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THE JUDICIARY AND Mrs. GANDHI

NISSIM EZEKIEL

Mrs. Gandhi's record in relation to the Judiciary is deplorable, and is likely to become worse. She has done everything in her power to undermine its independence, to destroy its prestige and to denigrate its social philosophy.

Mrs. Gandhi has not done these things innocently as, for example, in her failure to support the case of the air-hostesses against the male chauvinist conditions of their employment. She has not done them out of a misplaced emphasis on personal loyalty or because of poor judgement in carrying out her political aims. The reality is more sinister.

Mrs. Gandhi finds the Judiciary a major obstacle in the exercise of absolute power, for which she has an insatiable craving. All her policies and decisions, during the Emergency, as well as in the two phases before and after it, imply the authoritarian impulse and its logic, relentlessly at work.

The transfer of Judges because specific verdicts in court cases went against the wishes of Mrs. Gandhi and her government is one of the scandals of post-Independence judicial history. Mrs. Gandhi and she alone must be held responsible for that scandal. Her spokesmen have always had to support her in this crucial matter with many specious arguments.

One of these arguments is that the Judges transferred or superseded stand in the way of revolutionary changes which Mrs. Gandhi wants to bring about in Indian Society. There is no evidence of these changes being attempted in areas where the Law and its administration are allies, or where executive control violates the principles of natural justice.

What, for example, is the excuse for short-term appointment of Judges? Similar unfair appointments are made in a number of educational institutions in India, the intention being to avoid the pay and privileges of confirmed positions. The Government does it to Judges so as to

assert its powerful presence behind them and to insist on the judiciary's undignified, humiliating dependence on it. Nothing is gained in terms of social and economic advancement.

This special mode of interference and its use in transferring Judges are clearly instruments of Mrs. Gandhi's political wishes. They serve no other purpose. They do not solve any of the problems faced by the Judiciary or by the people as a whole.

As in information and press policy, where Mrs. Gandhi's government does what it can to intimidate, in judicial matters also it persistently seeks compliance and servility. When it cannot get these to the extent considered desirable, it periodically proposes measures and clumsily enacts them, in the alleged interest of the masses, of social transformation and "progressive" ideas, mostly dogmas.

Mrs. Gandhi has never succeeded in convincing any substantial part, of the Judiciary that she means well in her reformist zeal. She does have some backing both in her own party and among sections of other parties, who have their own reasons for sharing her views or sympathising with her methods in the present situation. One can try to erode this by criticism of Mrs. Gandhi's authoritarian predilections, which have a subjective as well as an ideological source.

The problems of the Judiciary are sometimes said to be merely elitist, such as those of academics and businessmen or management executives. It is suggested by left-wing ideologues that any attacks on their traditional rights in a democracy, or decrease of their privileged frictions do not concern the common people.

On the contrary, we must affirm that a Judiciary deprived of its freedom will soon be part of a society without freedom. The delicate balance of executive, legislative and judicial powers, essential to a democratic polity, will be replaced by a pyramidal structure with supreme power only at the top. Such a society is rightly called tyrannical, whether or not it is totalitarian.

Mrs. Gandhi, unlike her predecessors, wants a pyramidal power structure. That is why she is so determinedly against an independent Judiciary.

THE NEUTRON BOMB

RASHMI TANEJA

Considerable controversy surrounds President Reagan's decision to go ahead with the production of the so-called neutron bomb. The "Enhanced Radiation Warhead" as it is officially called is designed to produce far greater radiation and less blast and heat than other nuclear weapons currently deployed. Thus the warhead can kill people by radiation, but causes minimal damage to property.

American Military experts say that the weapons fitted to the short-range Lance Missile and the Howitzer Shell are the most effective way of repulsing a massed Soviet tank attack in Central Europe.

The Soviet Union has an impressive array of 44,000 tanks ready for an assault on Western Europe, while NATO only has 11,000. U.S. Defence Secretary, Mr. Caspar W. Weinberger argued that increasing NATO's conventional stockpile to counter Russia's 4 to 1 superiority in tanks would not be a very practical suggestion. The neutron device used on the battlefield could effectively neutralise the Soviet tank superiority, because its direct radiation would immobilise the tank personnel without destroying their armoured vehicles.

It had been decided earlier by the American administration to stockpile the weapons in the United States, and to deploy them in Europe only after consultation with the European allies.

The Reagan announcement has predictably evoked howls of rage from the Soviet authorities. They have accused the White House of "cannibalistic instincts". The timing of the decision could not have been more inopportune for America's European allies. It triggered off a wave of protests from Pacifists across Western Europe.

More serious, however, was the response from the influential quarter that matters — the governments of the NATO alliance, in particular West Germany, the Netherlands and Belgium — who reacted with consternation and scepticism.

The NATO allies are upset because they were not consulted about the decision. Secondly, Washington's announcement could jeopardise an earlier NATO decision to deploy 108 Pershing II and 464 Tomahawk cruise missiles in Western Europe. These Euro-missiles are to be deployed by 1983 to match the Soviet-built 660 medium-range SS20 missiles already targeted on Western Europe.

Although the governments of Belgium, the Netherlands and West Germany have endorsed the deployment of the Euro-missiles on their territories, their leaders face mounting opposition to the nuclear presence not merely from the an-

tinuclear lobby, but from within their own party ranks. The very survival of these governments could be endangered.

Thirdly, and most worrisome of all, because of the limited destructive nature of the weapon, its use lowers the nuclear threshold. In other words, it gives the NATO generals the chance to respond to an attack by conventional forces with the neutron option.

This would inevitably make Moscow retaliate in kind, thereby starting a small scale nuclear war.

Fourthly, in the event of a super power confrontation, the West European leaders fear that they may not be asked or consulted about the American decision to deploy the warhead in Europe: they would be told to do so.

Finally, the Europeans are deeply resentful that as before the Americans want the Europeans to fight their wars for them.

The Europeans who would like to, see an accommodation with the Russians have become sceptical about the drift of American foreign policy. They see an uncertain, inconsistent approach to foreign affairs by the President.

Underpinning this approach is Mr. Reagan's vision of the omnipotent Soviet evil. The President passionately believes in the simplistic doctrine that all the world's troubles can be blamed on the Soviet Union.

The policy's logical denouement involves the political and armed support of right-wing authoritarian regimes around the world so long as they are anti-communist. The neutron decision is a further example of a foreign policy that relies on a massive arms build-up as its mainstay while downgrading the role of arms limitation talks with the Russians.

