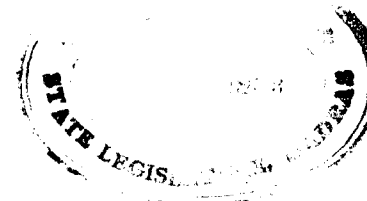


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OF
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53

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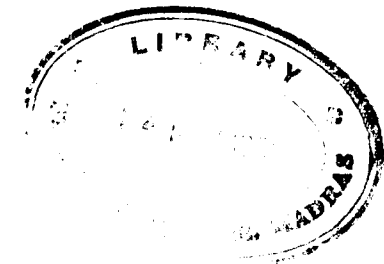
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NOTICE

The twentysecond Conference of the Indian Political Science Association will be held in Jaipur under the auspices of the Rajasthan University in the last week of December, 1959.

Members are requested to submit their papers to the President Dr. A. K. Ghosal, 1, Fakir Ghosh Lane, Calcutta, 35, immediately. The papers are likely to be published in a Conference Number to be priced at Rs. 5 saleable to bonafide members at Rs. 2 only.

The subjects scheduled to be discussed at the Conference are :

1. Modern Indian Political Philosophy.
2. Rural Planning and Administration.
3. International Issues in West Asia.

S. C. DASH

General Secretary and Treasurer

GOVERNOR
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24th October, 1959

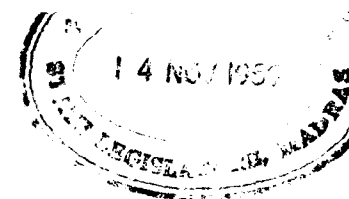
Dear Friends,

Since I left the educational line I have been unable to take an active interest in the working of the Indian Political Science Association. I understand from the Secretary that inspite of approaching fifteen Universities for fixing the venue of the next conference, he has not been able to get an invitation from any one of them. As you are probably aware, I was the Convener of the Provisional Committee which brought the Political Science Association into existence in the year 1938 at Banaras where the First Conference was held with myself acting as local secretary. The Conference has completed its 21 years of existence, and I am glad that the Rajasthan University has invited the Association to hold its next conference at Jaipur in the last week of December, 1959. The exact dates will be communicated later on.

I understand that for the last few years some of the Junior Professors and ex-Professors of Political Science have not found it possible for one reason or the other to actively associate themselves with the working of the Association, and I am afraid, the annual Conferences have not been able to make an effective contribution to the political thinking in India. I would like to appeal to all interested in the advancement of political studies and research in the country to participate in the 22nd Conference in Jaipur and take necessary steps to re-vitalise the Association so that it can increase its sphere of usefulness and activity.

I fervently hope that it will be possible for you to lend your fullest support to this Association and to attend its next Conference.

Yours sincerely,
Gurmukh Nihal Singh



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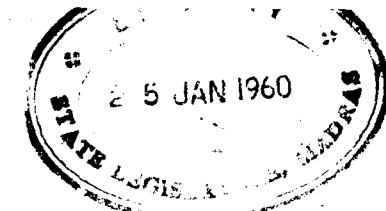
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POLITICAL SCIENCE IN THE NUCLEAR AGE*

By

JAMES KERR POLLOCK

It is fitting and proper in this historic place to discuss a subject which, since the Greek State and the Roman Empire, has been at the centre of so many important national and international decisions. Our subject of political science, ever since Aristotle, has greater responsibility than ever before.

The direction and management of public affairs at all levels, and now reaching into areas of activity heretofore undreamed of, present us with a congeries of problems far greater in significance than the world has ever known. Never before has it been so vital for students of politics to be alert to their responsibilities. In our present scientific revolution when scientists are playing a perilous game with nuclear power and astronautics, it behooves all of us who are trained to understand influence, power, control and authority to apply ourselves to problems, the solution of which will determine the future of the civilized world.

Unfortunately, as we are on the threshold of occupying outer space and probing the mysteries of life itself, our political world is still in a primitive stage where nationalism is rampant and where the institutions and practices, both of nations and the world of nations, are being rapidly outpaced by developments of science. In a recent official report we have been given a glimpse into the scientific world of tomorrow. We are told that by means of satellites and space voyages into the solar system, landings on the moon and even on Mars and Venus are now feasible and are being planned. It appears that it will be easier to send a clear radio message between Mars and the Earth than between New York and Tokyo. The mind fairly reels with the limitless possibilities of these developments.

But where does this leave us with our old-fashioned concepts of sovereignty and of competing ideologies? Will not this scientific revolution have an impact on our life and institutions which may well transcend that of the industrial revolution? Now that we begin to realize that the solar system and even part of this galaxy can be ours, what happens to boundaries and travel and international conflict? Shall we, in our policy making, escape into technology like the scientists or shall we effectively assimilate and control the developments in science which are so shattering in their consequences? When one sees what the scientists have done with the atom and hears them talking now about what they can do later with the weather

*Presidential Address at the Fourth World Congress of the International Political Science Association, Rome, September 16, 1958.

Self-realization is God realization
for all works of—

1. His Holiness Swami Rama Tirtha ji Maharaj

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using satellite observations, one begins to realize the scope and importance of the problem of managing and controlling as well as utilizing future scientific discoveries. In fact, to assimilate the pace of scientific discovery into our social and governmental processes becomes the greatest problem of our age. Many pre-atomic concepts are no longer valid.

As this Association is about to complete its first decade of activity, what is the state of political science in this uncertain and dynamic world? First of all, even though we are now able to assemble several hundred political scientists from all over the world, we have only in recent times been recognized as an academic discipline, and even today large areas of the civilized world are unrepresented here in our deliberations. In fact, political science is still having a hard time being accepted in many otherwise progressive countries. The older discipline of the law still has its strangle hold on political science in many areas, and the sister social sciences of economics, sociology and psychology are constantly straying into our domain, emerging now and then with some uncongenial mixture like "political sociology". Perhaps we have dieted too long and too exclusively on the heavy pastry of laws and constitutions.

Moreover, with the great emphasis on scientific investigation, quantification constitutes one of the great new emphases in our development as an academic discipline. But immediately the psychologists and sociologists, recognizing what a virgin area the whole field of elections is, rush in where political science angels have feared to tread, and are now doing their best to pre-empt this basic aspect of our discipline. Here we must admit that we have been slow to cultivate what one of our British colleagues calls the field of "psephology", and also that our slowness in developing a more rigid and scientific methodology has made us more vulnerable to the attacks of other disciplines.

We must also readily admit that "the curriculum of political science still bears the unmistakable marks of its haphazard origin and development", as Hans Morgenthau puts it, and that it has "no unity of method, outlook and purpose". Our emphasis is in description even where we dress it up "in theoretical garb and use fancy classifications and terminologies in order to conceal the mere descriptive character of its substance". But it is also true that empirical science is today the most vigorous branch of political science, and many of our abler researchers are attracted to it. They are developing a more rigorous method of quantitative verification and "they expect in good time to attain the same precision in the discovery of uniformities and prediction to which the natural sciences owe their theoretical and practical success".

But experience has shown that the quantitative method, although useful and even indispensable in studying certain types of political behavior which lend themselves to quantification, is not very helpful in dealing with

the more vital relationships within the power structure. It also seems clear that the recent emphasis on methodology appears to drive its devotees away from the practical world into a realm of self-sufficient abstractions. This "new scholasticism" as it has been aptly called is most fully developed in sociology but it has also left its impact upon political science, as one can see if he consults some of our recent literature replete with mathematical symbols.

It has been contended that there is a revealing similarity between abstract modern political science and abstract modern art. Both, it is claimed, "retreat from empirical reality into a world of formal relations and abstract symbols, which either in closer examination reveal themselves to be trivial or else are unintelligible but to the initiated". I find a good deal of truth in this, and yet I would not want modern political science to depart from its theoretical tradition to which most of our political science classics owe their existence. Rather would I urge political theory to become more operational or empirical—that is, to reflect more on actual political life in theoretical terms, and to conceptualize in words that are as helpful today as St. Thomas Aquinas was in his time, or the authors of the Federalist papers were in the eighteenth century.

One more observation on the state of political science is pertinent. While natural and physical scientists are now the darlings of governments and billions of dollars worth of fantastic equipment are lavished upon them and they are assisted by thousands of helpers, political scientists, on whom rest the responsibility of understanding and of making public knowledge of power relationships, are impoverished and neglected. This is so despite the fact that politics, as Aristotle in his *Ethics* long ago pointed out, is the most sovereign of the sciences and the master science. It is politics, he wrote, "that determines what other sciences should be studied in states; which of them should be learned by each group of citizens; and to what extent they should be learned.... Observations," he continued, "show that even the form of capacity which are most highly esteemed—the art of war; the art of household management; the art of oratory.... come under the control of politics." It is even more true today than ever before that political action is of primary importance.

Nevertheless, I fear that we are not working today, even in relation to the social sciences, as if we were the master, the co-ordinating, the integrating discipline. When it comes to the natural and physical scientists, although we are regularly impressed with their political naivete, we have been very slow in putting current scientific developments into a responsible political framework. Our contributions are urgently needed, and although political scientists as individuals are now active and important at the various levels of political and governmental life, I strongly hope for greater and wider activity by our members individually as well as by our Association collectively.

I realize, of course, the vastness of the subjects with which we deal and the natural modesty of political scientists to avoid the sweeping generalizations—and errors—which make some politicians, and even members of other disciplines, objects of pity or derision. But after all, the political scientist is and must be a generalist. He should train himself to deal with large, complicated problems. Government has become so intricate, so diffuse, so vast, that policy must be formulated not by specialists, but by generalists if we are not to become a loose confederation of modern feudal interests. What we need is a political scientist who in the words of Lord Bridges in his Rede lecture "will be good adviser in any field because he or she knows how and where to go to find reliable knowledge, can assess the expertise of others at its true worth, can spot the strong and weak points in any situation at short notice, and can advise how to handle a complex situation."

I am, therefore, appealing for the complete political scientist skilled in the art and science of politics—not just in theory, in law, in administration, but in politics in its broadest sense. I am also suggesting that although cooperation with the other social sciences is a necessary condition to eventual success, political science is the integrating and synthesizing discipline. The pulling together must be under our auspices.

I am not interested in jurisdictional conflict and I strongly believe in interdisciplinary exchange. But I would be less than frank with you if I did not assert that foreign and military policy is hardly the task of the nuclear physicist and that power and bureaucracy and other similar concepts are being badly handled by the psychologists. Why? Partly because political scientists have not sufficiently used the other social sciences, and partly because we are focusing too much attention on small problems without developing frontal attacks on large significant ones. I might add that social scientists of all descriptions should be welcomed to work on problems in our discipline, for there cannot be too much research in political science. But we must be careful to control our own subject and not allow a foreign jargon or an unsophisticated background to be mistaken for genuine political science. It is possible also that general systems research and operations research can be helpful, although I must confess that these newer developments seem to me almost as esoteric as the talk of the atomic physicist. Political scientists, I feel, should always aim to speak and write clearly and simply since we deal with the public as well as with the experts. Gobbledegook has no place in pure political science.

Whatever the explanation and however valid the excuses, political scientists must not be pushed aside or overwhelmed by the over-weening development of science and technology. Nothing less than the future of world affairs is at stake, and even life itself. We are no longer in the condition posited by ordinary democratic theory. "Suppose", writes one

of my colleagues, an able and imaginative economist, "that a decision rests on the solution of a set of equations so complicated that only a major computer can handle them and only a Ph.D. can understand the solution when it is presented. How can this be reconciled with democratic institutions? In gloomier moments, one imagines a new Dark Age, with science as the Church and the military as the King, and the people as helpless pawns, pushed around by decisions in which they cannot participate, because they cannot understand the processes or the images on which they are based. Even worse," he continues, "one visualizes a neon-lit dark age of the manipulative society, in which the instruments of formation of character and opinion are so firmly in the hands of a ruling elite that their tyranny is unshakable. Even if the tyranny were benevolent, it would still be tyranny, and if it were malevolent it would still be unshakable. This," he concludes, "is a political nightmare from which one might well wish to wake up screaming."

Such political nightmares could be multiplied, and each of you in his own country can think of a similar situation where political or administrative decisions are being made by specialists without adequate political or public review. While natural scientists devote the major part of their resources and energy to plans which may lead to the destruction of the human race, political scientists are inadequately utilized by governments to supervise and control the power of the technical specialists, and to bring about that wider popular participation and consent which in the end should always prevail.

"Insofar as people believe they may exert some control over their destiny," writes Leiserson, "they resort to politics" and it is in politics that the solution lies for the adjustment and control of the terrific developments in science and technology. And, as Sigmund Neumann has pointed out, twentieth century politics is three-dimensional—personal, national, and international, and the world is indivisible. "Comfortable frontiers between man's private existence and social commitments, between domestic and foreign affairs are blurred, if not meaningless altogether." Hence the mid-twentieth century political scientist can be no narrow specialist, no closet philosopher; and our association, collectively organized to promote our discipline, just give more thought to the great areas of our subject which are now crying for attention.

Let me cite a few. First, there are the so-called "underdeveloped areas" of Asia, Africa and South America. Here profound changes are taking place and new political patterns are evolving. But our lack of knowledge about the workings of the political process in these countries which are undergoing rapid social change is deplorable. To use the words of Lucien Pye, either we see events in such societies as the product of rather vague forces such as nationalism, colonialism, over-population, or we see

them in terms of the personalities of a few individuals. "We still don't seem to have a very good picture of the process through which people in such societies try to shape their own world and realize their own dreams and aims."

In a recent Twentieth Century Fund report it was pointed out how El Salvador despite the highest population density and the poorest natural resources "has achieved distinction as one of the most prosperous of Central American countries." This record interestingly enough is ascribed to "political ability and sound administration of government." In fact, the report adds significantly that "good government is the cornerstone of all efforts to improve the economic lot of underdeveloped countries."

Consonant with this idea, I am happy to say, the United Nations Technical Assistance Board has entered into a contract with our Association to survey local government in seven selected underdeveloped countries, and Professor Henry Maddick has been selected as the Director of this important survey which is now in progress. This development points the way for other inter-regional studies on a cooperative basis. We badly need coordinated team work on great studies which necessarily are beyond the capacity of any one scholar.

What should be done in the underdeveloped areas should also be done in the field of world politics and international organization. The United Nations and the network of regional and multilateral organizations, their administration, their power relationships, all provide fertile fields for political science research. I might add that world statesmen also have a continuing task to make the United Nations a genuinely effective agency of international life. In this connection I should emphasise that the capabilities of this Association have largely been overlooked by foundations and governments in planning their studies of the great problems which lie at the basis of world peace.

May I be permitted a few more closing words? Political science today stands on the threshold of great developments and of increased usefulness and importance. It has reached a stage in its evolution which emphasizes realism and the dynamic, pulsating processes of government and politics. It is willing to utilize the other social sciences and to integrate their findings and procedures so far as they are helpful in understanding the complex and tangled world around us. It is attempting a new theoretical orientation of the whole field, and it is giving close attention to improving its methodologies.

At the same time, the vast scientific developments are transforming our image of the world, and a veritable revolution is under way which may be more painful than the Copernican revolution when we found that the earth was not fixed and that it moved. We have reached the end of a

world centered on what we have been accustomed to call the West, and have come to what is being referred to as a bi-polar world with large uncommitted areas in between. Toynbee opines that "the encounter between the world and the West may well prove in retrospect to be the most important event in modern history. With the annihilation of distance, half a dozen societies, each of which until yesterday was living its own life in its own way, have been brought face to face." If political scientists are not to be swallowed up in these new cosmic developments we must develop a broader research strategy and have a greater exchange of insights and skills. We must speed up the process of self-improvement and development. We must broaden our concerns and not forget that we have a special responsibility for policy decisions. Above all, we need a great increase in the financial resources available for our type of research.

I repeat, political science is the integrating and synthesizing discipline. Economic and social problems occur in their most vital form in the political-legislative-administrative processes, and we must insist on the primacy of our subject. Notwithstanding the development of digital computers, electronic brains, and automations, the need remains for governments to make right decisions that reflect sound judgments as well as scientific facts. Despite the present preoccupation with rockets and missiles, inner space is still more important to us than outer space, and man is still his own greatest danger. As I said in the beginning, and I reiterate it now, we must somehow learn to control and assimilate our scientific developments and see that they are utilized for our welfare and not for destruction. The nuclear age is calling to political science to take its rightful place in making significant contributions to world peace and in controlling and managing the scientific revolution which threatens to engulf us.

May I conclude by saying with Goethe, that great admirer of Italy, "It is easy to rule but difficult to govern."

THE OPPOSITION IN THE NEW STATES*

By

ASHOKE MEHTA

In assessing the character and quality of opposition in the New States and in assigning to it its appropriate role of reconciling the claims of democracy with the needs of economic development and social change certain significant facts have to be noted. As one surveys the political scene in the New States one is amazed by the simultaneous existence of fragmented and weak opposition with deep thrusting tendency to oppose. Is this fortuitous or is it, upto a point, inescapable?

In colonial, as well as ex-colonial countries, the tradition of opposition goes deep. Conditions of constructive approaches are limited, *aetris* of wrongs, real or imagined, is littered all around. National movements usually achieve negative solidarity—against the alien rule—, positive agreement remains vague. The posture of opposition tends to become normal. The apochryphal story of an Irishman, shipwrecked on an island, asking “what is the government here?” and without waiting for enlightenment asserting, “I am against it”, has an element of truth in it. Whether the Irish are like that today I do not know, but prolonged foreign rule fosters such an attitude among subject peoples.

Lack of homogeneity fragments and distorts impulses to opposition. Such distortion in an under-developed country is basically different from that in a developed country. France or Great Britain is not necessarily a homogeneous country. Proudhon once said that thirty different nationalities were submerged in France. Awareness of that distinctiveness, I am sure, cannot have disappeared wholly. In Great Britain, the Scots continue to give vent to their discontent. In a recent issue of *The Twentieth Century* I read the following indictment: “Scotland has suffered a good deal in the past, it has been cheated by the Act of Union, depopulated in favour of sheep and deer, it has borne the worst of slums, it has been robbed of a voice of its own on many crucial issues (‘The Scottish Office has no comment to make on the establishment of rocket-bases in Scotland. The Scottish Office was not consulted’), and now it appears that it is going to be turned into a cross between a national park peopled by shaggy and picturesque natives and a Butlin’s holiday camp.” Strong and colourful language, but it presages no conflict, imminent or contingent. In Britain and France discontent does not breed the urge to divide and part.

In the New States there is no such assurance. In Burma, the tribes waged wars over years for separation. In Ceylon, the Jaffna Tamils’

*The New States are the states that have emerged as a result of freedom achieved by colonics.

demand for autonomy is felt pregnant with grave possibilities. A similar development is discernible in Nigeria where political leaders of the three major ethnic groups, the Ibo, the Yoruba, and the Hausa, waver between supporting an all Nigerian Nationalism and a tribal nationalism. In India, in the bilingual Bombay State, if the Gujaratis were to give expression to sentiments in the language of the Scot quoted above, disturbances might break out. The achievement of freedom weakens cohesive influences and imparts new strength and awareness to the divisive tendencies.

Dissatisfaction with government, articulation of opposition, often assumes this divisive character. Dissatisfaction is apt to seek emotional outlets through a divisive force, be it religion, language or tribe. Round each one of them there are traditional sentiments allegiances are embedded, antipathies easy to evoke, while programmatic differences lack the strength to elicit emotions. Opposition in the new democracies thus face a painful dilemma: between ineffectiveness on the one hand, and of being captured by forces that are essentially divisive on the other. Democratic opposition functions on the assumption of wide-spread community consciousness, where such fundamental understanding is tenuous or fragmented, the traditions of opposition become a lag to be overcome, not a lever to be operated.

The New States pattern their political life on British Parliamentary institutions. They, however, have a long history; they constitute, in the words of Edmund Burke, “an entailed inheritance” of the British people. Neither their genesis nor their growth can be exactly reproduced elsewhere. Parliamentary democracy grew to maturity in the nineteenth century. The halo that covers the British Parliament was woven in the classic Victorian Age characterised by stability with progress. In those halcyon days only limited responsibilities fell on the Government and Parliament. The issues that came up, and fired the imagination of the people, were, in a sense, simple. The Eastern Question, the Disestablishment of the Church, Home Rule for Ireland—each one of them had chaste simplicity and emotive force. The responsibility of Parliament was limited, problems were not tangled together, tempo of political life was leisurely. Big yet simple issues stirred emotions deeply and found antagonistic expression, over a series of years, in two outstanding personalities. The dramatic duels between Gladstone and Disraeli imparted to Parliament a power of attraction it would not have achieved otherwise.

For countries embarking on parliamentary democracy in our times, the issues are not that simple and clear cut, nor is it possible to take sharply antagonistic stand on intricate questions of development. Progress with stability is the ideal sought, not a normal experience. The classic form of parliamentary democracy evolved in Britain in the last century thus remains a somewhat elusive quest for the New States.

Under conditions of *laissez faire* the executive remains an organ subordinate to the legislature. Where the state assumes varied positive functions, the executive becomes the dominant organ. In the eyes of the people, the executive gets exalted, the legislature deflated. For those whose forum remains the legislature, diminution of importance seems to follow. In the New States, Opposition has to gain stature from such a position of dis-vantage.

Democratic institutions undoubtedly exert attraction on the people of under-developed countries. In India, for instance, no party can hope to achieve respectability and influence until it swears by democracy. The institutions are, however, viewed more as useful means than as unalterable frame-work. The accent has shifted from political institutions, as was the case till 1930, to socio-economic programmes. There is on us a simultaneous impact of Liberalism, Radicalism, and Socialism. Hence democracy generally assumes the character of social democracy. In the West, the fruits of social democracy have been garnered by the people in the form of welfare benefits. It is these benefits, together with the enmeshing constitutional and political rights, that our people desire. It is assumed that the benefits have greater evocative power than the institutions. It is symptomatic that when the AFPFL split in Burma, against the democratic socialist ideals claimed by the majority group led by U Ba Swe, the minority group of U Nu espoused the ideals of "welfare socialism".

Marx has said somewhere, "The industrially developed country only shows the less developed country the picture of the future." There is something of Dorian Gray about the whole affair. The smiling, shining face of the developed country all can see and admire, the ravages of the process of development are in the attic of history which few care to uncover. In the New States there is a noteworthy Narcissism, concentration on their image of the future. That makes political debates somewhat unreal. Each side promises welfare, and the bitterest attacks are reserved to castigate the failure. Schemes of development, economic plans and projects, are offered in terms of quick benefits, which do not follow; the goals of welfare overshadow understanding about the processes, stages of economic development. As rising expectations remain unfulfilled, democratic forces suffer erosion, while the anti-democratic forces receive accretions.

In most of the New States there were sustained movements for national freedom, and usually one big party emerged as the symbol and spokesman of the movement. Sentiments of freedom, and those against foreign rule, command power and sweep and when they rally round a party it achieves an unequalled position in the country. Rival organisations either forfeit popular support and wilt or get absorbed in the dominant party. After achievement of freedom, the dominant party experiences stresses and strains. Sooner or later it splits. The split divides people who in terms of programme and policy are not very different. As has recently happened in Burma both

parties claim to be socialist and advocate almost similar policies. Or, as it happened in India, the dominant party adopts socialist objective and thereby destroys the *raison d'être* of the division between a liberal democratic party (Congress) and a socialist party.

As the split either lacks an ideological basis or as the ideological issues tend to recede, both parties become increasingly heterogenous in their composition: identity of views emerge *not along but across* the parties. This of course is the normal position in the United States. But unlike the States, there occur frequent shifts in party loyalties of the politicians. Sometime back I went to speak for my party (Praja Socialist Party) candidate in a by-election to a State legislature. On reaching the constituency, I found that a former district secretary of my party was the Congress candidate and a former spokesman of the Congress party in that area was our candidate. This may not be typical, but it is by no mean a freak phenomenon.

These splits generally lead to the emergence of more than just two parties. As we find in East Pakistan, a number of competing parties combine and break-up to form governments of short durations. This volatility, characteristic of France, threatens to become the dominant pattern in the New States.

It is a common characteristic of the New States that its political parties, by and large, share common objectives. In May 1956, talking to a group of diplomats in New York, I said, "It seems in Ceylon everyone is a socialist except Sir John (Kotelawala)". Promptly the Ceylonese Ambassador smilingly corrected me, "Now he too claims to be a socialist"! A recent visitor to Ghana comes back and reports, "Nor can the bitterness of the Opposition be explained in terms of differences of policy. The United party just does not have an alternative policy to that of the Convention People's party. The U. P., no less than the C. P. P., if it found itself in power, would press on with industrialization and education and mass literacy campaigns and with community development in the villages. Dr. Busia's supporters might not be quite so ultra-modern as Dr. Nkrumah's, and they would certainly deal more tenderly with the chiefs. But the U.P., with its *Manchester Guardian* outlook, believes in liberal democracy as much as anybody, and the chieftancy is not a democratic institution... The puzzled traveller will indeed search in vain for policy differences between the parties. More than that he will search in vain for policy statements of almost any kind that go beyond the most general terms." Whether the critic is right on the first observation, about the United Party, I cannot definitely say, but the second observation is universally valid for the New States: policy statements rarely go beyond the most general terms.

The general terms are usually radical and benefit-oriented. The actual programme pursued is more practical. The charge of "stealing clothes" is

bandied about all the time. At the turn of the century, Clemenceau said mockingly. "What a terribly bourgeois programme! M. Jaures, after expounding his programme, challenged me to produce my own. I had very great difficulty in restraining the temptation to reply: 'You know my programme very well. You have it in you pocket. You stole it from me.' " The Clemenceaus of the New States (i. e. those in authority) do not bother to restrain such temptation! Even where a genuine alternative is offered such ripostes destroy the prospects of democratic debate.

Generally, however, the programmes are sketchy. I was amazed to discover some years back that the entire programme of the Lanka Sama Samaj Party filled just one typed sheet! In an under-developed country the processes of development, its stages and phases, deserve far more attention than the radiant purposes. It is the processes, however, that invariably remain sketchily limned. The result is that two entirely different languages are spoken by the same person, when in office and when in opposition.

Opposition to become strong often utilizes the deeply felt loyalties of religion, language, tribe or caste, (and so does a government driven to corner). Opposition if confined to political plane remains anaemic. That is only one side of the picture.

The other side is provided by the deeply rooted forces of stagnation. Prime Minister Nehru once told me, "Who says that opposition forces are weak in India? The opposition we have to fight is obscurantism and inertia of the people. Thank God, they are not well organised". Both those in power and in opposition, in the frame-work of parliamentary democracy, desire fundamental changes, they are essentially *Modernists*. The modernists can never permit the traditional forces to overwhelm them. This "weakness" of modernism further cramps the style of the Opposition, a weakness which no longer plagues the life of a developed country.

The demands of development likewise blunt the edge of conflict. Emphasis on benefits, in an under-developed, over-populated country, can jeopardise economic progress. Capital formation presupposes postponement of some immediate wants. Long gestation period spells round about production, resulting consumption remains long way off. The natural urge of the people is towards reduction of strain—and increased consumption. It is against that elemental urge that the Modernists have to work. If there be, as Mr. E. M. Forster has suggested, "two cheers for democracy", in the under-developed countries *all* modernists have to rally together for getting the third fugitive cheer for development. Where savings lag behind investments, where incomes do not necessarily induce investments, where entrepreneurial skills and risk-taking are nearly non-existent, where productive efforts of the masses tend to be stagnant, can political functioning assume all the characteristics of a mature democracy?

The spurs of progress and development have to be won in rural areas. In the villages mutual aid and co-operative spirit cannot be fostered unless the rampant divisive tendencies are checked. Rival political parties, even if they do not want to exploit the dissensions in the village, will be used, captured, by the factions for their own local ends. Can rival parties strike grass roots and still generate (or thereby generate) enough community spirit in faction-ridden, economically stagnant villages? These are crucial questions in the New States.

Increasingly the New States are drawing up economic plans. Full debate, with opposed points of view, may be possible when a Plan is being prepared. But midway through the Plan of what value is fundamental opposition, like objecting to the setting up of steel plants in India in 1958? Lessons from a Plan can be drawn and emphasised, certain re-phasing carried out but, surely, no structural alteration is possible midway. A Plan must impose some social discipline, even if it has been adopted merely by a majority in the Parliament (and not unanimously). Criticism have to be confined with the Plan's frame-work, the frame-work itself cannot be assailed, otherwise there is no planning.

Economic planning, like war, (though not in the same measure) has certain imperatives in under-developed countries struggling to provide modernist base to their economies. As war cannot be effectively pursued without a consensus of support, so economic planning cannot succeed without political consensus. This is all the more necessary in the early phase of planning where the lack and lag of capital have to be made up by increased input of organised efforts in fields and handicrafts.

Can political consensus be achieved democratically? If it has to be attempted, what role does one assign to the Opposition? I believe that while periodically alternatives have to be explored, the main function of the Opposition is to exercise vigilance. Widely accepted purposes can get distorted through inept, or dishonest, implementation. It is through constant vigilance that the distortion can be reduced to the minimum.

Mrs. Barbara Woolton has for years applied her mind seriously to the twin problems of freedom and planning. Her most recent conclusion is arresting:

"We ought even at the risk of sacrilege or worse to ask whether we may not have become blinded by our admiration for the current model of British Parliamentary Government, with its emphasis upon a strong parliamentary Opposition engaged in continuous criticism, as an essential ingredient of democratic health. What democracy demands is *opportunity* for criticism and for criticism without fear of consequences, just as it demands that no government should enjoy an indefinite or unchallengeable tenure of office—that if the people want a change they must be able to get it. But these principles hardly require that passion for disagreement for disagreement's sake which seems to be inherent in contemporary interpretations of parliamentary government—a passion, it may be added, which is the more remarkable in that it is quite absent from democratic activities in spheres outside that of actual Government."

