justice is as inimical to the Marxist concept of justice as is the theory of justice expounded by Plato and Cicero.

This hard truth is recognized increasingly by the Nationalist Chinese of Taiwan; indeed, the mainland assault upon Confucius has had one happy result, the renewal of attention to Confucius by the ROC people. Mr. James Wei, President of Taiwan's Central News Agency, told me that truth and health may be found in Confucius—something that the head of the Associated Press, say, probably would not volunteer about Plato or Christ.

At Sun Moon Lake, high in the hills of Taiwan, a tremendous temple of Confucius is being completed, no expense spared—splendid carved marbles, gorgeous shrines, all the startling color and detail of traditional temple architecture; the temple's gongs resound over the beautiful lake night and day. It is an assertion of China's moral and intellectual patrimony.

Confucianism is a philosophy and a religion of right reason. It is better to dwell in imminent peril of wolves, said Confucius, than to live under an unjust government. Good government is the product of good character in leaders:

"When good men are in office, government is efficient, just as when the earth is fertile, plants flourish.

"Therefore good government depends upon good men. Such men should be chosen on the basis of character. By following nature, one acquires good will.

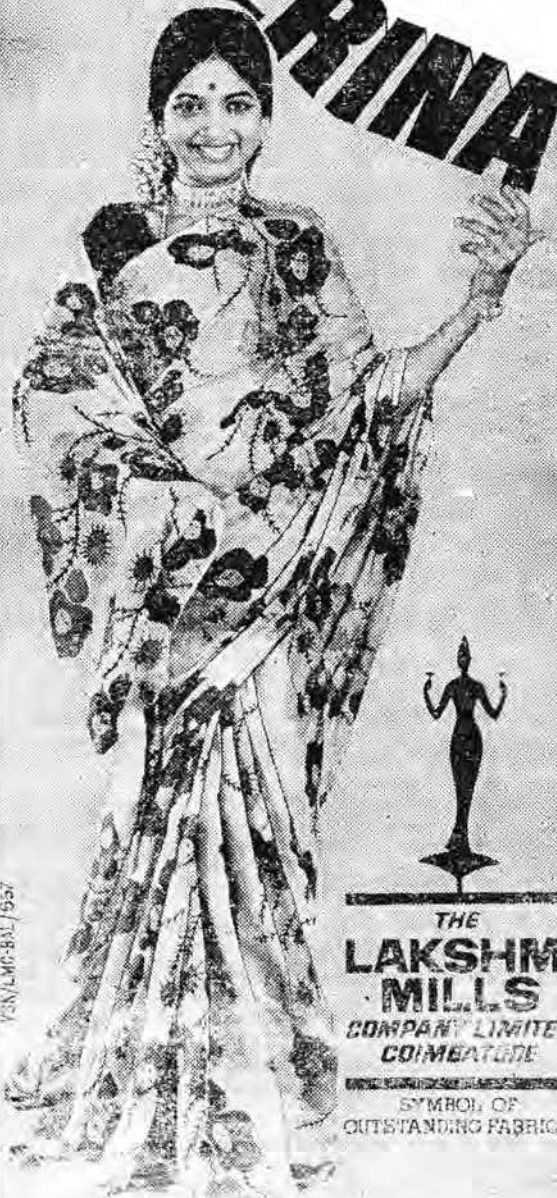
"Good will is essential to being human, and it emerges first in caring for one's family. The best way of doing things is to recognize each thing for what it is, especially for its true worth. . . .

"When those who are governed do not have confidence in their governors, they cannot be controlled."

Mao Tse-tung and Chiang Ching know the long-dead Confucius for an adversary more formidable than the guns of Quemoy. Confucius' principles of order and legitimacy are irreconcilable with Communist dogma. Therefore we may expect the war against Confucius to continue, even though the revolution devours its child Chou En-lai, as it devoured Lin Piao. But it does not follow that, in the long run, the Western ideology of Marxism will prevail against the ethics of Confucius.

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Reviews

AIRBORNE HISTORY

India's Paratroopers by K. C. Praval (Rs. 60/- Thompson Press (India) Limited)

OF their very nature, Regimental histories tend to be a narration of facts and dates that can make very heavy reading. It is to the credit of Major Karam Praval that he has made this the history of India's Paratroopers a story of gripping interest varying from the origins of the parachute to chapters of high drama in which are recounted the battle experiences of parachute formations. Using the approved technique of seasoned writers, he leads off with an incident of a paratrooper jumping into Bangladesh whose parachute fails to develop (open), gripping the readers' attention from the start. The style is nice and easy, the proof-reading good and the production excellent except for one small mistake in the collation before binding which caused the interchanging of Maps 2 and 6.