The United States by its unilateral decision to give greater protection to her European allies could be playing into the Soviet Union's hands. Moscow has already stepped up its propaganda campaign against Mr. Reagan, who is described in the official media as a warmonger, hellbent on piling up a whole new array of nuclear weapons.

While remaining silent about her own gigantic nuclear arsenal, the Soviet Union will further mobilise the anti-nuclear lobby in Western Europe.

The Russians are already quite satisfied at the growing disenchantment felt by the Europeans towards their American ally. If the Russians were to exploit the tensions within the NATO alliance, we may soon see the emergence of a neutralist Western Europe. The political fall-out of Mr. Reagan's decision could be very far-reaching.

India's One Party Democracy

K. V. SUBRAHMANYAM

In the heat of the battles that were fought for the Independence of India, those who were at the helm did not have a clear vision of the policy that the country should adopt.

Gandhiji was so much concerned with the means to be employed in the fight — truth and non-violence — that he could only enunciate a vague picture of the free India of his dreams.

Sardar Patel was for a political set-up not unlike those of the open societies of the West.

Nehru was so fascinated by his visit to the Soviet Union and the way it had solved the problems of a multi-national state that he wanted to adopt the Russian model. He even got Parliament to pass a condolence resolution on the death of Stalin where he was described as a "Man of Peace."

Rajaji, apart from his fads, like Prohibition, did not have a mass following, as Patel or Nehru did to wield sufficient influence in the Congress except through Gandhiji.

Gandhiji, however out of tune with the realities of India's social and economic problems, had the political foresight to advise the Congress to wind itself up soon after Independence so that the country would be organised into new political parties each with its distinctive political programme, which it would implement if voted to power. But, Gandhiji, like Lincoln, was shot dead before India became independent.

With his removal from the scene, truth and non-violence became slogans of convenience to his political legatees; and, it did not take long before he was relegated by the Indian Public to the Hindu pantheon of fertility gods to be idolised and worshipped only, not emulated through personal example.

After Independence, the Congress decided, unlike the American Congress after its war of Independence from the British Crown, to set itself up as a political party with all the advantages that went with it and with the country-wide organisational set-up to back it. Even the party flag was made into the national flag, with only a minor modification. In the circumstances, no rival political party could emerge strong enough to face the Congress, except in a few states; and, they had neither the organisation nor the financial resources to back them up so that they could grow in strength.

To complicate matters, Gandhiji, in his naïveté, nominated Nehru as his political heir and successor. The only person with the political stature to stand up to Nehru, and with the necessary mass following, was Patel. Patel soon passed away, but not before integrating India by solving the problem of the feudatory states. That left

Nehru and the Congress in virtual control of the country's destiny.

Independence was followed by the convening of the constituent assembly. It took, apart from framing the constitution, two momentous decisions: first, that Hindi, and not basic English, should be the national language of the subcontinent; second, that the franchise should be based on adult status only, not on literacy and an elementary knowledge of civics.

Meanwhile, other ominous developments were taking place on the political plane. The interim government decided that the Muslim League should be dissolved as a political party, but that it could continue as a cultural organisation in Malabar, now part of Kerala. The fifth caste of "untouchables" should continue in the casteist hierarchy of Hindu society under the euphemism of "Harijans", so that they could be retained within the fold of Hinduism. Christian missionary activity was sedulously discouraged.

The Constituent Assembly did not contain any student of social anthropology except Dr. Ambedkar, who committed the mistake of placing implicit trust in written constitutions, overlooking the fate of the constitution of the Weimar Republic — it collapsed under the economic Depression of the Thirties, paving the way for the rise of Hitler.

Ambedkar was one of those who found out early that Hinduism was not a religion in the sense in which Judaism, Christianity and Islam or Buddhism and Jainism are. A person was a Hindu irrespective of the his beliefs, so long as he knew his place in the casteist hierarchy; and, there was no conversion or reconversion to Hinduism until the rise of the Arya Samaj. In short Hinduism was not based on an uncompromising ethical imperative round which sacerdotalism grew in varying degrees with the passage of time.

This made Ambedkar seek relief for the untouchables of Hinduism in Buddhism which, unlike Christianity or Islam, was Indian in origin being the first move of protest against the caste system; and, it did not go to the absurd extremes of Jainism in ahimsa. It was, in fact, pragmatic universalism as practised in Sri Lanka, Burma and the Far East, free from a ritualised caste hierarchy. In that respect, it was like Judaism, Christianity or Islam.

Historically, it would seem, the fair-skinned Indo-Aryans were represented by the first three castes. They had reduced to servitude the Dravidians who had earlier infiltrated into the Indian sub-continent via Baluchistan. The Dravidians buried their dead, as the centres of Harappan

culture revealed, which practice prevails to this day in South India. They represent the fourth caste.

The fifth caste is represented by the victims of untouchability. They were the the neolithic agriculturists, worshippers of the mother-goddess, who were dispossessed of their lands and reduced to helotry even before the advent of the Indo-aryans.

Those who were still in the paleolithic stage of food-gatherers, depending, may be to some extent, on slash-and-burn cultivation, escaped enslavement. They were nomads and inaccessible until they were sought out in their natural habitats by the Christian missionaries. It is interesting to note that they have not been victims of untouchability.

What Nehru did was to take the wind off the sails of Ambedkar by having Independent India imitate the externals of Buddhism. It was beyond him to break the caste system with all its attendant evils. All that he could do was to perpetuate the fifth caste by adopting the name "Harijans" which was coined by Gandhiji in his ignorance, but with the best of intentions, to lump all those who were the victims of untouchability under the category of scheduled castes.

Those who escaped untouchability and were outside the pale of Hindu Society were included among the scheduled tribes. The Constitution was made to provide protection for a limited period within which they were expected to overcome their enforced backwardness. Ambedkar did yeoman service towards achieving this end, but he died before he could fulfill his life's ambitions.

This was followed by ominous developments in the Indian polity. The minorities developed into pressure groups. Those who were the most vociferous were the newly emerged leaders, mostly political opportunists. The minorities, of course, became synonymous with Muslims, scheduled castes and scheduled tribes, not the others like the Christians, the Eurasians, the Parsees and the Jews of Kerala. These believed in the principle of self-help.