This, of course, provides no solution, merely carries the argument a stage further. If opportunity for criticism without fear is assured, and that undoubtedly is the heart of democracy, will not criticism be carried inevitably to excess? Unless a government knows that it will be cashiered, will it change its course or mend its ways? If a government is changed, if the pressure for such change is built up, can continuity in policy be maintained? The age-old problem of reconciling continuity and change has no simple solution. If backward economy is acknowledged to exert political compulsions, is it possible to make Government more responsive and Opposition more responsible? If democratic politics is not informed by this purpose in the under-developed countries the fatal attraction of a Mao or a Nasser will overwhelm the efforts of a Nehru.

Economic development demands political consensus. If it cannot be democratically evolved, it will be enforced in authoritarian manner. As much thought needs to be given to the technique of evolving political consensus as is currently being given to the techniques of economic planning. Because the latter cannot succeed without the former, an underdeveloped country lives in a cradle of crisis. Its efforts at sponsored growth of the economy tend to make the political integument something of an incubator. What changes does that involve in the democratic institutions? If Congressional government is a variation of democracy, where an executive independent of the legislature in no way jeopardises the rights and liberties of the people, cannot yet another variation of representative government be found where search for agreement receives as assiduous an attention as the inevitable thrashing out of differences? I believe this is one of the crucial challenges of our times that we may ignore at our peril.

THE ROLE OF THE GOVERNOR IN THE PARLIAMENTARY GOVERNMENT IN THE STATES

By

N. R. DESHPANDE

The conference of Governors at their recent session (October 30-31, 1958) is reported to have discussed their functions and considered how best they could play a more positive and effective role in the affairs of their people. The occasion for the discussion was provided by a note on powers and functions of Governors submitted to the Conference by the Governor of Madhya Pradesh. There was also, in the background of the discussion, the letter written by the Prime Minister to the Chief Ministers of States as to how best they can derive benefits from the Governors' office.

There is no denying the fact that quite some of the Governors of States in the Indian Union may have developed a feeling that they are demobilised in respect of playing an effective role in the politics of the country. Particularly such of the Governors as have led an active political life in the immediate past must be feeling the difference on assumption of the office as Governor. One hears of a grievance of the Governor that he knows so little of the Government and administration of the State and has so little of an opportunity to influence it or to shape it. The average citizen also carries the impression that the Governor of a State is only a ceremonious office, primarily designed to perform formal functions and having no role to play in the politics of the State. As against this, there is also a hangover in the public mind about the office of the Governor from the pre-independence days. The Governor of Madhya Pradesh, addressing pressmen a few days ago, complained that people did not appreciate the fundamental change in the nature of the office under the British regime and in free India, and consequently thought that the traditions and conventions connected with the office in pre-independence days should continue.¹

It is not only the lay public that suffers from this hangover. The leading men of the ruling party, especially those running the state Governments, are also often found to sail in the same boat. As one of the ex-Governors complained, "the Congress are apparently quite unable to forget their past conflicts with the Governors during the days of the British. The Governor is still distrusted and is generally ignorant of day-to-day administration problems."²

The result is that neither the Governors nor the leaders of the public are sure as to the exact role of the Governor in the working of the govern-

¹ *Times of India*, Bombay, Dec. 1, 1958, p. 5.

² Menon, V.P., *Indian Administration—Past and Present*, Forum of Free Enterprise, Bombay, 1958, p. 11.

mental machinery in this country. Even in actual practice there is no uniformity in the different rates as regard the Governors' functions or the use of his office. The Home Minister of the Union Government recently advised the Chief Ministers of the States to follow a uniform set of rules as regards the office of the Governor.³ More significant, however, is the fact that even on matters of fundamental importance as the Governor's attendance at Cabinet meetings, there is no uniformity in the practice followed by the States. In his address to the pressmen referred to above, the Governor of Madhya Pradesh mentioned the fact that according to his knowledge there was one State in the country where the Governor was attending Cabinet meetings. Relating his own experience as Governor, Shri V. P. Menon has observed that the Chief Minister of Orissa had full consultations with him as Governor on all important matters of administration and even invited him (the Governor) to preside over cabinet meetings.⁴

These variations in practice and the uncertainties in attitude regarding the exact role of the Governor are largely due to the fact that the exact implications of the constitutional provisions regarding the office of the Governor have not been defined in practice. The press report about the proceedings of the Governors' Conference held in the last week of October 1958 makes interesting reading. "It was agreed" to quote the *Times of India News Service* "that the Constitution provided sufficient rights to a Governor to offer guidance to his Council of Ministers and it was ultimately for the person occupying this high office to have his influence felt A few present at today's conference were stated to have been agreeably surprised to discover that it was within their constitutional right to seek information from the Chief Ministers on various matters and even send for official files."⁵ Obviously there must have been insufficient comprehension on the part of some Governors about their position under the Constitution, or else, in the practical working of their relations with the State governments, they had been denied opportunity to realize their own rights, and they had acquiesced in such a situation without probably their realizing it. A fresh appraisal of the constitutional position of the Governor will not, thus, be outdated even at this time.

The Governor, under our Constitution, is the constitutional head of a State. It was to conform to this role that the Constituent Assembly revised its earlier decision providing for the election of the Governor and provided for his appointment by the President. When in July 1947 the Constituent Assembly adopted the Provincial Constitution Committee's report, it decided that the Governor should be elected directly by the people of a province on the basis of adult franchise.⁶ Sardar Vallabhbhai Patel

³ *Times of India*, Bombay, Nov. 9, 1958, p. 1.

⁴ Menon, V. p., *op. cit.* P. 11.

⁵ *Times of India*, Bombay, Nov. 1, 1958, pp. 1 and 7.

⁶ *Constituent Assembly Debates* (referred to as C. A. D. hereafter, Vol. IV No. 2 Appendix, p. 596 Ch. I Art.

had then observed that the process of election, though cumbersome, was necessary because of the dignity of the office which a popular Governor would hold, and naturally a Governor elected by adult franchise of the whole province would exert considerable influence on the popular ministry as well as on the province as a whole.⁷ But as it became evident at a later stage in the proceedings of the Constituent Assembly, their decision to provide for election of the Governor became an anomaly in the context of the Assembly's decision to adopt the British model of parliamentary government for the provinces as well as for India as a whole. In the beginning of its career, the Constituent Assembly was not quite definite about the pattern of Government it was going to adopt for the country and whether the same pattern was to be prescribed for the units as well.⁸ It was at that stage the Constituent Assembly had decided to provide for the election of the Governor. The Governor was also required to act in his discretion with regard to a number of matters. The Provincial Constitution Committee had noted that as the Governor was to be elected by the people, he was not likely to abuse his "discretionary" powers.⁹

The decision to adopt the British model for the units made the election of the Governor as well as his discretionary powers quite anomalous. Under the parliamentary type of Government, real authority and power rests with the ministry, the Governor being the mere constitutional head of the State. A Governor elected by the adult population of a State would pose a challenge to, and provide a possible source of conflict with, the Chief Minister. This had to be avoided. This consideration was also reinforced by a desire to prevent too great a scope being given to separatist tendencies. The Prime Minister had observed in the Constituent Assembly: "An elected Governor would to some extent encourage that separatist provincial tendency more than otherwise. There will be far fewer common links with the Centre."¹⁰

As the constitutional head of a state, the Governor under our constitution has no functions which he can discharge by himself. But, as Dr. Ambedkar pointed out, Governor has certain duties to perform. These duties are of two types. First, he has to see that the ministry continues to run the administration, i. e. to see "whether and when he should exercise his *pleasure* against the ministry." Secondly, it is also the Governor's duty to advise the ministry, to warn them, to suggest to the ministry an alternative and to ask for a reconsideration.¹¹ What Dr. Ambedkar has described as the duties of the Governor follow classic definition by Bagehot of the rights of the sovereign under a constitutional monarchy, the three

⁷ *Ibid* p. 588.

⁸ For Example, see speech by Shri K. M. Munshi, C. A. D. VIII 12, p. 452.

⁹ *Report of the Provincial Constitution Committee*, C. A. D. IV 2 Appendix pp. 596-597.

¹⁰ Speech by Shri J. Nehru, C.A.D. VIII 12 p. 455.

¹¹ C. A. D. VIII 14, p. 546.

rights viz. the right to be consulted, the right to encourage and the right to warn. "And a King of great sense and sagacity would want no others."¹² The Governor of a State also needs no more rights to be able to exercise considerable influence over the Government of his state.

In the absence of the rights or duties of a constitutional head, the Governor of a State would have been an absolutely unnecessary functionary. And the constitution makers have certainly visualised the Governor not only as a necessary, but also as a useful functionary. Shri Alladi Krishnaswamy Ayyar visualised the Governor to be a constitutional head, a sagacious counsellor and adviser to the ministry, one who can throw oil over troubled waters.¹³ The late Shri B. G. Kher described the Governor as the symbol of the State and said that if he were an active Governor, a good man, he could by means of getting into touch with opponents of the party in power, reconcile them to a good number of measures and generally, by tours and other means make the administration run smoothly.¹⁴ One member described the role of the Governor as that of a lubricator¹⁵ in the Government of the State. But the position was best summed up by the Chairman of the Drafting Committee in the following words: "He is the representative not of a party; he is the representative of the people as a whole of the state. It is in the name of the people that he carries on the administration. He must see that the administration is carried on a level which may be regarded as good, efficient, honest administration."¹⁶

Even as a constitutional head of the state, the Governor is thus expected to play a very useful role. He is supposed to ensure not only stability, purity and impartiality in the administration, but also to see that the Government is carried on in the interest of the people and not of a party. In order that he should be able to play this role effectively, the constitution provides that he will have access to all information about the State administration and proposals for legislation. Though he cannot interfere in the administration and has to give his consent to all decisions by the ministry, he can require the Chief Minister to submit for the consideration of the council of ministers any matter decided by a minister but not considered by the council.¹⁷ Though Dr. Ambedkar regretted at a later stage the lack of a provision in the Constitution investing the Governors of states with special powers for the protection of minorities,¹⁸ it is expected that the Governor would bring to the notice of his government, the genuine grievances of the minorities and of the different sections of the community

¹² Bagehot, Walter, *The English Constitution*, p. 75.

¹³ C. A. D. VIII 11, p. 432.

¹⁴ *Ibid.*, p. 435.

¹⁵ Dr. P. K. Sen in C. A. D. VIII 12, p. 445.

¹⁶ C. A. D. VIII 14, p. 546.

¹⁷ Art. 167 of the Constitution of India.

¹⁸ Speech in the *Rajya Sabha*, Sept. 2, 1953.

in the state.¹⁹ In a variety of tasks of a nation-building character, the Governor can play a useful role by providing non-partisan and sagacious leadership in a state.²⁰ He is supposed to feel the pulse of the community as a whole, to keep himself above party-politics and try to see that the administration also is kept free from partisanship. Is it not a fairly active role? At a time when working of the party system often tends to make a mockery of democracy, a proper and effective functioning of a Governor might contribute not a little to the smoothening of the process of democratic Government.

It is obvious that even under the present provisions of the Constitution, the Governors of States can play an active and useful role in the parliamentary government in the states. It is necessary, however, that the Governors keep themselves above party-politics and so conduct themselves as to win the confidence of all the different sections of the community. Already a convention is developing to have persons from outside the state as Governors.²¹ This is a healthy convention. But equally important, and particularly in the context of the federal structure of our constitution, is the need to prevent a Governor from becoming an agent of the Union Government. As the constitutional head of the state, the Governor must not only be above party politics in the state, but he must also not become an instrument of party politics on the national level. The constitutional provision for his appointment by the President should not be a lever for imparting national-level politics into state administration.

And it is here that the possibilities of political play have to be guarded against. A reference has already been made to the fact that one of the considerations which led the Constituent Assembly to replace the provision for an elective Governor by the provision for his nomination by the President, was their desire to secure harmony between the Union and States. The centralistic tendency was then dominant and members clearly expressed themselves in favour of the change in the interest of all-India unity.²² It is true that the drafting committee disclaimed any idea of

¹⁹ C. A. D. VIII 14, p. 542.

²⁰ It has been reported, for example, that on the first day of the last annual conference of Governors, the Food Minister of the Government of India made a fervent plea for personal and active gubernatorial interest in stepping up food production in the states, and that the Governors are understood to have assured the Minister of their full cooperation. (*Times of India*, Oct. 31, 1958, p. 1).

²¹ Mysore is an exception; and the state of Jammu and Kashmir has not fallen in line with the other states in this regard as it has its own constitution which also is an exception.

²² Shri Brajeshwar Prasad who moved the amendment proposing the appointment of the Governor by the President, justified the change on the ground, "that in the interest of all India unity, and with a view to encouraging centripetal tendencies, it is necessary that the authority of the Government of India should be maintained in tact over the provinces." C. A. D. VIII 11, p. 426.

reducing the Governor to the position of an agent of the Central Government. They visualised the possibility of a convention whereby the President would consult the State cabinet before appointing the Governor of the State.²³ With specific reference to the Canadian counterpart it was made clear in the Constituent Assembly that unlike the Lieut. Governor in Canada, the Governor of an Indian State was not expected to be an instrument of the Federal government. On behalf of the drafting committee, Shri T. T. Krishnamachari made this point very clear when he said, "I would at once disclaim all ideas....that we in this House want the future Governor who is to be nominated by the President to be in any sense an agent of the Central Government. I would like that point to be made very clear, because such an idea finds no place in the scheme of government we envisage for the future".²⁴ How far a Governor chosen in consultation with the state cabinet can help to smoothen relations between the Union and the states when such smoothening becomes all the more necessary, i. e. when the cabinets in the Union and the States owe allegiance to different political parties, is a question that our constitution-makers have left actual experience to answer. Nomination by the President means the choice of the Governor by the Prime Minister. The use of his power in this regard by the Prime Minister on party lines may lead to conflict with the State Government, the extent of which would very much depend upon the personality of the Governor and the estimation of his 'partisanship' by the people of the State.

The effectiveness of the Governors' role in the parliamentary government of a state, thus, depends very much on his personality. A person acceptable to the people and the Government of the State, eminent in his own field, one who has not taken too great a part in politics, and one who fully cooperates with the Government and yet represents before the public some one slightly above the party such a person was expected to make a success as Governor.²⁵ It was realised that a Governor could do a great deal of good if he were a good Governor and he could do a great deal of mischief if he were a bad Governor. The constitutional provisions relating to the Governor are not the determining factor in his effectiveness in practice as his personality and its appreciation by the people and the Government of a state.

The manner in which the office of the Governor has been filled in several instances so far can hardly be said to have raised the prestige of the office. Representation of minority communities, women and the Princely order has accounted for a few appointments. Posting senior civil servants, either on the verge of their retirement or on their retirement, as Governors

²³ Speech by Alladi K. Ayyar, C. A. D. VIII 11, p. 431; also speech by Shri J. Nehru, C. A. D. VIII 12, p. 455.

²⁴ C. A. D. VIII 12, p. 460.

²⁵ Speech by Shri J. Nehru, C. A. D. VIII 12, p. 455.

of states is a part of the old tradition under the British rule which is being continued even now. But, by and large, appointments to the Governorship have been made on party considerations. As of today, 50 p. c. of the Governors are drawn from politicians who belong to the ruling party. They have worked as Chief Ministers of states or as ministers in the Government of India prior to their appointments as Governors. But three of them were defeated in the elections to the *Lok Sabha* during the last General Elections. While their individual merits, knowledge and experience in their own fields as also in politics, and their sagacity, cannot be questioned, the propriety of their appointment as Governors is seriously open to doubt.²⁶ The whole idea behind having a nominated Governor is to have a person who is above party politics, and who can, therefore, stand up on his own against the State Cabinet as well as against the Union Cabinet. As the constitutional head of a state, the Governor has to play the very difficult role of not playing into the hands of his state cabinet as also of not becoming a mere instrument in the hands of the Union Government. How far party men especially if they happen to be candidates defeated at Parliamentary elections, can stand squarely against Cabinets whether in the States or at the Centre, particularly against the latter, is highly problematical.

It is not unlikely that persons who have been active politicians most of their life may rise above partisanship and discharge the duties of the Governors' office with fairness and effectiveness. It is, however, necessary that they should not only keep above party politics in the state concerned, but they should also not evince any partisan interest in national politics. It is not enough that the Governor keeps aloof from party politics, the people of the state must feel this confidence about him.²⁷ In the party system as it works in this country the distinction between state politics and national politics is very thin indeed. All politics that matters is national politics. It is also a very sad reflection on the situation in this country or perhaps on the ruling party's ability to find out eminent men - that the choice for the Governorships has not fallen on senior and eminent men who have taken active part in public affairs either independently or through an-

²⁶ It was reported that the decision to appoint Shri Giri and Shri Pataskar as Governors of U. P. and Madhya Pradesh respectively was confirmed after a reconsideration of the propriety of appointing defeated election candidates to the high office of Governor. This decision was an exception and it was considered unlikely that any defeated candidate would be given a gubernatorial appointment in future. (*Times of India* May 16, 1957.)

In this connection it should be noted that it was not the first decision of its kind, nor has it proved to be the last. Shri K. Santhanam was appointed Lieut. Governor previously and Shri N. V. Gadgil has recently been appointed Governor of the Punjab.

²⁷ A Governor, entering active politics as Chief Minister on completion of his term as Governor or even earlier, is not likely to give the impression of his being above party-politics.

other political party, except in the case of a few representatives of minorities. The considerations which the constitution makers had expected to weigh in the nomination of Governors have apparently not received the necessary weight at the hands of the Union Government in practice.

The Governors in this country will be put to increasing strain hereafter, whether because of the assumption of power by opposition parties, or because of growing factionalism in the political life of the state or because of growing dissensions in the ruling party itself. Under these circumstances, the Governors will necessarily be required to play a more active and a constructive role. Their ability to do so will depend upon the confidence they are able to instil in the minds of the people of the state, that they are themselves above party and are there to guard the interest of the people as a whole, and at the same time, that they are not mere agents of the Government of India. The Government of India itself can contribute not a tittle to enabling the Governors to play their role properly and adequately by fulfilling the expectations of constitution-makers in regard to the choice of the Governors as also in regard to the relations to be maintained with them by the Government of India itself.

SARVODAYA

GANDHIAN PHILOSOPHY AND WAY OF LIFE

By

A. K. GHOSAL

Ever since the passing away of Gandhiji people from all parts of the world have been taking increasing interest in the ideology or philosophy of life of this strange frail human being who challenged the mightiest imperialism to a duel of truth and non-violence and won without firing a shot and killing a soul. That philosophy is gaining popularity in different parts of the world every day inspite of the sabre-ratling and large scale preparation for another holocaust through forging of more and more destructive thermonuclear weapons and I. C. B. M's. We hear, therefore, the echo of this philosophy in Scarborough Conference of the Labour Party (October, 1958) insisting on British Government unilaterally giving up nuclear tests on the lines of Gandhian philosophy and also the Falangists in Lebanon offering non-violent Satyagraha to the new Chehab Government. Sitting on the brink of a precipice the world today is groping for means for averting a fall and total destruction of human civilisation and all thoughtful people are being increasingly attracted to Gandhian philosophy and way of life as the best means to that end.

This Gandhian philosophy has been summed up in the word *Sarvodaya*. The word literally means "uplift of all". Gandhiji himself has acknowledged that he derived his inspiration in summing up all the deepest convictions of his life drawn from his life-long "experiments with truth" in this simple word from Ruskin's book *Unto this Last* which he translated into Gujarati by this word. The principal lessons of that book as he understood, were, in his own words, as follows:—

1. That the good of the individual is contained in the good of all.
2. That a lawyer's work has the same value as a barber's as all have the same right of earning their livelihood from their work.
3. That a life of labour, i.e. the life of the tiller of the soil and the handicraftsman, is the life worth living.

But Gandhiji did not stop with these principles alone. He developed them into a comprehensive philosophy of life not only for the individual, but into an ideology on which the ideal social order is to be built up. The root principles of 'Sarvodaya' are the twin principles of truth and non-violence which were like the sheet anchor and pole star of Gandhiji's life, his "*Dharma*". 'Sarvodaya' believes in the inherent goodness of man and assumes man as always striving after moral perfection. Society is viewed

as a body of individuals knit together by a bond of love and fraternity striving after ideal moral life and fullest uplift of all. There is no scope for exploitation, economic, political or social of one section of society by another, no class of persons living on the labour of another. All people are actuated by a spirit of equality and fellow feeling like the members of one family with the common objective of maximum welfare of all. In Sarvodaya society people are not guided merely by the utilitarian formula of the greatest good to the greatest number but the greatest good of all, on the principle "each for all and all for each". As Vinobaji observes:

"We do not want the rise of the few, not even of the many or for that matter the rise of the greatest number. We are not satisfied with the greatest good of the greatest number. We can be satisfied only with the good of one and all, of the high and the low, of the strong and the weak, the intelligent as well as the dull. Only then will we be satisfied. This word 'Sarvodaya' expresses this lofty and all embracing sentiment."

Every individual will be prepared even to lay down his life so that others may live. As Gandhiji has observed :

The greatest good of all inevitably includes the good of the greatest number, and therefore, he and the utilitarian will converge in many points in their career but there does come a time when they must part company, and even work in opposite directions. The utilitarian to be logical will never sacrifice himself. The absolutist will even sacrifice himself."¹

The utilitarian maxim carries with it the germs of the majority and minority problems with all the accompanying complications in a community. 'Sarvodaya' further repudiates the Marxian thesis of class conflict and establishment of a classless society through extermination of all other classes but the working class. It assumes oneness of interests of all due to all being infused with a spirit of mutual love and sympathy. 'Sarvodaya' believes that the welfare of an individual in society is inextricably bound up with the all-round welfare of all including the lowliest and cannot be realised in the absence of that of the last. In Sarvodaya society the order of priority is reversed. The last, the most backward comes first. The rich or the propertied class need not be liquidated, but they must shake off their proprietary instinct and look upon their possessions as being held in trust for the whole society and themselves being mere trustees. The question of exploitation and the conflict between the exploiter and the exploited, therefore, does not arise. Everyone in such society is imbued with a spirit of '*aparigraha*' (non-possession) i.e. that absence of spirit of exclusive possession or ownership that attaches to private property and is the source of all evils of the institution. Another ingredient of Sarvodaya is a proper correlation between the means and the end. Says Gandhiji :—

"They say, 'means are after all means', I would say, 'means are after all everything.' As the means, so the end. There is no wall of separation between the means and the end. Indeed the creator has given us control (and that too very limited) over means, none over the end."

¹ Young India, December 9, 1956.

This is in direct contradiction to the formula "end justifies the means" usually accepted by men of the world, both for ends of the individual and the group. Maintenance of wife and children is an imperative duty of every one—a good object no doubt. Now if this cannot be secured by honest work, the average man of the world would resort to dishonest methods like theft, robbery, forgery, black marketing, profiteering or such other crimes in the belief that the goodness of his object would wash off the badness of the means. Attainment of freedom of one's country from foreign rule is no doubt a noble and laudable objective. Therefore, any means for achieving that end, however otherwise ignoble and reprehensible, should not be adjudged by ordinary standards of morality but as good due to the goodness of the end. Killing a neighbour would be condemned as murder and punished with the highest sentence of death, but mass killings in the form of a War thrust upon innocent people by a megalomaniac like Hitler or Mussolini would be applauded as patriotic act inspired by love of country and the leaders adored as national heroes. 'Sarvodaya' rules out such double standards of morality—one applicable to private life and another to public life, one to one's ordinary conduct and department in life and another to his conduct in pursuit of some good end. In Sarvodaya society of Gandhiji's conception purity of means is as essential, if not more, as purity of the end. A pure end can never remain pure if attained by impure means. That is why he ruled out employment of violence in the struggle for Indian independence, because he thought independence attained through such immoral means would be tainted and not worth having. It would also have left a trail of bitterness and rancour and bad blood between us and the British.

'Sarvodaya' further applies the same code of morality to the acts of individuals as well as of the State. If theft or robbery by an individual are bad and immoral, so are forceful annexation of territories of one state by another. Subjection of one people by another is basically unnatural and immoral. It is bad both for the rulers and the ruled and resistance to this evil by peaceful means is the moral duty of all good men among both peoples. Gandhiji's cult of *Satyagraha* is based on this philosophy. *Satyagraha* or peaceful resistance to evil is directed to self-purification through penance and self-mortification of those offering resistance as well as those against whom it is offered, not by physical coercion but by bringing about a change of heart by an appeal to the divinity in their souls. Freedom movement in India thus took an ethico-religious complexion under the leadership of Gandhiji under the influence of his Sarvodaya philosophy which enjoins a new code of conduct in the sphere of international relations as in the domestic sphere, something different from what has been followed hitherto and as such revolutionary.

'Sarvodaya' insists on every man doing some manual labour. To live man must work. The bible teaches us "In the sweat of thy blow shalt thou eat thy bread." This principle of earning one's livelihood by labour

Gandhiji calls 'bread labour'. Gandhiji enjoins labour on every man not only for earning his livelihood, but even for keeping his house clean by doing his own sweeping and scavenging. Even those who earn their living by brain work should every day do spinning for some time in their leisure hours. This will not only lead to greater production but will lead to social equality also by obliterating the difference between the classes and the masses and create a sense of dignity of labour. To Gandhiji, to eat without doing some manual work is morally degrading. He refers to the principle being preached in the third Chapter of the "*Gita*" that he who eats without offering sacrifice (and sacrifice he interprets as bread labour), eats stolen food. He goes further and says that there is no difference in value between the work of a lawyer, or doctor or teacher and of a scavenger or sweeper as each contributes to the welfare of all. Practice of this principle will peacefully bring about social and economic equality in society. The twin laws of '*aparigraha*' (non-possession) and physical labor (*śānti-śrama*) must regulate the conduct of all members of Sarvodaya society. This will result in immunity of such society from many crimes and social evils which originate from the lack of these virtues. Says Mahatma Gandhi :

Economic equality is the master key to non-violent independence. Working for economic equality means abolishing the eternal conflict between capital and labour..... A non-violent system of government is clearly an impossibility so long as the wide gulf between the rich and hungry millions persists..... The real implication of equal distribution is that each man shall have the wherewithal to supply all his natural wants and no more. For example, if one man has a weak digestion and requires only a quarter of a pound of flour for his bread and another needs a pound, both should be in a position to satisfy their wants. To bring his ideal into being the entire social order has got to be reconstructed. A society based on non-violence cannot nurture any other ideal."²

Gandhiji was conscious of the difficulty of the realisation of this ideal by the rich who would have to voluntarily confine the use of their wealth only to the satisfaction of the reasonable needs of themselves and their family and in respect of the surplus view themselves as mere trustees for the less fortunate neighbours. It would demand a complete revolution of the mental outlook and habits on the part of the rich, but they should be persuaded to effect it from a sense of enlightened self-interest, if not from an elevated moral sense. This would lead to cessation of all strife and conflict, and to increased happiness, content and peace of mind for all, the goal of "Sarvodaya". Acharya Vinoba Bhave has initiated his movement of *Bhoodan*, *Sampattidan*, *Śramadan*, etc. in pursuit of this Sarvodaya ideal. Says Vinobaji land is a free gift of nature, like air or water. Why should then one person grab hundreds of acres, much more than he can cultivate and beyond his reasonable requirements while there are others who have no land at all and have to make their living by working on the land of others for a pittance? He would regard this land grabbing as an immoral act and appeals to the good sense of those who have superfluous

² Harijan, 25-8-40

land to part with the excess voluntarily, not in a supercilious spirit of charity but in a brotherly feeling of sympathy for less fortunate brethren. Originally begining his movement with an appeal for gift of land he has extended its scope to property of all forms and even labour. This is in accord with the ideal of true socialism based on the maxim "from each according to capacity and to each according to his need." But socialism of Sarvodaya brand while accepting equalitarianism of all other socialistic schools differs in two important points. First, it eschews violence for achieving its goal by insisting on purity of means. Secondly, it urges decentralisation of power both in political and economic fields. In the economic field 'Sarvodaya' believes in self-sufficient village economy and not in large-scale mechanised industries. In the political field also Sarvodaya would insist on dispersal of political power in village communities (panchayats) and leaving the indispensable minimum function in the central government. Gandhiji thought in terms of village republics with a more or less self-sufficient economy as the base of social and economic set-up with the village Panchayat or Gaon Sabha as its administrative organ. These were to draw their inspiration from a society imbued with a spiritual craving for establishing a social order informed by the principles of truth and non-violence. Cottage and village industries have a place even in an industrialised country, because even high industrialisation cannot provide full employment to every person. Over-centralisation leads to smothering of democratic forces as well as over-bureaucratisation and a regimented type of economy. For full employment and removal of unemployment it is necessary that every person should ply more than one craft. In village industries workers carry on their work in a clean and healthy environment free from the filth, squalor and vices of overcrowded cities where big factories are concentrated. It leaves greater scope for personal contact with members of the family and neighbours, generates an atmosphere of mutual sympathy, fellow-feeling and a dvantages of community life. From the above discussion of some aspects of Sarvodaya it would appear that "Sarvodaya" does not stand for a creed, or organisation or party. It is rather an idea or ideal, or a particular way of life, and all those who accept it constitute Sarvodaya Samaj. As Vinobaji points out it is a mighty word expressive of a revolutionary idea. It stands for true social revolution. Actually a Sarvodaya Samaj has been formed after Gandhiji's death, but without any rules or organisation or discipline that bind other forms of association. Any body can become its member by merely declaring that he believes in its ideal. An annual conference of Sarvodaya workers is held but no member is obliged to attend. As Vinobaji observes :

"*The Sewak* (member) of the Sarvoday Samaj is free from all organisational control. There is no external authority over him. He may work at his own place, alone or with others as he likes; he may even form an organisation if he needs it.....The Sarvodaya Samaj is a conceptual association of people with an allied way of thinking about the way of life. The *Sarva Seva Sangha*, on the other hand, is an all-India institution of experts for planning and executing programmes of work."

