

SOLZHENITSYN

A Voice from Across the Curtain

Below we feel privileged to publish extracts from a seven-thousand-word interview given to two Western journalists early in September by Alexander Solzhenitsyn, the greatest of the Russian writers, in disregard of all possible consequences. It comes as a breath of fresh air to a country where, without any excuse, the intelligentsia, with rare exceptions, speak with a muted voice.

I CANNOT accept that it is impossible to reverse the disastrous course of history, that one human soul with confidence in itself cannot influence the most powerful force on earth.

'It seems to me fully proved by the experience of these last generations that only the inflexible human soul—setting itself in the front line against aggressive violence and, prepared for sacrifice and death, declaring: "Not one step further"—can hope to defend its personal peace and the universal peace of all mankind.'

'Citizenship in our country is not an inalienable natural right for every human being born on its soil. It is a kind of coupon controlled by an exclusive clique of people who have in no way proved, by anything they have done, that they have a greater right to the Russian soil. This clique can declare a citizen deprived of his homeland if it does not approve of his convictions. I leave it to you to find a word for such a social structure.'

Of Andrei Amalrik, recently sentenced for the second time to three years' imprisonment: 'For a long time the true history of our country has not been recorded, has not been written, has not been exposed. And then from a whole army of historians—from those crowned with laurels, the venerable, the average, the young—one emerges who does not chew the common cud, who does not wrap himself up in quotations from the fathers of "advanced" teaching. He dares to give an independent analysis of today's social structure in Russia and to predict the future—to say what may happen to our country. And then, instead of analysing his works and taking from them what is true and in a practical sense useful, they put him in jail.

Of General Pyotr Grigorenko, now in a psychiatric hospital for his dissident activities: 'When from the

ranks of our glittering and decorated Generals this lone Grigorenko appeared and was brave enough to express his non-conformist view about the course of the last war and about today's Soviet society—a view which was in fact entirely Marxist-Leninist—his opinions were held to be symptoms of insanity.'

'In this country with its most advanced socialist structure, there has not been for half a century a single amnesty for political prisoners.'

'Today, in many of the statements made about the Soviet Union in the Western Press and by Western

(Continued on page 15)

IN THIS ISSUE

This issue of *Freedom First* is one of solidarity with the Russian people and, in particular, the intellectuals in their agony. The pride of place on the front page is given to Solzhenitsyn, today's embodiment of resistance to totalitarian tyranny, so that he may speak directly to our readers.

Just as the Kremlin is seeking to strangle the voice of the intellectuals comes the first issue of a new *Samizdat* journal, *The Sower*, from which we carry an appeal for the formation of a liberal opposition in the U.S.S.R.

The International P.E.N.'s protest against the disgusting sentence on Amalrik is also to be found in this issue.

Book Reviews and Art take up the rest of the issue.

Between You & Me and The Lamp Post



Back to Stalin

THE drive back to Stalin continues from day to day in Moscow with unabated ferocity. The primary victims are, of course, the Soviet intellectuals who are now entering another long night which threatens before long to be comparable with the worst days of Stalin whose portraits and statues are simultaneously beginning to reappear all over the Soviet Union.

It is difficult to say which of the heroes of this resistance has the most poignant story to tell. An eminent Soviet scientist working at an institution in England, Roy Medvedev, has been deprived of his passport and prevented from returning home. Since he will have to breathe the free air of Britain, we can hardly shed a particularly bitter tear about his plight, much as he resents the trick played on him. The same may be said of Andrei Sinyavsky, who has smuggled himself out of the Soviet Union along with a 500 page diary telling of his six years in concentration camps.

Then there is, of course, the heroic General Grigorenko who, for the crime of speaking up against the suppression of the Crimean Tartars, is even today at the age of sixty-four enduring the agony of sharing a cell in a lunatic asylum with a cellmate who stabbed his wife to death and is in a constant state of delirium.

The centre of the fight is, of course, round that great master, Alexander Solzhenitsyn, who, with uncomparable courage, has been speaking up repeatedly despite the various blows and threats aimed at him and who appears to be marked for ultimate martyrdom. On August 29, Solzhenitsyn, in an interview with the Moscow correspondent of the neutralist Paris newspaper *Le Monde*, produced three menacing letters which were from anonymous gangsters. Solzhenitsyn flatly alleged that these were the work of the Soviet secret police. Solzhenitsyn said he felt secure from all these gangsters, because "not a hair will fall from my head without the assent of State security agents, as we are observed, spied upon, surveyed and listened to. If the gangsters were authentic, immediately after the first letter they would be under the control of the State Security. If I am declared killed or suddenly mysteriously dead, you can infallibly conclude, with 100 per cent certainty, that I have been killed with the approval of the KGB or by it."

On September 6, Solzhenitsyn again counter-attacked by drawing attention to the suicide committed by an unfortunate woman in Leningrad who hanged herself after returning home at the end of five days' "uninterrupted interrogation" (and everyone knows what that means in the USSR) during which she revealed the whereabouts of the typed copy of the book he had written some ten years ago on Stalin's labour camps

which has been circulating underground (*samizdat*) for several years now.

But the most shocking of the developments of the last few months has been the sentence passed in the case of Andrei Amalrik, who was just about to complete his three-year sentence for writing his courageous essay: "Will The Soviet Union Survive Until 1984?" which predicted in 1969 the ultimate disintegration of the Soviet regime and also correctly predicted that the U.S.A. and China would arrive at a rapprochement.