The new leaders of the pressure groups took maximum advantage of the confused Indian political scene to carve for themselves niches of power at the expense of the illiterate and weaker brethren of their communities to enrich themselves, not unlike the labour barons of India, taking advantage of adult franchise based on illiteracy.

The constituent assembly included, in its final draft, a set of directive principles apart from fundamental rights. There was no need at all for the inclusion of these directive principles, because they were intended to provide guide-lines

to the framers of the constitution. It is likely that they were included in the belief that if and when the Constitution was amended, those responsible would not violate these directive principles.

In practice, the directive principles were so interpreted that they violated the fundamental rights. Whenever that happened, the former were made to over-rule the latter. That was what Gokhale did when he drastically amended the Constitution to pave the way for one-party rule in perpetuity.

In an oriental sub-continent where democratic traditions never existed at any level of social organisation, apologists of "Panchayat Raj" to the contrary, it was natural for the Personality cult to take roots soon after Independence as was the case with Gandhiji earlier. Gandhiji, however, never allowed power to intoxicate him. He was a stickler for the ethical code he sincerely believed in.

The same could not be said of Nehru.

When he became the Prime Minister of India, Nehru still retained the traditions of democracy in which he was educated in the U.K. But decades in power with no opposition worth mentioning, made him develop authoritarian tendencies, especially so when his cabinet, with few exceptions, consisted of sycophants each busy feathering his own nest in private. This soon led to his intolerance of any criticism however mild and constructive it might be, as was witnessed in the cases of John Mathai and Chintaman Deshmukh.

The possibility of the growth of a healthy opposition, so necessary for the sustenance of democracy, was eliminated when franchise was based on adult status only without need for literacy and elementary knowledge of civics. Meanwhile, the population was growing at an alarming pace and, with it, the growth of illiteracy. This led to selection of candidates on caste and communal considerations, voting for symbols aided by catchy slogans, impersonation and booth capture, unheard of in any elections in any constituency except Charles Dickens' Dingley Dell.

When Nehru died, it was thought that there would be a change in the political set-up under Shastri. His premature death was followed by the Syndicate's choice of his daughter; it believed that it could make use of her as a figurehead.

They did not reckon with a lady who became an adept at political manoeuvre, a worthy disciple of her father. Once she was in the seat of power, her first step was to show the members of the Syndicate what she thought their place should be.

VOICES — I

REPEATING FAILURES

The Indian Express (Sunday Edition) of August 9 reports: "The Congress(U), the Lok Dal and the Janata Party leaders are exploring the possibility of a merger." The report then goes on to say who feels what and so on. The BJP having been at the receiving end in the united Janata Party have wisely, according to the report, declined the invitation.

Have our "leaders" (one should now suggest that the dictionary meaning of this much abused word be changed) lost all sense of shame? Are all of them suffering from amnesia? Have they not learnt anything at all? Do they view people's intelligence so poorly?

My answers — Yes, these politicians have indeed lost all sense of shame. No, they don't suffer from amnesia but megalomania; Yes, they have learnt nothing at all because they do not wish to learn. Wanting to learn from one's past mistakes implies sincerity of purpose. These men are neither sincere (to serve the people — a trite expression I admit) nor is their purpose honest. Politics to them is a livelihood and a vocation, not a path to steer the country into healthy democratic channels. Yes again, they view the people as fools and are out to prove Lincoln wrong about being able to fool all the people, etc.

Let us examine the report further.

Mr. Madhu Limaye is reported to have said that his faction's decision to force a split in the Janata Party had "other important reasons" than the "dual membership" issue. And what, pray, were these other important reasons? To get the Janata Party committed to closer relations with the CPM? To change the basic character of that party so that Lohia socialism or whatever be the cornerstone of the Janata Party?

In a way, Mr. Limaye's confession (again I would hesitate using this word, because confession implies acceptance of having made a mistake) is useful. The dual membership issue was used to drive the Jan Sangh elements out of the Janata Party. It was a handy weapon to destroy another group even if such destruction meant the end of the party. The objective was simple. To gain control of a party then in power in the foolish hope that this would be a short cut to power for themselves.

These left-wing socialists have never been known to be very intelligent, and added to this was an unexpected opportunity. In their hurry and stupidity they destroyed the Goose that was laying the golden eggs of power and patronage.

Mrs. Gandhi is in power and gets the votes because, in the eyes of the people, she is a lot better than politicians like Madhu Limaye, George Fernandes, Raj Narain, et al. And isn't that what

democratic politics is all about? In a choice between two evils, the people, in their wisdom, chose the lesser one.

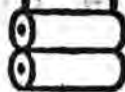
The report goes on to say: "Despite keen desire of Mr. Urs, Mr. Chandra Shekhar and Mr. Limaye for merger, mutual distrust and clash of personalities could however, prove to be formidable hurdles."

"Formidable hurdles", indeed! The right word is "impossible", Napoleon notwithstanding. Can oil and water mix? Never mind Mr. Morarji Desai and Charan Singh. What about Limaye and Vajpayee, or better still, Advani (Vajpayee might!).

Will George Fernandes give up his silly notions of nationalisation? Can a leopard change its spots?

"One proposal discussed during various meetings of leaders of the three parties is that Mr. Chandra Shekhar should remain the party president. Mr. Charan Singh should be given the leadership in Parliament and Mr. Urs should be given some sort of a senior ceremonial position like Chairman of the Party's Parliamentary Board."

There they go again, dividing the spoil among discredited gentlemen. Why should a proposal for merger decide who should be what? Why should not a joint convention or meeting of representatives decide who should be their leaders — if necessary by secret ballot. And, in any case, what is the standing of the above-mentioned gentlemen?



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Mr. Chandrashekar, a political maverick without a base who hadn't the personality or the leadership quality to keep the Janata Party together; Mr. Charan Singh whose Jat predilections and peculiar views on matters economic landed the country in a mess and himself in near political oblivion; and Urs, that much touted "strong man", who considered himself the Kamaraj of the Indira Congress and ended up suggesting that the Congress (U) change its name!

If these persons and there are others, were to say "Well, gentlemen, we have had our innings. It's for you younger people to carry on and do your best. We are old now and have done what we could. We shall be available if you need us for advice and consultation. But we shall not come in the way. We have no more desire for positions," were these gentlemen to say this, then it would be something.

But they won't. Because they have arrogated to themselves notions about their indispensability to the nation. And, even if they retired, where would they go? And so the circus goes on. Mergers, factions within, splits, defeats, new proposals for merger, factions, splits, defeats....