"Sarvodaya" particularly stands for certain values of life such as truth, non-violence, love of fellow beings, fellowship, mutual sympathy and cooperation and so on. "Sarvodaya" *seeks* attach little value to wealth and splendour. Wealth to them is not a means of self-indulgence and self-gratification, but something to be used for the welfare of all. Vinobaji says :

"There is one simple maxim which every one can understand and practise. It is this : Have concern for other's needs and do not mind your own need in a manner as would cause hardship to others. This is the rule on which happy families are reared and it should not be difficult to extend it to the whole society. . . . The observance of this rule would contribute to Sarvodaya, and will lead to the discovery of more rules."

For instance it implies every one should earn his bread by his own labour and not be dependent on others, but *not* earning by questionable means such as fraud or profiteering or black-marketing and so on; he must earn by productive labour. "Sarvodaya" rules out the selfish pursuit of one's own happiness or that of one's family without regard to the interests of others as in capitalistic society, but stands for all sinking or swimming together. Sarvodaya, therefore, implies a distinct spirit pervading a mass of people professing it a spirit arising from the recognition of man as a free moral agent, as having in him a divinity and, therefore, all being equal and inspired by a solicitude for the welfare of all. Dr. E. Stanley Jones in his *Mahatma Gandhi An Interpretation* introduces the conception of Sarvodaya Movement in the following words :

"The Movement will have no organisation : It will be the projection of a spirit to which those who will inwardly accept the central principles of Mahatma Gandhi truth and non-violence will be considered to belong. It will be a spiritual fraternity. . . . Simple acceptance of the Gandhian principles of truth and non-violence will automatically make him a member."

"Sarvodaya" is thus a comprehensive and all embracing philosophy of life taking within its sweep social, economic, ethical and religious aspects of life on the planes of individual conduct as well as that of the groups and humanity at large. "Sarvodaya" applies the same code of conduct to the individual and the state. In its application to the state it issues forth in the welfare state wedded to a policy of peace and non-violence in its relations with other states, the ideal of the state which we have accepted after independence and has been incorporated not only in the Preamble, Directive Principles of State Policy in our constitution, but also in the Avadi and Amritsar Resolutions of the Congress avowing the building up of a socialistic pattern of society as our national objective. Although socialistic pattern of society need not necessarily be in accord with Sarvodaya principles, but the type of socialism envisaged here is in accord with the 'Sarvodaya' ideal of Gandhiji. This is because the Objective Resolution of the Congress incorporated in Article 1 of the Congress constitution was adopted under Gandhiji's inspiration and has therefore been permeated with the spirit of his Sarvodaya philosophy. The Preamble of the constitution, the

Directive Principles of State policy and the Avadi and Amritsar resolutions have again been formulated in implementation of the Congress objective.

Article 1 of the Congress constitution sets forth the object of the Congress as "The establishment in India, by peaceful and legitimate means of a cooperative commonwealth based on equality of opportunity and of political, economic and social rights."

The Preamble of the constitution substantially repeats the words of the above article and mentions as the basic purpose of the constitution securing to all citizens "Justice, social, economic, political, liberty of thought, expression, belief, faith and worship, equality of status and opportunity", etc.

This is elaborated in the Directive Principles of State policy set forth in Arts. 38-51 of the Constitution. Art. 38 lays down:

"The state shall strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political, shall inform all the institutions of national life."

Article 39 calls upon the state to direct its policy towards securing that all citizens—men and women equally, shall have 'the right to an adequate means of livelihood,' and "that the ownership of and control of the material resources of community are so distributed as best subserve the common good"; "that the operation of the economic system result in the concentration of the wealth and means of production to the common detriment"; "that the state shall within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness, and disablement and in other cases of undeserved want" and so on and so forth. Now all this sounds like the language of Sarvodaya, or 'unto the last' which Indian Republic imposes upon herself as the sheet-anchor of her state policy. The Avadi resolution (1955) of the Congress practically reiterates the same line of policy for application to the national economic plan as would be evident from its wording below:

"In order to realise the object of the Congress as laid down in article 1 of the Congress Constitution and to further objectives stated in preamble and directive principles of state policy of the constitution of India, planning should take place with a view to the establishment of a socialistic pattern of society, where the principal means of production are under social ownership or control, production is progressively speeded up and there is equitable distribution of the national wealth."

The resolution further states that "the national aim is a welfare state and a socialist economy" which can be achieved only by a considerable increase in national income and equitable distribution. The other main features of a socialistic pattern may be summed

up as follows :

- (a) Its basic objective would be the establishment of a social and economic order based on equality of opportunity and on social, economic and political justice.
- (b) It would do away with all distinctions of caste, creed, sex or social and economic status, ensuring the right to work and a living wage to every one.
- (c) Social and economic changes would be brought about through peaceful and democratic methods.
- (d) It would be accompanied by a bold decentralisation of economic and political power through village Panchayats and the organisation of village and cottage industries in cooperatives.

It will be noted that the Socialistic Pattern of society envisaged by the Congress touches only the social and economic aspects of Sarvodaya but does not lay equal stress on perhaps the more important aspects of Sarvodaya, namely, its ethico-religious aspects and this cannot be done either by the agency of the state. It is more important part of "Sarvodaya" in the sense that without moral regeneration of people, social and economic reconstruction would never prove enduring. Sarvodaya can never be brought about by a band of self-seekers. So moral rehabilitation of the people must precede economic or political rehabilitation and this can be achieved by the propogation of "Sarvodaya" ideal by a band of self-less workers working on a non-political platform and organising a country wide movement and to this work Acharya Vinoba, Jaya Prakash Narayan and others have happily addressed themselves.

THE POLITICAL PHILOSOPHY OF SARVODAYA

By

VISHWANATH PRASAD VERMA

PHILOSOPHICAL ANARCHISM

The quest for power is one of the fundamental urges of man. At the elementary level, one may desire power for self-preservation and security. In a hostile world it is imperative to have some power to maintain one's existence. Without power one feels helpless and at the mercy of opponents who would like to control him as a means for their own selfish ends. At a more complicated level, when one has amassed a considerable amount of power over others, he is driven by a relentless logic to seek for more and more power. There is established a vicious circle of competing groups which clamour for power and for ever growing power. The danger is that if the one group would not obtain ever greater power, its opponents will begin to dominate over it. In political struggles we find the causal role of this ruthless competition for power and dominance. In this dangerous game of politics we can discover the action of a fundamental urge for domination over others and also the working of an elementary rule that if one renounces the attempt for obtaining power, others will begin to dominate him. This quest for power has perverted the face of politics.

The communists dreamt of a stateless society based on cooperation and spontaneous altruism. But the monopolistic control of both the political and economic avenues, instrumentalities and resources have given to the leaders of Soviet communism a degree of coercive control undreamt of even by the pronounced champions of state sovereignty like Hobbes, Austin and Hegel. The concentration of power in the so-called socialist system of Russia is appalling and phenomenal. It was one of the major insights of Plato that in the *Republic* he separated the holders of political power—the guardians, from the holders of economic power, the husbandmen. Liberalism also postulated that the state should be concerned only or mostly with political functions. Socialism guarantees jobs to every one but the corollary of that is that all people are made to be dependent on the state for the barest morsel of food and hence they cannot resist its encroachments upon their freedom. After all, the power of the state is wielded not by some exalted abstraction but by normal human beings and party leaders and bureaucrats are the last examples of the human species who can be trusted to be the true and just custodians of the rights and justice of the people.

From very early times both in theory and practice politics has been equated with power. The radical school of Greek Sophists interpreted politics as the art of the dominance of the stronger. Callicles ridiculed the philosophical quest for moral perfection. Hobbes interpreted human psychology in terms of an endless quest for power. The German conservatives and imperialists stood for the power of the militarist state. But Gandhi condemned the state as the concentration of violence. He dreamt of a society rid of all violence and force. The Marxists and anarchists also refer to the exploitationist character of the present capitalist state which flourishes on the suppression of the workers.

Sarvodaya accepts the sacrosanct character of the human spirit. It is supremely emphatic on the inculcation of the values of freedom, equality, justice and fraternity. Hence it is opposed to the state machine.¹ The state is not the terrestrial reflection of the merciful divine being but is a soulless mechanical instrument to effectuate the will of those who have the manipulating skill, dash, cunning and capacity to control the governmental structure. In tracing the evolution of the state Vinoba Bhave says: "In the early stages it was unrestrained violence that held the faith. Gradually man learnt to curb and limit his violence and the institution called the state came into existence. The formation of the state did limit violence up to a degree. The advent of the apparatus of government created a new kind of law and order. Even Vedas had said that coercive power of the state was personification of Dharma. But gradually the state grew stronger, became more and more powerful till it became an all-powerful state with the power of destroying the whole world with its military might based on nuclear weapons."² In most cases the state does operate by methods of intimidation, coercion, persecution and organized violence. Hence Gandhi was thoroughly opposed to the state. Like Tolstoy, he was immensely hostile to the state. He pleaded for *swarajya* the inner rule of man over himself. He wanted that their *swarajya* should be based on the moral sovereignty of the people. Sarvodaya aims to replace the politics of power by the politics of cooperation.³ It emphasizes mutualistic activities spontaneously engaged in by the people. According to Vinoba Bhave, there are ten criteria of an ideal polity:⁴

(i) International fraternity

¹ Jayaprakash Narayan, *A Picture of Sarvodaya Social Order*, (Akhil Bharat Sarva Seva Sangha, Tanjore, 1955), p. 43: "It is not possible to achieve any success through developing the power of the state."

² Vinoba Bhave, *Bhoodan to Gramdan*, (Akhil Bharat Sarva Seva Sangha, Tanjore, 1956) p. 7.

³ Jayaprakash Narayan, *From Socialism to Sarvodaya* (Kashi, 1958) p. 48, distinguishes the politics of the people from the politics of party and power. The aim of sarvodaya politics is to see "that all centres of power are abolished. The more this new politics grows the more the old politics shrinks. A real withering away of the state."

⁴ *Swarajya-Shastra*, (In Hindi, Sasta Sahitya Mandala, New Delhi, 1953) p. 25.

- (ii) The conscious, spontaneous (as far as possible) and hearty cooperation of all the inhabitants of the country.
- (iii) The identity of the good of the capable minority and the general majority.
- (iv) The orientation towards the universal and equal development of all.
- (v) The widest dispersion of political sovereignty.
- (vi) The least amount of government.
- (vii) The easiest availability of *tantra* or justice (?)—*Sulabhatama tantra*.
- (viii) The least possible expenditure.
- (ix) The lowest degree of external protection.
- (x) The universal, uninterrupted and neutral or objective spread of knowledge.

PARTYLESS DEMOCRACY

The activities and operations of the political parties in modern states are oriented to the ruthless pursuit of power. In democracies, in spite of the theoretical adherence to the principles of the sovereignty of the electorate and the consent of the people as the basis of government, in actual practice, there is the domination of the all-powerful parties.⁵ There are no occasions for the continuous dynamic political initiative of the masses and for the sovereign exercise of that general will of the community conceived as a moral entity which Rousseau regarded as the essence of democracy. In the eighteenth century Rousseau had said that the people of England are free only during election days. But with the modern devices of propaganda and the dominating and corrosive influences of wealth which can be brought to bear on the electorate, it is not possible for the people to make genuinely independent choices even from amongst the limited number of candidates who are put forward at the time of elections. Some organized parties in India, it is said, have resorted even to physical assaults of their opponents. Hence the people in modern democracies are not genuinely free even during election days. The reckless use of violence and money for the sake of gaining offices and power has

⁵ The criticisms of representative democracy by sarvodaya, however, do not imply in the least, any support of absolutism or regimentation. True it is, that both absolutism, to a-litarianism and fascism as well as Gandhian sarvodaya are critics of the democratic system but that does not mean that they are similar. As a matter of fact they are poles asunder. While totalisms of all types tend to subvert the values of democracy, Gandhian sarvodaya postulates an extension of democratic ethics. It pleads for the moralization and spiritualization of the democratic set up. Both Jayaprakash Narayan, *Towards a New Society* (Delhi, 1958), pp. 89-90, and Vinoba Bhave, *Rajniiti Se Lokaniti Ki Or* (In Hindi, Akhil Bharat Sarva Seva Sangha Prakashana, 1957), p. 21, have criticized the democratic practice of giving one vote to every individual, irrespective of his attainments and qualities. But I think that the alternative to equal suffrage will be plural voting or weighted suffrage which is an adjunct of oligarchy and aristocracy and which will never be supported by sarvodaya.

done havoc to the democratic political system.⁶ It is true that direct participation by the people in all the important activities of the state is not possible today. But the moment indirect or representative democracy is accepted as the governmental form for a country, parties with their octopus-like grabbing hold appear on the scene. But it will not solve the problem if the crudities, the vulgar devices for obtaining power and the perverse technics for maintaining themselves in office resorted to by parties are regarded as final and inevitable. The concept of *lokaniti* is a way to solve the problem.⁷ Sarvodaya is definitely hostile to the mechanism of representative democracy⁸ which amounts in actual practice to the dictatorship of the cabinet and party oligarchy. Hence sarvodaya advocates partyless democracy.

The concept of partyless democracy will be thoroughly realized at the full consummation of the *Bhoodan* movement. But steps in that direction have to be taken immediately. The ways to realize partyless democracy have to start at the bottom. In the nearly six lacs of the villages of India attempts should be made to nominate the workers whom by universal consensus the village-inhabitants consider to be their best "servants".⁹ These workers will constitute the members of the *panchayat*. This nomination would be a reflection of the confidence which these workers have created in the minds of the village population. The various technics of *bhoodan*, *gramdan*, etc. are concrete and vital steps in the rehabilitation of

⁶ The principal defects of modern parliamentary (and even the presidential system) democracy in the opinion of the advocates of sarvodaya are:—

- (i) Corruptions and perversities attendant upon the acquisition of political power.
- (ii) Rampant economic and social inequality.
- (iii) Accentuation of the competitive craze for more and more commodities resulting in the dislocation of international political balance.
- (iv) One of the principal defects of the Indian parliamentary democracy is that this system is a foreign importation in India and hence has not been able to draw the natural affection and loyalty of the people.

⁷ Dada Dharmadhikari would almost support the Guild Socialist proposal for functional representation, in his view that the political units should run parallel to the economic units. Dada Dharmadhikari, *Sarvodaya-Darshans* (In Hindi, Akhil Bharat Sarva Seva Sangha, Kashi, 1957), pp. 227-229, says that for the transformation of the foundations of democracy it is essential that there should be the minimum separation between the economic unit, the political (i.e. administrative unit) and the unit for representation.

⁸ Jayaprakash Narayan, "The Political Theory of Bhoodan", *A Picture of Sarvodaya Social Order*, p. 25: "The device of democratic elections cannot equate 500 representatives with eighteen crores (counting only the adults) of the people. To the extent the eighteen crores look after their affairs directly, to that extent the powers and functions of the state are restricted and real democracy is practised."

⁹ Vinoba Bhave, *Bhoodan-Yajna* (Navajivan Publishing House, Ahmedabad, 1954), p. 108, says that the *gram-panchayat* was based on the unanimity of the five. He pleads for the adoption of the principle of "the unanimity among all persons of honesty and good will" in place of the principle of deciding issues by a majority vote.

the community spirit and the unanimous nomination of the members of the *panchayat* by the villagers without the operation of any of the traditional mechanisms of party action, will be an important tribute to the growth of community sentiment. The pattern devised at the village level will be repeated also at the other higher levels. The *thana-panchayat* will be chosen by the members of the village-panchayat. The *district-panchayat* will be chosen by the members of the *thana-panchayat*.¹⁰ The provincial administration and the central administration will be constituted on a similar principle.¹¹ This will be the institutional device for the realization of partyless democracy.

From the theoretical standpoint we can find the possible operation of two significant principles in this scheme of partyless democracy. The first, obviously, is that party politics and electoral mechanisms are replaced by the operation of community consensus. The principle of majority decision is to be replaced by unanimity. The second principle is the operation of indirect nominations. For example, the members of the *thana-panchayat* are chosen not by all the inhabitants of the thana but by the members of the village-panchayats of that thana. Similarly the *district-panchayat* is not to be nominated by the consensus of the whole of the inhabitants of the district considered *en masse* but only by the members of the *thana panchayats* of that district. The provincial and central administrators or members of the provincial panchayat and central panchayat are also to be chosen on the basis of indirect nomination. Thus at the levels of the province and the centre, a colossal principle of indirect nomination or choosing¹² is to be set up.

This principle of indirect nomination or indirect election¹³ is defective from two standpoints. Its first principal defect is that in one sense it seriously detracts from the moral and political stature of the individual citizens. At present, the individual directly elects the members of the parliament and the legislature. In the scheme of partyless democracy contemplated by sarvodaya the individual villager will have a share only in choosing the members of the *village-panchayat*. He will not directly choose the members of the *thana-panchayat*, the *district-panchayat*, the *provincial panchayat* and the *central panchayat*. Thus in the name of choosing by consensus, the individual villager is being deprived of a very important political right he

¹⁰ Jayaprakash Narayan, *Kranti Ka Adhunik Prayoga*, (Janata Prakashana, Patna, 1954) pp. 11-12.

¹¹ Vinoba Bhave, *Bhoodana-Ganga* (Kashi, 1957), Vol. I, p. 253, says that the material power will reside in the villages while the moral power will be exercised by the people in the centre (i.e. central government).

¹² Dada Dharmadhikari, *Sarvodaya-Darshana*, p. 241. Jayaprakash Narayan, *Towards a New Society* p. 168 says: "Perhaps some sort of indirect system of election to the higher levels of government or management or administration would be necessary."

¹³ For support of indirect election, see Vinoba Bhave, *Bhoodan Ganga* Vol. IV, pp. 28-29.

enjoys today, that is, of directly choosing the members of the state legislature and the parliament.

Another defect of the principle of indirect nomination from the practical standpoint will be the enormous complication in the choosing of the different panchayats. Students of political science know that the functions of the political parties are not confined to the conquest of power. They also educate public opinion and crystallize political issues. They focus the merits and demerits of the different contestants in the election field. At the village level or even at the *thana* level it may be possible to choose the members of the *panchayat* by consensus because the villagers or even the numerous inhabitants of the *thana* are expected to know their 'servants' or in the Aristotelian language their best 'friends'. But I do not see, how without the operation of the party mechanism, the members of, say over fifty district panchayats in the Uttar Pradesh will discover their best servants so as to nominate or choose them for being members of the provincial or state *panchayat*.

The aim of sarvodaya is to establish a society which will be free from the malady of parties.¹⁴ It refuses to meddle with present party politics. A person who has dedicated himself to this movement will not seek any elective post "and for life he will not be able to participate in elections. He may however cast his vote as his conscience tells him."¹⁵ Partyless democracy is supposed to be the final political consummation of the sarvodaya movement. But so long as that final stage has not been realized, in casting his vote, the believer in the philosophy of sarvodaya, will exercise a judicious choice between the contenders. He will vote for the candidates of that party which in his judgement can best serve the interests of the people.

The fundamental aim of sarvodaya is to create a non-party democracy. Some additional concrete devices have been pointed out for that consummation. One important technic, to be followed in the early stages of the movement, is to invite various parties to cooperate in sarvodaya work. These parties may have different ideologies but their help can be solicited to the extent they are willing to cooperate. This kind of cooperative work will bring home to these workers the urgency of effectuating the all-round revolution which sarvodaya envisages. A further stage in that same direction will be the concentrated efforts by all political parties towards the realization of the ideal of sarvodaya. Vinoba says: "As regards the related question of our policy towards the different political parties, I am inclined to take the view that they should cease as different parties and combine to form a united front made up of all good and honest people in

¹⁴ Jayaprakash Narayan, *A Picture of Sarvodaya Social Order*, p. 10: "We in India have decided not to fight village elections on party lines. And what is right for a village is also right for the nation".

¹⁵ Jayaprakash Narayan, *A Picture of Sarvodaya Social Order*, p. 30.

the country carrying out commonly agreed programmes. And to that end I try to put before the people a programme of work which may be acceptable to all and in which all can join forgetting their differences. This will tend to draw the parties nearer one another with the result that their differences will gradually shrink and the points of agreement increase. Now we have such a programme in *bhoodan* which is acceptable to all, which helps the country go forward and withal makes for the growth of *jana-shakti* the inherent strength of the people."¹⁶

Sometimes it has been suggested that one important concrete step in the evolution of partyless democracy will be the neutralization of the party sting in the legislatures and the parliament.¹⁷ Even if the present technic of getting elected to the legislative bodies on party tickets continues, it may be devised that having entered those bodies, the party-belongingness of the representatives ceases. Instead of voting as party members they should vote as representatives of the nation. Instead of being guided by the party whips they should look to the high court of their best conscience. The ministers will not be chosen on party lines. Every member will be asked to submit a list of names and those obtaining the highest preferences will be elected. This seems to be a nice proposal provided it can work. I have serious doubts about the workability of this proposal and hence for the present I support the organization of the cabinet on the basis of party homogeneity.

It is true that growth of factionalism and partisanship is one of the greatest evils of democracy. But it does not seem possible to abolish parties. Sometimes I feel that it is not possible to identify politics with party politics. After all, parties are a creation of the modern western civilization. Parties begin to crystallize in the seventeenth century England. But can any one be correct in saying that there was no politics before the seventeenth century. For centuries there has been some form or other of organized political activity without the party mechanism. It is true that with the growth of the enfranchisement of the people, parties have come to occupy very significant positions. But if sarvodaya workers are sceptical of modern party politics, they can work as advisors in the administrative set-up. They may do so in their individual capacity. With the growth of the complexities of modern civilization the significance of advisory councils and advisory bodies has increased. Hence I think that instead of renouncing all types of politics it will be advisable if the sarvodaya workers choose to work as members of advisory councils and advisory bodies at all levels — central, provincial, district and *taluka*. This can be a type of work of concrete immediate significance. Instead of retiring into works of purely agrarian reconstruction if the administrative institutional mechanism

¹⁶ Vinoba Bhawe, *Bhoodan Yajna*, p. 106.

¹⁷ Based on discussions with Sri Jayaprakash Narayan at the Patna Mahila Charkha Sangha, November 1956.

is sought to be reformed I think it will be of great value and will confer solid advantages. Hence I believe that instead of getting identified with purely rural work and activities the problems of administrative reform should also be tackled by the workers and leaders of sarvodaya. If leaders who are men of strong moral character and abnegation choose to become political and administrative advisors there is a chance that the noble impart of Gandhian teachings can be felt on the Indian government.

DECENTRALIZATION OR GRAMRAJYA

Both democracy and communism are engulfed by great corrosive forces. The competitive struggle for power by the various parties with their oligarchical-pyramidal structure of leadership-hierarchy renders democracy a farce. It converts the concept of popular sovereignty into an empty slogan. The key decisions are made by a few leaders and the vast masses are expected tamely to acquiesce in them. The people have retired from the function of governing. Theirs is the glorious privilege of choosing their governors from amongst a few powerful competing candidates who have behind them all the paraphernalia of influencing and occasionally even intimidating the people. Hence democracy needs radical transformation. The experiments of communism in some countries have still further tightened the control of an authoritarian party over the people. Communism dreamt of establishing the rule of the proletariat and the peasants in place of the dictatorship of the minority of the bourgeoisie but in practice the communists have built up a gigantic state machine bolstered up by an army and a band of officials and working like a mechanical automaton under the whimsical dictates of the fortunate few who have managed to get themselves flung to the topmost positions. Hence the people as a concrete whole composed of vast millions have ceased to be operative political entities both in democratic and the communistic systems. Against this nauseating whirlpool and dirty quagmire of violent struggles for power, sarvodaya makes a healthy reaction.

In place of the over-growing centralization of power sarvodaya pleads for decentralization. Gandhi was hostile to all types of concentration of power and he pleaded for deconcentration both at the economic and the political levels.¹⁸ Jefferson also had visualised that the foundations of democracy lay in small-scale agrarian communities. He had a genuine fear of the concentration of power at the federal centre. Decentralization requires the healthy evolution of creative citizenship. It is fantastic to

¹⁸ In an article in the *Harijan*, January 18, 1942, Gandhi wrote that without decentralization it was impossible to achieve human happiness combined with full mental and moral growth. He wrote: "Centralization as a system is inconsistent with non-violent structure of society." J. C. Kumarappa, *Economy of Permanence* (Kashi, 1957, third edition), pp. 159-167: "Democracy in economics must be based on decentralized production in villages on individual basis." (p. 160). Also p. 171.

believe that a law of the parliament or the diet or the assembly can bring about the desired change. What is essential is that the people should be trained and disciplined into the management and control of their own affairs.¹⁹ This requires that in the early stages there should be a band of self-abnegating workers on the spot who should help the people in the art of doing their own business. These workers should be the brethren of the people and not their rulers. They should educate the people through their cooperative solicitude. The enervated Indian population which has lost the habits of dynamic initiative and self-reliance for centuries is becoming utterly dependent on the officers of the state. Gandhi wanted that the village panchayat "should function only under a law of its own making." But our population has almost lost its moral character and even these panchayats have become the dens of casteism and other perverse types of baneful influences. One of the foremost problems of decentralization is to make the panchayats function as spontaneous training grounds in village republicanism and community democracy. Thus the problem of decentralization is not solved by merely speaking against the evils of concentration of power or by conferring minor judicial and executive functions and powers on the *panchayat* or on the *mukkhia* and the *sarpanch*.²⁰ According to the philosophy of sarvodaya, instead of bolstering centralization, nationalization and state socialism in the name of the welfare state, the primary need is to discipline and train the people in the art of managing efficiently their economic, social and administrative problems. One of the arguments advanced by the protagonists of sarvodaya is that in a decentralized political system there is less of difference of opinion and hence there is greater

¹⁹ In Yugoslavia also some steps have been taken towards decentralization of economic control. The followers of Tito claim: "Our Party placed as the main task before itself before all society, the struggle against bureaucracy. The Chief weapon and political instrument in this struggle was the effort to broaden the mass basis of the executive function of power in general and of executive power in the sphere of economic administration, in particular. In line with this orientation, a system of workers' councils, communes and various agencies of self-government developed. The system of administrative agencies was abolished and State administrative apparatus was drastically reduced and the role of people's assemblies and people's committees was strengthened. Thus the purpose of the whole re-organisation has been to ensure, through the transfer of whole series of executive functions from a single state executive apparatus to numerous agencies of self-government of the working people with direct control and direct influence of workers over production and over implementation of decisions and tasks in all spheres of social life, above all, in the realm of internal economy." (Quoted in J. B. Kripalani, *Planning and Sarvodaya*, Kashi, 1957, pp. 64-65).

²⁰ Jayaprakash Narayan, *Towards a New Society*, p. 158, says: "The present panchayats are not democratic. They are not working on a democratic basis. You might give them votes and you might give them some powers and you may hold elections, but in the village itself neither in the economic, nor in the social nor in the political sphere is democracy at work."

hope for realizing the concept of partyless democracy.²¹

According to the sarvodaya conception the realization of the village self-government — *gramraj*, is postulated upon the exercise of all political authority by the inhabitants of the village.²² The same principle of genuine and real administration by the people themselves would operate at the district and provincial levels of administration also. Instead of being mechanical foci executing the will of the central government these will be organic areas of self-government. The advocates of sarvodaya are quite correct in holding that if genuine self-government or real democracy is practised at the village level, then that would be the greatest bulwark against any totalitarian encroachment.

The fear has sometimes been expressed that this *gram-raj* may become an exercise in parallel government with little means of coordination. But there is no plan or idea to dispense with the mechanism of the central government. So long as the central government exists its services may be utilized as occasion arises. "The central authority, so long as it exists, would be like a danger chain in a railway train. Passengers do not always have their attention fixed on this chain, but they make use of it in times of danger."²³

Sarvodaya accepts the universalization of self-government. This means the emergence of the people to vigilant active participation in cooperative action. If the officials at the top are liable to perversity and corruption, it is equally essential to guard effectively against the corruptions of the workers and petty officials at the level of the villages. Sarvodaya wants to elevate the people. The people and not the central parliament or cabinet has to become the focus of political attention. This is the significance of

²¹ Sometime it has been stated by the protagonists of sarvodaya that centralization is the root cause of party strifes. Once the attempt is made to discuss and decide local issues at local levels there will be no scope for partisanship. See Bhagvandas Kela: *Rajanya-vastha: Sarvodaya Drishti Se* (Bhartiya Granthamala, Daraganj, Allahabad, 1955), pp. 76-81. But Kela's arguments do not appear convincing to me. The experience of the village affairs is enough to show that on the pettiest problems there are chances of great divergences of opinions. Wherever the interest of some individuals or a group are threatened, they tend to fight for the preservation of their rights and interests. Hence there does not seem to be any significant and necessary logical connexion between centralization and the growth of party system.

²² According to Jayaprakash Narayan, *Towards a New Society* (New Delhi, 1958), pp. 163-167, *gram-swaraj* is the result of two important precedents, (a) *gramdan* and (b) *gram samkalpa* or *gram svavalambna* i. e. village self-sufficiency. Narayan, *ibid* p. 99, asserts that the surest foundation of democracy in India would be the self-governing village units.