It is sincerely to be hoped by all lovers of freedom that Amalrik's prediction of the disintegration of the Soviet regime by 1984 will also turn out to be correct. But, meanwhile, the life of this brave and courageous thinker is at stake. Having served three years for this "crime", during which he went through a dangerous attack of meningitis, Amalrik, before he could get out of prison and rejoin his waiting wife in Moscow, was sentenced to another three years for "fabrications defaming the Soviet State"—the same charge on which he had been convicted three years earlier!

For those who support the Kumaramangalam attempt to foist on India the same kind of committed judges as those who passed this monstrous sentence, it is to be hoped that this characteristic example of Justice—Soviet Style—may prove to be an eye-opener. It is good that the President of the International P.E.N. has raised his voice against this outrage. (Text on page 8)

In an attempt at covering up these criminal activities, Brezhnev and his gangsters have staged a counter-attack. They have produced two unfortunate men who have recently "confessed" to their anti-Soviet activities, namely, Pyotr Yakir and Victor Krasin, and testified to their "conversion" to conformism with the Soviet regime and denied that they have done so under duress. In so far as Yakir is concerned, this particular statement is probably true. Even at the time when he was functioning as secretary of the civil liberties organisation in the company of Sakharov, Solzhenitsyn and other men whom he has now betrayed, he used freely to admit that if he was denied liquor, to which he is addicted, he would be unable to resist the temptation to talk. That is what has perhaps happened. One may feel sorry for the poor man whose father, a general, was murdered by Stalin and who has spent many years of his youth in prison camps. But there can be no question about the indignation that these acts arouse among all decent people about the criminals in the Kremlin.

How does one explain these tragic developments? Is there any mystery about the confusion that this is causing among those who had led themselves to believe stories about "liberalisation" in Moscow and the repudiation of Stalin? The answer is simple, and it is

given by Dr. Andrei Sakharov, the noted Russian physicist, who publicly warned in Moscow on August 21 against the West continuing a policy of rapprochement with the Soviet regime unless it is accompanied by a lessening of the isolation of the Russian people. He told correspondents that this unconditional rapprochement with the USSR would be very "dangerous". He said, "No one wants a masked country as a neighbour... one which hides its face, and above all a neighbour armed to the teeth."

Senate Elections in Viet Nam

ONLY those who have been swallowing communist propaganda about the state of affairs in South Viet Nam will be surprised at the thumping victory won by President Thieu and his party in the elections to the Senate of the Republic of Viet Nam which took place in August. The figures reveal that 92 per cent of the electorate turned out to vote in the face of Viet Minh threats and terrorism. In combination with the party led by Mr. Tran Van Lam, the Foreign Minister, whom the Editor had the pleasure of meeting last January in Saigon, the President's coalition has carried 41 seats in the 60 man Senate.

These results are an encouragement for those who, in India and elsewhere, have stood with the people and the Government of the Republic of Viet Nam these last ten years in defence of their own freedom and the freedom of the rest of South East Asia.

It is of interest that, even before the Senate election results became available, the London *Economist* had an article on the subject of Indo-China in vindication of the war for the defence of South Viet Nam. Since clear thinking on this issue is hard to find in the columns of the Indian press, we carry an extract from the *Economist* on page 9.

Non-Aligned?

EACH conference of the so-called non-aligned shows up progressively its bogus character. Lusaka was bad enough; Algiers has touched bottom. It was an odd conglomeration of sensible governments like those of Habib Bourguiba of Tunisia, Suharto of Indonesia, Li Kwan Yew of Singapore and Tan Abdul Razak of Malaysia alongside of out and out Soviet stooges like Castro and Sihanouk on the other. Unfortunately, it is the lunatic tail that has always wagged the non-aligned dog, and Algiers was no exception. All the old nonsense about "neo-colonialism" was once again churned out, with the Indian Prime Minister joining in.

But even as Mrs. Indira Gandhi was basking in the company of these pals, her stock at home was slumping daily. According to the latest poll carried out by the Indian Institute of Public Opinion, there has been a steep decline in the Prime Minister's popularity within the last three months. From an all-time high

which touched the figure of 260 in January 1972, the Prime Minister's popularity has slumped to 109, an all-time low touched soon after she and her party were thrashed in the Parliamentary elections of 1967. Obviously, the "Indira Wave", which impressed a lot of naive persons in our country, has passed. What is more significant is that, for the first time, there is no corresponding slump in the support for the Congress Party led by the Prime Minister. "Can it be", asks the Public Opinion Survey published by the Indian Institute of Public Opinion, "that the impersonal character of the Congress organisation is now asserting itself against the Prime Minister's declining charisma?"

It is perhaps this that explains the overtures that the Prime Minister has been making to Mr. Kamraj and Mr. Sanjiva Reddy. There has been a great deal of speculation about the real nature of these moves, but so little is known that both sides can insist that the Indira-Kamraj talks took place at the initiative of the other party! The only pertinent remark that appeared in the Indian press about the entire episode, which has been blown up out of all proportion, is that of *Mysindia* on August 26 which said: "All old men are fools when they are dealing with women." Amusing as is this thought, we have a shrewd suspicion that Mr. Kamraj may disappoint those who still think on these lines.

The slump in the popular support of the Prime Minister also perhaps explains an interesting dispatch in the *Hindu* of August 2, which reports:

"There is a growing realisation in the Prime

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Minister's inner circle that the party ideologues have run out of ideas and have nothing new to tell her about what she should do to relieve the present inflationary pressures consistent with the Congress pledges to the people. She is in no position to prescribe any new guidelines without seeking professional advice."

But, alas, in case anyone expects wisdom to dawn, the correspondent goes on to warn:

"Though she knows that Congress socialism is based on a surfeit of phraseology and ideology and has not kept pace with the evolution of socio-economic thinking under present-day conditions, she is trying to play sage and seek a consensus approach for getting the economy moving again within the political framework of Congress radicalism."