In addition to the information and history of parachute troops and airborne troops, it would not be incorrect to state that "India's Paratroopers" is a veritable recounting of all our campaigns since Independence with the exception of the Chinese aggression of 1962 in which the Para Brigade took no active part. The campaign in Burma is broadly outlined and special emphasis given to the Battle of Sangshak and the Imphal battles. The author quotes liberally from Field Marshal Slim's "Defeat into Victory" with the Field Marshal's approval, interposing his own story skillfully.

India's paratroopers made their first jump into action when an improvised parachute battalion was dropped on Elephant Point in Dakotas of No.1 and No. 2 American Air Commandos to eliminate the Japanese coastal defenses commanding the approach to Rangoon along the Rangoon river. On 1st May 1945 the battalion was dropped at 5.45 a.m. and landed in pouring rain. They were accidentally bombed and machine gunned by the US Air Force but despite all handicaps cleared the enemy after a fierce and bloody battle. Soon afterwards the para battalion followed the first troops of 36 Infantry Brigade into Rangoon for occupation duties.

The end of World War II which gave birth to the Red Devils of the Sky (as paratroopers were known with their maroon berets) saw the end of the British association with India and Praval's description of the "Farewell to Old Comrades" bears quotation: "26th October 1946 was fixed for the disbandment of the Indian Parachute Regiment. At 11 a.m. on that autumn morning, officers and men of the regiment stood together on the polo ground at Quetta. It was

the last time they were to stand together as a regiment. They had stood shoulder to shoulder at Sangshak, Imphal and at Elephant Point; together, they had gone through the sweat and toil of pioneering to become India's first paratroopers. As they now stood there, close to the frontiers of India, the memories of the past came crowding in upon them. The solemnity of the occasion was enhanced by the presence of Field Marshal Sir Claude Auchinleck, who took the salute at the march-past. The R.A.F. had asked if they could pay their tribute to the Indian Parachute Regiment by arranging a special fly-past during the parade. It was a fitting gesture from old comrades."

The campaign fought for the defence of Jammu and Kashmir in 1947-48 was a long and difficult one with the Army of newly independent India fighting for the first time completely officered by Indians. This book contains a vivid and detailed account of the hazards, hardships, defeats and victories of the units that took part, and especially the gallant role of Parachute Battalions. Other chapters which go to make up the saga of India's paratroopers were written in Korea, Egypt, the liberation of Goa, Bara Hoti and the 1965 and 1971 wars with Pakistan.

India's Paratroopers is a book that will be read with interest not only by members of the Armed Forces



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OUR TOTTERING ECONOMY

Management by Ordinances: An Anti-inflationary Offensive by Guruprasad Murthy. (N. M. Tripathi Pvt. Ltd., pp. 138, Price Rs. 20.00)

LIKE that of Abou Ben Adam, the name of Guruprasad Murthy is likely to lead all the rest in the short roll call of original Indian writers on management and accounting. A perusal of his latest book—this time on a socio-political subject—will make the reader wish that the tribe of such people should increase.

The book studies the anti-inflationary measures adopted by the Government since July, 1974 and its impact on the national economy. Murthy analyses the National Five Year Plans which have failed because "political demagoguery prevailed over wisdom." This has brought us into 'stagflation'—a word coined to denote industrial stagnation and inflation.

He next analyses inflation in the Indian context. Government economic policies have caused galloping inflation—a price inflation over which the monetary authorities have no control. The public expects prices to rise quickly and continuously so that savings become impossible and meaningless and consumption demand increases several times. This manifests in a high velocity of money and partially nullifies the reduction in money supplies as a result of the Ordinances. The fixed income salaried class and the workers in the rural and urban sectors are the worst victims of inflation. Landless rural labour comprising nearly 18 per cent of the working population is undergoing increasing privations in terms of real income. The industrial workers (17% of the working population) have to be satisfied with the increases in dearness allowance which, never timely adjusted, will now be impounded to the extent of 50 per cent. Lastly, the farmer constituting 50 per cent of the working population is facing deteriorating terms of trade for his foodgrains. All this leads to increased social tension between various groups of society.

Murthy studies in detail the Ordinances (Wage & C D S) which seeks to impound the incomes in the hands of the wage earners and the salaried class.

Viewed against the background of an economy where most of the incomes originate in the rural sector, Murthy concludes that the "coverage of incomes policy is far too inadequate to exercise any perceptible change in the price level movements; and the social tensions caused, economic hardships involved and administrative costs of Rs. 1.27 crores and other implications give the impression that it has an unfavourable incremental social benefit cost ratio".