²³ Jayaprakash Narayan, *A Picture of Sarvodaya Social Order* (Tanjore, 1955), p. 1, Quoted in.

the replacement of *rajniti* by *lokaniti*.²⁴ Vinoba says: "Swaraj has come. But do people feel the warmth of it? The very term *swaraj*, or self-government, implies decentralization of authority. The principle has, therefore, to be applied to every practicable limit, to all fields of life, social, economic, and political. *Gramdan*, or villagisation, brought to their very cottages the power that really belonged to them, but of which, unfortunately, they were not conscious, and which, again not less unfortunately, indeed, was progressively centralised at places like Delhi and Kurnool, resulting in the progressive decline of their liberty and progressive rise in their poverty and sufferings. It is through *Gramdan* alone that the Delhi Raj of today could be transformed into the *gram-raj* and *Ram-rajya*. Every village would then become a state in miniature with all the departments efficiently functioning in the village itself."²⁵

The movement of sarvodaya is keen that immediate steps should be taken for the implementation of those policies and methods which are calculated to establish a truly non-violent democracy. Even the welfare state has a tendency to become totalitarian because under it the state assumes ever larger number of functions and with the increase of functions is bound to come increase of power.²⁶ According to sarvodaya this infantile parasitic tendency to lean on the state would lead to the withering away of the instinct and habit of liberty. It will lull the people into the dungeons of totalitarian regimentation. Hence it is essential to learn the art of self-reliance and discipline.²⁷ If freedom is the desired objective, then sarvodaya wants people to take to heart the famous maxim of Thoreau which Gandhi used to repeat that that government is the best which governs the least.²⁸ It stresses the cultivation of real *Jana-shakti* the power and strength

²⁴ The difference between the orientations of *Rajniti* and *Lokaniti* can be thus indicate:—

<i>Rajniti</i>	<i>Lokaniti</i>
(a) government	(a) self-restraint
(b) power	(b) freedom
(c) control	(c) discipline
(d) competition for obtaining sovereignty and rights.	(d) performance of duties

²⁵ Vinoba Bhave, *Bhoodan to Gramdan* (Tanjore, 1956), p. 41. Vinoba Bhave, *Bhoodana Ganga*, Vol. II, p. 107, pleads for a federation of four laes of villages. The central authority therein will be merely advisory.

²⁶ Jayaprakash Narayan, *Towards a New Society* (Congress for Cultural Freedom, New Delhi, 1958), p. 83; Jayaprakash Narayan, *A Picture of Sarvodaya Social Order*, p. 44: "It (The welfare state) is a slow-moving conception of changing society into a socialistic one." For criticism of the ideal of welfare state see Vinoba Bhave, *Bhoodana Ganga*, Vol. IV, pp. 26-27.

²⁷ Hence sarvodaya pleads for the substitution of *shasana* by *anushasana*.

²⁸ The Sarvodayaists have borrowed the Marxist formula for the communist society that there will be only administration of things and not government over persons. See Dada Dharmadhikari, *Sarvodaya-Darshana* p. 233.

of the people.²⁹ Only this can be an effective antidote to the dominance of *dandashakti* or the power of coercive violence. As an ultimate ideal, however, sarvodaya is satisfied not with limiting or regulating the state machine but with the total elimination of the state.³⁰

POLITICAL IMPLICATIONS OF SARVODAYA

(i) *The Repudiation of the Marxist Theory of Class Struggle*

The fundamental theme of sarvodaya is the realization of the happiness and elevation of all.³¹ At the political level this has two significant implications. First, the repudiation of the theory of class struggle, and second, the safeguarding of the interests and rights of the minority. The concept of class struggle is based on the acceptance of the existence of divergent and even antithetical interests in the social structure. Sarvodaya, on the other hand, starts with the notion of the community as a reality *sui generis*. The aim of social and political efforts is not to serve the disproportionate interests of the ascendent classes but to maximize the good of the entire community. Sarvodayaism attacks the repugnant and perverse consequences of egoism and the lust for power and wealth. Hence it stresses the necessity of disinterested service. Service, dedication, and the realization of common good are its technics and formulas and it is opposed to the Marxist theory of class struggle which smacks of violence.³² Once it is accepted that violence has to be renounced as a basis of organized social existence, there is no place for the disruptionist theory of the struggle of mutually opposed classes. Sarvodaya pleads for the replacement of the concept of class struggle by the more rational theory of social good and

²⁹ According to Sarvodaya there are two technics for the stabilization of the power of the people or *janashakti*: (i) constant propaganda and publicity (*vichara-prachara*) and (ii) decentralization of power. The aim is not merely to change the opinion of the people but to change their heart. Thus alone can the environmental and institutional change be brought about. See Bhagvan Das Kela, *Raja Vyavastha: Sarvodaya Drishti Se* pp. 92-94.

³⁰ Vinoba Bhave, *Bhoodan to Gramdan*, p. 8.

³¹ According to Vinoba Bhave, *Svarajya-Shastra* pp. 56-57, there are four pillars on the basis of which the edifice of the ideal state oriented to the happiness and good of the people can be erected.

(i) *Sevabhava*—The instinct of service.
(ii) *Swavalambana*—Self-reliance.
(iii) *Ahimsa kranti*—Non-violent protection.
(iv) *Tulya Parisramika*—Equality of wages.

³² Explaining the difference between the Marxian and the Gandhian approaches to the social structure, Jayaprakash Narayan, *Socialism to Sarvodaya* p. 25, says: "Socialism wishes to advance by setting class against class, Gandhism by cutting across classes. Socialism wishes to destroy classes by making one class victorious over the other—which seems to be somewhat illogical. Gandhism wishes to abolish classes by so bringing the classes together that there are no class distinctions left."

harmony.³³ This social harmony is to be realized not by mere verbal profession. It is to be experienced in daily conduct. There has to be a deliberate extension of good feeling. The aim is not the forcible expropriation of the wealth of the rich but the conscious and spontaneous practice of sharing the goods one has ready at hand. In this way there can be an overpowering accentuation of the ideal of sharing and almost a mass moral revolution oriented to the effectuation of a peaceful social reconstruction can be brought about. The aim of this revolution is not to seize power but to bring about a change in one's outlook and hierarchy of values. The propensity to accumulate has to give place to the propensity to share.³⁴

But the repudiation of the concept of class struggle and the acceptance of the ideal of social harmony do not mean the perpetuation of the present *status quo* with landlords and farmers and the exploitation of the latter by the former. In his earlier days of political leadership Gandhi was in favour of retaining the Zemindars but later on his views underwent a radical transformation and he talked endlessly about a social structure rid of all class stratifications.³⁵ Sarvodaya contemplates not the retention of the system of exploitation and coercion but it wants to bring about a regime of absolute social equality and the maximum of economic equality too. On the plane of social idealism sarvodaya and communism both accept social equality and liberty. The vital difference is found in the profound attachment of sarvodaya to the ethics and technics of non-violence. Sarvodaya contemplates a regime of liberty, equality and justice to be brought about by the dynamic transforming power of love and non-violence.³⁶

(ii) *The Repudiation of the Concept of Majoritarianism*

The second implication from the sarvodayist conception of the spiritual reality of the community is the repudiation of the element of superior virtue supposed to be contained in the judgment of a majority of heads.³⁷ If the community is an organic structure and if all the individual

³³ Cf. J. B. Kripalani, *Class Struggle* (Kashi, 1958), p. 93. Dhirendra Mazumdar, *Bhoodan Yajna: The Great Challenge of the Age* (Banaras, 1954) p. 31, says that in place of class conflict Vinoba stands for class-conversion.

³⁴ Jayaprakash Narayan, *Socialism to Sarvodaya*, p. 116: "Wealth can be distributed by law, but shared only voluntarily. Distribution of wealth may be uncertain step towards socialism, but sharing of wealth is real and full socialism."

³⁵ Jayaprakash Narayan, *Socialism to Sarvodaya*, p. 20.

³⁶ Mahatma Gandhi was tremendously opposed to the concept of class war. He wrote, *Amrit Bazar Patrika*, August 3, 1934: "In India a class war is not only not inevitable, but it is avoidable if we have understood the message of non-violence. Those who talk about class war as being inevitable, have not understood the implications of non-violence or have understood them only skin-deep." He pleaded that the struggle of labor against capital was a vicious circle and was to be avoided at all cost.

³⁷ Vinoba wrote in the *Harijan*, 17, 1953: "Rule of the majority is the law of the day; whether the majority has or has not scruples and character, it does not matter at all. Is not rule of the majority only brute force? How can you differentiate between the rule of the regiment, rule of money and rule of the majority? What is it if it is not brute force?"

members of it are bearers of moral and cultural values then there is no place for jeopardizing the lives and interests of even the lowest and the humblest. From the superficial standpoint of having got oneself registered in a specific group or having paid the requisite fees for membership of a particular party, one may be in a majority or a minority. But if truth is the supreme canon and if the opinion, wish and aspiration of every one member is precious, then in that case one has to work by consensus and not by majority. There has to be discussion and debate and through the dialectics of argument and counter-argument some fundamental areas of mutual good will emerge. This, and not the artificial counting of heads is the genuine method of social action. Hence according to sarvodayism the concept of majoritarianism has to be replaced by the concept of consensus. Sarvodaya is not satisfied with the various safeguards of proportional representation that have been devised to protect the interest of the minority. It adheres, rather, to the Gandhian concept that the superficial numerical criteria of many and few have to be replaced by a fundamental adherence to the good of the community. Sometimes it is said that different types of party formations arise in response to the diversity of social interests. But Sarvodaya thinks that this mechanical conception of plurality of social interests has to be replaced by the moral conception of the homogeneity of the fundamental interests of the society. Thus sarvodaya aims to replace the concept of majoritarianism by the concept of fundamental consensus.

(iii) *Bhoodan and Satyagraha*

Satyagraha was one of the cardinal concepts in the Gandhian sociology : Satyagraha means a deliberate and conscious assertion of truth and right against the entrenched strength of the vested interests. From individual non-cooperation to organized civil disobedience on a mass scale, there are different forms of satyagraha. It may appear that satyagraha as conceived by Gandhi, was a more dynamic and aggressive technic as compared to the passive technic of *ahimsa*. But Vinoba believes that *bhoodan* itself is a satyagraha. He believes in argumentation and compromise. He, however, does not rule out, peaceful struggle.³⁸ It is possible to visualize numerous occasions when the enlightened conscience of even one single citizen may feel that the verdict of the group is repugnant to the canons of truth. On such an occasion he will take recourse to satyagraha.³⁹

It appears to me, however, that in the sarvodaya movement the original Gandhian emphasis on satyagraha has been toned down. May be, it is so because Gandhi's main fight was against an alien imperialistic system. The

³⁸ Jayaprakash Narayan, *Kranti Ka Adhunik Prayoga* (In Hindi, Janata Prakashana, Patna, 1954), p. 5; Vinoba Bhave, *Sarvodaya Ke Adhara* (Kashi 1956), pp. 63-64; Dada Dharmadhikari, *Sarvodaya Darshana*, pp. 242-243.

³⁹ Vinoba Bhave, *Swarajya-Shastra* (In Hindi, Sasta Sahitya Mandala, 1953), pp. 43-47. Vinoba Bhave, *Bhoodana Ganga* Vol. I, pp. 104-105.

sarvodaya movement, on the other hand, is aimed at the constructive rehabilitation of village life and hence, perhaps, there is not that emphasis on satyagraha which we find in Gandhi's life and thought.⁴⁰

CONCLUSION

The political philosophy of sarvodaya is a powerful intellectual attempt to build a plan of political and social reconstruction on the basis of metaphysical idealism. It is based on the insights of Gandhi. It makes a healthy attempt to develop the ideas of Gandhi in the framework of independent India. Gandhi stood for the village commonwealth. He was a persistent critic of modern democracies wedded to the cult of violence. Sarvodaya is an attempt to develop Gandhian ideas regarding decentralization and villageism. But although modern sarvodaya derives the concept of decentralization from Gandhi, its concept of partyless democracy is an original contribution to political thought although there are chances that perhaps this concept has been derived from the intellectual armoury of the Yugoslav Communist Party. Nevertheless the synthesis of partyless democracy and village self-government is a notable contribution from the standpoint of Indian political thought and practice.

In its hostility to the omniscience of the centralized state machine, sarvodaya reminds us of the pragmatic and pluralistic political doctrines that became fashionable after the first world war. We, in India, have had long centuries of despotic traditions. It is possible, nay probable, that under the guise of a welfare state and the socialistic pattern of society we may be heading towards the concentration of political and economic power eventually leading to dictatorship. Sarvodaya is a prophetic attempt to warn us of the dangers of political power and its monocratic concentration. In making us aware of the growing trend towards political concentration of power and the threat to individual liberty the leaders of the sarvodaya movement have rendered inestimable services to our infant democratic republic. India is not to be a pale reflection of England or America. For building a strong country we need to have noble traditions. Sarvodaya is the concrete embodiment of the noble and sublime themes of Indian culture and philosophy. In western countries we find that sociologists and political scientists have been so much dwarfed in their vision by the omnipotence of parties that they no longer believe seriously in the Lincolnian definition of democracy. One sociologist makes the shamefaced assertion that democracy is not a way of governing but of choosing who will govern and to what ends. At such a period of intellectual staleness and inertia and an object surrender to the *status quo* the prophets of sarvodaya want to concretize the noble Gandhian dream of *swarajya* — the government of the individual over himself in all its comprehensive connotation. It is true that an immense amount

⁴⁰ According to Vinoba Bhave, *Bhoodana Ganga*, Vol. IV, pp. 307-308, satyagraha after the attainment of *swarajya* should be "more positive, explicit and full of strength."

of original thought and socio-political experimentations are needed for the realization of the Gandhian philosophy. Even if for several decades we may not be able to practise this philosophy, I have been considerably inspired by the noble ideal of sarvodaya about making of democracy a genuine experiment in the art of real self-government. In the twentieth century, perhaps, this is the only political philosophy that has genuinely and sincerely clung to the formula that democracy and self-government of the vast millions have to be made real. It will not serve any worthy purpose if we stick to the ghosts of party dictatorship or state absolutism or police domination. Swarajya and democracy have to be won for every citizen of this republic. Every inhabitant of this country, and for that matter, of the entire world, is a sacred entity. I do not agree with all the detailed technics and formulas of sarvodaya political thought, but its basic and radical resolve to make the government of the individual over himself real, is a source of perpetual inspiration. Its vision is definitely majestic and inspiring.

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GUIDED DEMOCRACY IN SOUTH-EAST ASIA

By

B. R. CHATTERJI

The Second World War which opened the way for Japan's rapid conquest of South-East Asia, the consequent loss of prestige of the Western Colonial Powers, Japan's sudden collapse, the failure of attempts to restore the colonial regimes — all these factors led to the emancipation of South-East Asia from foreign rule. Within five years of the ending of the Second World War, the Burmese and the Indonesians had won national independence, the Indo-chinese had nearly reached this goal and in Malaya for the first time there were the stirrings of a Malayan nationalism. Except in Viet-nam everywhere the new national leaders had introduced parliamentary government. They had become familiar with this system during the colonial period, for then they were the leaders of the opposition — an uncompromising, persistent opposition.

After the attainment of independence, the spirit of nationalism, which had hitherto united all the fighters for freedom, apparently ebbed away. A feeling of disillusionment seemed to creep in. This phase was lamented by President Sukarno in his speech (August, 1952) on the occasion of the 7th anniversary of Indonesian independence :

"For decades we have longed for our own authority, and now that we have our own authority we do not respect it... All round we see dissatisfaction but without any dynamic positivism. It appears almost as if we had no more idealism left".

The President still hoped that a revived idealism would correct the situation.

Instability of the Central government on account of numerous political parties quarrelling with one another, regional jealousies, growing animosity between Communist and communal (Muslim & Christian) organizations, occasional intervention by some impatient army officers — all these had contributed to the political *malaise*. It was believed that the general elections, long deferred, would provide a remedy. But the hope was belied. The elections made more bitter the party squabbles, and communist successes at the polls in Central and East Java roused the fears of the Masjumi (the Chief Muslim party) to a fever height.

When I reached Jakarta in the middle of the month of June last year (1957), I found the Indonesian capital passing through a phase of acute tension. The resignation of Vice-President Hatta and the withdrawal of the Masjumi from the cabinet had brought about a serious government crisis. Some disaffected elements of the Army in Sumatra and Celebes were continuing large scale smuggling of exports in order to obtain by such illegal means considerable foreign exchange assets. The Central Government was thus deprived of a valuable source of income. In the Constituent Assembly was being fought out the struggle between the conceptions of an Islamic State and of a Panchashila State based on social justice and prosperity. (Indonesian *Panchashila*, used first in 1945, has got a different meaning from ours). The old aristocratic elements were losing ground before a new intelligentsia and a rising working class. It is against this background of a rapidly changing society and government that the President's 'Konsepsi (conception) of a 'Guided Democracy' should be judged.

Guidance, so says the Indonesian statesman Ruslan Abdulgani, is required in solving all complex problems. Democracy, newly introduced on unfamiliar ground, raises many difficulties and guidance in this sphere of politics is as necessary as guidance in the economic sphere. Mr. Abdulgani points out that even in politically advanced countries a small group (of party leaders, or of pressure groups or of government officials) in reality guide democracy.

In this crisis the President, the foremost national leader for three decades, was fully conscious that his own experience and political skill should be fully utilised to meet the exigencies of the situation. He expressed opinion that all political parties should be buried. But as that solution was not feasible a 'Jotong royong' (Mutual cooperation) cabinet was recommended by him — a cabinet in which at least the four principal parties (i. e. including the communists) in parliament should collaborate. But as that too was not acceptable to the Masjumi (the Chief Muslim political party), the final compromise on the part of the President was a 'no party' Kārya Cabinet (i. e. a cabinet which could *work*) and a National Council (Dewan Nasional). Both these were denounced as unconstitutional by the leading communal parties in the legislature. But both these are still surviving.

In the 'no party' Karya cabinet, boycotted by the Masjumi, the communists have not been admitted as they have not been in any cabinet upto now. But to a party ridden Parliament a 'no party' cabinet could not but be extremely disagreeable. Members of the no party Karya cabinet had to give up their party affiliations on joining the Cabinet. The other feature of the Konsepsi, the Dewan Nasional (National Council), was handpicked by the President himself from 'functional groups' (i. e. groups

which actually functioned in the society, like trade unions, universities, peasants, religious leaders, women's organisations, etc.). These 'functional groups', along with the President, some of the Cabinet ministers, representatives of the Armed Forces and of civilian officials constituted the National Council and the duty assigned to it was to give advice to the Cabinet whether asked to do so or not.

The advice given by the Dewan Nasional during the first year of its existence has been on important national issues such as questions of national security, decentralisation, etc. The National Conferences, convened on its advice, enabled the government, in Mr. Abdulgani's opinion, to face with success the troubles which broke out early in this year in Sumatra and the Celebes.

Thus ex-Premier Sutan Shahrir's forecast that the National Council would be quite useless, like the fifth wheel in a carriage, has been proved to be incorrect. When I interviewed him at Jakarta in June last year (1957), he stated emphatically that the National Council was something meant for mere show and that it could do neither harm nor good. That was the reason, he said, why he had not objected to this part of the President's *Konsepsi*.

When a few days after this I visited Mr. Ruslan Abdulgani — the newly appointed Vice President of the National council I heard diametrically opposite views. Mr. Abdulgani believed that if the National Council gave the Cabinet advice and the Cabinet accepted that advice, then that line of action, jointly agreed upon, would prevail inspite of opposition in Parliament. Thus Cabinet and Council combined would successfully counteract a refractory Parliament in which a multiple party system too often led to irresponsible and indiscriminate opposition to the government of the day. The National Council, in his opinion (in his talk with me in June 1957), offered a real solution of a real problem and was not a mere ornamental adjunct to the already top heavy political structure.

In the July, 1958, issue of the *Indonesian Spectator*, the Vice-President of the National Council, Mr. Abdulgani, reviews the work of the Council in its first year of existence. He seems to have modified somewhat the views he expressed in his conversation last year. He writes — "There is no intention that the National Council should replace Parliament. How could it? Parliament is elected by the people; it is an integral part of our democratic state. Parliament and the National Council are made up in different ways and have different tasks. Parliament is elective, chosen by the people from the group of politicians. Members of the National Council have been chosen by the President from among social realities. Parliament is legislative; the Council is advisory. It was feared that the National Council would replace the Parliamentary system. It has not and cannot. Fears were

expressed that it would dictate to, and perhaps replace, the Cabinet. In fact, it can only function with and through the cabinet."

The rebel leaders in the recent uprisings in Sumatra and the Celebes declared that the National Council would be dominated by the Communists or by the President whom they accused of growing leftist tendencies. But the very fact the rebel movements were promptly suppressed, with the moral and material support of the bulk of the Indonesian people, shows that such fears were not felt by the masses. Indeed 'Guided Democracy' has held its ground in Indonesia whatever might have been the opposition to it in the beginning,

In Cambodia the guidance given by the monarch himself in democratic experiments has had more immediate success. When France in the latter part of 1945 wanted to reimpose her protectorate over this kingdom, both King Norodom Sihanouk and the Cambodian Nationalists (Issaraks as they were called) resisted the attempt. But the king found himself forced, under pressure of circumstances, to accept a compromise settlement with France which granted only partial autonomy to Cambodia. This action of the monarch gave great offence to the Issaraks. To disarm this opposition and to take the initiative into his own hands the King gave his country in 1946 an ultra-liberal constitution, more radical than that of post-war France, convened a National Assembly, and from an absolute ruler changed over to a constitutional monarch. In this ancient land, with a record (glorious in the past) of monarchical rule of about two thousand years, it was certainly a dramatic step without any precedent. The struggle for national freedom was continued side by side with these internal political developments.

But when Parliament met, the members, new to their job, started playing to the gallery by opposing indiscriminately government measures just to show off, in many cases, their newly gained powers.

In June 1952 the king addressed a strong rebuke to the 'Democrat' (the name of the ruling party) Cabinet:

"In giving the country a constitution I had the firm conviction that the transmission of my powers would be effective in the hands of men animated with a real faith in democracy. As it has not turned out like that, and as I now see that those powers are actually in the hands of people who have often exercised them in a dictatorial fashion, I have not the least hope of bringing back this ruling set to the right path."

The same day, after dismissing this cabinet, the king issued a proclamation to the nation — "The 'Democrat' Government knew not how to raise itself on the national level and, as it based itself only on party interests,

succeeded only in compromising a situation already hopeless....I now present myself to you so that you may permit me to fulfil a temporary mandate having for its sole object the aim of saving the life of Cambodia and thus saving in the long run democracy itself....I believe that if I can govern for three years, with the support of people of good will, I would succeed in fulfilling entirely my mandate".

The mandate included carrying out pacification of the country, assurance of liberty and security, undertaking of social reforms, elimination of corruption, restoration of financial equilibrium, etc. The king promised after three years to put himself before the people for being judged in public as to how he had carried out the task entrusted to him.

By the time of the Geneva Conference (1954) the pacification of the country had been completed, most of the rebel leaders had been reconciled and the independence of Cambodia had been internationally recognised. In January 1955 King Norodom Sihanouk announced that the mandate which he had undertaken in 1952 had been fulfilled. The emergency measures decreed in 1952 after the dissolution of Parliament were lifted to facilitate fresh elections. Soon afterwards he abdicated in favour of his father in order better to carry out his constitutional programme.

The next step for Prince Sihanouk was to form a 'Popular Socialist Community' movement which would take part in the election to win support for his development proposals. The Prince's party, Sangkum Reastr Niyum, was "to put itself at the service of the people....to end the dictatorship of Parliament...to distribute vacant land among poor peasants."

In spite of rather frequent ministerial changes, of the nature of the French practice of 'replacage', Cambodia during the last four years has been free from the violent disturbances which have afflicted other parts of South-East Asia.

In Burma we have recently seen a strong party like the Anti-Fascist People's Freedom League breaking down on account of internal dissensions. The military is being called in to fill up the vacuum till the next elections are over. Malaya, with its plural society, in which the Malays outnumbered by Chinese and Indians, would find Parliamentary government extremely difficult as long as equal rights of citizenship are not accorded to these non-Malaya elements. Both in North and in South Vietnam it is one-party rule. In Thailand, after the *coup d'état* of 1932 had ended monarchical absolutism, there was only a brief interlude of civilian rule before military dictatorship set in. The Army is still dominant in their politics.

Indeed if 'Guided Democracy' fails in South-east Asia there is no other alternative at present but the rule of the sword.

FEDERALISM IN INDIA

By

BENJAMIN N. SCHOENFELD

The development of Federalism in India during the British occupation and subsequent Independence provides an opportunity for the fruitful study of a unique type of federalism. In the mass struggle to attain Independence from British rule, the focus of attention by scholars has been primarily upon the political efforts to attain that end, and less spectacular, have been the efforts to create a political system designed to provide the needed unity of the peoples of this vast sub-continent while still permitting a broad latitude for local, regional and communal development.

The genesis of the present federal system in India lies in the Simon Report of May 1930 which supported the concept of Federalism.¹ This concept was also supported by the Recommendations on the Report by the Government of India which were submitted to the Secretary of State in September 1930. This support for the federal form of government for the India of the future gained further strength during the First Round Table Conference of the Winter 1930 when the delegates from British India and some Princely States supported the idea of federalism because of the advantages of such a system over those of the unitary variety. However, many of the rulers opposed the concept of federalism in favor of the confederate scheme which permitted their avoidance of obligations which would otherwise be enforceable under federalism. Although the Conference was not able to produce significant results because of its boycott by the Congress and the intransigence of the British Government, it is significant that the concept of the federal system of government for India was endorsed by the Report of the Federal Structure Sub-Committee. At the close of the Conference, the British Government officially accepted the principle that the form of the new Government of India was to be an All-India Federation embracing British-India and the Princely States, and that during the transition period to autonomy, a federal type of government was to be created in which the princes were to retain the right to manage their own affairs.²

¹ See Menon, V. P., *The Story of the Integration of the Indian States*, Orient Longmans Ltd., Calcutta, 1956, chapter 1.

² Sethi, R. R. & Mahajan, V. D., *Constitutional History of India*, S. Chand & Co., Delhi, 1956, p. 136.

After the release of many of the leaders of the Congress from imprisonment for civil disobedience, a Second Round Table Conference was held at Karachi and attended by Gandhi, who publicly stated he was not opposed to the idea of a federal scheme. Communalism of both Muslims and Hindus, princely self-interest, and British dilatory tactics, all these served to produce no progress toward Independence. Mr. Ramsay Mac Donald, Prime Minister of Great Britain, speaking at the final plenary session of that Second Round Table Conference said: ³

"There is still difference of opinion, for instance as to the composition and powers of the Federal Legislature, and I regret that owing to the absence of a settlement of the key questions of how to safeguard the Minorities under a responsible Central Government, the Conference has been unable to discuss effectively the nature of the Federal Executive and its relationship with the Legislature. Again, it has not yet been possible for the states to settle amongst themselves their place in the Federation and their mutual relationships within it. Our common purpose will not be advanced by ignoring these facts, nor by assuming that the difficulties they present will somehow solve themselves. Further thought, discussion and reconciliation of different interests and points of view are still required before we can translate broad general aims into detailed machinery of a workable Constitution."

The Second Round Table Conference also resulted in the appointment of various committees to submit detailed analyses and recommendations of the problems that arose during the Conference. The work of these groups was taken up subsequently at the Third Round Table Conference of November 1932. This Conference began under ill-fated conditions since it was boycotted by the Labour Party and since the Congress, already embarked upon its civil disobedience program, was not represented. The cardinal question of the Conference was the character of the federal legislature. The great fear of the Princes that they would lose power, resulted in a failure to agree both upon the size of the legislature and upon the division of seats between British-India and the Princely States.

Following the failure of any material progress at the Third Round Table Conference, the British Government issued a White Paper in March 1933, which proposed a new Indian Constitution with responsible government in the provinces and the principle of dyarchy at the Centre. These proposals while unacceptable to the principal protagonists of Indian Independence, continued to obtain the support of the British Government.⁴ At this point in the struggle for Independence, it became obvious to British policy-determining personnel, that a bold and drastic step was necessary, and that this would be achieved by a new Constitution, democratically framed and respecting the various communal interests.⁵

³ Final Plenary Session, Second Round Table Conference, 1st December 1931. Indian Round Table Conference (Second Session), Proceedings, pps. 415-416.

⁴ Sethi & Mahajan, *op. cit.*, pp. 144-145.

⁵ Resolution of the Working Committee of the Indian National Congress on the White Paper. The Indian National Congress, Resolutions 1934-36, All-India Congress Committee, Allahabad, June 12, 13, 1934, pp. 19-20.

As a result of the publication of the White Paper, a Joint Select Committee of both Houses of Parliament was appointed by His Majesty's Government in April 1933 to review and examine the proposals of the White Paper. The British Viceroy in India, Lord Irwin, pointed out that proposals for Independence had to be based upon Indian public opinion, and that proposals of a definite character were required, before a bill could be introduced in Parliament.⁶

When the Parliamentary Joint Select Committee issued its report, it accepted the principle that a constitution of the federal variety be written for both British-India and the Princely States and that the latter required full autonomy before the Federation of all parts of India could be envisaged finally.⁷ The Committee concluded that the special problems of the Indian Princely States and communalism required the continuation of the system of dyarchy at the Centre.⁸ The basic problem of federalism, namely, the division of authority between the Centre and the States was conceived as the first obstacle to be overcome, as the Committee stated:⁹

"The first Problem is to define the sphere within which Provincial Autonomy is to be operative. The method adopted by the White Paper is to distribute Legislative Power between the Central and Provincial legislatures respectively, and to define the Central and Provincial spheres of Government by reference to this distribution."

These recommendations were enacted into law and received the assent of the British Crown and became ultimately the basis for the Government of India Act of 1935.