Harassing Scholars

THE incorrigible character of the regime in New Delhi is brought out by its latest antics in respect of a decision that not more than twenty American scholars should be admitted at any one time into this country. Commenting on this, Mr. Daniel Moynihan, the U.S. Ambassador to India, said that there were

about 11,000 students studying at American Universities in the USA. He went on to say:

"It (the restriction) will slowly atrophy the once-flourishing South Asian studies in American universities. People in the middle of their careers are now being stopped. They find that they cannot get back to India. Contrast this with the thousands of Indians who come to the U.S. to study each year."

The explanation given is that U.S. scholars are in the habit of poking their noses into sensitive areas of our national life. The Editor can vouch for this, judging by the number of American students who have cross-examined him about the Congress Socialist Party in the '30s and his position regarding the CP-CSP United Front, thus endangering the security of India! Among other sensitive topics of study have been the "Changing Role of Women In Central India", "the development of Indian Sufism in the 13th and 14th centuries," and "the goddess Durga Kali, the structural unity of myth, cult and symbol!"

Highly amusing. But what is one to think of the buffoons sitting in the New Delhi Secretariat and clowning in this manner on behalf of the Indian people?

FOR A LIBERAL OPPOSITION PARTY IN U.S.S.R.

Published below is a samizdat (self-published) document from the first issue of a new underground journal The Sower circulated from hand to hand in the USSR which appeals for the formation of a liberal opposition party.

OUR goal is to create a social democratic party in Russia. We understand very well that the general situation in this country, our position as a small, isolated group, our inexperience and the blunders that result from it, all make it highly improbable that we will attain the desired results. But we believe in the future of our cause. Clearly the task we have set cannot be carried out by one small group. Its realization requires more or less concerted action on the part of serious social forces. We are convinced, however, that a movement of this kind is dictated by objective social laws; consequently, sooner or later it must appear on the scene. Hence we begin our work full of hope that in the final analysis we will not be alone. We are sure that however much we accomplish, even a little push in this direction will have a definite benefit.

We consider that our society—and, incidentally, possibly all of mankind as well—is in a catastrophic situation, and the dangers hanging over it threaten its very existence. The time has come to wake up and consciously examine our neglected problems. The independent liberal activism that has manifested itself in our country in the last few years shows that social consciousness is aroused. This process is inevitable, and even the most desperate measures cannot reverse it. The liberation of thought can be stopped only by the destruction of society itself or, which is nearly the same thing, by a “cultural revolution” of the Chinese type, throwing the country back several decades with fatal consequences for the ruling elite. Whether the forces of reason and consciousness or the elemental forces of destruction will ripen sooner—that is the question that the efforts and activism of each of us will decide.

The following is a presentation of our most general principles, which will be developed in future issues, if such issues are fated to see light of day.

State Capitalism

The facts show that the private capitalist order was replaced not by socialism, which frees the individual, but by administrative state capitalism. Our country is the one with the most developed and purest state capitalism.

The guiding force of this system is the administrative class. It includes the leaders of the state, the party and industry; trade-union, youth-organization

and propaganda workers; the upper ranks of the military and the agents of the security police; and all imaginable kinds of chairmen, secretaries, directors, section heads, etc. The administrative class is organized in an apparatus—i.e., in a strictly hierarchical system.

In our country, state capitalism has passed through three phases. The first, the Bolshevik phase, lasted about ten years. It was indisputably progressive. In this phase state capitalism was consolidated in the struggle against the preceding outdated bourgeois order. Private ownership of the means of production in industry was transferred to a totally subordinate status, thus laying the foundations of centralized economic planning. At the same time, rather cultured people stood at the head of the apparatus; the necessary flexibility existed in politics; and society had a degree of intellectual freedom and a variety of information.

The second phase lasted for a quarter of a century. This was the phase of Stalinism, of the dawning of administrative state capitalism and, at the same time, of its most brutal and vulgar expression. The “Old Guard” of Bolshevism was swept away by Stalin’s gang and, on the whole, annihilated. It was a virtual revolution. The system ossified and became absolutely soulless and inhuman. The ferocity of Stalin’s regime permits calling it fascist. The system’s inflexibility and its cruelty cost dearly. Nevertheless, and in spite of the costs and the frightful, morally unjustifiable cruelty, the Stalinist regime made full use of the advantages of the state capitalist system. Industrialization and the war demonstrated the regime’s terrible strength, its ability to reach its targets despite the unbelievable narrow-mindedness and errors of the leadership.

The third phase is still going on. It began with Stalin’s death and was marked by a significant relaxation of the regime. The most crying injustices and absurdities were corrected. This policy bore some fruit, and the regime seemed for a time to receive additional strength. However, the flexibility of the first phase never returned. The regime had grown decrepit; flexibility was impossible for it. And although from the human standpoint the new order was much better than Stalin’s, from the objective, social point of view it appears to be a direct continuation of the latter and

not at all a return to the broad horizons of Bolshevism.

Now the regime is going through a serious crisis. The positive effects of the Khrushchev reforms have been exhausted, and further reforms are impossible without a radical change of the whole system.

State capitalism and the scientific intelligentsia

Side by side with the administrative class, the scientific intelligentsia has an enormous significance in the state capitalist society. In all of history this is the first class (i.e., a significant group, playing one of the defining roles in the social process of production) that consists by its very definition of thinking people for whom intellectual freedom and freedom of information are necessary conditions for the success of their socially useful productive activity.

Ossified state capitalism, however, has no intention of giving science—and the scientific principle—its proper place in the social system. All our chronic difficulties and shortcomings, which have led to the social crisis and the threatening total catastrophe, spring from that fact.