If tissues do not match in a graft, the part or the patient dies. It is time for our senior politicians (superannuated would be a better word) to realise that it is unnatural to expect a successful graft of widely varying groups. It is necessary for us, the people, to realise that it is time to take politics away from our politicians and retire them compulsorily if necessary to some secluded enclave where they can indulge in their favourite pastime without injury to the nation.

A CORRESPONDENT.

VOICES — 2

WOMEN HEALTH AND DEVELOPMENT

At long last, planners, policy-makers and enlightened public opinion have become alive to the fact that family planning can be effectively implemented only if there is concurrent improvement in the socio-economic status of women, of which health is a major component.* The report of the National Committee on the Status of Women has rightly focused on the deterioration in women's status in almost every sector of social life, despite the glamorous success-stories of a few women who hold responsible positions in government, business and the professions.

The major health problems of women as seen in the developing countries are: high maternal and infant mortality, low expectation of life at birth, malnutrition and mental disorders leading to high suicide rates. The infant mortality rate in India is 120 per thousand, which ex-

ceeds that of many other countries in South-East Asia. The mortality rates among female children and women of the child-bearing age are distressingly high, the maternal mortality rate being as high as 393 per thousand live births.

This situation has resulted in an adverse sex-ratio which has become progressively more unfavourable to women in the last forty years. While in 1901 there were 972 females for every thousand males, in 1981 there are only 935 females per thousand males. The ratio is the lowest in the age-groups 10-19 and 40-49. Punjab, the richest state has the lowest sex-ratio while Kerala, the poorest is the only state where women have outnumbered men since 1921. It is interesting to note that the high rate of literacy among women in Kerala has been singled out as the most important factor contributing to an overall improvement in health services and health facilities in that state.

Social factors play a critical role in at least three major areas of health: nutrition, fertility and reproduction, and mental health. In many parts of the developing world, women are, from childhood, more exposed to malnutrition than men. Also, infant mortality among girl babies is higher because of general neglect and even starvation in conditions of scarcity. Girls, for instance, are more commonly affected by kwashiorkor but are less often taken for treatment. Chronic malnutrition in women leads to their short stature, low birth weight of their babies, anaemia, higher mortality and many nutritional disorders such as rickets, osteomalacia and goitre.

Early marriage, still common in many parts of India, deprives women not only of educational opportunities but also results in teenage pregnancies with all the attendant health hazards. Prolonged breastfeeding means that for most women, the cycle of pregnancy and lactation, extending over ten to fifteen years, takes a heavy toll of their health, especially when they are also working outside the home to supplement the family income. Abortion, not always freely available and often inexpertly induced, takes a heavy toll of almost 50 per cent of all maternal deaths. Women also suffer from deteriorating mental health, often brought on by adverse social conditions as the high female suicide rate in Gujarat indicates.

The process of development, on the whole, has discriminated unfairly against women and led to a deterioration in their status. The plight of women construction workers and rural female labour can be seen as illustrations of this trend.

Female construction workers not only suffer from extreme malnutrition and lack of medical facilities but are also not provided with maternity leave. They put in hard labour till almost the day of confinement, and are discriminated against in the payment of wages.

Economic development has led to a progressive reduction in the size of the female rural work force, especially in the more developed rural areas. This is due to the impact of technology. Mechanization in agriculture is seen mainly in men's work, while women's work remains predominantly manual. Moreover, certain technological choices have led to the absorption of more male labour and at the same time disemployed female labour. There is an equally unfair division of labour inside the household resulting in excessive fatigue for women.

Women tend to cluster around a few professions; their proportion in the higher professions like medicine and law remains very low. In fact, in medicine, there has been an alarming drop in the proportion of women. While there were 47.1% women and 52.9% men medical graduates and licentiates in 1965, there were only 19.2% women and 80.8% men medical graduates and licentiates in 1976. Even amongst those qualified, the proportion of unemployed professional women is quite high. Nursing is still a predominantly feminine profession. Having no strong trade-union backing, nurses tend to be the most exploited, overworked and ill-paid of the health professionals. Their mass exodus to the Western countries and to the Gulf states is hardly to be wondered at.

Although constant and cumulative fatigue affects the work capacity and productivity of women, it has not been taken into account in health projects and programmes. No study has been undertaken on the physical effects of women's work in low-wage, low-skill, low-status jobs like typists, factory-workers and nurses. Nor is the urban, middle-class, educated working woman spared. For her, working outside the home has led to role-expansion, involving tremendous tension and strain. But it has not led to a corresponding modification of the role of other members of the family, especially the men. International time-use studies show that most women work harder and for longer hours than men and have relatively less leisure, recreation and rest. If the fatigue factor continues to be neglected, it is bound to have adverse consequences in terms of more accidents and greater absenteeism.

It has been said that women constitute "the largest but most neglected minority in India." While women lack the "explosive force" of minorities based on caste and religion, continuous neglect of women's problems is bound to jeopardise the development process wherein rests the hope and happiness of the people of India.

ALOO DALAL

* **HEALTH FOR ALL:** An Alternative strategy. Report of the study Group of the Indian Council of Social Sciences Research and the Indian Council of Medical Research, New Delhi.

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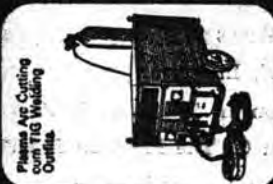
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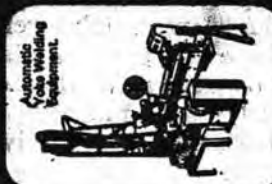
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THE WORLD OF BOOKS

A REVOLUTIONARY'S QUEST — Selected Writings of Jayaprakash Narayan. Edited by Bimal Prasad. Oxford University Press, Bombay. Pp. lxviii + 406.

Dr. Bimal Prasad, Professor of South Asian Studies at the Jawaharlal Nehru University, who is evidently a specialist in Jayaprakash Narayan's writings, and who has already edited several collections of them, has done a very competent job by now making this super-selection for the reader. Not only is it careful and balanced, but in a solid 65-page Introduction, he analyses the development of JP's thinking over many years and extracts the essence of his statements, including articles, pamphlets and books.

Jayaprakash was essentially a thinker and not a doer, but unlike, say, Mahatma Gandhi or Marx, he was never dogmatic. His views and political philosophy, though partly based upon those earlier sources, were always pragmatic and fully in consonance with the social needs and conditions of the times. On the other hand, although he was no arm-chair philosopher, his participation in current politics was not adequate, because the pursuit of power never attracted him.