FEDERALISM AND THE GOVERNMENT OF INDIA ACT OF 1935

Although the India Act of 1935 is significant in that it provided a system under which some state governments developed political experience during the pre-Independence era, more important, however, the Act set forth the major outlines of the federal system of government as finally evolved by the Constituent Assembly which framed the present Constitution of the Republic of India. The Act provided for the creation of this system conditioned upon the signing of Instruments of Accession to the new government by the rulers who represented more than half the aggregate population of the Indian States and who would be entitled to more than

⁶ Statement of the Viceroy, Lord Irwin, regarding the setting up of a Joint Select Committee, in the *Indian Annual Register*, 1932, vol. I, p. 412.

⁷ *Report of the Joint Committee on Indian Constitutional Reform*, 1934, paragraph 157.

⁸ Draft Report of Lord Linlithgow, Chrmn., Joint Select Committee on Indian Constitutional Reform, June 18, 1934, in 1933-1934 Proceedings, vol. I, p. ii.

⁹ *Report of the Joint Committee on Indian Constitutional Reform*, 1934, *op. cit.*, paragraph 50.

one half of the seats allotted to them in the upper chamber of the national legislature.¹⁰

The character of the federal system under the Act may fully be understood only by referring to the conflicting interests of both parts of India. The British-Indian provinces with a mature political system of centralized administration were desirous of creating a strong Centre empowered to act with regard to a great number of subjects. The princely provinces viewed such a move with alarm as an attack upon their authority and were willing only to concede limited powers over few subjects to the Centre. The Act of 1935 resolved this conflict by a compromise in favor of the princes who by withholding of consent, could prevent the new system from being operative. This compromise was in turn attacked as serving to perpetuate British rule in India by the divide and delay principle.

Under the Act, the States were not to participate in a federation with a common list of subjects as under the American Constitution,¹¹ but rather as under the list system of the Australian Constitution.¹² The Indian Centre was to have power to pass laws on fifty-nine classes of subjects as set forth in the Federal List including defence, external affairs, currency, postal and telegraph, immigration, railways, ports, fishing, air movement, fire-arms, incorporation, industrial development, insurance, banking, police, customs, weights and measures, taxes on non-agricultural income, and on other taxes and duties.¹³ Provincial governments had authority to legislate upon fifty-four classes of subjects as set forth in the Provincial List, and including law and order, local courts and local police, provincial government, public health, education, transportation, agriculture, water, forests, mines, provincial trade and commerce, hotels, local industrial development, liquor, relief, arts, charity, theatre, gambling, and certain tolls, taxes and duties.¹⁴ Both federal and provincial governments were permitted to pass laws upon thirty-six classes of subjects set forth in the Concurrent List including criminal law, civil procedure, evidence, marriage, divorce, wills, inheritance, bankruptcy, arbitration, judicial administration, torts, incompetence, drugs and poisons, mechanical vehicles, boilers, professions, newspapers and magazines, labor relations, electricity, internal travel, cinema films, and preventive detention.¹⁵ The problem of allocating the residuary powers of government was resolved by empowering the Governor-General to

¹⁰ Government of India Act of 1935, Section 6.

¹¹ Constitution of the United States of America, Article I, Section 8.

¹² Australian Constitution, Sections 106, 107, 108. See also Wynes, W. Anstey, *Legislative Executive & Judicial Powers in Australia*, Law Book Co. of Australia 1956, pp. 123-5.

¹³ Government of India Act of 1935, Section 100, List I, Seventh Schedule.

¹⁴ *Ibid.*, List II, Seventh Schedule.

¹⁵ *Ibid.*, List III, Seventh Schedule.

exercise his discretion as to which of the three Lists a particular subject was to be allocated.¹⁶

The importance of the Act of 1935 lies in the fact that the provinces were endowed with a legal personality under a national scheme, and that the character of the national scheme was ultimately a federal system. This meant the abolition of the principle of dyarchy at the provincial level and its retention at the Centre. This latter state of affairs was recognized by allocating certain powers such as defence, external affairs, ecclesiastical affairs and the administration of tribal areas to the Governor-General to be exercised with the assistance of not more than three councillors appointed by him.¹⁷ The other federal subjects were to be administered by him with the assistance and advice of a Council of Ministers not exceeding ten in number.¹⁸ This federal Ministry was to administer all federal subjects except those specifically reserved to the Governor-General himself.

The legislative intent of Parliament in enacting the Government of India Act of 1935 was to give immediate force and effect to provincial autonomy as well as to the provisions dealing with the federal courts, civil service and railways. Parliament, by no action to the contrary, continued in operation the provisions of the earlier Act of 1919 dealing with the powers of government until the provisions of the Act of 1935 with respect to federalism were to become operative. Members of Parliament, the British Government, and Indian leaders all realized that some time would elapse before successful negotiations were concluded for placing the federal system into operation.¹⁹

The Government of India Act of 1935 did not satisfy the political needs of the Indian people who, intent upon a speedy attainment of Independence, condemned it as reactionary and evil. The two major Indian communities attacked the statute without any mercy or qualification. The All-India Muslim League stated boldly that the purpose of the Act was to delay and thwart Indian Independence.²⁰ The sentiments of the Indian

¹⁶ *Ibid.*, Section 104.

¹⁷ *Ibid.*, Section 11.

¹⁸ *Ibid.*, Section 9.

¹⁹ Gwyer, Sir Maurice & Appadorai, A., *Speeches and Documents on the Indian Constitution, 1921-1947*, Oxford University Press, Bombay, 1957, vol. I, p. xlv.

²⁰ "Resolved, that the All-India Muslim League enters its emphatic protest against forcing the Constitution as embodied in the Government of India Act of 1935, upon the people of India, against their will and in spite of their repeated disapproval and dissent expressed by various Parties and bodies in the country. . . . The League is clearly of the opinion that the All-India Federation Scheme of the Central Government embodied in the Government of India Act of 1935 is fundamentally bad. It is most reactionary, retrograde, injurious and fatal to the vital interests of British India vis-a-vis the Indian States and it is calculated to thwart and delay indefinitely the realization of India's most cherished goal of complete responsible government and is totally unacceptable." All-India Muslim League, Resolutions 1924-36, pp. 65-67.

National Congress were identical to those of the All-India Muslim League, and differed only in the method of expression.²¹ In the end, the implementation of the provisions of the Act dealing with federalism was never achieved and did not become operative. However, the provisions dealing with the provinces were placed in operation and became effective on April 1, 1937.

WORLD WAR II

With the eruption of World War II in September 1939, India was placed in belligerent status and allied with Great Britain as the result of the unilateral action of the British Government. This status was accorded India through the unilateral action of the British Government which was taken without even the politeness or protocol of seeking the assent of the leaders of Indian public opinion. This high-handed action was naturally resented by both Hindu and Muslim leaders, and this conduct served as an opportunity for the Indian National Congress to request the British Government to clarify its war aims with respect to India, which was then not enjoying the rights of freedom and democracy. Congress leaders urged Great Britain to declare India to be a free and independent nation whose future decisions would be in accordance with the democratic sentiments of the Indian people.²²

As a result of the failure of the British Government to answer this request to the satisfaction of the Congress leaders, the Congress embarked upon a program of non-cooperation with the Government. In the provinces, Congress ministries which were in office, accordingly resigned in October 1939. This discontent was also characteristic of the Muslim community which adopted the policy of non-obstruction of the war effort rather than the more aggressive non-cooperation of the Indian Congress.²³ To dispel this discontent, in January 1940 the British Government through Lord Linlithgow declared that the goal of Great Britain was to accord Dominion status of the Westminster variety to India as soon as possible after the termination of the war. Further he pointed out that the deadlock was not between a united Indian people asking for their freedom and an oppressive and refusing British Government, but rather a

²¹ "Whereas the Government of India Act, 1935, which is based on the White Paper and Joint Parliamentary Report and which is in many respects even worse than the proposals contained in them, in no way represents the will of the nation, is designed to facilitate and perpetuate the domination and exploitation of the people of India and is imposed on the country to the accompaniment of widespread repression and the suppression of civil liberties, the Congress reiterates its rejection of the new Constitution in its entirety." The Indian National Congress, Resolutions, 1934-36, Allahabad, p. 77.

²² Palande, *op. cit.*, p. 142.

²³ Srinivasan, N., *Democratic Government in India*, The World Press Ltd. Calcutta, 1954, p. 73.

conflict between the main elements of Indian National life itself, this is, between the Hindus and Muslims.²⁴

With the Axis capture of North Africa, directly threatening the lines of communication through the Suez Canal and the continuing flow of supplies from India and the Far East to Great Britain, and with Japanese victories in all south-east Asia, the war came to the doorsteps of the Assam frontier in India. This in turn raised the problem of providing for the active defence of the country. The precariousness of the British position was further aggravated by the viewpoint of the Congress that it would cooperate only if India received immediate Independence, and also by that of the Muslim League which was presently more concerned with the partitioning of Pakistan for the Muslims than with victories for the British.

After Mr. Winston Churchill assumed the office of Prime Minister the British position was reviewed by the new Government. In addressing the House of Commons, Mr. Churchill pointed to the reasons which underlying the need to break the deadlock : ²⁵

"The crisis in the affairs of India arising out of the Japanese advance, has made us wish to rally all the forces of Indian life, to guard their land from the menace of the invader."

In the summer of 1940 a complete statement was issued concerning the goals and aims of Great Britain with respect to India. In essence the policy consisted of a promise that after the war India would attain Dominion status by constitutional processes of the Indians in agreement amongst themselves and acceptable to all the main elements of Indian life, with freedom and equality for all. Due protection was to be given to minorities, depressed classes, and to the treaty obligations and other undertakings which were the result of British activity in India.

In order to do this the Prime Minister sent a member of the War Cabinet to India to satisfy the Cabinet by personal observation that the proposed course of action was sound. As a result in March 1942 Sir Stafford Cripps, a member of the British War Cabinet arrived in India bringing with him a Draft Declaration of British Intentions for India. The essence of the proposal was that immediately after the end of the war, steps would be taken to create an elected assembly charged with the duty of creating a new Constitution for India, and that the states and provinces could co-opt to enter or remain out of the Union. In addition, the plan envisaged a treaty between the British Crown and the constitution-making body with reference to subjects arising out of the transfer of power, and provided for the protection of racial and religious minorities as guaranteed

²⁴ Sethi & Mahajan, *op. cit.*, pp. 163, 165, 166.

²⁵ Official Reports, Fifth Series, Debates of the House of Commons. vol. 378, p. 1069.

by the British. In his broadcast to the Indian people from Delhi on March 30, 1942 Sir Stafford Cripps said that he wanted it clearly understood

"...beyond any possibility of doubt or question that the British Government and the British people desire the Indian peoples to have full self government, with a status as free in every respect as our own in Great Britain or as of the great Dominion members of the British Commonwealth of Nations."²⁶

The Cripps Proposals were received hostilely by responsible groups in India including the Congress, the Hindu Mahasabha, the Sikhs, the Depressed Classes and the Muslim League because the Plan did not immediately establish a responsible and independent government as these groups demanded. The Plan created a constitutional structure for the future but it would have ultimately determined the structure of the newly independent state. The Mission, although a generous gesture by the British, was given in a "take-it-or-leave it" spirit, motivated to an extent by the desire to produce a propaganda effect upon both world and Indian opinion. The rejection of the first Cripps Mission Proposals were followed by the "Quit India" Resolution of the All-India Congress Committee in August, 1942, and by the repressive action of Great Britain in arresting the leaders of the Independence movement. No further progress toward Independence was made until after the release of Mahatma Gandhi after 1944.

The victory of the British Labour Party at the polls in June 1945 opened a new and final chapter in the gallant Indian struggle for Independence. With the announcement of a new Government policy towards India, Lord Wavell, Governor-General and Viceroy of India, called for the holding of provincial legislative elections, the restoration of provincial autonomy, discussion with Indian leaders for the formulation of a procedure to frame an Indian Constitution, and the re-construction of the Viceroy's Executive Council. The conflict within the main communities of Indian life, and their inability to reach a satisfactory conclusion with the British leaders led to a breakdown of discussions with Lord Wavell. Thus, in March 1946 a second Cabinet Mission consisting of Sir Stafford Cripps, Mr. A. V. Alexander and headed by Lord Pethick-Lawrence, Secretary of State, arrived to negotiate further.

The Mission was unsuccessful in its efforts to reconcile the irreconcilable views of the Congress and the Muslim League. The latter demanded the creation of the Muslim state of Pakistan and agreed to accept a national government which had a few functions which could be agreed upon by the two communities. On the other hand, the Congress demanded a federal government with a strong Centre. In its effort to break the deadlock between the two, the Cabinet Mission developed its own proposals for the

²⁶ Sethi & Mahajan, *op. cit.*, p. 169.

new Indian Union embracing both British India and the Princely States. The residuary power of the new Union was to be vested in the provinces which were to be permitted to develop their own groups of provinces under executive and legislative authority responsible to the provinces directly. The Mission also recommended the creation of a Constituent Assembly to frame a permanent Constitution. As a result of the acceptance by the Congress of only a portion of the proposal, the Muslim League withdrew its prior acceptance to participate. After failing to secure any agreement between the two Indian communities concerning the creation of an interim government, on June 16, 1946 Lord Wavell announced the personnel of an Interim Government drawn from the Congress, the Muslim League and other groups. Although the Congress condemned the Viceroy's method of selecting personnel for the Government, Lord Wavell was successful in obtaining Congress participation by requesting Pandit Nehru to form the new government with Muslim League participation. The Interim Government was formed on October 13, 1946 when agreement between the two communities was reached and it remained in existence until the partition in August 1947.

Meanwhile in July 1946 elections to fill the posts in the Constituent Assembly had been held despite the boycott of the Muslim League which would then not accept any solution to the communal problem other than the creation of a Muslim Pakistan. In February 1947 the British Government made the historical announcement of her definite intention to effect a transfer of power to responsible Indian hands by no later than June 1948. Events began to move speedily now. On June 3, 1947 the British Plan of Partition of India was announced and was accepted by both the Muslim League and the Congress. The Indian Independence Act which provided for the independence of a separate India and Pakistan was introduced in Parliament on July 6, 1947 and was passed on July, 18, 1947.

INDEPENDENCE AND FEDERALISM

After the partition issue was resolved, the Constituent Assembly of India convened in August 1947, to prepare a new Constitution for India. On August 29, 1947 the Constituent Assembly created a Drafting Committee to prepare a draft Constitution for India. The committee consisted of seven members and was chaired by the great Harijan leader, Dr. B. R. Ambedkar. It prepared a draft Constitution on the basis of decisions of the Constituent Assembly and upon the Government of India Act of 1935. The draft Constitution was published in February 1948 and was widely circulated among and discussed by the public and the press. On November 5, 1948 it was introduced in the Constituent Assembly where, after much effort to amend it, it was adopted substantially intact on November 26, 1949 and became operative in January 1950.

The Constituent Assembly which convened on December 13, 1946 officially endorsed the principle of federalism as the structure of the new India, when it supported the Resolution offered by Pandit Nehru wherein :

"...the said territories....shall possess and retain the status of autonomous Units, together with residuary powers, and exercise all powers and functions of Government and administration, save and except such powers and functions as are vested in or assigned to the Union, or as are inherent or implied in the Union...."²⁷

As originally contemplated, this Resolution would have supported the idea of a strong autonomous province and relatively weak Centre. This concept was altered upon the recommendation of the Union Powers Committee which recommended that the residuary powers of Government be vested in the Centre rather than in the States. The explanation for the change in the location of the residuary powers was offered by Pandit Nehru who pointed out that the placing of the residuary powers in the Units was suggested to accommodate the Muslim League in its demand for minority protection. He pointed out that after the resolving of the partition issue, the reason was no longer compelling, and therefore it was preferable to have a strong Centre with residuary powers lodged there.²⁸

The Draft of the Constitution was considered by the Constituent Assembly in two sessions commencing November 1948 and again in November 1949 at which times amendments were offered and resolved. The debates of the Constituent Assembly are characterized by a wide difference of opinion of the delegates with regard to the powers of the Centre *vis-a-vis* those of the States. Some of the members expressed a fear for the vast powers contemplated for the Centre. Thus :

"Dr. Ambedkar has taken everything to the Centre....By this centralization of power, I do not know what will happen in the future....I beg to question, Sir, whether we want a strong Centre. For what? Some people say that a great deal of provincialism is coming to the fore day by day and that there may be friction. Therefore, to start with, we must make the Centre so strong that it will be invincible... Strong against whom? Is it against Pakistan? Is it against Russia? Or is it against the people of India themselves?"²⁹

²⁷ Official Reports, Constituent Assembly Proceedings, vol. 1, p. 57.

²⁸ *Ibid.*, vol. 5, Appendix A, pp. 60-61. See also Basu, D.D., *Commentary on the Constitution of India*, 2 vols., 3rd Ed., S. C. Sarkar & Sons Ltd., Calcutta, 1955. "The original idea of autonomy of the States was substituted by that of a strong Centre, owing to the change in the situation that had been caused by the partition of the country and the creation of a foreign State within the very compound of India." Vol. 1, pp. 3-4.

²⁹ *Ibid.*, vol. 7, p. 241, Speech of Sri Likhanath Misra, Delegate from Orissa, on November 5, 1948.

The pleas based upon the principle of provincial autonomy was answered most vividly and boldly by one member who summarized all the arguments in favor of a strong Centre :

"An Honourable Member speaking before me was making a grievance that the Centre was being made over-strong. Yes, we want a strong Centre by all means, if we want to preserve or maintain our new-born freedom, and if we want the solidarity of this country. (Hear, Hear) We have had enough experience of Provincial Autonomy of which we had been enamoured in the past and we have seen its effect. We have seen the centrifugal and fissiparous tendencies that it has generated and we all know it to our cost. If we want to hold together all the component units there must be a Centre which would be able to bring them into cohesion, and that centre must have ample power for that purpose. This does not mean that provincial autonomy should be ruthlessly curtailed."³⁰

The sessions of the Constituent Assembly dealing with federalism may be characterised by opposition sometimes dilatory in its tactics, other times vigorous in statement of principle, being defeated by the well-organized leadership of the Congress, of Dr. Ambedkar, Alladi Krishnaswami Iyer, N. Gopalaswami Ayyangar, K. M. Munshi, and T. T. Krishnamachari. After prolonged debate, presided over by the patient Rajendra Prasad, the Constituent Assembly adopted the Constitution on November 26, 1959 and the Instrument became operative in January 1950.

³⁰ *Ibid.*, vol. 7, p. 247. Speech of Pandit Lakshmi Kanta Maitra, Delegate from West Bengal on November 5, 1948.

A REQUEST TO SUBSCRIBERS

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PROCEEDINGS OF THE TWENTY-FIRST ANNUAL MEETING OF THE INDIAN POLITICAL SCIENCE ASSOCIATION.

The Twenty-first Annual Meeting of the Indian Political Science Association was held in the Hall of the Madhav College, Ujjain, at 2-30 P.M. on Thursday the 1st January, 1959 and also at 8-45 P.M. on the 2nd day of January, 1959. Professor Jyoti Prasad Suda, retired Professor of the Meerut College, Meerut presided.

The following members were present :

Bodhraj Sharma (Punjab), D.N. Pathak (Gujarat), C.J. Chacko (Delhi), V. K. Sukumaran Nayar (Kerala), N. Vidyarthi, Ramayan Prasad, Ganesh Prasad, K. N. Singh (Delhi), B. S. Sharma (Delhi), B. R. Deshpande (Nawashahr), A. C. Kapoor (Patiala), R. P. Pande, (Gwalior), S. K. Sinha (Muzaffarnagar), Harmandar Singh (Ludhiana), G. K. Gahrana (Aligarh), D. K. Garde (Poona), S. A. H. Haqqi (Aligarh), Rajendra Kumar Das (Cuttack), K. N. Gupta, H. B. Misra (Udaipur), J. N. Tiwari (Gorakhpur), K. P. Bhagat (Ahmedabad), T. G. Dugvekar (Jabalpur), P. L. Joshi, N. R. Deshpande (Poona), V. S. Gupta (Morena), S. Nasir Ali (Aligarh), S. K. Mukherjee (Jadavpur), Santosh Kr. Nandy (Calcutta), A. K. Ghosal (Calcutta), V. M. Sirsakar (Poona), Nirmal Bose (Howrah), Parimal Ghosh (Calcutta), V. N. Gokhale (Bombay), M. V. Krishna Rao (Mysore), L. P. Chaudhary (Lucknow), P. Sen (Kharagpur), R. Bhaskaran (Madras), V. V. Ramanmurthy (Gujrat), C. M. Kulkarani (Gujrat), R. H. Leela (Andhra), Chandra Mudaliar (Madras), Kamla Sethi (Delhi), I. C. Sethi (Delhi), K. V. Rao (Cuttack), A. Avasthi (Delhi), B. M. Sharma (Lucknow), P. D. Gupta (Khurja), V. D. Mahajan (Delhi), Nirmala Gupta (Ghaziabad), A. J. Dastur (Bombay), Usha Mehta (Bombay), A. L. Loomba (Lucknow), S. C. Dash (Cuttack), B. B. Jena (Cuttack).

1. There was a discussion on the propriety of holding the Annual General Meeting of the Association on the second day of the Conference and it was decided that hereafter, this meeting should be held on the second day every year.

2. Those who have no right to vote by reason of late payment of membership fee in a particular year shall however have the right to be elected provided that he has been on the membership roll for three consecutive years including the current year.

3. On the suggestion of Principal P. D. Gupta, it was decided that copies of the Budget should be circulated.

4. The Proceedings of the twentieth Annual Conference held at Poona in December, 1957, were read and confirmed.

5. The Twenty-first Annual Report on the working of the Indian Political Science Association was read and adopted.

6. The Accounts of the Indian Political Science Association for the year 1958 as audited by Messrs H. Naik, Chartered Accountants, Cuttack, were read and adopted.

7. The Budget for the year 1959 was read and approved.

8. The Managing Editor of the Indian Political Science Journal presented his report for the year 1958. Dr. S. C. Singh made certain suggestions regarding the working of the Journal. Prof. B. M. Sharma complained about some of the Book Reviews published in the Journal. After these discussions, the report was adopted.

9. The Managing Editor thereafter presented the accounts of the Journal for the year 1958 as audited by Messrs. Sinha and Co. Lucknow, and these were approved.

10. The Managing Editor's Budget for the year 1959 was read and adopted.

11. The Accounts of the previous Managing Editor Dr. K. P. Mukherjee which were held over in 1957 for non-production of the vouchers were thereafter approved on production of vouchers by the present Managing Editor.

12. The following were elected office-bearers for the year 1959.

President : Dr. Akshoy Kumar Ghosal,
1, Fakir Ghosh Lane, Calcutta—35.

Vice-Presidents : 1. Dr. D. K. Garde, Professor,
University of Poona.
2. Prof. M. V. Krishna Rao,
1, First Main Road, N. R. Colony,
Bangalore—4.

General Secretary and Treasurer :
Dr. S. C. Dash,
Kukuriapada, Cuttack—1.

Managing Editor : Professor A. L. Loomba,
Model House, Lucknow.

Members of the Editorial Board :

1. Prof. B. M. Sharma (Lucknow).
2. Prof. G. K. Gahrana (Aligarh).
3. Dr. V. P. Varma (Patna).

As it was 5 o'clock, the meeting adjourned till the next morning.

The adjourned meeting was held at 8-30 A. M. on the 2nd January, 1959. Prof. Suda presided.

The following business was transacted.

The following were elected to the Executive Committee of the Association for 1959.

As the General Secretary announced that Dr. D. K. Garde was unwilling to accept the honour offered to him on the ground of not being a member of the Association for three years, the House elected the following :

Vice-President : Prof. R. Bhaskaran, Madras University.

Executive Committee : J. P. Suda (Ex-officio).
B. M. Sharma (Lucknow).
Bodhraj Sharma (Hoshiarpur).
C. J. Chacko (Delhi).
Ganesh Prasad (Banaras).
P. N. Mathur (Ujjain).
K. P. Bhagat (Ahmednagar).
D. N. Pathak (Ahmedabad).
T. B. Mukherjee (Patna).
S. K. Mukherjee (Jadavpur).
S. C. Singh (Saugor).
Harmandar Singh (Ludhiana).
Nirmala Gupta (Delhi).
S. A. H. Haqqi (Aligarh).
P. Sen (Kharagpur).
P. D. Gupta (Khurja).

2. The Association elected Prof. Dr. A. J. Dastur of the Bombay University to serve as its representative on the National Commission of the UNESCO for the term 1959-61.

3. The Association elected Dr. A. K. Ghosal (President) and Prof. J. P. Suda (ex-President) to represent the Association in the Conference on non-Governmental Organisations organised by the U.N. Information Centre, New Delhi, in March, 1959.

4. The following subjects were selected for discussion in the twenty-second Annual Conference in 1959.

1. Modern Indian Political Philosophy.
2. Rural Planning and Administration.
3. International Issues in West Asia.

5. The Executive Committee was authorised to fix up a venue for the twenty-second Annual Conference.

6. On the suggestion of Prof. C. J. Chacko, the Association authorised the Executive Committee to contact Delhi University to arrange a joint meeting of the Indian Political Science Conference and a Round Table of the International Political Science Association in 1960.

7. On the information given by Dr. S. C. Dash, the Association gladly accepted the invitation of the Utkal University to hold its twenty-fourth Annual Conference at Cuttack in December, 1961.

Thereafter the Local Secretary Dr. P. N. Mathur offered the thanks of the Reception Committee to the Association for holding its twenty-first session in Ujjain and the General Secretary in return offered thanks to the Vikram University for having played host to the Conference. The meeting terminated at 10 A. M. with a vote of thanks to the chair.

J. P. SUDA,
President.

S. C. DASH,
General Secretary and Treasurer.

Ujjain,
the 2nd January, 1959.

INDIAN POLITICAL SCIENCE ASSOCIATION ANNUAL REPORT For 1958.

This is the twenty-first Annual Report of the Indian Political Science Association for the year 1958.

The twentieth Annual Conference was held from the 27th till the 29th December, 1957, in Poona under the auspices of the University of Poona. Dr. K. N. V. Sastri presided. We are grateful to the Vikram University, Ujjain, for their generosity in inviting us this year to hold our Conference in this historic city of Ujjain. The Association has no invitation for its 22nd Annual Conference in 1959. The Utkal University has invited our Conference for 1961.

MEMBERSHIP

During the year the Secretary enrolled 100 ordinary members, 1 life member and 8 institutional members; the Managing Editor has enrolled 51 ordinary and 156 institutional members including 27 foreign members. Thus the total strength of membership of the Association stands at 343 including 24 life members.* Dr. Vishwanath Prasad Varma of Patna College has come on the list of life-members during the year.

The financial stability of the Association depends on membership subscriptions and unless all of us try to increase the membership of the Association, the Association will continue to remain poor. We should try to make our activities attractive to the intending and enrolled members.

COLLABORATION

The Association continued its membership of the International Political Science Association during the year and was represented in the World Congress held in Rome from September, 1958. Dr. C. J. Chacko of the University of Delhi and Prof. J. N. Tiwari of the Gorakhpur University had participated in the Congress as our delegates. Prof. N. Srinivasan one of our Vice-Presidents also attended the Congress.

The Association has received and accepted an invitation from the U. N. Information Centre, New Delhi, to send two delegates or observers to a Conference of Non-governmental organisations to be held in March, 1959, and the Association will now elect two delegates.

*These figures are subject to adjustment with the figures of the Journal — Mg. Editor.

Sri A. L. Loomba continued to be on the National Commission of UNESCO and his term of two years will end in 1959. Our representative on the Indian National Commission of UNESCO for 1959-61 will also have to be elected.

We have kept up our contacts with UNESCO Research Centre, Calcutta, the Indian Council of World Affairs, the Indian Institute of Public Administration and the Indian School of International Studies, Delhi, in addition to our contact with Universities.

The President Prof. J. P. Suda has put forward suggestions for improving the tone of the Association. He wants a mid-year seminar to be organised by the Association and a division of our Annual Conference into sections for the discussion of papers and a Research Committee to be set up. These are for your consideration to-day.

FINANCE

My predecessors have repeatedly drawn your attention to the unsatisfactory state of our finances and I join my voice to that oft-repeated song. During the year under report, the position became alarming and there were threats of legal action for debts owed by the Journal. I am glad to report that our bills have been paid and the Association is solvent. If the membership roll remains static, the Association will have a hand to mouth existence but if it increases we shall have a sizeable closing balance each year, thus reaching the target of a reserve fund of Rs. 1000/- as desired by the Executive Committee in 1954.

During the year under report, the Association had an income of Rs. 4885.93 including Rs. 1829.11 as opening balance and Rs. 928.12 as royalty on our publication from the Popular Book Depot. The Madras University continued its annual grant of Rs. 150/- secured by Prof. Bhaskaran during his term of office as General Secretary. This year I have secured from the Utkal University a non-recurring grant of Rs. 100/-. The year's earnings therefore stood at Rs. 1878.70 including bank charges; we received a grant of Rs. 250/- as against the budget estimate of Rs. 300/- whereas the short fall in other earnings was to the tune of Rs. 3871.30. I have therefore prepared a modest budget for 1959.

As to expenditure, Rs. 3088.29 nP. went to the account of the Journal alone. Outstanding arrears of payment amounting to Rs. 2088.29 were paid off including current payment of Rs. 1000/- (One thousand) to Sri Loomba. I have also cleared up the arrears of Gestetner, Lucknow, to the extent of Rs. 245.19 nP. A sum of Rs. 115.11 nP.

is lying with Sri Loomba. I have paid bank charges of Rs. 16.86 nP. and refunded bank commission of Rs. 1.65 nP. I have also paid Dr. Sastri's arrear bill of Rs. 89.29. The annual subscription to IPISA was Rs. 121.84 nP. Thus my actual expenditure during the year for running the Association was only Rs. 401.24 nP. as against Rs. 1100/- in 1957, Rs. 1110/- in 1956, Rs. 720 in 1955 and the Budget estimate of Rs. 1200/-. The details are available in the accounts to be presented to you. I am glad to report that I have a closing balance of Rs. 806.46 nP. as against the budget estimate for Rs. 422.74 nP. I have to pay the expenses for printing the Synopses and the Presidential Address for this Conference and Rs. 200/- to Sri Loomba for the Election Survey.