Our misfortunes are numerous, and grave. Contamination of the environment leaves us at best a few decades for second thoughts, but practically nothing is being done, and no essential change in the situation can be discerned. The nervous and physiological con-

dition of contemporary man is critical. Mutual misunderstanding among various groups in society and the resulting friction and general social tension are increasing. The administrative apparatus is corrupt through and through and has lost all effectiveness; even in those areas to which the government itself gives extraordinary importance, the apparatus can achieve almost nothing. The international political situation is relatively stable now, but nevertheless in recent years the Soviet Union has had one failure after another. The economic system urgently needs modernization and rationalization. The standard of living remains low and is improving very slowly, if at all. Most important, society has lost its old ideals and has received nothing in exchange. Hence, universal dissatisfaction and demoralization, leading to moral dislocation, crime and alcoholism, are increasing. Before one's eyes the country is moving toward a breakdown.

All this is the consequence of the sharp inconsistency in the relationship between production and the productive forces. The autocratic administrative principle can no longer satisfy the natural necessities.

This inconsistency between the regime and the situation, this contradiction between the organization of society and its productive forces, leads to increased class antagonism between the administrative class and the intelligentsia. The administrative class fears broad application of the scientific principle. Its own absolute

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power and its privileges are founded on suppressing intellectual freedom, making the population stupid through propaganda, denying the right to information. Any serious reforms threaten its own monopolistic position in society. As for the intelligentsia (above all, the scientific intelligentsia), it feels the artificial nature of the existing situation; this engenders its dissatisfaction, which becomes a mood of opposition.

Due to the nature of the regime, for a long time the class conflict was totally concealed. Recently, however, it has acquired such intensity that it revealed itself in a series of liberal actions.

Liberal actions have often had the character of open, self-sacrificial demonstrations and protests. Doubtless, on the whole, petition-signing and demonstrations played a positive role in attracting the intelligentsia's attention to the progressive movement. But they also weakened the movement, causing repression of its most active cadres. The inevitable result has been demoralization. We feel that open protests, with certain exceptions, are absolutely inappropriate in our situation and should not be even a secondary line of action for the movement.

Most important, the liberals have not proposed a convincing alternative to the regime. The existing regime is bad, it is hurtling into the abyss—true enough. But it still allows people to exist; compared to total chaos it still seems a blessing.

Of course the liberals have made efforts to work out an alternative. The most important attempt was (Andrei) Sakharov's letter. It has enormous significance, but it seems to us that in a number of spots this alternative lacks definitiveness. It is, after all, not a programme. Moreover, it is not conceivable that anyone could take it as a programme.

It seems to us that the alternative to state-capitalist absolutism can be found only in the idea of the scientific-democratic management of society. That idea, however, needs concretization.

In our time the question of property has lost its meaning, and the problem of power has replaced it. The solution to this problem lies only in the old idea of separation of powers. This idea, however, cannot be understood now as it was in the last century. Also, the democratic principle cannot be totally dominant today; modern industrial society requires a reliable governing mechanism and competent leadership. Western parliaments no longer rule: at best they only supervise. Likewise, they do not legislate in the full sense of the word but simply confirm laws and oversee the general direction of legislation. A democratic body can, and should, be given only the supreme power to supervise, observe and inform.

Absolute legislative and executive power, however, cannot be assigned to a hierarchical apparatus, as we see it in the Soviet Union.

The separation of powers will guarantee enough

freedom from the top down. From the bottom up, freedom should be guaranteed by greater independence of the basic socio-economic units. Thus, we need to carry out real, broad economic reforms, giving enterprises the maximum independence compatible with the center's defining role in overall economic and social policy. Within the boundaries of the enterprise itself, development of industrial democracy should receive attention.

Programme

We offer to the democratic movement the following tentative programme:

1. Scientific-democratic management of society, a scientific reorganization of the mechanism of power.
2. Consistent enactment of economic reforms up to and including cautious reintroduction of elements of NEP (small private ownership in agriculture and service industries) with a defining role for the center.
3. Democracy in the production process (i.e., among the workers).
4. Curtailment of income differences to no more than five or six times between any two people.
5. Liberalization, in the sense of relaxation and, in all but exceptional cases (pornography, violence), removal of restrictions on ideology and information.
6. General humanization of politics, switching its targets from indicators of production alone to more humane ones.
7. An end to foreign adventures (for example, unconditioned support for the semifascist Arab regimes and gendarme actions in Eastern Europe), which consume enormous resources; a more logical and principled foreign policy.
8. Immediate enactment of much more energetic measures in the catastrophic questions, especially those concerning the condition of man and his environment.

The significance of such a programme is that it would clearly define what the liberal opposition is and what it wants; and it would show that the liberal forces really do have a complex idea about the necessary transformation of society. An actual programme would change the liberal opposition from an undefined conglomerate into a political party, the party of scientific-democratic socialism.

Our work will, of course, be defined by our possibilities. If future numbers are fated to see light of day, we intend to develop several of the principles presented above.

We call on all who support our ideas to assist in distributing this leaflet. We ask the same of those who, although they do not share our convictions, sympathize with freedom of the press. We will gladly accept any support and any response.

SENTENCE ON AMALRIK

International PEN Protest

The new sentence passed on Andrei Amalrik can only be considered as a contradiction to the euphoria of the "detente", and a deliberate attempt to prevent free exchange of ideas. If Amalrik has been guilty of a crime, it is a crime which every honest author in every country *must* share. The same was committed by the late General Secretary of the KPDSU, Nikita Khrushchev, as long ago as 1956. International P.E.N. will use all means at its disposal to alleviate the personal fate of Amalrik and his wife. By passing such a sentence on Amalrik and by its policy towards intellectuals in opposition the Soviet Union is moving into a cultural and intellectual isolation which no economic or political or cultural agreement can alter in any way. International P.E.N. expresses the hope that the sentence passed on Amalrik is not irreversible.