When, for instance, Pandit Nehru asked him to join the government, he refused to do so. What a contrast this, with our present-day politicians! Nonetheless, one wished that JP had second thoughts on this, for if he had actively participated in the administration, his influence would have been beneficial to the social and economic progress of the country.

The only occasion, when he took a substantial step in current politics was when he led the campaign against Mrs. Gandhi's Emergency regime with remarkable success. But the Janata Government, which was the offshoot of JP's movement, was allowed by him to function without any guidance on his part. That was the best opportunity for him to take a lead in national administration. However, characteristically, he remained aloof. Failing health and the loss of his dear wife, Prabhavati, were also contributory factors in the aloofness.

Dr. Prasad's Introduction contains, apart from some biographical information, a running commentary on the thirty-three Chapters. Arranged chronologically, they illustrate the continuous evolutionary process in JP's thinking. The foundation of his Socialism was Marxism, which he described in 1936 as "unique, only one type, one theory of Socialism, Marxism." He then praised its "great and remarkable success in Russia."

Inevitably, later, the stories of purges and

trials carried on under Stalin caused a drift in his mind towards Gandhism and Democratic Socialism. However, he was also of two minds on Gandhism. "Gandhism", he said, "may be a well-intentioned doctrine... But even with the best of intentions, it is a dangerous doctrine... It hushes up real issues and sets out to remove the evils of society by pious wishes. Thus, it deceives the masses and encourages the upper classes to continue their domination."

As regards Marxism, although its idealism attracted him, its subsequent development into Stalinism discouraged him. This led to what Dr. Prasad calls "some commingling of Marxism, Gandhism and Western democratic values", which became the basis of the Congress Socialist Part of JP. Further, out of all this was born the doctrine of Sarvodaya and, in collaboration with Shri Vinoba Bhave, the Bhoodan and Sampattidan movements.

And so on, towards JP's final brain-child, "Total Revolution," — "a revolution in every sphere and aspect of society," whose corner-stone was to be the Panchayati Raj, with democracy at the grass-roots level, a real "Swaraj for the People."

All this fully justifies the title of the book, viz., "A Revolutionary's Quest." All his life J.P. was searching, experimenting and producing new concepts, but mostly without any practical execution. His writings, are a rich mine of ideas for politicians and statesmen in the country even though in the changing environment of to day, some of them may be out of focus. Several chapters in the book are of historical interest only.

From the viewpoint of current politics, the last Chapter, "The Tasks Ahead", which contains the record of an interview given by JP to the Author in June 1977 during the early Janata days, is of interest as giving some guidelines for the future.

B. P. ADARKAR

WRITE RIGHT: A guide to effective communication in English. By Taya Zinkin. Oxford: Pergamon Press, 1980, pp. 105 + xii.

Taya Zinkin, a reputed correspondent of the (Manchester) *Guardian* and *The Economist* for many years, needs no introduction. Her readers, who are familiar with her articles and books on India, will be glad to know that a well-known publicist like her has brought out a book on a different theme: the craft of writing. In the foreword, T. S. Epstein explains that the idea of this

book arose out of a project, involving the training of African and Asian students for Doctoral research in the Social Sciences, with which Taya Zinkin was associated.

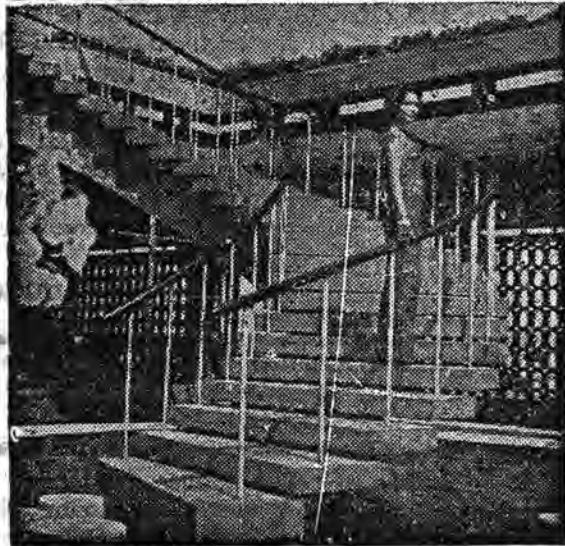
As the title suggests, the book is wholly devoted to written communication. The book is divided into two parts. In the first part entitled 'Some Simple Precepts', the author has enumerated a number of do's and don'ts regarding simple, cogent and effective writing. The injunctions regarding the avoidance of long words and sentences, the importance of the meticulous use of punctuations, clarity and simplicity in writing are well-known but are quite often overlooked.

The author very rightly urges the Social Scientists to avoid jargon. According to her, jargon is often used to cloak ignorance rather than act as an explanation of the issues." The last section of this part of the book contains, exercises which require the application of the precepts discussed by the author.

The second part of the book deals with specific kinds of written English to which the precepts can be applied. The two Appendices provide ample material for practice. However what makes the book attractive is its snuff-box compactness and the lead-by-the-hand approach.

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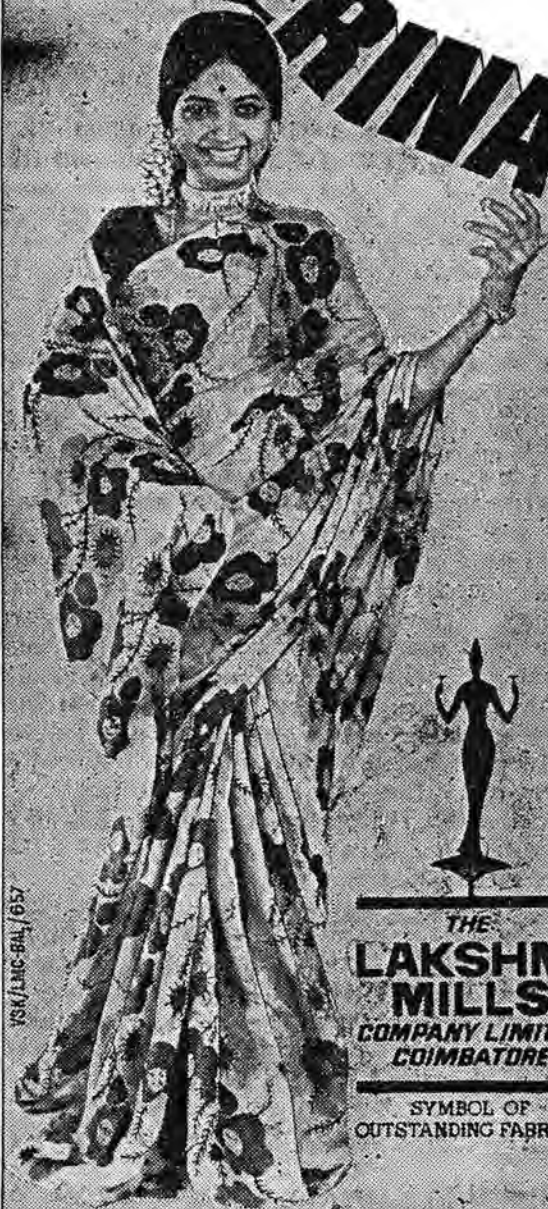
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K. S. VENKATESWARAN