During the year I have tried to do my best to put the finances of the Association on a sound footing and to maintain the credit and the good name of the Association.

S. C. DASH

General Secretary & Treasurer.

INDIAN POLITICAL SCIENCE ASSOCIATION

Statement of Receipts and Payments for the Period Commencing from 21st December, 1957 and Ending on 4th March, 1958.

OPENING BALANCES AS AT 21ST DECEMBER, 1957 :		Rs.	N.P.
With State Bank of India, Lucknow,	1,760	72	
Current Account			
Less : Cheques issued but not cashed	133	09	
	1,627	63	
Add : Cheques deposited but not credited by the Bank	92	50	
	1,720	13	
In Hand with Treasurer	108	98	1,829 11
R E C E I P T S			
Delegates Fees Realised		180	00
ROYALTY ON "PROBLEMS OF PUBLIC ADMINISTRATION IN INDIA" RECEIVED FROM PUSTAK MAHAL, PATNA		265	00
		Rs.	2,274 11

AUDITORS' REPORT

Examined with the vouchers and record furnished and found the same correct as per information and explanation furnished, and found the same correct. The counterfoils of receipts of membership were not produced before us as it is reported that they are with Shri S. C. Dash, the present General Secretary of the Association.

AMINABAD, LUCKNOW
The 29th December, 1958

A. L. LOOMBA
General Secretary

(Sd.) SINHA & CO.

CHARTERED ACCOUNTANTS
Auditors

INDIAN POLITICAL SCIENCE ASSOCIATION

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE PERIOD FROM 21. 12. 1957 TO 22. 12. 1958

RECEIPTS :	Rs. N.P.	Rs. N.P.	PAYMENTS :	Rs. N.P.	Rs. N.P.
OPENING BALANCE AS ON 21. 12. 57 :—			SALARY AND ALLOWANCES —		127 50
In hand with Treasurer	108 98		CONTRIBUTION TO JOURNAL for 1958	1,000 00	
With State Bank of India, Lucknow	1,720 13	1,829 11	Arrears	2,088 29	3,088 92
MEMBERSHIP FEES :—			PRINTING AND STATIONARY for 1958	147 81	
From 1 Life Member	200 00		Arrears	334 48	
" 100 Ordinary Members	1,500 00		POSTAGE		482 29
" 8 Institutional Members	120 00	1,820 00	SUBSCRIPTION to I P S A		124 81
DELEGATION FEES :—			BANK CHARGES		121 84
From 3 Students	15 00		MISCELLANEOUS		16 86
" 2 Others	30 00	45 00	CLOSING BALANCE AS ON 22. 12. 1958:—		1 12
GRANTS :—			With State Bank of India, Cuttack.	510 75	
From Madras University	150 00		Cheques in hand with Treasurer.	15 00	
" Utkal University	100 00	250 00	Cash in hand with Treasurer.	280 71	
ROYALTY ON BOOKS :—			Balance with Ex-General Secretary and		806 46
BANK CHARGES REALISED	13 70		Treasurer out of last year's balance.		
Less Refund	1 65	12 05			115 11
		4,884 28			4,884 28

AUDITORS' REPORT

We have examined the statement of Receipts and Payments of the Indian Political Science Association for the period from 21. 12. 1957 to 22. 12. 1958 as set forth above, with the books of accounts, vouchers and other records and subject to our following remarks, found the same correct and in conformity with the books of accounts of the Association that were produced to us according to best of our information and explanations given to us.

REMARKS :

1. The closing balance on 20. 12. 1957 was Rs. 1, 829-11 N. P. out of which Prof. Loomba, the outgoing General Secretary and Treasurer has paid Rs. 1,714-00 only to his successor in office. The balance of Rs. 115-11 N. P. with him has been included in the closing balance of the period under audit and shown as such in the above statement as no accounts for the balance has been rendered as yet.

2. The power of appointment of auditors vests with the Executive Committee in terms of Article 20 (d) of the Constitution of the Association. But such appointment has not been made. We have however audited the accounts of the Association at the special request of the present General Secretary and Treasurer to meet the emergency of putting up the audited accounts before the annual conference of the Association to be held on 31.12.1958 at Ujjain i.

3. The acceptance of this audit is subject to the permission of Messrs. Sinha & Co., Chartered Accountants, Lucknow, who have been requested by us to intimate to us whether they have any objection or not to our acceptance. The audit is therefore to be treated as provisional.

(Sd.) For H. NAIK & Co.
CHARTERED ACCOUNTANTS

**Dated Cutoff,
The 27th December, 1958**

**ANNUAL REPORT OF THE
INDIAN JOURNAL OF POLITICAL SCIENCE FOR 1957**

On behalf of the Editorial Board and the Executive Committee I have the pleasure of submitting the Annual Report of the Journal for the year 1957 covering the period of Volume XIX.

At the outset, I wish to tender my sincere regrets to the members of the Association for the irregularity in the publication of the first three issues. The reasons were various into which I need not to go in detail. To mention only two, firstly, the declaration of publisher and printer could not be filed before 20th April, 1958, because the declaration of cessation of publication by the former editor Dr. K. P. Mukerjee was not received until then. Secondly, there were difficulties caused by the non-availability of paper and delays by the printing presses.

I took up the Managing Editorship with absolutely no papers, or previous records, and no money whatsoever, neither for the last year nor for the previous year. In spite of all these difficulties, thanks to the active help received from my colleagues on the editorial board, I am glad to report that the financial condition of the Journal during the current year has been more than rehabilitated.

The total number of subscription for 1957 was only 267. This year it is 282 of these only 149 are individual members and 133 institutional members.*

The total receipts during the current year from subscriptions were Rs. 2715.37. The Journal's share for 1957 and 1958 being Rs. 849/- and 1248/-, of which I have so far received Rs. 1169.77 (including Rs. 169.77 from the former General Secretary) a balance of Rs. 927.23 is still due from the General Secretary. I am deeply grateful to the Reception Committee 20th Indian Political Science Conference, Poona University, for their generous grant of Rs. 1000/- for the publication of the Conference Number (Number 2 of Volume XIX) in return for which the Journal supplied them with 300 copies of the issue free of cost. For this the entire credit goes to Dr. N. R. Deshpande. The total receipts for 1958, therefore, were Rs. 4988.39 as compared with Rs. 4645.60 showing an increase of Rs. 342.79.

The total expenditure this year was Rs. 4494.34 showing a decrease of Rs. 526.2. There are outstanding bills amounting to Rs. 994/- including Rs. 638/- for the printing of No. 4 of 1958 and Rs. 356/- for the printing of the synopses of papers.

*These figures are subject to adjustment with the figures of the General Secretary — Mg. Ed.

The practice of supplying 30 off prints, in spite of high costs of printing and paper, has been continued.

The Managing Editor is fully conscious of his shortcomings and of the shortcomings of the Journal. Apart from the delay in the publication of issues, there are a number of improvements that are called for. Particularly the Book Review section is extremely weak and leaves much to be desired.

The Managing Editor wishes to express his deep gratitude to the President, General Secretary, and the Editorial Board, especially Dr. N. R. Deshpande and Dr. J. P. De Souza without whose active cooperation it would have been impossible to carry on in this difficult year.

A. L. LOOMBA
Managing Editor.

**THE INDIAN JOURNAL OF POLITICAL SCIENCE
Budget Estimates for the year 1959**

RECEIPTS			EXPENDITURE	
Opening Balance	416	38	Printing of journal	4,000 00
Share of journal for 1957	849	00	Audit Fee	50 00
Share of journal for 1958	1248	00	Salaries and allowances	600 00
Sale of back numbers	100	00	Stationery	150 00
Advertisements	100	00	Postage & telegram charges	600 00
Share of journal (300) for 1959	3600	00	Bank Commission	50 00
From General Secretary for :			Contingencies	300 00
(a) Subscription of life members (26)	312	00	Purchase of old issues	50 00
(b) Share of the Madras University Grant (3 copies)	36	00	Payment of loan to Sri A. L. Loomba	60 77
(c) Printing of synopses	356	00	Payment of outstanding bills	994 00
(d) Royalty from Pustak Mahal (Paid to Dr. K. N. V. Sastri)	265	00		6854 77
(e) Royalty on Publications from (Popular Book Depot)	928	12	Closing Balance	1355 73
	8210	50		8210 50

A. L. LOOMBA
Managing Editor

THE INDIAN JOURNAL OF POLITICAL SCIENCE

Statement of Receipts and Payments for the Period Commencing from 21st December, 1957 and Ending on 29th December, 1958.

R E C E I P T S		P A Y M E N T S	
	Rs. nP.		Rs. nP.
OPENING BALANCE AS AT 21ST DECEMBER, 1957 : With Dr. K. P. Mukerji	61 96	SALARIES AND ALLOWANCES	600 00
R E C E I P T S		AUDITORS FEE	50 00
SUBSCRIPTIONS FOR JOURNAL	2,700 16	PRINTING AND PAPER	3,092 76
RECEIVED FROM GENERAL SECRETARY & TREASURER 1,169 77		STATIONARY	165 42
RECEIVED FROM RECEPTION COMMITTEE, 20TH INDIAN POLITICAL SCIENCE CONFERENCE HELD AT POONA UNIVERSITY	1,000 00	POSTAGE AND TELEGRAMS	476 34
AMOUNTS CREDITED BY BANK PENDING ADJUSTMENT	118 46	BANK COMMISSION	20 17
LOAN FROM EDITOR, SHRI A. L. LOOMBA	60 77	MISCELLANEOUS EXPENSES	117 24
OUTSTANDING BILLS :		EXPENSES INCURRED BY DR. K. P. MUKERJI	13 81
1. M/s Shukla Prtg. Press, Lucknow Bill No. 1024 dated 29th Dec., 58 for Printing of Synopses of papers Rs. 356 00		PAYMENT FOR OLD ISSUES PURCHASED	9 00
2. M/s Sahitya Mandir Press Ltd., Lucknow Bill No. 112/Job/58 dated 29-12-58 for printing Vol. XIX No. 4 Rs. 638 00		ADVANCE PAYMENT TO MESSRS SAHITYA MANDIR PRESS LTD., LUCKNOW	150 00
		CLOSING BALANCE AS AT 29TH DECEMBER, 1958 : With State Bank of India Ltd., Lucknow Current Account (As per Cash Book)	416 38
	Rs. 5,111 12		Rs. 5,111 12

AUDITORS' REPORT

We have examined the foregoing Statement of Receipts and Payments of the Indian Journal of Political Science for the period commencing from 21st December, 1957 and ending on 29th December, 1958 with the Books of Account, vouchers and record rendered and have found the same correct as per information and explanation furnished to us. The reconciliation statement of the bank has not been prepared, as the bank statement are received late.

AMINABAD, LUCKNOW
The 29th December, 1958.

A. L. LOOMBA,
Managing Editor

(Sd) SINHA & CO.
CHARTERED ACCOUNTANTS
Auditors

PROCEEDINGS OF THE EXECUTIVE COMMITTEE OF THE INDIAN POLITICAL SCIENCE ASSOCIATION HELD ON 31-12-58 AT 10 A. M. (UJJAIN).

The Executive Committee of the Indian Political Science Association met at Ujjain at 10 A. M. on the 31st December, 1958. Prof. J. P. Suda presided.

Those present were:—

Dr. A. K. Ghoshal, Calcutta.
Dr. C. J. Chacko, Delhi.
Prof. R. Bhaskaran, Madras.
Prof. B. M. Sharma, Lucknow.
Dr. Miss A. Dastur, Bombay.
Prof. T. G. Dugvekar, Jabalpur.
Dr. V. P. Varma, Patna.
Dr. Ganesh Prasad, Varanasi.
Prof. Ramayan Prasad, Rewa.
Prof. G. K. Gahrana, Aligarh.
Prof. Ziauddin Khan, Hyderabad.
Dr. S. C. Mukerjee, Calcutta.
Prof. R. P. Pandey, Gwalior.
Prof. B. R. Sharma, Punjab.
Dr. S. C. Dash, Cuttack.

Prof. A. L. Loomba, Lucknow joined at 11-30 A.M.

The Committee passed the following resolutions:—

1. That Prof. C. J. Chacko of Delhi University be congratulated on his election as the Vice-President of the International Pol. Sc. Association as also as a member of the Executive Committee of International Pol. Sc. Association.
2. That Dr. Miss A. J. Dastur and Prof. R. Bhaskaran be congratulated for their appointment as University Professors of Bombay and Madras Universities respectively.
3. That there should be a bound volume to record the proceedings of the Executive Committee signed by the President and the General Secretary of the year.
4. That delegation certificates for Rly. concessions should be issued to the members of the Association and delegates to the Conference and not to others, on full payment of membership or delegation fee as provided in the Constitution.

5. That the out-going General Secretary must render full accounts with vouchers to his successor at the time of making over charge.

6. That accounts for the year 1958 as certified by Messrs. H. Naik & Co., Chartered Accountants Cuttack in respect of the Association are adopted.

7. That Messrs. H. Naik & Co. are appointed Hony. Auditors of the Association for the years 1958 and 1959 and that thanks are offered to them for having audited our accounts for 1958 without charging any remuneration.

8. That the Accounts presented by Prof. A. L. Loomba as audited by Messrs. Sinha & Co., Lucknow for the Association for the period 21st December, 1957 to 4th March 1958 be adopted and a sub-committee consisting of the Vice-President General Secretary and the managing Editor be appointed to reconcile the account presented by Dr. Dash and Prof. Loomba in order to prepare one complete accounts for the year 1958.

The meeting dispersed at 1 P. M. to reassemble at 10 P. M.

There was another meeting of the Executive Committee at 10-30 P.M. on the same day. The following were present:—

- (1) J. P. Suda.
- (2) R. Bhaskaran.
- (3) A. J. Dastur.
- (4) Ramayan Prasad.
- (5) C. J. Chacko.
- (6) A. K. Ghoshal.
- (7) A. L. Loomba.
- (8) S. C. Dash.

The committee passed the following resolutions:—

(1) For the exigencies of the present conference and on principle the last two papers be discussed in sections and this be followed in future.

(2) The following subjects are approved for the 22nd Conference in 1959.

- (1) Rural Planning and Administration.
- (2) Modern Indian Political Philosophy.
- (3) International issues in West Asia.

(3) That the conference number of the Journal embodying all the papers submitted for a Conference be printed and charged separately.

(4) That the Vice-Chancellor and the authorities of the Agra University are requested to invite this Association to hold its 22nd Annual Conference under their auspices at Agra some time in December, 1959 and a committee consisting of Principal P. D. Gupta of Khurja, Prof. J. P. Suda of Meerut and Prof. G. K. Gahrana of Aligarh be authorised to fix-up further details with the University.

That this resolution be communicated to Agra in the 3rd week of January after Prof. R. Bhaskaran communicates the result of his efforts with Annamalai University.

(5) That the General Secretary and Treasurer alone shall receive the membership subscription and delegation fees from the individuals. The Managing Editor shall receive subscriptions from the Institutions. The General Secretary and the Managing Editor shall send to each other monthly reports of names of person and Institutions whose subscriptions are received by them.

(6) That for every life member enrolled, the General Secretary is to credit a sum of Rs. 12/- to the Journal per annum.

(7) The accounts presented by the Managing Editor as audited by Messrs. Sinha & Co. in respect of the Journal of the Indian Political Science Association for 1958 are approved.

- (8) That the Budget of the Association of 1959 be approved.
- (9) That the Budget of the Journal for 1959 be approved.

The meeting terminated at 1 A. M. of the 1st January, 1959.

S. C. DASH,
General Secretary and Treasurer

BOOK REVIEWS

PLATO'S MODERN ENEMIES AND THE THEORY OF NATURAL LAW By JOHN WILD, The University of Chicago Press, 1953, PP. XII 259.

Plato is a persistent part of the tradition of the West. He is an abiding influence. He is a moulder of some of the fundamental patterns of the Western mind. St. Augustine had regarded him "divine" and the Platonic Philosophy has been a significant inspiration both in the formulation and the revival of idealism in Germany, Russia, Great Britain and the U. S. A. Plato's famous concept of immutable archetypal ideas reappears in a modified form in Whitehead's concept of "eternal objects". Paul Deussen deciphered common points in the systems of Plato, Samkara and Kant. Plato has had a sympathetic response even from Indian thinkers. Sri Aurobindo has thought of Plato and Samkara as "divine" figures. The nobility, sublimity and the philosophic exaltedness that characterize Plato's writings have always an immense appeal for the Indian mind also.

During the present quarter of a century certain interpreters of Plato have given a somewhat bizarre commentary upon his thought. Warner Fite has accused Plato of dogmatism. Crossman, a British Laborite states that the militarist Plato would approve the use of force, violence and murder if employed for noble ends. Arnold Toynbee who is an expounder of the Christological interpretation of history laments the cold philosophic absorption of the philosopher-guardians who do not have the altruistic love for human transformation. The Protestant theologian Rainhold Niebuhr condemns not only Plato's ethics but moral theory itself as born of intellectual pride and take refuge in the sanctuary of a doubtful Christian revelation. Perhaps the most damaging attack on Plato has come from Karl Popper, a self-styled, naturalized British, utilitarian who after his exile from Austria found shelter in the political and social philosophy of Bertrand Russell. Popper debunks Plato as a totalitarian racist, a historicist, an apostle of violence, an apologist of tribal morality and the maker of an insidious attempt to arrest change and progress.

In *Plato's Modern Enemies And the Theory of Natural Law*, John Wild has launched a systematic attack on these modern interpreters of Plato's philosophy. He pleads for a thorough study of the dialogues. He says that Plato is not a dogmatist because he accepts Socratic

questioning and sifting of the evidence. Plato is not a militarist because he condemns the use of force. Force dictates only when reason abdicates. The portrait of Socrates that Plato has given to us is not wholly lacking in sacrificial benevolence. Plato is not a totalitarian. In the version of Socrates's personality that Plato has presented in his dialogues he has applauded the spirit of a moral rebel who criticizes the conventions, prejudices, power politics and intellectual confusion of the society. Wild refutes the charge of racist totalitarianism. Wild also denounces the charge of tribal regimentation levelled against Plato by Popper and Winspear.

There may be two possible reasons why the germs of the theories of fascistic violence, social regimentation and the triumphant cult of leadership have been traced in the ancient dialogues of Plato. At first sight it certainly appears surprising that the kernel and core of Plato's ideology remained hidden even for Aristotle, Cicero and Augustine, and that it has been discovered only by the twentieth century critics and commentators. The reason for this sudden discovery is that every age tries to interpret the past classics in its own terminological framework. Thus attempts have been made to find the germs of the Bergsonian conception of *duration* in the *Koran* and the *Manusmriti* has been regarded sometimes as a text on ancient socialism and sometimes as a support for aristocratic morality. Thus scholars betray sometimes a childish propensity to find support for modern ideas and concepts in traditionally venerated texts. When national socialism succeeded in Germany some scholars found a similarity between the Nazi and the Platonic ideology particularly on the point of the organic architectonic of the state. Thus the writings of Fite, Crossman and Karl Popper fall in this general category of intellectual productions seeking the parallels of modern political developments and malformations in the ancient texts. A second factor responsible for the collectivistic interpretation of Plato's thought might be the statement of Hegel who in his *Philosophy of Right* points out that the dominant theme of Plato's *Republic* is to stifle the incipient trend of individualism championed by Socrates.

On the matter of Platonic interpretation I adopt a traditional approach. I regard Plato as an idealist and a believer in the regeneration of human society and politics by bringing upon them the transforming impact of the illuminating light of chastened and perfected cognition. Hence without agreeing with all of the specific points of Wild, I agree with his general point of view developed in the criticisms of Fite, Crossman and Popper. It is true that Wild expounds Plato as an advocate of the realistic theory of culture and psychology but this does not contradict my view of Plato as an idealist

to whom the super-sensuous super-phenomenal world of essences was more real in comparison to the dark cave of ignorance and wordly objects.

Wild points out that in the *Republic* Plato is not an opponent of democracy. He is critical only of mob frenzy and the hysterical outburst of passion. But even if the philosophy of historical change in books VIII and IX of the *Republic* are regarded as idealized conceptual constructs and not portrayals of concrete politics, it is difficult to whitewash Plato's fulminations against the excess of liberty and the indiscriminate equalitarianism of democracy. I do think that Plato was an aristocrat and it would serve no purpose if he were to be drafted into the defence of democracy.

Wild feels that an escape from modern confusion in the field of ethical thought can be found in the moral realism of natural law. He formulates five basic ontological theses of a realistic theory of natural law. They are :—

- “1. The world is an order of divergent tendencies which on the whole support one another.
 2. Each individual entity is marked by an essential structure which it shares in common with other members of the species.
 3. This structure determines certain basic existential tendencies that are also common to the species.
 4. If these tendencies are to be realized without distortion and frustration, they must follow a general dynamic pattern. This pattern is what is meant by natural law. It is grounded on real structure, and is enforced by inexorable natural sanctions.
 5. Good and evil are existential categories. It is good for an entity to exist in a condition of active realization. If its basic tendencies are hampered and frustrated, it exists in an evil condition.”
- From these ontological theses are derived three moral theses.

“The first is too broad to have any special moral significance, though it underlies the rest. The remaining one's (2, 3, 4, and 5), however, entail three principles which are basically important for ethics.

1. From the second (2) it follows that the common traits of human nature, the tendencies determined by these traits, and the laws governing the fitting realization of these tendencies are the same for all men everywhere.

2. From the third and fourth (3 and 4), it follows that certain modes of action commonly called virtues or obligations must be pursued if frustration is to be avoided. These modes of action are not due to arbitrary decree, or preference, but are founded on human nature itself.

3. From the fifth (5) it follows that the good for man is the activation of his nature, the most complete and intensive living of a human life.”

John Wild traces the roots of these ontological and moral ideas in the philosophy of Plato and Aristotle. He refutes the generally accepted view that the concept of natural law begins with the Stoic philosophers. He finds traces of the words “law of nature” in *Gorgias* (484), *Timaeus* (83 E), *Laws* (793 B), and in Aristotle's *De Caelo*, *Rhetoric* and *Nicomachean Ethics* (See P. 136 of Wild's book).

According to Wild these are five current misconceptions of the theory of natural law which can be found in the critics of Plato whom he (Wild) attempts to refute. They are :— (i) Natural law as based upon a dubious inferential teleology, (ii) Natural law as a vague and indeterminate moral standard ; (iii) Natural law as a confusion of descriptive with prescriptive law, (iv) Natural law as an example of the naturalistic fallacy and (v) Natural law as a reactionary influence in history. Wild thinks that the realistic theory of natural law grounded upon the concrete compulsive data of human nature can save man from three fold confusions :—(a) the ontological dualism of fact and value which is found in neo-Kantian axiology, (b) the utilitarian calculus of felicific hedonism which unjustifiably equates fulfilment with the satisfaction of random desires and (c) the endless jungles and aberrations of the so-called non-cognitive school which interprets moral attitudes as the result of subjective urges having nothing to do with any facts which can be expressed by universal theoretical judgements.

I agree with John Wild in upholding the necessity of a realistically grounded natural law. Such a natural law alone can be the foundation of a universal community which is postulated in the Declaration of Human Rights. However, there are certain specific points raised in his book which demand further clarification. On P.97 Wild says : “The ought is a basic fact of human nature—the actual urge inherent in this nature towards realization, together with a cognitive understanding of this urge.” But the *obiter dicta* of Wild will not suffice to validate this proposition which has the widest possible inclusiveness. It will be essential to bring more facts from anthropology and comparative cultural history to substantiate this proposition. On P. 127 Wild says : “... materialism always leads to

subjectivism". This does not appear valid to me. Marx and Lenin were consistent materialists but never for a second they would give any quarter to subjectivism. The whole burden of Lenin's *Materialism and Empirio-Criticism* is to criticize all brands of subjectivism, solipsism and fiedism. I am not a materialist but I think that on theoretical grounds it is quite possible to combine support for philosophical materialism with a belief in the social primacy of the group or the collectivity. On the other hand many schools of idealism have supported psychological egoism. Nor is there any psychological evidence to support Wild's rather Bosanquetian distinction between natural *needs* and arbitrary *desires* (P. 127). This distinction may be morally relevant but there is no support for it in the concrete empirical data of psychology. It is true that the assumptions of psychological egoism are common to both Hobbes and Locke but I do not agree with John Wild's interpretation of Locke as a deviation from the classical theory of natural law. Wild is also mistaken in his repudiation of the antithesis between law and freedom (P. 126). A more searching scrutiny into the foundations and dynamics of law would ask such pertinent questions: Who makes the law? In whose interest is the law interpreted and operated? For adopting a realistic approach to the democratic theory of law and freedom we do have to ask such questions. Forthmore it does not seem possible to accept Wild's statement: "There is no more trace of any doctrine of racialism or of innate natural differences between groups of men in Aristotle than in Plato." (P. 168). Wild minimizes the significance of the concept of social hierarchy based on congenital differences sponsored in the famous Phoenician Myth in the *Republic*. He whittles down the commonly known but nevertheless significant difference between the Greeks and the barbarians accepted both by Plato and Aristotle. I think it would be difficult to deny the concept of inequalitarianism contained in these statements of the *Nicomachean Ethics* of Aristotle: "The very best thing of all would be that the husbandmen should be slaves taken from among men who are not all of the same race (Cf. Plato, *Laws*, vi. 777 C. (D.) and not spirited, for if they have no spirit they will be better suited for their work, and there will be no danger of their making a revolution. The next best thing would be that they should be Perioeci of foreign race, (Cf. 1329^a 26), and of a like inferior nature; some of them should be the slaves of individuals, and employed in the private estates of men of property, the remainder should be the property of the state and employed on the common land. (Cf. ii 1267^b-16). Hence although I along with John Wild uphold the necessity of the revival of the concept of natural law I do not think that Plato and Aristotle would be the best ancient supports for this concept. In the modern epoch of the quest for universalism, humanism and cosmopolitanism we may get some general inspiration from the teleological approach of Plato and Aristotle but it is not possible

to deny that their outlook was dominated by the localism of the city-state. It was not their fault, it was the limitation of the age.

In spite of disagreements on several points, I consider that John Wild has written an important book in the field of ethics and political philosophy. Throughout, this book is marked by immense clarity, forceful presentation and a keen penetration into the theoretical issues of the world of today.

VISHWANATH PRASAD VARMA.

RUSSIA, THE ATOM AND THE WEST By GEORGE F. KENNAN, B. B. C. Reith Lectures, 1957. Oxford University Press, 1958, Pp. 120; Price £ 10 6s.

POWER AND DIPLOMACY By DEAN ACHESON, the William L. Clayton Lectures on International Economic Affairs and Foreign Policy, Harvard University Press, 1958. Pp. 137; Price \$ 3.00.

Here are two books dealing roughly with the same subject and both written by Americans who have occupied responsible positions in the Government. George Kennan is a well known career diplomat of great reputation and worked as American Ambassador to Russia before his retirement. Dean Acheson was the Secretary of State in the days of Truman's Presidency. Both thus speak from first-hand experience and, having retired from active service, are in a position to reflect with objectivity and comparative freedom. Both the writers have written under the impact of the nuclear armaments and both have realised, perhaps, not in the same degree, the utter futility of war and the limitations of a purely military policy. Massive retaliation, brinkmanship, preventive war, absolute victory, all-out atomic war—all are ruled out as shortsighted and disastrous courses of action. A nuclear war would mean a mutual suicide. According to Acheson, a single nuclear attack on the U. S. A. would leave 1/3 of its population dead which would mean as many people dead as it took thirty years to destroy in the Religious Wars of the 17th Century. "Our generation", writes Acheson, in a plaintive note, "has stolen the secret of a fire which Prometheus could not imagine, and is doomed to live with the horror of its achievement. There are less metaphysical reasons why we shall not escape with a mere life-time of penance". (P. 38)

In contrast to Kennan, Acheson examines in greater detail the military policy of the United States. He dismisses the so-called limited nuclear war as both impracticable and ill-conceived because its limitedness, even if practised by one side, need not be adhered to by the opponent. The American tendency to pin all their hopes of defence on the nuclear armaments is also of doubtful validity since "not all conflicts are mortal challenges and not all should be made to appear so". (P. 55) The

extreme positions of an all-out atomic war or complete pacifism are both untenable. It may be noted here that in all the recent conflicts in which atomic powers were involved, e.g. the Korean War, the Suez and to some extent the Indo-Chinese War, nuclear weapons were not used. Thus, every use of force is not to be equated with an all-out atomic war. The strategy of unlimited objectives and absolute victory is completely untenable. Acheson comes to a paradoxical but significant conclusion. "the purpose of our unclear striking force..... and of all the effort and expense it so richly deserves, is to deter a major attack against us and our allies. *Its highest success would be the absence of any occasion for its use.*" (P. 53—Italics mine) The situation calls for a definite and clear understanding of the limitations of the nuclear arms. These destructive weapons are not ends in themselves. Their value as a bargaining tool in political negotiations is also weak because they are absolute weapons leaving little chance for flexible manoeuvring and adjustment, so very essential for tackling political issues. We are, in other words, facing a weapon which is profoundly self-defeating, whether used or unused. Like the famous King Medas the atomic powers face a dilemma which admits of no easy solution. Kennan's poignant remark underlines this dilemma. "The beginning of understanding rests, in this appalling problem with the recognition that the *weapon of mass destruction is sterile and hopeless weapon*, which may for a time serve as an answer of sorts to itself as an uncertain sort of a shield against utter cataclysm but which cannot in any way serve the purpose of a constructive and hopeful foreign policy. *The true end of political action is, after all, to affect the deeper convictions; this the atomic bomb cannot do.* The suicidal nature of this weapon renders it unsuitable both as a sanction of diplomacy and as the basis of an alliance..... A defence posture built around a weapon suicidal in its implications can serve in the long run only to paralyze national policy, to undermine alliances, and to drive every one deeper and deeper into the hopeless exertions of the weapons race." (P. 56. Italics mine)

What applies to the nuclear weapons, applies to a lesser degree to the American policy of over-reliance on the military aspect of her foreign policy. Here Kennan parts company from Acheson. For Acheson NATO etc. are sacrosanct links of American foreign policy. To Kennan the NATO is only one aspect of the overall policy of the U.S.A. Kennan's analysis of the Soviet challenge is that it is a cumulative and subtle process combining the political with the ideological, the economic and the military; perhaps, it is more political than military. Kennan believes that the American monopoly and later the superiority in nuclear weapons (till at least 1957) were not the only factors that prevented Russian aggression. The military

preparedness of the West will result in tangible political gains only if the military policy is not given an all-important place in the political strategy. The alternative is certainly not the absence of military policy; only its proper balancing with the political. As Kennan observes, "We cannot afford to put all our eggs in the military basket" (P. 100). The problems that beset the world are mainly psychological and political; they admit of no easy solution through purely military means.