Heinrich Boll,
President
David Carver
Secretary

The Office-Bearers of the P.E.N. All-India Centre

(Signed)

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A WAR WORTH FIGHTING

THE reason why those three presidents sent American soldiers to Vietnam still seems a valid one. Leave aside the superstructure of the American argument for being in Indo-China, the business of dominoes and the balance of power and the credibility of an American guarantee. There is something in all of those things, but the foundation they rested upon was a proposition about Vietnam itself. The underlying belief was that a non-communist South Vietnam would offer the people who lived in it the prospect of a better life than a communist one would; that North Vietnam was helping the people who wanted to make South Vietnam communist; and that it was right to resist that. Whatever else the war has done, it has not destroyed any part of that proposition. . . .

It is still true that South Vietnam is a more open society than North Vietnam is, or than a communist regime in the south would likely to be. It does have a parliament that can defy the president on an important issue, as it did in the election of the senate's leader last October. It does have newspapers in which a fairly wide range of dissent can make itself heard. It does not make it impossible for people to find out unpleasant things: Amnesty International could discover something about political prisoners in South Vietnam, but it could not in North Vietnam. It does offer the possibility of political choice, including, if

the communists would agree to it, an election in which one choice would be to vote communist.

South Vietnam also has something more important than all this. It has, as North Vietnam does not, a basic structure of power out of which something more like an American or European democracy could emerge in the remainder of this century. The obstacle to liberalisation in any communist country is the communist party's monopoly of control over every aspect of political and intellectual life. Mr. Thieu does not command, and cannot expect to command, such a concentration of authority in South Vietnam. He has to deal with men who are to some extent independent of him in the army, in the provinces, even in South Vietnam's first beginnings of a modern economy. It is no help in fighting a war, but it could be a decisive advantage after the war: the competition generated by a pluralist society is better for both politics and economics than a centralised system is. Even now, if it could have peace, South Vietnam would be a rather better place than the north for most people to live in. It would permit rather more diversity; it would allow rather more people the means for an independent life; its economy would undoubtedly grow faster. . . . This is the answer to the argument that South Vietnam is not different enough from North Vietnam ever to have been worth fighting for.

—*The Economist*



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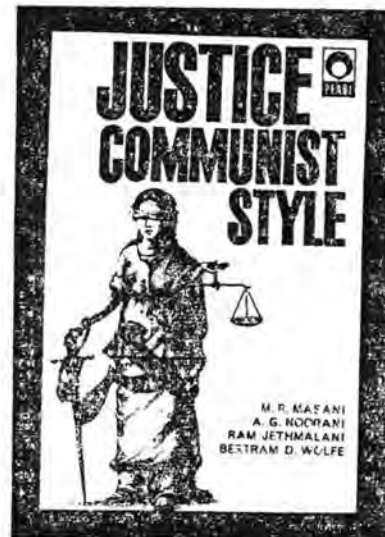
The supersession of three judges of the Supreme Court of India, and particularly the graceless manner in which it was done, bodes ill for the nascent democracy of our country.

Democracy, liberty, the rule of law, are words which have been debased by totalitarian communists in country after country after they have attained the seats of power. These words and concepts mean a great deal to many Indians, but there is a danger of their being made victims of semantic confusion.

Thus, in all the spate of comment about the Union Government's interference with the independence of the Supreme Court, there was very little which clinched the argument by describing the supersession of the three judges as a giant stride in the communist take-over of India. This little book fills up that lacuna and spells out in crystal clear terms the horrible implications of what was done on 25th April, 1973.

JUSTICE- COMMUNIST STYLE

by M. R. MASANI,
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A MAN OF LETTERS (AND ENVELOPES)

EVERYONE's letters look alike, mine I want to be different." Working with ink, fragments of magazine and postage stamps, Raobail, a lean and bearded artist has perfected the technique of transforming the classic plain white envelope into something suspiciously akin to art. The stamp of his personality is generally superimposed over that of his government and undoubtedly forms the focus of the compositions.

A few drops of colour, a squiggle of ink and the dreariest of obscure saints is rendered pleasantly unrecognizable. Any Indian philatelist, for whom the succession of eminent persons in varying shades of sepia and dull green are a cross to be borne with fortitude, will verify that Raobail's liberties with

Department. This gave him enough impetus to take a course in commercial art and now he expects to stay on where he is. "I take only the work I like to do. Also, here there's scope for me to carry on my *other* work as well!"

He has had three exhibitions, two of them in Jehangir Art Gallery. It was during the last of these, held in late 1972 that his work attracted the regard of a Swiss graphic artist named Hans Erni, to whom the envelope shown here is addressed. He was so taken up by Raobail's work that he waited an hour at the gallery to meet the artist. He is at present trying to bring Raobail's work under the scrutiny of foreign art-enthusiasts while Raobail keeps him well-supplied



India's great men are far superior to the originals. The remaining areas of the envelope are subjected to a wide selection of treatments, ranging from rendition of the address in copper-plate script to caricatures in quadruplicate of the artist himself.

The artist began his career as a graduate of agricultural science. "I never thought art as a profession" he says, until he came to Bombay thirteen years ago and joined the J. J. School of Art. "I was not a very good student. They didn't like the way I draw. I have my own style. There they want you to draw the way they teach." Subsequently, he left the school and joined the L.I.C. as a clerk until his artistic prowess was discovered and speedily turned to use in the Art

with samples of his forte—the decorative envelope. "I write very often, about every five to six days. I don't write anything, it's just to send envelopes. The postmen there know my letters now. They always hand my letters over personally." It might be thought that the more intrepid members of the postal services might decide to keep Raobail's correspondence as souvenirs but "No" says the artist, "all my letters reach. Except in the United States and Canada. They pilfer them there, not a single one has reached. I never write there anymore".