I. RACE RIOTS IN BRITAIN

The Indian inability to shed deep-rooted prejudices has seldom manifested itself more glaringly than in the reaction to the recent spate of widespread disturbances in Britain. Despatch after despatch, report after report, analysis after analysis, all contained hysterical outbursts of protest, denouncing the "murderous" racist proclivities of Englishmen as a whole, and crying shame on the Thatcher Government for being a "silent spectator" to the sordid drama.

Doubtless, the violence that rocked Southall, Brixton, Dundee, Toxteth, Manchester, Birmingham and other parts of the English mainland was as mindless as it was unprecedented. The participation in the hostilities of some extremist elements among the White youth, undeniable as it was, lent a racist overtone to the whole affair which swiftly evoked the indignation of many a dispassionate observer in Britain itself, and not without reason.

Even so, the sharp howls of protest that reverberated in the Indian media were distressingly out of proportion. Thriving on facile assumptions and blind prejudices, the reportage and analyses reflected a poor understanding of the complex issues underlying the sudden eruptions in a seemingly placid society.

In our exaggerated sense of outrage, how often have we succumbed to the temptation of fitting every skirmish in the black versus white calculus of aberrational racist behaviour and lost no opportunity of flogging the dead horse of colonialism? The exercise, alas, is as futile as it is misleading.

Is it so difficult for us to realise that, the patently provocative broadsides of Mr. Enoch Powell notwithstanding, the racist elements constitute only a miniscule, lunatic fringe of the British population? And what about the role of the blacks (which includes the browns) as a contributory factor in the escalating tension? To seek an answer, one must turn to the refreshing candour of a Khushwant Singh.

"You will hear pseudo-learned men give pseudo-learned Marxist-Freudian explanations of the causes of prejudice," observes Khushwant who, on his own admission, has spent the best years of his life in England. "Take it from me, bad manners and bad living do more mischief

than the pigment of the skin. While condemning Powell and his hoodlums we must not gloss over our own role in creating this unpleasant situation."

As Khushwant so perceptively elaborates, "Indian, Pakistani and Bangladeshi peasant emigrants simply uprooted their families from the villages and plonked themselves in the heart of metropolitan England... Wherever they went, they created their own mini-Punjabs. They would urinate and defecate in their back gardens. To save money, three men would sleep in the same bed in relays of eight hours each as they returned from their shifts in the factories. Their homes became filthy beyond description — and still are. The Whites moved out of the neighbourhood. Could you blame them?"

Could we, honestly?

2. TRADE UNION CONDUCT

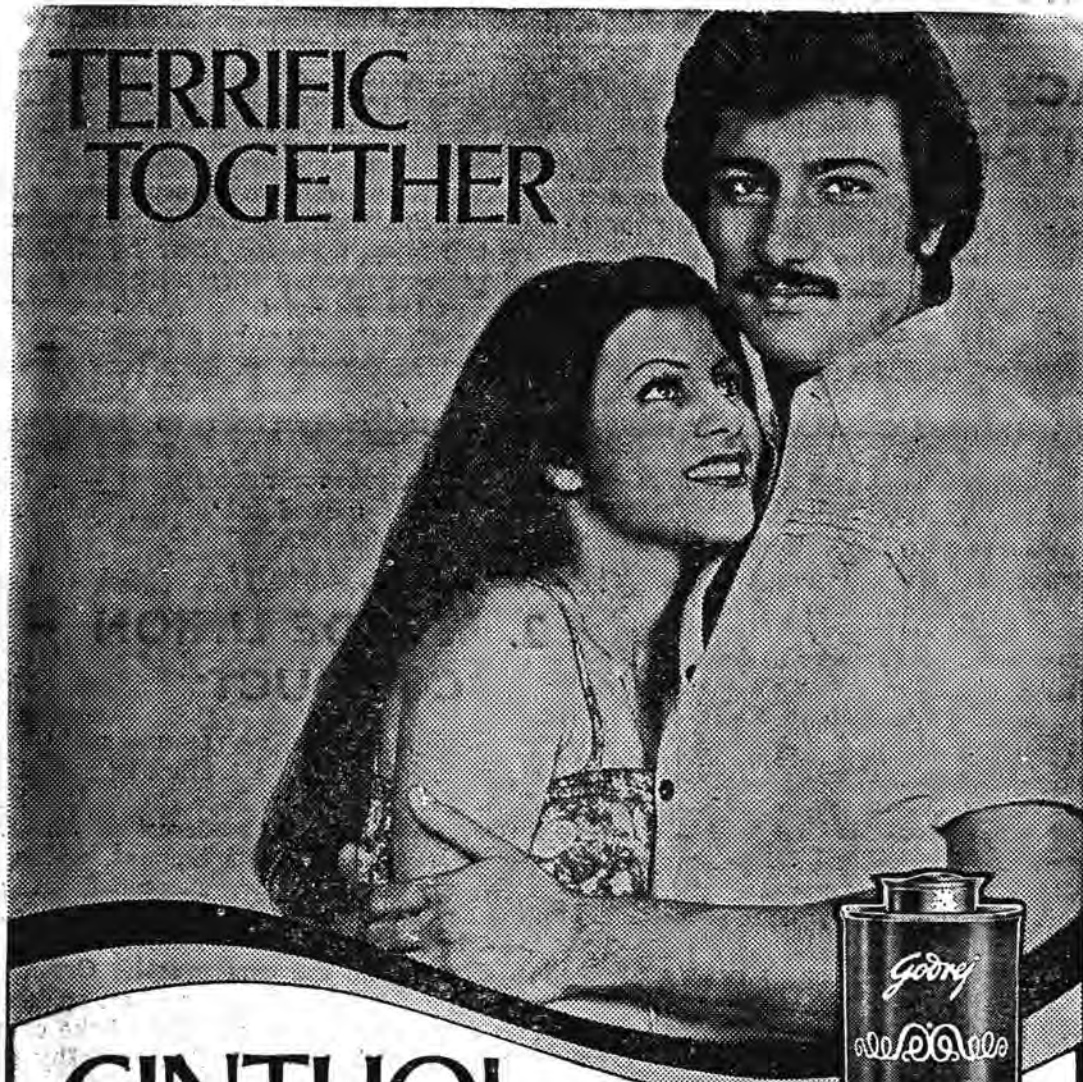
Trade unionism has received a disproportionate share of public attention in recent weeks. Firstly, there was the high drama leading to the arrest, release and re-arrest of the militant labour leader, Dr. Datta Samant, which, though a largely local affair, succeeded in drawing thunderous protests from the leftist establishment both in and out of Bombay.