Regarding the cold war in Europe, Acheson has little to say except the maintenance and strengthening of the NATO. For Kennan, the European problem centres round the vexed issue of Germany. A reunited, free and peaceful Germany is the *sin qua non* of European settlement. But the question is how to achieve it? Kennan, the one-time advocate of the policy of containment, now suggests the policy of withdrawal of armies from the Central Europe. In short, his policy is the policy of "disengagement", though the word "disengagement" is not to be found in this discussion. This, undoubtedly, raises the question of the future alignment of Germany. Will she be neutral between the East and the West? Or will she be demilitarized and bound by an over-all European Security System? Will she cease to be a full-fledged member of the NATO? No definite answer can be given because it is a question of negotiation between the West and the East. One thing, of course, is certain. "*The unlocking of the European tangle is not to be achieved except at some sort of a price.*" (Kennan P. 45; my italics) Kennan's reading of the situation leads him to conclude that a mutual withdrawal of troops and a negotiated independence and unification of Germany would be a worthwhile policy as against the continued stalemate and uncertainty of today. Though Kennan does not mention it by name, the Repacki Plan of creating an atom-free zone in the heart of Europe is worth exploring for solving the European tangle.

While Acheson devotes some space to the question of strengthening American economy and America's relation with Canada etc., Kennan devotes a chapter to the non-European world of Asia and Africa. His understanding of the peculiar position and problems of these regions in the context of the cold war shows Kennan at his best. His unperturbed composure and the perception of the fundamentals as against the ephemeral, give him a unique place among the American writers of today. Kennan's first target is the American policy of attempting too many things and expecting conformity and speedy results everywhere. For him, this over-anxiety of the American Government is completely unrealistic. The second glaring defect of the American policy is its over-dependence upon the military alian-

ces and defence pacts. As Kennan puts it, "To me, one of the most puzzling phenomena of this post-war era has been the unshakable conviction of so many people that the obvious answer to the threat of a growth of Communist influence is a military alliance or a military gesture". (pp. 74-75) America is so much preoccupied with Russia and her influence that she often fails to properly assess the Asian and African political scene. As a consequence, the issues are over-simplified, the vision clouded and the policy misconceived. The Asian and African problems cannot all be explained in terms of Communism versus non-Communism. They are far too complex and their solution should rest ultimately upon their own leaders. Nor is it possible to exclude Russia from these regions. Peoples of Asia and Africa cannot be shut off from their normal relations with Russia any more than Russia could be prevented from playing her part in this theatre. The best policy for America, according to Kennan, is to leave these peoples to themselves and to rely upon the good judgment of their own self-interest. You cannot shut off a people from other peoples, especially, when they are living in the same geographical area. Asians and Africans may learn from the Americans as well as from the Russians and the American attempt to prevent this normal process would serve to hinder their own influence. It is equally urgent to remember, Kennan suggests, that indiscriminate financial aid dictated only by political considerations may not bear fruit.

Reading through these two books, in particular Kennan's book, one gets two lasting impressions. One, they are both an essay in co-existence with the Soviet Union. The term 'coexistence' has been so often used by the Russians that it has acquired an unpalatable odour for the West and neither of these authors has advisedly used it. Yet, their analysis leads them to the same conclusion, whether referred to or not. Of course, this is much more so in Kennan than in Acheson. Kennan speaks with equanimity, courage and deep conviction and he has an answer for many of the questions that agitate the American mind. There is no deprecation, no unnecessary idealism, no escaping the real issues but a composed attitude with a firm faith within. Kennan's chief criticism of the Americans is that they are not American enough in the sense that they have lost touch with their own past traditions and values. Both Kennan and Acheson are out to restore America to Americans and they eminently succeed in their task. "Whether we win against the Russians" says Kennan, "is primarily a question of whether we win against ourselves". (P. 14) Americans have to conquer their faintheartedness, their exaggerated sense of fear and to renew faith in themselves.

The second impression, or perhaps a lesson, that one gets from these books, is that political problems that beset the world today admit of no easy solution. Today's problems are unprecedented and stupendous in scope and gravity. Yet, the world, and with that the Americans, must learn to live with them. There are no shortcut remedies, no easy solutions, no magic formulae. Kennan's advice is to resort to a patient and an uneventful but tactful handling of these questions through diplomacy and exchange of views. The need of the hour is a much more integrated, may be a little so histicated and a subtle approach for tackling the issues that divide the East from the West. America has much to learn but she has also many things to unlearn before she can succeed against the problems she is up against. In that process, which is as searching as it is painstaking, these two books may, and should, greatly help.

DEVAVRAT N. PATHAK

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A Study of the Social, Economic and Political Background of Bombay Legislature.

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SOME PROBLEMS IN SINO-AMERICAN RELATIONS

By

CHAO KUO-CHÜN

I. SIGNIFICANCE OF THE PROBLEM

With the development of inter-continental guided missiles plus thermonuclear warheads, at the moment there exists a stalemate in the world power politics. The ultimate deciding factors between the two giant systems, the socialist and capitalist blocs, will probably lie in the ideological, economic, and social fields. However, history has shown us that war was sometimes touched off by incidental elements. In this sense, there are a few potentially explosive global spots. Taiwan, or Formosa, is certainly one of these powder kegs, together with Berlin, the Middle East and Indo-Pakistan border areas. Since the Taiwan issue constitutes but one manifestation of the problems existent in the Sino-American relations, it is both necessary and desirable to examine the background, causative factors, and possible ways out in the overall situation between Peking and Washington.

To discuss this vital problem in India has a special relevance. A primary goal in the foreign policy of New Delhi is the easing of world tensions. India has done more than any other single nation in this respect, particularly regarding the dangerous situation between China and the United States. Had it not been for the relentless effort of India, hundreds of thousands more homo sapiens would have perished in the Korean conflict alone.

Here I may insert a side note: The question of Sino-American relations has a great personal interest for me. After receiving my education in an American missionary University in Shanghai, I went to do post-graduate studies in the United States in 1946. Between 1949 and the spring of 1958, I served on the Faculties of Harvard University, M. I. T., and Cornell. During the 12 years' stay in America, I had often enjoyed the hospitality and kindness of many American people. It is painful as well as frustrating for me to see that the two great peoples are prevented artificially from continuing their friendly contacts.

II. HISTORICAL RESUME OF SINO-AMERICAN RELATIONS

But as a student of social science, it is not enough that one just feels concerned about the problem — this may lead to a nervous breakdown but

will not help the situation. It is more important to analyze the salient issues involved, their historical background, and possible solutions, if any.

Although the present discussion will center on current Sino-American relations, a brief examination of the genesis of the diplomatic history between China and the United States will enable us to get a proper perspective.

The official relationship between China and America began with the Wang-hsia Treaty of 1844. Washington did not have the dubious honour of being the first Western country to conclude a Convention with the Ch'ing (Manchu) Government — England beat her by two years with the Nanking Treaty after the Opium war. Nonetheless, the Wang-hsia Treaty is of major importance in the annals of Western impact on China, because it established three major precedents — which included several basic features of later unequal treaties between China and foreign powers. Summarily, they are the establishment of extra-territoriality (or prerogatives of Westerners to stand above the Chinese judicial system), imposition of tariff restrictions on China, and the practice of enjoying "equal rights" (i. e., concessions wrung by force from the impotent and ignorant Ch'ing government) under an one-sided "most-favoured-nation" clause. We cannot go into the full implications of the important provisions in this Treaty, and shall only quote the observations of two well-known American scholars:

Prof. Thomas Bailey in his *Diplomatic History of the American People* remarked:

Taking advantage of Chinese inexperience and ignorance of Western ways, he (Calib Cushing, US Minister to China) inserted a clear statement of extra-territoriality — that is, the right of American accused of crimes in China to be tried before an American official rather than to be left to the capricious Chinese justice.¹

Prof. J. K. Fairbank who wrote in his *The United States and China* that "this allowed us the luxury of constantly² denouncing British imperialism while steadily participating in its benefits", also makes a relevant point. Dr. Fairbank, however, forgot to say that Washington did quite well itself in expanding the Western privileged position in China.

The next landmark in the Sino-American relations was the Open Door Policy of 1898 enunciated by John Hay, then Secretary of State of the US. Hay's Notes began with the phrase that the integrity and sovereignty of China should be respected, then proceeded to state the crux of the matter:

This Government is animated by a sincere desire that the interests of our citizens may not be prejudiced through exclusive treatment by any of the controlling powers within

¹ Thomas A. Bailey, *A Diplomatic History of the American People*, Stanford Univ., 1946, p. 326.

² John King Fairbank, *The U. S. and China*, Harvard Univ., 1948, p. 313.

their so-called "spheres of interest" in China, and hopes also to retain there an open market for the commerce of the world, remove dangerous sources of international irritation, etc.³

Dr. Charles Campbell of Yale University gave an interesting discourse in his book *Special Business Interests and the Open Door Policy* as follows:

Despite the forthright American stand, the US had itself been doing about the same thing as France: it has been pressing China to enlarge the International Settlement, the name given to the combined British and American concessions in Shanghai. When negotiations collapsed in the spring of 1899, many businessmen in Shanghai were dismayed. Following consultation with the British China Association, the Asiatic Association of China appealed to its parent organization, the Asiatic Association (in New York) for help. The New York body, more than willing to assist, promptly wrote to Hay urging "vigorous action". Hay in turn sent a copy of the letter to Conger (US Minister in China) and instructed him to insist on compliance with the American demand. Not long afterward, China gave in.⁴

Thus the quaintessence of the Open Door Policy was the safeguarding as well as the expansion of American business interest in China and the prevention of any other power from establishing a hegemony of power on the Chinese mainland. This was a most subtle strategem, as the United States had come too late to claim any major colonial areas of the world and as her Navy was not yet strong enough to engage in military campaigns in Asia at that time. It is relevant to note the historical fact that United States in the year 1898 (when the Open Door Policy was pronounced), had only extended its influence mid-way in the Pacific by annexing the Hawaii islands after defeating Spain in the war of 1898-99. Internally, the continental domain was not fully explored — to wit, Oklahoma only joined the Union in 1905, there were still Indian uprisings and its population was only 63 million, as compared to some 160 million today.

In the next half a century after 1898, the Open Door Policy continued to form the foundation stone of the American policy toward China, with slight modifications in emphasis as the U.S. developed from a mercantile to an industrial-financial power and as Japan steadily rose to threaten her investment in China. Here we may quote a succinct observation made by the late Prof. Harold Laski:

The sudden and vast push by the US of the Market economy into the international field gave the old policy of the Open Door a new meaning of far wider significance than in the past. It meant not merely "most favourable nation" treatment in the old sense; it meant also that while the American market was largely closed against

³ Text quoted in Dept. of State, *US Relations with China* (White Paper on China), 1949, p. 414.

⁴ Charles S. Campbell, *Special Business Interests and the Open Door Policy*, Yale Univ. Press, 1931, p. 48.

foreign competition, the investment bankers demanded equal access to financial opportunity abroad, and restraint upon the price-fixing habits of foreign monopolies as soon as America wanted raw materials. It was not accident either, that the State Dept. began to interest itself directly in the consequences of foreign investment upon the international position of the United States.⁵

Eleven years have elapsed after Prof. Laski's book, but it still has a ring of validity today.

During the first half of the 20th century, the major events in the Sino-American relations included: the US participation in the 8 nations' attack on Peking to suppress the Boxers' Rebellion in 1900, the Lansing-Ishii Agreement in 1917 which recognized Japan's privileged interests in Manchuria and Shantung province⁶, Washington's protest regarding Japanese non-observance of the Open Door in China in October 1938 (although American strategic goods had been continuing to ship to Japan), the recall of General Stilwell from his post as Chief of Staff of Allied Forces in China-Burma-India Theatre (as a result of Stilwell's insistence on reform of the corruption and inefficiency in the Kuomintang or Nationalist government), and the transportation of about half a million Nationalist troops to the areas occupied by Japan after V-J Day in August 1945, many of those territories were the active operational grounds of Chinese Communist guerilla forces.

Now we have swept through 50 years in one single paragraph, we shall come to two events which had a direct bearing on the current situation in Sino-American relations. They are General George Marshall's mission in 1946 to mediate the Chinese civil war, and the sending of the U.S. 7th Fleet to "neutralize" the Taiwan Strait immediately after the Korean conflict in June 1950.

The details of Gen. Marshall's effort to effect some degree of formal cooperation between the Chinese Nationalists and the Communists between Jan. 1946 and Jan. 1947 and his eventual failure are presented in a report by the State Department (the so-called white Paper on China) issued in 1947. The basic causes of the Mission's failure may be summarized as follows: first, Chiang Kai-shek believed he could crush the Communists by military forces which were supplied by the United States, and the right-wing cliques in the Kuomintang were bent to sabotage Marshall's attempt. In Marshall's own words (Statement on China, Jan. 7, 1957): "On the

⁵ Harold J. Laski, *The American Democracy*, Viking Press, New York, 1948, p. 535

⁶ In the Lansing-Ishii Agreement dated Nov. 2, 1917, the following statement is found: "The Governments of the U.S. and Japan recognize that territorial propinquity creates special relations between countries and, consequently, the Government of the U.S. recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous."

side of the Nationalist Government, which is in effect the Kuomintang Party, there is a dominant group of reactionaries who have been opposed, in my opinion, to almost every effort I have made to influence the formation of a genuine coalition government."⁷ Second, is the distrust of the Chinese Communist Party regarding its old adversary Chiang Kai-shek. It was reluctant to surrender its military forces (which the Nationalists insisted as a pre-condition) prior to a political settlement which would legalize the position of the CCP. Third and a very important point is that Gen. Marshall was secretly instructed by Washington that he should back the Nationalists any way even if they refused to make concessions. Herbert Feis, in his *China Tangle* reported that "Marshall repeated the understanding that one phase of his directive was not in writing, to wit: that in the event that he was unable to secure a reasonable response from the Generalissimo, it would still be necessary for the American Government to continue to back the Nationalists. President Truman again confirmed that this was correct and so did (Dean) Acheson."⁸ It is neither practical nor fair to bind the mediator irrevocably to the support of one side even before the negotiations got started. It is also possible that the confidential order was leaked to the Nationalists during Marshall's mission, thus reinforcing the incalculable attitude of the right-wing Kuomintang faction. After the fiasco of Marshall's Mission, the U. S. Government lent its support to the Nationalist Government in the ensuing civil war. The total amount of military and financial aid given to Chiang Kai-shek between Aug. 1945 and Oct. 1949 was estimated at over 3 billion U. S. dollars by Washington and at 6 billion dollars by Peking.⁹ American military advisers, headed by Gen. David Barr, participated in the actual war conferences against the Communist forces.¹⁰

When the Central People's Government was established on Oct. 1, 1949, Washington, unlike London and New Delhi, refused to extend its recognition. Peking did not think this was a gesture of friendliness and approachment. But the real turn for the worst came when, after the starting of fighting between North and South Korea, President Harry Truman ordered the U. S. 7th Fleet to sail to the Strait of Formosa to prevent any attack by mainland China on Formosa or *vice versa*. This intervening action, which formed a causal factor in all later complications, was

⁷ Dept. of State, *U. S. Relations with China*, 1949, p. 687.

⁸ Herbert Feis, *The China Tangle*, Princeton Univ. Press, 1953, p. 420.

⁹ See *White Paper on China*, op. cit., p. 406.

¹⁰ Gen. Barr in one of his reports revealed: "At the meeting on the M. of National Defence War Room on 1 Dec. 1948, — I recommended that the attack be an all-out one (at Hsuehchow) and that all troops be employed with a view toward evacuating the city entirely. I again stressed the necessity for speed. Gen. Ho Yingchin (Minister of War) stated that orders issued had been to that effect." *White Paper*, op. cit., p. 335.

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commented on by a leading Western specialist on China, Prof. C. P. Fitzgerald of Melbourne University :

'The American declaration neutralizing Formosa was made by President Truman, without the concurrence of other member States of the U.N., at the outbreak of the Korean War, but several months before Chinese intervention in that conflict. It was stated that the neutralization of Formosa was a measure of security for the American Forces engaged in Korea, and would endure only as long as the war in Korea continued. If peace is made, or the war brought to an end by a permanent cease-fire, it is not easy to see what justification can then be produced for continued American intervention in what remains in law a Chinese civil war. It can be taken as certain that no Government ruling China, whether the present Communist regime or any other, will abandon the claim to Formosa.'¹¹

These observations have their application even today, although a number of events occurred between 1950 and 1959. The important happenings were (1) The conclusion of Korean Truce in July 1953; (2) the Geneva Conference in April 1954, which agreed that the Chinese in the States and Americans in China could freely go back to their respective countries if they so wished; and (3) The Bandung Conference in April 1955, when the principles of *Panch-Sheel* popularized. Chou En-lai expressed several times the willingness to negotiate with Washington to ease international tension. The only result was the initiation of Ambassadorial-level talks between China and U. S. at Geneva in 1955, which after some 90 sessions, is still going on as a match of endurance. These events led to a lessening of tension in varying degrees, and India played a prominent role in all these developments. The latest crisis was of course the bombardment of Quemoy (Kingmen) and Matsu Islands, which began in August 1958, and still intermittently goes on. This time the famous travelling Secretary of State, John Foster Dulles, almost succeeded in going over the "brinks." Since Mr. Dulles has become, symbolically, radioactive, I shall refrain from making much comment on him except to state the obvious : He is a very sick man, in more sense than one.*

III. CURRENT IMPASSE IN SINO-AMERICAN RELATIONS

The prevailing problem between China and the United States can be summed up quite easily — I naturally do not mean the solution of that problem is also a simple one. In a nutshell, the bone of contention between Peking and Washington revolves around the issue on the status of Taiwan.

There exist other questions, of course, such as the recognition of the People's Republic of China by Washington, Peking's representation in the United Nations which has been prevented by the sheer pressure of the

¹¹ Charles P. Fitzgerald, *Revolution in China*, Praeger, New York, 1951, p.239.

*This was written before Mr. Dulles' death.

United States, the American prisoners in China (about 4 at the moment out of 45 in 1950) and the embargo of U. S. goods for the Chinese mainland. But these are really peripheral matters. The issue of admitting Peking government to the U. N. will automatically resolve itself when the Taiwan question is solved. Anyway, even Dr. Charles Malik, the current President of the General Assembly, admitted in January 1959, that he expected China would take its seat at the U. N. "in a very short time."¹² Regarding U. S. recognition of People's China, there does not seem to be any probability of a policy change before the General Elections in Nov. 1960. This is so in spite of an increasing clamour in the States for such recognition, such as evidenced by a unanimous resolution supporting recognition of Peking by the 600 delegates to the National Council of (Protestant) Churches of Christ on Nov. 22, 1958.¹³ Most American specialists on the Far East have advocated or more often hinted at the inevitability of extending recognition to People's China. But the idea (as advocated by Prof. Edwin Reischauer of Harvard University) that "we should sell them (recognition of Peking and its admission to U. N.) to China, when the proper time comes, for as high a price as possible,"¹⁴ is perhaps not too realistic a business proposition. This is simply because Peking does not seem to eagerly care for either. China has been doing all right without them; why should she pay a price for something that sooner or later will be here ?

Thus the crux of the problem between China and the U.S.A. centers on the question of Taiwan. Their respective positions can be summarized as follows :

China maintains that Taiwan together with the Penghu (Paacadores) islands and naturally the two off-shore islands of Kingmen and Matsu, are an integral part of the Chinese territory, recognized by the Cairo Declaration in Dec. 1943, the Potsdam Agreement of July 1945, and President Truman's statement on Jan. 5, 1950.¹⁵ Whether China wants to unite Taiwan with the mainland by peaceful means or by force, it is an internal matter, not subject to international interference according to Article 107 of the United Nations Charter. Hence the sending of American military forces to Taiwan constitutes an interference in Chinese domestic affairs and an infringement upon the sovereignty rights of China. The question of off-shore islands is part and parcel of the overall problem, and cannot be dealt with isolatedly. These themes run consistently from Chou En-lai statement of June 28, 1950, to the latest speech made at the All-India

¹² See *Times of India*, Jan. 17, 1959, p. 9.

¹³ *New York Times*,

¹⁴ Edwin O. Reischauer : *Wanted : An Asian Policy*, Alfred Knopf, N. Y., 1953, p. 248.

¹⁵ See *Important Documents Concerning the Question of Taiwan*, Foreign Languages Press, Peking, 1955, pp. 34-36.

Radio by Chang Han-fu, Vice-Minister of Foreign Affairs on February 26, 1959.¹⁶

The position of Washington on the Formosan question seems to vacillate between two stands: One view maintains that the status of Taiwan has not been finally settled whether it should go back to China or not. But this does not seem to be in conformity with known international agreements, and is not supported by even her Western allies. Furthermore, if Taiwan is not Chinese territory, what business has the Nationalist government, supported by the U. S., to be on that island?

Another official position of Washington is that the Nationalist on Taiwan island is the legitimate representative of all China, with which the U. S. has treaty obligations. How can an island of 9 million persons, out of effective control of the entire Chinese mainland and of 650 million people for almost a decade, still remain the representative government of all China is difficult to understand — at least for the author. There is a more comprehensible reason for Washington's stand on Taiwan, that is, its value as a strategic base. Washington is determined to keep under its sphere of influence whether it is Chinese territory or not. This has been openly acknowledged by many political and military leaders of America. As recent as December 5, 1958, Dulles made the statement that "recognition of Communist China would gravely jeopardize the political, economic and security interests of the United States."¹⁷ He did not say anything about the legitimacy of Chiang's regime or fighting for democracy, but his remarks are frank.

The stand taken by Peking on the Taiwan question, whether viewed from legalistic or nationalistic or historical approaches, is clear. However, Dulles' persistent attitude to offer all-out support to the Nationalist control of Formosa and even the off-shore islands which are within the territorial waters of China, even at the risk of a global conglomeration, have puzzled many people, especially the Asian-Africans. Strange as it is, the government policy of a country is seldom derived from a vacuum. Here we shall try to analyze the possible factors that contribute to the current policy of the United States regarding Peking in general, and concerning the Taiwan question in particular.

IV. FACTORS ACCOUNTING FOR US ATTITUDE TOWARD CHINA

1. Political Factors

From the above-mentioned historical evidence, we can see that a transcendental line of the U S government attitude toward China in the

¹⁶ *China Today*, No. 10, March 7, 1959, p. 1.

¹⁷ *New York Times*, Dec. 6, 1958, p. 1.

past century and half has been the pursuit of equal opportunities with other powers, i.e., the Open Door Policy. Although as Prof. Laski pointed out, "what territory America required, it took as relentlessly as any other power,"¹⁸ (the latest acquisition being the Pacific islands and Liu Chiu in 1946) its primary interest lies in the acquisition of markets, not territories. It would not be to the advantage of the United States if China is partitioned by Western powers. Many sectors in America also favoured a parliamentary democracy in China based on the capitalist system.

However, when faced with a choice between unity in China and a socialist China, in the eyes of Washington, anti-Communism must take precedence of all other considerations. To persons like Dulles, Knowland, and Robertson, Marxism-Leninism must not be allowed to prevail in China, whether the Chinese people accept it or not. Anti-Communism has become an obsession with these people, and all other considerations must subordinate themselves to this goal, at any cost. In the words of Omar Khayyam: "Where was a veil beyond which one could not see," and all the achievements of the Peking government are simply non-existent to them.

This rigid position is further strengthened by certain domestic forces in the States. The China Issue has been used as a political football by the Republican Party against the Democrats. The latter was accused of committing the *faux pas* of "losing China", as if China were the private property of America. A by-product of this politicking, Mc Carthyism being its worst example, was the disappearance, either by persecution or through resignation of most of the Far Eastern specialists in the State Department—such as Owen Lattimore, Vincent Carter, John Service, and the latest casualty (1956), Howard Boorman. The hard time these professional experts had was partly reflected in Lattimore's book *Ordeal by Slander*.

This anti-Peking policy of Washington is of course related to overall international developments since the second World War. We cannot go into details here except to point out two salient facts: One, as Prof. Fitzgerald observed, "in actual terms of commitment, America thus now became the heir of all the imperialists in the Far East; she took over Britain's sea power, Japan's empire, and the leadership of the Western nations....."¹⁹ Two, the rising political, economic, and technical power of the Soviet Union, which for the first time in history, challenges seriously the dominant position of the U. S. on a global scale. Thus China must be prevented by all means possible to become strong, an event which will further tip the scale in favour of the socialist camp. Third, the rising tide

¹⁸ Harold J. Laski, op. cit., p. 500.

¹⁹ C. P. Fitzgerald, op. cit., p. 208.

of nationalism and anti-imperialism in the Asian-African areas (now even spread to the Western hemisphere) has made Washington feel that it must hinder the development in China, or at least minimize its accomplishment, so that the Middle World may not be attracted to some features of socialism. That Washington is wary of the "neutral" Asian nations is reflected in the recent (March 1959) Mutual Security Pact concluded between U. S. and Pakistan, which gave a vaguely defined American guarantee against "aggression" toward the Karachi government. Even Gen. Ayub Khan who once said he would get Kashmir by force if necessary, has not indicated any expectation of attack from the Soviet Union or China or any other Communist country.

2. *Economic Factors.*

The official policies of Americans toward China are of course closely linked with economic motivations and forces. It was a significant coincidence that the Open Door Policy (1898) was made public at the same time as Veblen's work on *The theory of Leisure Class* in which the author analyzed the growing power of American captains of industry and financiers. The 20th century witnessed the steady expansion of American economic power, from a mercantile nation to the leading Western country in direct investment in under-developed countries (those that are still open to U. S. capital). In the words of Prof. Laski, "American finance-capitalism reached a stage where it was in alliance with its government for the promotion, through the use of State power, of American prosperity."²⁰ In the past the economic tensions and crisis of the Western world were alleviated by the expansion of market, cheap raw materials, and inexpensive labour of the under-developed areas. As more and more such areas are becoming inaccessible to capitalist exploitation, the capitalist powers have to intensify their effort in exploring profit-making opportunities in the world. This partly explains the paradox that on one hand Washington clings to a policy of complete embargo against China, while on the other hand it is trading with other Socialist countries which many American businessmen are clamouring for trade with Peking.

The potential market of 600 million Chinese was never lost sight of by the American business circle. As early as the 19th century, as Dr. Campbell pointed out, "partly because they (the American businessmen) feared a surplus at home and discrimination abroad, large numbers of businessmen came to think of China as the great hope of the future."²¹ Now the total value of Chinese foreign trade has come to about 5 million U. S. dollars, and her national income increases at an average rate of over 10 per

²⁰ Harold J. Laski, op. cit., p. 535.

²¹ Charles S. Campbell, op. cit., p. 9.

cent annually in the past decade (probably over 60 billion U. S. dollars in 1958), this huge market is always dangling in front of the eyes of American industrialists and merchants. This factor will loom larger in the minds of Americans when they realize that "recapture the Chinese mainland" has become an illusion, that thermo-nuclear weapons have turned military adventures impractical, and that American economic hold is losing in more and more areas, including even regions covered by the Monroe Doctrine. After the landslide defeat of the Republican Party in the Congressional Elections of Nov. 1958, it is likely that the Democrats will take over the White House in 1960. When that happens, certain *de facto* trading may develop between America and China.

3. *Socio-Psychological Factors*

Concomitant with economic-political forces, there are also social and psychological factors which contributed to the formation of U. S. policy toward China.

A fundamental dichotomy between the socio-cultural value systems of China and America is that traditionally the Chinese (like many other Asians) have always accepted the principle that personal privileges should subordinate to the group welfare (be it the family, clan or state), while many Americans believe in individualism — whether the "rugged" type advocated by Hoover or milder forms. Thus Washington has failed in convincing the Chinese that collective behavioral patterns (expressing them in various channels such as co-operatives, people's communes, group criticism, and social pressure) are a threat to human values or to be abhorred. Furthermore, it has been the Chinese ideal to use property for social good, and not as a sacrosanct end in itself. One must not generalize unreservedly, but the major philosophies in China do not advocate, like its Hindu counterpart, the maximization of material wants. Here we recall the words of R. H. Tawney in his *Acquisitive Society* that "the idea of function is incompatible with the doctrine that every person and organization have an unlimited right to exploit their economic opportunities as fully as they please, which is the working faith of modern industry...."²² Long before the Communists came into power in China, the idea of government direction of economic development had been accepted by the nation.