Beyond the familiar dimensions required of airmail correspondence, Raobail's work can be extraordinarily

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Reviews

PROTESTS FROM THE BAR

A Judiciary Made to Measure edited by N. A. Palkhivala, published by M. R. Pai, (pp. 55. Rs. 2)

THE recent appointment of Justice A. N. Ray as the Chief Justice of India has been made amidst nationwide protests and the near-unanimous opposition of the entire legal profession throughout the country.

For the first time in the history of the Supreme Court of India, the Chief Justice of that Court has been appointed not on the basis of seniority or even merit, but on an invidious basis that puts an end to the independence of the judiciary in our country. The basis was made explicit by Mr. Mohan Kumaramangalam in Parliament—the present Chief Justice has a philosophy and outlook most suitable from the Government's point of view; hence his appointment as the Chief Justice of India in supersession of three senior judges of the Supreme Court whose philosophy and

outlook, presumably, do not suit the Government. When we consider that the State is the biggest single litigant in the country, this power of promoting "suitable" judges that the state has usurped is bound to place it in a far more advantageous position in fighting litigations in comparison to other litigants. When the executive openly asserts that it will have the sole right to promote such judges as are favourable to it, judicial independence is at an end.

The seriousness of this reverse suffered by the nation as a whole becomes apparent when we consider the tremendous effort that was put in at the time when the constitution was framed to ensure the independence of the judiciary from executive interference. Article 124 provides that the Chief Justice and other judges of the Supreme Court and even High Courts should be consulted before the President makes any appointment of a Supreme Court judge. Similarly, under Article 217, for the appointment of High Court judges, the President has to consult the Chief Justice of India, Governor of the State and Chief Justice of the concerned High Court. Though no similar specific provision could be made for the appointment of the Chief Justice of the country, (there being no judicial officer senior to him who could be consulted) the debates in the Constituent Assembly make it amply clear that it was nobody's intention that his appointment should be left to the discretion of the Executive. Since the inauguration of the Supreme Court, it was therefore the accepted convention to appoint the senior-most judge of the Supreme Court as the Chief Justice. His appointment was thus kept free from executive interference. All Governments except the present one scrupulously honoured this convention and kept aloof from the judiciary however annoying its decisions may have been. The rule of seniority was followed, not because seniority lent more wisdom to the occupant but because it was the most practical method of preventing executive interference in the appointment of the highest judicial post in the land. Small wonder then that the entire legal profession protested in one voice at the breach of this crucial convention. The profession knew exactly what the Government was aiming at, the laymen did not. The excuses put forward by the Government spokesmen however, could fool nobody, not even the public, and protests started pouring in from all parts of the country—from eminent people in different walks of life. The first protest came naturally from lawyers who were more familiar with the background of judicial appointments. As a chronicle of these protests and as an exposé of the fallacies underlying Government justifications for the appointment of the present Chief Justice this little book is invaluable. It contains the text of the appeal made by Jayprakash Narayan to the Prime Minister to preserve fundamental rights and judicial independence; (Is there any reply by the

A MAN OF LETTERS—Continued from page 11

complex. Large wastes of paper crammed with innumerable human figures, sometimes waving flags, sometimes jostling in an inextricable mass of convoluted umbrellas and entangled arms. Crowds are one of his favourite subjects. He works in collage, tearing out little scraps of print from a page of newspaper of a random corner of a colour photograph and combines them with ink, using the minimum of formal equipment to produce his complex tabeaux of milling throngs. "I don't have any plan when I paint. I just paint. I start at the end. I put the colours on first and then the whole thing begins to grow as I go along." On canvass he tends to the more conventional themes. "I never paint anything abstract," he says, "always a sort of rural landscape. I was born and brought up in a village—".

His village is Coondapur in Mangalore on the backwaters of the river Bangoli. Raobail belongs to a greater complex of three, the Rao brothers who enjoy some fame in Bombay as mimics. "I can imitate twenty-five instruments," he says, while his mother and sisters sing and the family as a whole excel in Hindoosthani music. He has a "love-hate relationship" with Bombay, to which he came to study and for a job when he was twenty. "There is more scope in Bombay, in spite of the rivalry. One painter derides another, there is groupism—but I always do only what I want." He adds, "They (the critics) don't like me for that," but from his wide smile as he mentions this, it is obvious that he wears his notoriety with ease and confidence.

MANJULA PADMANABHAN

Prime Minister to this appeal?) it contains speeches made by the most eminent lawyers of our country — M. C. Setalvad, C. K. Daphtary and N. A. Palkhivala, speeches by eminent judges — J. C. Shah, M. Hidaytullah and K. Subba Rao and the text of the joint statement issued by eminent lawyers on 26th April 1973, a day after the announcement of the appointment, which did much damage to Government credibility on this issue. A. G. Noorani provides an excellent report of the protests made by the Bar throughout the country.

Already, the apprehensions expressed in the book which was brought out in June 1973 are slowly turning into reality. Erosion of judicial independence is becoming apparent even at lower levels. Recently the appointment of a Chief Justice of one State became the subject-matter of political controversy. Another High Court judge tried to evaluate a Supreme Court judgment on the basis of the political philosophy of judges who delivered it; a man with a pronounced political record as a communist has been recently appointed a judge of the Supreme Court. When we realise that nearly 40 higher judicial posts are still vacant, the possibility of infiltration into the judiciary of men whose "philosophy" is to the Government's liking becomes immense.