Then came the controversial Ordinance empowering the Government to ban strikes in certain essential services, which had the cataclysmic effect of making many of our worthy comrades discover, almost overnight, the virtues of "fundamental rights" and "civil liberties", hitherto exclusive bourgeois concepts.

It is difficult to resist the feeling, in the climate of growing labour gangsterism, that the governmental measures could not have come a day too soon. And yet we have the curious spectacle of many in industry and outside extol the "courage" and "firmness" of our puny politicians for doing what is manifestly part of their fundamental duty, namely, protecting the life and property of the citizens.

In this context, it is instructive to cast a cursory glance at one of the most heart-warming initiatives undertaken by our American friends to tackle the growing menace of union violence in the U.S. which, surprising though it may seem to some of us in

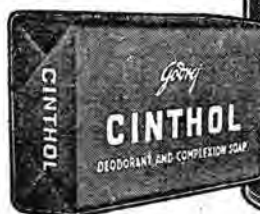
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India, displays many characteristics in common with our own brand of militancy. As the Nobel laureate F. A. Hayek so accurately summed up the situation :

"They (unions) have become uniquely privileged institutions to which the general rules of law do not apply. They have become the only important instance in which governments signally fail in their primary function — the prevention of coercion and violence."

Around early 1968, some thoughtful and concerned Americans organised themselves with the objective of reaching and helping those victims of forced unionism who had to otherwise suffer in silence. Thus was born the National Right to Work Legal Defense Foundation.

There was no dearth of support from public-spirited citizens all over the United States and, soon enough, the Foundation gathered under its umbrella a battery of expert, innovative lawyers — "dedicated men and women who began fighting oppressive unions and indifferent employers all the way from arbitration hearings to the U.S. Supreme Court", and for good reason.

It wasn't of course, an easy job. Court bias was perhaps the most difficult impediment the Foundation lawyers had to overcome. The attitude, by and large, of the judiciary towards the trade unions is best illustrated by the remarks of Supreme Court Justice Thurgood Marshall in one case :

"Federal law gives unions licence to use intemperate, abusive or insulting language without fear of restraint or penalty if it believes such rhetoric to be an effective means to make its point."

Despite the obvious hardships, however, the Foundation battled hard and, not surprisingly, succeeded in establishing a series of useful legal precedents in favour of thousands of workers all over America.

In one of its most spectacular courtroom victories earlier this year, it obtained a ruling against the powerful Communication Workers of America on the issue of diversion of compulsory union fees from employees for the union bosses' own special interests. The Foundation has also helped many a victim of union brutalities to recover substantial damages from the offending unions.

As one leading journal in Texas noted, "the Foundation is performing a much-needed service in a field which few dared enter until recently. But a combination of topflight attorneys, a dedication to a principle and the necessary financial aid which it has been able to attract have let it put the show on the road and keep it there."

One more triumph for private initiative in an area which has been the closed preserve of self-serving politicians for far too long.

3. HEALTH SERVICE PROBLEMS

Those familiar with the works of Nirad Chaudhuri will recall the exuberance of the writer's praise for socialised medicine in England on his first visit there nearly three decades back. "If anything convinced me of the reality of the Welfare State," wrote a starry-eyed Nirad Babu in his *A Passage to England*, "it was the National Health Service."

Recently, this columnist had occasion to ask Mr. Chaudhuri whether, after over a decade's stay in Britain, he still held that view and his reply was as revealing as it was unequivocal. "The NHS has failed," he said, "it has been abused on the one hand and become inefficient on the other."

Nirad went on to cite the example of his own wife who suffers from arthritis. "I had her treated by the NHS general practitioner, and she was going to be crippled by over-drugging with standard medicines. She is much better now with private treatment."

Doubtless there is a lesson there for those of us who are foolhardy enough to believe in the non-existent virtues of a state-administered health care system. Even in the face of mounting evidence as to the gross inefficiency, mismanagement, maldistribution of scarce resources and large-scale corruption endemic in our public health services, the clamour for more pervasive governmental intervention persists, as is evidenced by the publication of a recent report entitled **Health for All: An Alternative Strategy**.

Based on the work of a study group set up jointly by the Indian Council of Medical Research and the Indian Council of Social Science Research, the document, predictably enough, echoes the seductive populist refrain while castigating the "consumerist, elite-oriented, Western model" of medicine which, we are told, is "outdated and counter-productive."

Being firmly convinced that "the serious shortcomings of the model cannot be cured by small tinkering or well-meant reforms," the learned authors would require, among other things, its replacement by "an alternative model which integrates promotive, preventive and curative aspects and is community-based, people-oriented, economic, decentralised, democratic and participatory."

In a word, Utopian!

To be sure, there is much to be assailed in private medical practice today. The costs are clearly too high; accessibility is restricted by and large to the urban areas; standards of professional conduct are not exactly commendable; financial considerations lead often to abuse of clinical freedom; and so on.

But to assume that these ills can be wished away by injecting a more powerful dose of statism is to ignore the lessons of history.

If the government is genuinely concerned with translating into reality the slogan "Health for All by 2000 A. D.", then it would do well to display the same vigour in tidying up the chaotic system of our public health facilities and in removing the nauseating stink of corruption, instead of indulging in mindless exercises of dubious relevance.