The chapter on Dividend Ordinances analyses the impact of the dividend ordinance on corporate finan-

cial management. Murthy shows the effects on going and prospective volume and mix of finance and assets portfolio. He bases his study on aggregate data generated by the Reserve Bank of India study on company finances of 1650 large and medium public limited companies for the years 1970-71 and 1971-72 and 350 large public limited companies for the years 1970-73. It uses statistical techniques to forecast the freeze and modern management techniques to assess the impact of the Ordinance. This is a brilliant chapter and one of the finest examples of the application of management techniques to a socio-economic problem.

The burden of Guruprasad Murthy's argument is a chilling one. We are aware that for some time now the career of the Indian economy has been like that of a drunk down a flight of stairs—never quite in control of the situation but somehow always headed in the right direction. But, cautions Murthy, the drunk is now tottering on the edge of the embankment, ready to fling himself into the waters of anarchy and revolution.

The remarkable feature of this bold original work is that it brings to bear management techniques and economic expertise on the problems facing the country and shows, through a socio-economic study of the forces at play, that India, if she continues under the present socio-economic pattern, is heading for a bloody revolution and political chaos. This is enough to make any man sit on his tail and think hard.

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SHAKESPEAREAN GOULASH

TAKE one popular Shakespearean play, clean away the plot, main characters and any superfluous elements of drama; add large chunks of television talk-show humor, toss in a pinch of hilarious vulgar pantomime. Mix thoroughly and you have a play like Tom Stoppard's *Rosencrantz and Guildenstern are Dead*, performed in Bombay by The New Shakespeare Company.

The classic play in this case was Hamlet—needless to say, *sans* Hamlet as the leading character. In his stead, there are his two erstwhile University companions, Rosencrantz and Guildenstern, both noticeably lacking in the education they were supposed to have received. The play proceeds along the lines established by the original, but as observed from behind the scenes, from the vantage point of those uninvolved with the major events. Hamlet saunters moodily on and off the set, Ophelia races tragically around in a billowing white gown, the King and Queen sweep in



and out sporadically, all as subsidiary characters. The splicing of the old onto the new is done very cleverly. Whenever the action is authentically Shakespearean, the speech automatically reverts to blank verse. Hamlet's "To be or not to be" soliloquy is delivered in silence with his back to the audience in a corner of the stage, while his two friends sit up in front and wonder why he spends so much time talking to himself. When they meet Hamlet later on, on the ship to England, Hamlet does not say anything but acts out a charade as, in the original, there is no provision for

this scene and thus no lines for him to say. As is the fate of minor characters, nothing happens to Rosencrantz and Guildenstern themselves. They remain suspended in their dramatic limbo, engaged in endless witty dialogues, until the press of events beyond their control whisks them up and dashes them against the stone wall of Fate. They find themselves aboard the ship set on a course towards certain death for them—through no fault of theirs except for having been luckless pawns caught in the crossfire of greater pieces.

"Why are we here?" asks Guildenstern—or Rosencrantz as the case may be, since they could never remember their names—plaintively, in case anyone missed the point that this was an existential play. There were bursts of high speed repartee which Philip Bowen and Brian Deacon in the title roles delivered admirably well, as also the superb word-play with all its devious symbolic significance. Yet they all too easily assumed the poker-faced sobriety of seasoned comedians mouthing their refined nonsense. Great expanses of dialogue went on playing word games, in themselves very amusing, but which could as easily have been excerpts from any television programme featuring the same genre of humor. One got the impression that the actors were deliberately acting at being actors in a clever comedy. The taller one, who most often answered to the name Guildenstern was more convincingly simple-minded but Rosencrantz often said things too intelligently to justify his apparent inability to rise above his station. Naturally every word and action was fraught with significance, symbolism lurked in every gesture, but even existential plays must be able to convey the controlled insanity of the situation in a convincing manner.

One wondered, too about the audience. They laughed gustily at almost any part, and sometimes out of turn. No doubt the zenith of the evening was reached when the players for the play-within-the-play in *Hamlet* arrived. Dressed in an odd assortment of clothes, and led by the sort of superb actor of the classical school (David Dodimead) who is a must in any Company, they were definitely excellent in pantomime. Their rehearsal of the play they would put on for Hamlet's uncle, had the audience rolling in the aisles with laughter, particularly during a seduction scene which became hilariously explicit. Even later on, when there was a discussion of the significance of death, the players' leader had his troupe demonstrate multiple death scenes, all exquisitely performed. Yet one felt that perhaps it had been an almost calculated gimmick to emphasize the pantomime to the extent that the audience came away

commending the whole play because of the pantomime, when in actual fact it accounted for only a fraction of the two and a half hours of the production. It was almost as if the director thought the evening's fare a little too rich for the audience and obligingly added in snips of spice to give them their money's worth.