If this book educates public opinion and makes it more aware of the dangers of political meddling with the judiciary, it will have done immense service to the cause of democracy.

SUJATA MANOHAR

AN OUTLINE OF ADMINISTRATION

Commitment My Style by E. N. Mangat Rai, (Vikas Publishing House, Rs. 25).

THIS book has a variety of offerings. It spans the years 1938 to 1972—a period of great significance in our national life. For the social historian the book contains an account of growing up in a Punjabi Christian home, of student life in the Punjab, of marriages and domestic life, of relations between parents and children, Britons and Indians, of the Partition, of eccentric and interesting men and their modes and mores.

For the student of administration there are many sound and sensible observations based on the author's experiences; of his training for the ICS, with its accent on the village, of his early years as an Ilaqua officer on Famine duty in Hissar, as Assistant Price Controller and Director of Food Purchase during the years of Food rationing, as Finance Secretary, and later Chief Secretary of Punjab and of Jammu and Kashmir, and finally as Special Secretary in the Ministry of Petroleum and Chemicals, from which post he resigned in 1972 due to differences with the Government.

Though the author does not set out to do so the story reveals a gradual deterioration in the quality of administration which, today, is on the verge of breakdown. The causes are many and varied but important among them is the nature of the political leadership which emerged about ten years after Independence. The chapter on the rise and fall of Sardar Pratap Singh Kairon, described by Mr. Mangat Rai as "Meteor in the Punjab", illustrates this point so well that it is worth while to consider it in some detail.

Sardar Pratap Singh's predecessors as Chief Ministers of Punjab, Sri Gopichand Bhargava and Sri Bhim Sen Sachar were Congress politicians of the old school. They were willing to leave much to the initiative of local officers who felt that their mistakes would be understood as long as their efforts were persevering. But with Kairon, who became Chief Minister in 1956, the entire political and administrative picture changed. With him administration became centralised while policy became decentralised. It was 'action first, philosophy, theory and even data later'.

The author pays tribute to Kairon's dynamic energy and his determination to push forward in all spheres. He worked all the time, he was always accessible to people, including the officials; he was truly secular, a man with the courage of his convictions, willing to accept responsibility for his decisions; nothing was too small or too big for endeavour, whether the consolida-

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tion of land holdings, or starting poultry farms, or digging tube wells, or increasing the working hours in the Secretariat and ensuring punctual attendance by the staff and officers, or in developing the hill areas. Mr. Mangat Rai describes Kairon as a man of strong loyalties who never forgot a friend or broke his word.

Unfortunately some of these very qualities gave Kairon a bad name. He trusted some officers far too much. The author states that years before the storm broke he had warned Sardar Pratap Singh of the allegations and accusations being made against his sons and officials connected with them. But while expressing gratitude for the frank advice he maintained that his sons felt that they were unable to forge ahead on account of their father being Chief Minister and that he himself felt that his sons' right to earn a legitimate livelihood should not be denied. The author finds a partial explanation for this blind spot in the character of the Jat. In India as a whole clan and family loyalties are paramount among many groups but there is difference. According to the author: "The Kayastha, the Bania, the Brahmin, and others, all of whom in varying groups and formations treat the supremacy of the family as an absolute value, have been exposed to the rigours and needs of the law in a way that the Jat has not. They will usually take abnormal and shrewd care to clock family deprivations within the terms of legal interpretations and niceties. The Jat, on the other hand has lived for decades in isolated villages,.... He is not traditionally a user of the law and its niceties; it has often impeded him; he has then evaded and avoided it to survive. There is an inbuilt tendency to rate personal, family, or village loyalty above and beyond the authority of law."

There was also in Kairon a heavily charged suspicion about men and motives—carried to a point of vendetta in the conviction that he was the avenger of wrongs. He maintained that he wanted to eradicate inefficiency and corruption and in the process he used the police to obtain information which gave him control over politicians and officials. This, far from rooting out inefficiency, produced a 'terror in the administration which made fearless and objective action on the part of executives impossible, particularly in controversial matters where it was most needed'.

The tragedy of our present situation lies in the multiplication of political leaders with Kairon's blind spots without any of his redeeming qualities. His regime ended as a result of the findings of the Das Commission appointed by Pandit Nehru, albeit reluctantly, but who will appoint the Commissions needed to investigate far more serious charges against present-day Ministers.

MEHRA MASANI

PARSIANA

Parsiana (A monthly magazine in English, published and edited by Jehangir R. Patel at 285 J. Dadaji Marg, Bombay 400 007) Rs. 2.

WITH the Parsi New Year was introduced the new *Parsiana* magazine. A contrast from the older version, this magazine is now attractive, dynamic and in keeping with the times.

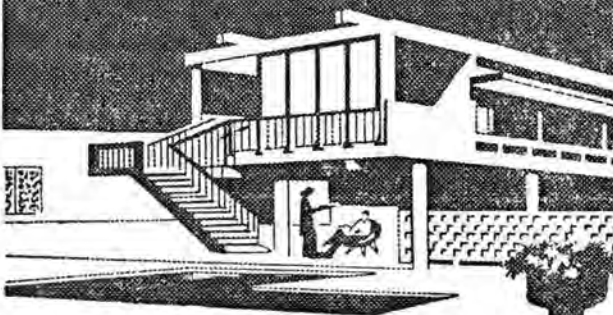
The first issue brought out at the end of August contains topics of interest such as the best method of disposing the dead and Parsi divorces. It also includes art and drama reviews and an interview with a multifaceted personality like D. F. Karaka.

The new *Parsiana* is a magazine which should appeal not only to Parsees.