K. S. VENKATESWARAN

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Centre for the Independence of Judges and Lawyers

The International Commission of Jurists has formed at its headquarters in Geneva a Centre for the Independence of Judges and Lawyers (CIJL.)

The independence of the legal profession and of the judiciary are of primary importance for maintenance of the Rule of Law. Unfortunately, in an increasing number of countries, and on an increasing scale, serious inroads have been made into the independence both of judges and of practising advocates — particularly those who have been engaged in the defence of persons accused of political offences.

Advocates have been harassed, assaulted, arrested, imprisoned, exiled and even assassinated by reason of carrying out their profession with the courage and independence that is expected of them. In some countries this has resulted in a situation where it is virtually impossible for political prisoners to secure the services of an experienced defence lawyer.

The objects of the Centre are :—

- to collect reliable information from as many countries as possible about
 - (a) the legal guarantees for the independence of the legal profession and the judiciary;
 - (b) any inroads which have been made into their independence;
 - (c) particulars of cases of harassment, repression or victimisation of individual judges and lawyers;
- to distribute this information to judges and lawyers and their organisations throughout the world;
- to invite these organisations in appropriate cases to make representations to the authorities of the country concerned, or otherwise take such action as they see fit to assist their colleagues.

The International Commission of Jurists invites organisations and individuals to co-operate in this project, either by supplying information about erosions of the independence of judges and lawyers in their own or in other countries, or by taking action in appropriate cases brought to their attention. Organisations or individuals willing in principle to participate are asked to write to: The Secretary, CIJL, International Commission of Jurists, P. O. Box 120, 1224 Chene-Bougeries/Geneva, SWITZERLAND.

COMMON CAUSE

PROGRAMMES AND ACTIVITIES

The urban middle classes in India need a platform. "COMMON CAUSE" has provided it.

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COMMON CAUSE is a voluntary organisation: non-political, non-sectarian and non-profit. The dedicated effort of some persons, and the encouraging support and help of a number of others, has put it on the map. Within a few months of its establishment it made a palpable impact.

Membership of COMMON CAUSE is spreading very satisfactorily and has reached out to various parts of the country. Suggestions have already started emanating for setting up local chapters of the organisation.

TAX BURDENS — The first task which COMMON CAUSE took up was the presentation to the Government of India of an analysis of the anomalies and problems of DIRECT TAXES, namely INCOME TAX, WEALTH TAX, GIFT TAX, CAPITAL GAINS TAX and ESTATE DUTY. This was prior to the 1980 Budget. Discussions were held with representatives of the Government of India. Some of the suggestions made by us found acceptance in the 1980 Budget. Likewise before the 1981 Budget a detailed Memorandum embodying concrete suggestions in relation to these Taxes was submitted to the Finance Ministry. It is gratifying that quite a number of recommendations made by us found their way in the Budget.

ESTATE DUTY — On the middle classes the Estate Duty imposition had become a nightmare. Previously they were never bothered about it, but the enormous escalation of property values in recent years brought them within its net, amidst the exemption limits which were embodied in it two decades ago and which had now become paltry by erosion of the rupee value. This matter was relentlessly pursued by COMMON CAUSE, and a Conference on the subject was organised. We are happy that the Government has agreed to amend the Act.

PROPERTY TAX — The anomalies and problems of Property Tax, levied by the Delhi Municipal Corporation and the New Delhi Municipal Committee, were highlighted by COMMON CAUSE, particularly in the context of the Bill which was introduced by the Government in Parliament for effecting the amendment of the relevant Municipal statutes for overcoming the problems created by a recent judgement of the Supreme Court. A Conference was organised at Delhi. A Resolution was forwarded to the Gov-

ernment of India. The matter has continued to be further followed up through various organisations.

PROBLEMS OF PENSIONERS — The anomalies and discriminations of civil and defence pensioners of the Central Government, arising from the application of varying Rules over the past few years, were studied in depth by COMMON CAUSE and the matter taken up with the Government of India for seeking rectification of the problems. A comprehensive paper was prepared and forwarded to the Government. Deputations were led by COMMON CAUSE to the Finance Minister, Cabinet Secretary and the Finance Secretary. Discussions were also held with the Chief of Army Staff. Arising from an appeal issued through the Press, COMMON CAUSE received several thousand petitions from the pensioners, addressed to the Prime Minister. These were sent to the office of the Prime Minister as desired. The problems of discriminations and anomalies relating to pensions were taken to the Supreme Court in a WRIT PETITION which was filed on the initiative of COMMON CAUSE.

RENT CONTROL — Arising from comprehensive studies of the problems encountered between the houseowners and tenants in the context of the existing Rent Control legislation, a paper was presented along with a draft Resolution to the Conference organised at Delhi. This matter is being further pursued.

OTHER SUBJECTS — Action has, likewise, been initiated on a number of other subjects which are of interest to the middle classes, directly as well as in collaboration with concerned organisations. These include: HOUSING CONSTRUCTION; CONVERSION OF LEASE-HOLD PLOTS INTO FREEHOLD; REGISTRATION OF COMMERCIAL FLATS; ELECTRIC SUPPLY AND WATER SUPPLY; TELEPHONE SERVICE; LOUDSPEAKER NUISANCE; POSTAL SERVICES, BANKING, etc.

MEMBERSHIP — COMMON CAUSE needs generous support of funds. The Income Tax Department has already declared, as a special case, that donations made to COMMON CAUSE will be entitled to exemption under section 80-G of the Income Tax Act.

Application Forms for Membership of individuals and organisations are available and will be readily supplied. (In the case of Membership of individuals we prefer to receive subscription for LIFE MEMBERSHIP, Rs. 100, instead of the annual subscription of Rs. 10 which greatly adds to the administrative costs and postage, etc.).

H. D. SHOURIE,
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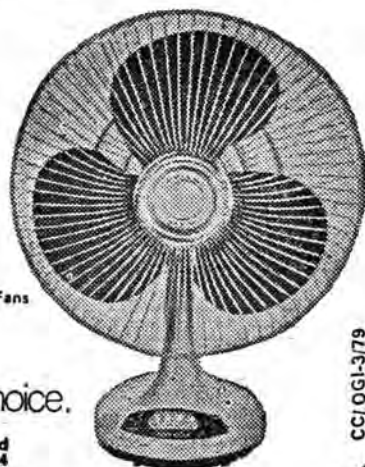
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