As with a lot else in the play, the set was cleverly designed. It was severely bare. There were only a series of black platforms, so arranged that they could at once be differing levels in the same room as well as different rooms and corridors by themselves. When the scene shifted to the ship, a few barrel-shaped objects were arranged on stage and blue fishing nets trailed from above. Costumes were interesting more than anything else; the clothes became metaphors for what they should have been. Flowing satin gowns were for the King and Queen, Hamlet and his friends wore sober black jerkins, pants and boots and the players' leader was fitted in a colorful medley, topped with a splendid length of scarlet silk which he draped with all the elegance of some eastern potentate. One could perhaps question the need to portray Ophelia as being almost chalk-white, in a gown to match, or Hamlet as somehow too robust and blondly handsome, but since they were of quite secondary importance in this play, it did not make much of a difference.

There remains only to examine why, when a play is entertaining, amusing, intellectually stimulating and

frequently well-performed, that one should look back on it and question its credentials. That it was clever there can be no doubt: but what if the person seeing it did not know *Hamlet*? Any play which must depend so entirely on the audience knowing another one fairly well bears the germ of its own weakness. There are many parts which were meant for the ears not only of those who had read *Hamlet*, but who had also read the criticisms and knew the ways in which Shakespeare punned on words. However well known Shakespeare is, surely it must be presumptuous to produce a play for the select few who know his work very intimately? In fact, it must have been a measure of the Company's anticipation of an uneducated audience that they staged the original *Hamlet* in tandem, to ensure that at least some part of the contemporary play could be comprehended by those who saw both. It also explains the doses of mime, perhaps one of theatre's most basic and universal comic devices so that those who missed everything else, would still go home with something to talk about. It was a critic's play, meant for people who spend their time divining deeper significances. Yet like its two principal characters, by itself it has no greater depth than that it reflects from another, greater play. While *Hamlet* could endure forever on its own merit, without it, *Rosencrantz and Guildenstern* would not merely be dead, but entirely non-existent.

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

Kremlinology is by its nature unverifiable until after the event. It has this in common with astrology.
—*Swiss Press Review*, January 13.

The Bihar Government on Monday decided to change the name of Mithila University, Darbhanga, to Lalit Narayan Mishra University.
—*Times of India*, January 21.

At midnight last Tuesday mankind was dragged into the fourth quarter of the twentieth century, kicking and screaming that it does not know what it wants.
—*The Economist*, January 4.

The real generalissimo is hunger.
—A Cairo Marxist quoted in *Time*, January 20.

We should concentrate on improving relations with our friends instead of our enemies.
—F. J. Strauss in *Time*, January 20.

I don't think the answers are going to come from the Communist world or from the old European countries. The one place where there is flexibility and creativity enough is America.
—Jean-Francois Revel quoted in *Time*, January 20.

Nationalisation is fast becoming yesterday's folly.
—*The Economist*, January 11.

There is another thing you don't do with bayonets, apart from sitting on them: you don't cut prices with them.
—*The Economist*, January 11.

The year Arabia discovered money and Europe discovered Arabia (and Iran).
—Headline in *The Economist*, January 11.

Every week, with a startlingly small number of lapses, *The Economist* gives the British government enlightened political and economic advice. Every week, the British government blithely ignores the advice, which may be part of the reason why Britain is suffering from a 20 per cent inflation rate, its unions have threatened a general strike, and the citizens have had to endure their second national election in eight months.
—*National Review*, October 25.

One has two duties — to be worried and not to be worried.
—E. M. Forster quoted in *Time*, December 9.

In a few years, there will only be five kings in the world: the King of England and the four in the deck of cards.
—King Farouk quoted in *Time*, December 23.

France has a long tradition of shrugging off sexual improprieties with an attitude of amused tolerance.
—*Time*, December 23.

The *Ilason amoureuse*, in fact, is as venerable and popular an institution as the Comédie Française.
—*Time*, December 23.

The belief that even Mr. Thieu is preferable to a politburo is supported by the southward flow of refugees throughout the war, away from communist-held territory.
—*The Economist*, December 28.

Those who do not like Mr. Thieu will have a chance to replace him legally next October. The North Vietnamese who have to live with Lê Duân have no such possibility.
—*The Economist*, December 28.

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