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personalities—even those most sensitively aware of oppression and persecution in the East—in order to create an artificial balance for the benefit of left-wingers, there must always be the reservation: "The same thing happens in Greece, Spain, Turkey." As long as this artificial phrase, "The same thing happens," is added, Western sympathy for us loses its meaning, its depth; it even offends us. I dare to declare that in none of these countries does violence reach the level of today's "gas chambers," the prison psychiatric clinic.'

'In writing my Nobel Prize lecture a year ago, I assumed that the threatened situation of the author of the lecture, given not from a safer rostrum but from those cliffs where world glaciers are born and slide down, would add somewhat to the attention an amused world would give his warnings. I was wrong. It is as if what I had said had never been said. And maybe it is as useless to repeat it today.'

'What the jamming of foreign radio broadcasts means is impossible to explain to those who haven't experienced it themselves, who haven't lived under it for years. It means the degradation of man to a robot's level, whether they completely silence a waveband or jam it with a rusty saw or with vulgar music. It means that grown people are reduced to the subservience of infants: "Swallow what Mother has already chewed for you."

'There must not be the slightest deviation in the evaluation of news... in the nuances... in the accents. Everybody has to be informed about and remember an event one hundred per cent the same way. And many world events must not be made known to our people at all. Moscow and Leningrad are paradoxically the worst informed big cities in the world. The inhabitants ask people who come in from the countryside for news; out there, because of the cost (our population has to pay very dearly for these services), the jamming is weaker.'

Solzhenitsyn declared 'with confidence' that it was already impossible for Russia to return to the Stalinist regime of the Thirties and gave this as one reason:

'International information, ideas, facts, and human protests, do slip through and have an influence. It is important to understand that the East is not at all indifferent to protests from public opinion in the West. On the contrary, it has deadly fear of them, and only of them.'

But protest had this impact within the Soviet Union only when it was backed 'by the united, mighty voice of hundreds of prominent people, by the opinions of a whole continent.' "Then," said Solzhenitsyn, 'the authority of this Soviet "advanced structure" may falter. But when timid isolated protests are heard, lacking full belief in their likely success and diminished by that compulsory reservation about the same things happening in Greece, Turkey and Spain, then this evokes only the laughter of the aggressors. When the racial composition of an American basketball team

becomes a bigger world event than the daily injections given to prisoners in psychiatric clinics—injections that destroy the brain—then what else can one feel but contempt for egoistic and short-sighted civilisation?'

After declaring that Stalinism would not return to Russia so long as dissidents like General Grigorenko and Vladimir Bukovski spurned the temptation to buy freedom at the price of their convictions, Solzhenitsyn said:

'There is one psychological peculiarity in the human being that always strikes you. He shuns even the slightest sign of trouble on the outer edge of his existence at times of well-being, when he is free of care. He tries not to know about the sufferings of others—and about his own future sufferings—and is willing to yield in many situations—even important spiritual and central ones—as long as this promises to prolong his well-being.

'And then suddenly, at the last frontier, already stricken with poverty and nakedness and deprived of everything that seemingly adorns his life, man finds within himself enough resolution to give up his life rather than his principles!

'Because of this first characteristic, mankind has never been able to hold on to one single attained plateau. Thanks to the second quality, mankind has pulled itself out of bottomless chasms.

'It would not be a bad thing to foresee one's future downfall and the impending reckoning, while one is still on the plateau and to show some endurance and courage before the critical hour... to sacrifice less, perhaps, but a bit earlier.'

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WITH MANY VOICES

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

The problem today is who is to live, Ministers or the people?

—Mr. Kamaraj in the *Indian Express*, August 23.

The day we nationalise the politicians will be the day of salvation.

—A. J. S. Sanjeevi in *The Hindu*, July 14.

The United States of America keeps its word.

—Ambassador Moynihan quoted in *The Hindu*, July 25.

Discipline can only be effective when it begins at the point from which it emanates. From the top.

—Lt. Col. C. Proudfoot in *The Indian Express*.

Some are cheating the people by talking about puratchi (revolution) and others about munnetram (progress).

—Mr. Kamaraj in the *Indian Express*, August 23.

Nowadays if anyone is good at cheating the people, he is called "puratchi thalaivan" (revolutionary leader).

—Mr. Kamaraj in the *Indian Express*, August 23.

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Impeachment is the political equivalent of capital punishment.

—A leading Democrat quoted in *Time*, August 20.

His (H. G. Wells) success as a futurist was based on a supreme confidence in man's worst instincts.

—*Time*, August 20.

The American intervention in Vietnam has broken the hypnotic spell on the other Southeast Asians that Communism is irresistible, that it is the wave of history. Communist victory was demonstrated not to be inevitable.

—Premier Lee Kuan Yew quoted in *Time*, July 27.

The country is in the midst of its worst crisis in 26 years of independence. Only Prime Minister Gandhi herself seems to be unaware of this.

—*Time*, August 27.

How many more Sukarno-Nkrumah-Ben Bella-Karume-Amin-Quaddafi experiences will it need to persuade radicals like Patrick Seale and your reviewer that regimes that seize power or maintain themselves in power bloodily, behaving tyrannously at home and abusively abroad, must expect to have others plot violence against them?

—George Kirk in *The Economist*, July 28.

The Judge Commands The President.

—Headline in *Time*, September 10.

The last eight years have been the era of Maruti Socialism, of promised prosperity in the distant future.

—Piloo Mody in *Hindustan Times*, September 9.

If you (the USSR) are so anxious to relax world tension, why don't you show your good faith by doing a thing or two, for instance, withdraw your armed forces from Czechoslovakia or the People's Republic of Mongolia and return the four northern islands to Japan?

—Premier Chou-en Lai quoted in *The Times of India*, September 2.