The present U. S. policy toward China also constitutes a derivative of past unrealistic images of most Americans toward the Chinese as an ethnic entity. The general impressions of the American public in general, as evidenced by a study of a group of Americans in 1958 by Harold Isaacs,²³

²² R. H. Tawney, *The Acquisitive Society*, 1920, p. 42

²³ Harold Isaacs, *Scratches on People's Mind*, M. I. T., 1958

Second type of this "popular approach" may take the form of exchanging unclassified publications and information. Source materials and data that are not directly related to national security should be allowed to flow freely between China and America. This can be carried out without touching the sensitive issue of governmental recognition. For instance, American universities, professional associations, academic journals, and libraries might get in touch with their counterparts in China and exchange non-military materials or information.

In reality, such exchanges on a limited scale have already taken place. Since the end of the Korean War, most Chinese publications have been freely exported — including such informative journals as the *Economic Research*, *Statistical Work Bulletin*, *Heavy Industry Semi-Monthly*, etc. Peking has embarked on a vast acquisition program of Western professional journals, and most of them can now be found in leading Chinese libraries and research institutes. However, since 1950 the US Government has placed an indirect censorship of mainland Chinese publications by a Treasury Department rule that remitting funds to China, either directly or indirectly, constituted a criminal offense. Only a few institutions like the Harvard-Yenching Library at Harvard University have been able to obtain special permits for sending money to China to buy source materials. To my knowledge, private individuals have not been allowed this privilege. As a result, many significant developments in China are not known to the ordinary citizen of America, and this handicaps factual evaluation or understanding in America of a vital area with one quarter of world's population.

With rapid expansion in the agricultural and industrial fields in China especially after the "big leap" in 1958-59, Peking is assigning top priority to scientific research. In addition, many world-renowned experts as Prof. Ch'ien Hsueh-sheng (in thermodynamics, California Institute of Technology), Prof. Hua Lokeng (mathematics, Princeton Inst. for Advanced Studies), Prof. Kuo Yun-huai (aeronautics, Cornell University) and Prof. Chang Wen-you (Nuclear physics, Princeton and Purdue) have returned to China. Thus it is important to follow the scientific research work in China by the Western world in the years to come. Hundreds of top-notch specialists have also gone back to China from Western Europe, the U.S.S.R. and the United States since 1949. The exchange of data in scientific research will be mutually advantageous.

The third practical measure lies in the expansion of trade of non-strategic goods between America and China. The maintenance of complete embargo against China seems both ineffective and incomprehensible when all other Western nations have reduced their list of embargo to China to a score of strategic items. Besides, if a credit of 50 million US dollars could be granted to Poland for the purchase of American surplus agricultural

products, it is strange reasoning indeed to refuse all commercial dealings with China. As President Eisenhower remarked in his news conference of June 4, 1957 :

In the long run, trade cannot be stopped. You are going to have either just authorized trade, or you are going to have clandestine trade....Frankly, I don't see as much advantage in maintaining the differential (in the embargo goods against China, which are permitted to be exported to the Soviet bloc as some people do.²⁸

Even solely from the American self-interest, the advantages of trading with China are substantial. For one thing, there may be a demonstrative effect of well-made, reasonably-priced manufactured goods on the Chinese populace. The billions of dollars' worth of surplus agricultural produce in the United States certainly could use more customers, and 650 million people in a fast-growing economy represent great potentialities in the world trade.

The folly and the drawback of avoiding trade of any kind with China are illustrated by the following example : As a result of prohibition of Chinese bristles import (the best natural bristles for paint brushes are from China), American brush makers have no choice but to use second-rate bristles. In fact, German and Dutch businessmen sold inferior European bristles to the United States at high prices and imported high-quality bristles from China for sale to domestic brush makers. For Chinese bristles released piecemeal from the national stockpile, American businessmen had to pay, in 1957, upto three times the price prevailing on the European market.²⁹

IV. Concluding Comments

A number of possible arguments against the steps suggested for a "popular approach" to ease current Sino-American tension do not seem to hold water. For example, some object to contact with China on the ground that American visitors would not be free to move about, or talk to people. However, Tillman Durdin, a correspondent of New York Times in Hongkong, reported in September 1957 that :

European journalists who have visited mainland China lately have been able to go where they wished — except Tibet and certain sections of far Northwest China — and converse with anyone willing to talk with them. If a foreign journalist speaks Chinese, he has been permitted to travel without an interpreter.³⁰

²⁸ *New York Times*, June 6, 1957, p. 1.

²⁹ *China Trade*, British Council for the Promotion of International Trade, London, No. 20 June 1957, p. 8.

³⁰ *New York Times*, Sept. 1, 1957, p. 48.

And a report of Reuters from Peking in August 1957 stated that "wherever the American students went, they were met with friendliness." There are of course certain localities which are not open to foreign visitors. But it is difficult to imagine that mainland Chinese, when they go to America, would be allowed to roam over the Nevada atomic testing grounds or that none of them would be under the surveillance by the U. S. secret agents.

Some people maintain that Americans should not have anything to do with China because it is Communist-led. As Prof. Quincy Wright wrote : "An extension of the standards of a particular nationality, religion, doctrine, or ideology to the society of nations runs counter to the basic principle of national independence."³¹ Besides, about 10 thousand Americans visited the Soviet Union between 1956 and 1958. Incidentally, the often self-righteous State Dept. includes in the "democratic, free world" countries like Spain, South Vietnam, and South Korea, all under naked dictatorships.

Another point often heard against having any dealings with China is that the lifting of travel and trade bans would enhance the prestige of Peking, particularly among the Asian-Africans. But the prestige of Peking government depends mainly on its own accomplishments and diplomacy, not on the action or inaction of the American State Department. A procrastinating and negative policy toward China may well result in a loss of greater prestige by Washington. Most neutral observers would agree that the present unrealistic policy of the U. S. toward Peking has embarrassed or irritated many non-Communist nations, particularly those in the Afro-Asian areas.

In conclusion, the following observations may be made :

First, Peking and Washington will have to live on the same planet (at least before inter-planetary travels become a reality) and it serves no constructive purpose to spend passion on past grievances, imaginary or justified, or hold on to archaic policies that are no longer tenable. Certain strong reactions or words of Peking against the U. S. during the first years after the establishment of the Central People's Government can be better understood in the historical perspective of over 100 years of foreign domination, and the intervention of the U. S. in the Chinese civil war as discussed in preceding sections.

Second, the issue of Taiwan will anyway be decided by larger forces at work on the international stage, especially in Moscow, Washington, Peking

³¹ Quincy Wright, "The Status of Communist China", *Journal of International Affairs*, Vol. 11, No. 2, 1957, p. 177.

and New Delhi. The outcome of the contest for Taiwan is not dependent on the relative military powers between China and the U.S.A., but through the overall strengths between the Socialist and the Capitalist systems on the economic, political, and social fronts. Judging from the recent events in China both domestically and diplomatically, there is no imminency of a military onslaught on Taiwan, as Chinese leaders obviously deem that time is on their side. The patient stand taken by Peking toward the British colony of Hongkong and the Portuguese possession at Macao serves as a side proof ; just as India's policy toward Goa.

Third and a related point is that a strong and developing China is inclined to avoid adventurous moves so that she can concentrate on the economic and social development at home. The ambitious plans of Peking, which calls for 18 million tons of steel and 525 million tons of foodgrains in 1959, will require all available resources and energy of the nation for peaceful construction. As a contrast, a weak and divided China tempted foreign aggression and international conflicts, as illustrated by the invasion of China by Japan in 1937 which led to the Pacific War.

Fourthly and lastly, differences in political and economic systems or beliefs among peoples should not prevent them from getting to know each other. This premise has been repeatedly expounded by Indian leaders, particularly Prime Minister Nehru. America does not have to like the system the mainland Chinese have accepted, or vice versa. President Eisenhower himself pointed out on April 16, 1953 that "any nations' right to a form of government and an economic system of its own choosing is inalienable." The Chinese people have shown by deeds that they want to be friends with all the peoples of the world, and the right of human beings to enjoy peace, prosperity, and co-existence must not be sabotaged by the political myopia of some bigoted politicians or militarists.

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INDO-AMERICAN RELATIONS IN THE POST WAR DECADE

By

MOTI LAL GOVILA

To trace the development of the United States' policies towards India, it is necessary to begin with a brief introduction of U. S. relations with India before 1947.

It may be recalled that before 1947 when India became independent, her foreign relations were conducted by Great Britain. Americans hardly took any interest in the Indian affairs. To them India was a land of King Cobras, snake charmers, meditating Yogis, rope trick performers, princes of fabulous wealth and incomparable harems, a country where caste is more important than life itself.

It was not till 1920's that a change had started taking place in the American opinion about India. The chief reason for it was the appearance of Mahatma Gandhi on the political scene of India and his philosophy of non-violence and non-cooperation. These political weapons moved the heart of a good number of Americans and they now viewed the struggle for Indian independence sympathetically. However, in 1927, with the publication of Katherine Mayo's *Mother India* some misunderstanding developed between the two countries. This book attained mass circulation in the United States and the net effect of it was promotion of misunderstanding between the two countries at a time when balance and insight were needed.¹

A change in the official attitude of the United States came with the attack on Pearl Harbour. The opposition by the Indian National Congress about India's participation in the war against Germany not only alerted the policy makers of the State Department but even the late President F. D. Roosevelt. The nature of the American pressure can be noted from the cable sent to Mr. Churchill by the President on March 10, 1942. In his cable Mr. Roosevelt suggested, among other things, temporary dominion status for India so that the whole hearted support of Indians may be

¹ Lawrence K. Rosinger, *India and the United States* (Macmillan and Company, New York : 1950), p. 8.

gained to carry on the war effectively against Japan and Germany.² But at the same time he did not want to exert strong pressure because it might result in an injury to Anglo-American relations and thereby, instead of strengthening, weaken the war effort itself.

Now coming to the question of U. S. policies towards India, we can discuss this subject under two heads, namely, economic and political.

A careful examination of the U. S. policy in South Asia would reveal two distinguishable periods during 1947-56. Till the defeat of Chiang Kai-shek's forces in China at the end of 1949, American policy towards India was not clearly defined. As a matter of fact before the Communist success in China the United States policy towards India was cold or indifferent.³ The United State's remained, therefore, a passive observer of the happenings on the Indian sub-continent with no clear out policy towards the area at the time.⁴ In the Far East her main interests were confined to China, Japan and the Philippines.⁵ However, the victory of Communists in China changed the whole political scene and the entire balance of power structure. The next reliable and almost equally powerful ally which Washington could possibly find on the Asian Continent was India. Thus after 1949 the State Department became a bit more cautious in its policies towards India.

U. S. ECONOMIC POLICIES TOWARDS INDIA 1947-49

As has been rightly pointed out by Sarkar,⁶ Indian reaction to U. S. economic aid has tended to take two main forms. On the one hand the Indians were afraid of this aid being used as a weapon of political warfare in the present day world. On the other hand, they were disappointed at the small amount of aid offered by the United States to India.

² Perhaps this suggestion appeared to Mr. Churchill most annoying. The President added later on that it was "none of my business" and "for the love of heaven do not bring me into this, though I do want to be of help." In his book, *Roosevelt and Hopkins*, Sherwood remarks "It is probable that the only part of that cable with which Churchill agreed was Roosevelt's admission that it is 'none of my business'. Hopkins said a long time later that he did not think that any suggestion from the President to the Prime Minister in the entire war was so wrathfully received as those relating to solution of the Indian problem. p. 14.

³ Vincent Shean, "The Case for India," *Foreign Affairs*, October 1951.

⁴ *United States in World Affairs 1947-48*, pp. 203-14.

⁵ Refer to Guy Wint, "...in the first post war phase the major attention in the United States was on East Asia, Especially China, rather than on South Asia" *International Conciliation*, (500), November 1954, p. 135.

⁶ *American-Asian Tensions*, Edited by Strausz-Hupe, Cottrell and Dougherty. (New York : Fredrick A. Praeger, 1956).

The chief reason of India's concern about U. S. economic aid programmes lay in their politico-military aspects. Most Indians hold that economic control eventually leads to political and military control. That is why India objected to Truman Doctrine which provided economic aid to Greece and Turkey against Communist infiltration. The Indian objection was that this method of giving help set up a 'dangerous precedent' of by-passing the United Nations. This complaint against Marshall Plan was not so serious because it was "not directed against any country or doctrine but against hunger, poverty, deprivation and chaos."⁷ Moreover the extension of invitation to the Soviet Union to participate in this plan further minimised the possibility of different ideological factors. The year 1948 saw a gradual shift in the nature of U. S. aid from economic to military sphere. Commenting upon this change, *The Hindu*, an influential moderate south Indian paper, remarked :

The truth is that the Eisenhower administration with its emphasis on the military aspect of the struggle for the containment of Communism, has not viewed economic development with the same urgency and vision with which General Marshall looked at the problem of rehabilitating Europe.⁸

Without going into the merits of this argument, suffice to mention that it cannot be taken too far because the two Generals were confronted with different problems to solve. The change from the economic aid to military assistance was bound to take place on account of the expansionistic tendencies of the Communists. The Korean episode confirmed this line of reasoning.

Now coming to the second aspect of the aid problem, the first major postwar disappointment came in India over the U. S. failure to provide funds for the industrialization of India. During the latter years of the war, India had started making plans for her industrial expansion. Taking into consideration the tremendous opportunity of development, the Indians thought that they would be receiving a number of offers which they could accept on their own terms. But to their surprise they found that the offers were not forthcoming as they had expected. The reason is obvious. Perhaps the Indian financial experts failed to realize the scarcity of capital immediately after the war. At that time no other country except the United States was in a position to meet the Indian needs. Under these circumstances, how could the Indian Government expect the inflow of capital on her terms. Besides, the terms themselves were not very attractive. Hence in this connection the policy of the Government of India was also responsible to a great extent. The U. S. official attitude was that if India

⁷ For the earlier industrial policy of the Indian Government, please refer to L. K. Rosinger, *India and the United States*.

⁸ Editorial, "Asia and U.S. Aid" February 3, 1955.

wants to import capital she will have to make the terms more attractive.⁹ Some of the statements made by the former U. S. Ambassador, Mr. Henry Grady, during 1947-48 were very distasteful to Indians. Mr. Grady wanted to communicate although in not so many plain words that the Indian policy was wholly wrong and needed a complete change. On one occasion he even remarked that since the United States is heavily committed in other countries, it would be better for Asians to help themselves. A New Delhi correspondent, Dr. K. L. Shridharani, remarked that the relatively meager amount of aid given to Asian countries "really embarrasses Indian friends of America."¹⁰ Resentment was also caused on account of U.S. attitude towards the shattered economy of Europe and colonially exploited economy of Asia which was far more worse. According to *Economic Weekly*

There was a possibility at one time that having put Europe on her feet with Marshall aid, America would direct her enormous resources to redressing the imbalance by developing the other countries of the world. These possibilities have faded into the shadows of rearmament hanging over the western world. It is difficult for India to fit into the new set up as a neutral country.¹¹

From the foregoing account it would be clear that the U. S. economic policy towards India disappointed a large number of Indians. There was no other major development in the economic relations of the two countries except that India received a \$ 44 million loan from the International Bank for Reconstruction and Development for Railway developments and the purchase of tractors.

ECONOMIC AID FROM 1950 TO 1956

In spite of acute differences between the two countries on questions of foreign policy in political matters, the two governments continued to cooperate in the economic field.

The year 1950 brought about a few changes. It saw the signing of a number of agreements concerning education, trade and commerce, food stuffs and so on. The Fulbright Act (early in 1950) provided for the financing and execution of educational programs. On December 28, 1950 an agreement for technical cooperation was arrived at between the two countries under Point Four Program. On June 15, 1951, an agreement was signed, by which the Export-Import Bank provided a loan of \$ 190,000,000 to the Government of India for the purpose of purchasing

⁹ Statement of the Secretary, U. S. Treasury. *New York Times*, August 10, 1949.

¹⁰ Strausz-Hupe and others. *op. cit.*, p. 44.

¹¹ *Idem*. Meanwhile the *Statesman* contrasted U. S. investments in India of \$ 38 million with \$ 726 million in the Persian Gulf, \$ 285 million in France, \$ 198 million in Australia and \$ 140 million in South Africa.

two million tons of foodgrains from the United States. On January 5, 1952 another agreement was signed by which both countries contributed \$ 54 million to a pool called Indo-American Technical Cooperation Fund. The money was to be used chiefly for increasing food production and rural community development.

Neither it is necessary nor is possible to examine all the important agreements which were concluded between the two Governments during the period 1950-60. Suffice it to mention that these agreements cover a large variety of items. It would not be an exaggeration to say that U. S. aid is scattered over almost every important item. Some of these agreements include subjects like food stuffs, Community Project Development Schemes, various health programs to check malaria and tuberculosis, technical assistance on various dams and other irrigation projects, tubewells, agricultural implements, fertilizers, exchange of professors and students and so on.

During the year August 1949 to December 1954 India received \$ 129.5 million by way of loans from the International Bank for Reconstruction and Development. She also received \$ 186 million on direct U. S. grants basis. Altogether, in grants and loans, U. S. Government has made about \$ 390,000,000 available to India during the aforesaid period.¹² Besides these, some private foundations, like Ford and Rockefeller, have also contributed several million dollars during this period.

With this large inflow of capital into India one naturally feels anxious to know about the American motives. The purpose of American aid has never been secret. The U. S. aim is to build "the economic strength of this important area of the freeworld."¹³

This policy of giving aid to India — a country following an independent foreign policy — has been criticised on a number of occasions. How can it be assumed, they ask, that this aid would strengthen the cause of democracy in India when on several occasions she had opposed the policy of the United States and taken issues with the Soviet Union? This has led a few American critics to argue against the case for India.¹⁴ The exponents of such a view hold that India is lost to the cause of democracy and, therefore, there is no use in wasting dollars upon her.

Sometimes it is also pointed out that the United States should not give aid to India on such liberal terms. In this connection, however, it should

¹² John D. Jernegan, "The American Policy towards India", *Annals of the American Academy of Political and Social Sciences*, Vol. 294, July 1954, p. 136.

¹³ John Foster Dulles, *Department of State Bulletin*, October 12, 1953, p. 494.

¹⁴ Stanwell Fletcher, *The Pattern of the Tiger* (Boston: Little Brown and Company, 1954).

be mentioned that India would not accept any aid with strings attached to it because this would amount to an interference in her independent foreign policy. Pandit Nehru has made it clear several times :

We would tighten our belts and take other measures to amass all available resources in the country rather than depend on foreign aid that came with strings tied to it.¹⁵

Political strings should not be confused with economic strings which are quite legitimate and justifiable. After all the aid giving country has a right to see that its funds are properly used and produce the intended results.

We may conclude this aspect of the American foreign policy with a brief note on the study of Foreign Aid conducted by the Fairless Committee. The Committee emphasised that in foreign assistance programs a higher priority should be given to those countries which have joined in the Collective Security system. The report also added that we recognise that some nations apparently do not entertain either the same apprehension as we do of the Communist threat or the same judgement as to the measures necessary to defend against it. We fully respect their right, indeed their obligation, to take whatever course they believe to be in their own national interest. Our government is obliged to do likewise, and we should marshal our resources to that end.¹⁶

A careful examination of this report would indicate that the country which was going to be hardly hit by this policy was India because she had declined U. S. offer to join the collective security measures. The consequences of this policy would be very serious. Without further going into the merits of this recommendation, suffice it to mention that the United States would lose the Asian continent eventually if such a policy was adopted.

POLITICAL RELATIONS

It was in the political sphere that the U. S. policies were subjected to most severe criticism and differences between the two countries reached an acute stage.

THE FIRST PERIOD : 1947-49

The analysis of U. S. policies towards India may be taken up with the issue of colonialism.

¹⁵ *The Hindustan Times*, November 23, 1952.

¹⁶ *New York Times*, March 6, 1957.

In the present context of world affairs U. S. policy towards colonialism is largely conditioned by a new form of imperialism — Communist imperialism. Since the United States has always championed the cause of colonial people, the natives of the colonial territories naturally expect unequivocal U. S. support without taking into consideration the anti-communist policy of that country. The United States advocated an evolutionary approach to the problem of colonialism and supported the colonial powers — mostly tied up with the United States — wherever it appeared that a nationalist movement was dominated or led by the Communists.¹⁷

The Indians unfortunately do not share this view and in their opinion the issue of colonialism is quite distinct from that of anti-communism. In a statement before the Parliament on March 17, 1953, Mr. Nehru remarked :

It is no good telling us that we have to support some colonial power because if we do not communism will enter there.¹⁸

As one writer has rightly pointed out that India sees colonialism almost exclusively as an abstract moral issue rather than as a mosaic of concrete political problems.¹⁹

It is with this background that the two countries approached the problems of Indonesia, Tunisia-Morocco and Indo-China.

Immediately after the Dutch attack of July 21, 1947 on the Indonesian Republic, India wanted to refer the issue to the Security Council with the help of the United States and the United Kingdom. The United States was not prepared to give her whole-hearted support; moreover, she wanted to keep the issue out of the Security Council on account of her relations with Netherland. This attitude of the United States created suspicion in the minds of Indians. *The Hindustan Times* suggested that perhaps the Anglo-American democracies had a sneaking sympathy for white colonial rulers, and that this might explain why a small nation like the Netherlands found it possible to carry on the campaign in Indonesia.²⁰

As the crisis developed and the Dutch were planning a renewed military attack (December 19, 1948), the gap between the policies of the two countries went on widening (because in the latter years the United States was associated with Holland on account of the North Atlantic Treaty). The continual U. S. aid to Holland was widely resented all over India.

¹⁷ Byroade, "The World's Colonies and Ex-colonies", *Department of State Bulletin*, November 16, 1953.

¹⁸ *India News*, March 21, 1953, p. 96. Quoted in J. C. Kundra, *Indian Foreign Policy, 1947-54* (Groningen : J. B. Wolters, 1955).

¹⁹ Strausz-Hupe (ed.), *op. cit.*, p. 34.

²⁰ L. K. Rosinger, *op. cit.*, p. 87.

Following the second military attack which took place with the tacit support of the United States, Nehru remarked :

The world is said to be divided more or less in rival power blocs. What do they stand for? What is their reaction to this attempt at destruction of the Indonesian Republic? We have to confess with sorrow that the attitude of some powers has been one of tacit approval or acceptance of this aggression. There is a Western Union of which Holland is a member. What does that Union stand for? Money has flowed from the Western Union. Recently Marshall aid going to the Netherlands Indies has been stopped. But that aid is still going to Holland.²¹

Popular indignation reached its climax when the United States was playing an important role in keeping the Tunisia-Morocco issue out of the Security Council's agenda. This led Nehru to remark that a U. S. dominated United Nations had "swerved from its original moorings and become gradually a protector of colonialism in an indirect manner."²² *The Indian Express* editorial commented "American policy seeks to prop up tottering colonial imperialism...in its hysterical drive against Communism."

The spirit of checking Communist expansion was more evident in the Indo-Chinese interlude than any one mentioned above.²³

From the foregoing description it would be clear that whenever the United States was caught between the issues of colonialism and Communist expansion, she had always defended the former.²⁴

Intelligentsia in India knows it very well that the United States does not want colonies for herself but what is most annoying to them is their correct impression that "imperialist powers cannot hold on to their colonial possessions without the material and military strength forthcoming from the United States of America."²⁵

On the other hand the United States cannot take the extremist stand which most of the Indians want because of her ties with the Western countries. In spite of her mild criticism, imperialist powers like Great Britain and France, have vehemently criticised some of the positions of the United States. For example, a *Le Monde* article in 1951 accused the United States

²¹ *Ibid.*, pp. 89-90. For a detailed treatment of this subject please refer to Chapter 6, pp. 86-100.

²² *New York Times*, April 30, 1952.

²³ For further details, refer to Strausz-Hupe (ed.) *American-Asian Tensions*.

²⁴ Thus a columnist of the *Times of India* observed: Wherever Washington is forced by the contending powers of communism and colonialism, it has invariably plumped for the 'lesser evil' — colonialism. Unfortunately, no country had done more in the post war world to identify itself with colonial regimes than U. S., which itself cherishes no colonial ambition. April 15, 1955.

²⁵ *Indian Express*, February 3, 1953.

of deliberately promoting Arab nationalism in North Africa and actually extending Voice of America facilities for local attacks upon the French administration there.²⁶ The Indians look for unconditional support for the colonial people.

RACIAL DISCRIMINATION AND THE UNITED STATES

Another difference between the policies of the two countries has arisen as a result of racial discrimination. According to an article in *The Statesman* a pro-British newspaper :

One of the reasons for India's misunderstanding with the U.S.A. is America's silence over the issue of racialism, for it is wrong to suggest that another voice against South African policies would not make much difference.²⁷

On June 22, 1946 India referred the matter to the General Assembly under Articles 10 and 14 of the Charter, charging the Government of Union of South Africa and its discriminatory legislation against Indians. The Government of South Africa contended that since it was an internal affair and fell in her domestic jurisdiction, the General Assembly had no competence to deal with the matter. On this issue the United States supported the South African Government in her stand that the matter should be referred to the International Court of Justice to decide whether the General Assembly was competent to deal with it or not. The United States adopted this attitude, according to Henry Cabot Lodge, Jr., on account of certain practical and legal reasons.²⁸ During the whole discussion of the dispute, 1946-48, the United States opposed India most of the time. *The Hindustan Times* commented :

It is unfortunate that many countries have been equivocal in their attitude in South Africa, as the proceedings in the U.N. General Assembly have come to underline. If that Western attitude based on political calculations of mutual interests have served to encourage the South African Government, it must nevertheless be recognised by them that with all Africa and Asia bitterly resenting the policy of racial discrimination, its repercussions are not to be discounted.²⁷

In this particular case we have reasons to believe that the policy of the United States was influenced on account of the strategic importance of various minerals, especially uranium, in this country.

Another aspect of difference between the two countries though not directly linked with the racial issue, yet closely connected with it, is the

²⁶ Strausz-Hupe, *op. cit.*, p. 37,

²⁷ April 11, 1955.

²⁸ Refer to the *Department of State Bulletin*, XXIII (597), December 11, 1950.

²⁹ Editorial, *Overseas Hindustan Times*, April 14, 1955.

equality for Asia and Asians. Nehru has several times scored Western countries in their dealings with Asia and has repeatedly emphasised that decisions affecting Asians cannot be taken without consulting them. In the spring of 1954, Mr. Walter Robertson, Assistant Secretary of State for Far Eastern Affairs, remarked that the United States must dominate Asia for an indefinite period and maintain a military counterpoise to China until the Communist regime of Red China crumbles from within. Nehru immediately retorted in a speech before the House of the People :

It is important that a responsible official of the United States should say it is their policy that the U.S.A. must dominate Asia for an indefinite period. The countries of Asia and certainly India do not accept this policy and do not propose to be dominated by any country for whatever purpose.³⁰

The *Times of India* urged "a common line of action to resist such foreign intervention in the affairs of Asia as jeopardises the peace and independence of the Continent."³¹

India's belief that West considered Asia inferior, was further confirmed by the fact that the United States dropped atom bomb on an Asian (Japan) and not European (Germany) power, completely ignoring the fact that it was available too late for its use on the European continent. The postwar experiments of nuclear weapons in Asia have also strengthened this belief. Asians concluded that no experiments were conducted in the Atlantic because it is a white man's ocean.³²

NEHRU'S VISIT TO THE UNITED STATES

In the October of 1949, Prime Minister Nehru paid a visit to the United States at the invitation of President Truman. As to why he was invited and why he accepted the invitation which he had rejected only two months ago before its acceptance (May), the reasons have never been known to the public. Officially his tour was described as one of good-will. Mark the following lines :

Essentially it had little to do with cold war, belonging rather to the series of good will visits to the United States by heads of friendly governments From the American point of view it was primarily a tribute of respect to the statesman ³³

³⁰ Strausz-Hupe (ed.), *op. cit.*, p. 41.

³¹ *Times of India*, April 26, 1954.

³² Strausz-Hupe, *op. cit.*, p. 41.

³³ *The United States in World Affairs 1949* (New York : Council on Foreign Relations, 1950), p. 440.

However, considering the developments that were taking place at that time in Asia, it seems a bit difficult to believe that the tour was one of 'mere good-will.'

Commenting upon the purpose of Nehru's visit, Lattimore, an expert on the Oriental affairs, has rightly pointed out :

*Counteracting this development (Communist victory in China) Washington is no longer 'waiting for the dust to settle.' A drive is set up to make India — not Pakistan — a major sector of U. S. world policy. The drive will be launched during or after the American visit of Prime Minister Jawahar Lal Nehru.*³⁴

New York Times went so far as to say, though not in so many plain words, that Washington was trying to exert her influence on Nehru so as to include him in the Western bloc.³⁵

Whatever may be the reasons of his visit, the results of the visit were not so tangible as some of the Americans had expected. Over the issue of economic aid, Nehru held :

We do not seek any material advantage in exchange for any part of our hard won independence.

In short, Mr. Nehru tried to make it clear that India was not prepared to make a major departure from her foreign policy in return for some economic advantages the U. S. might have to offer. For those who had hoped for India's accession to the Western camp Mr. Nehru's visit held only disappointment.³⁶

THE SECOND PERIOD : 1950-56.

During this period the United States' policies came into direct conflict on a good number of problems. Since the length of this Paper does not permit to deal with every problem individually, only the important one's would be discussed.

KOREA

The Korean episode brought about a good deal of difference of opinion between the two countries, irrespective of the fact that India was not directly involved in the crisis.

³⁴ J. C. Kundra, *op. cit.*, p. 118.

³⁵ *New York Times*, October 16, 1949.

³⁶ J. C. Kundra, *op. cit.*, p. 119.

According to American point of view, aggression had been committed by Russian-Chinese inspired North Koreans. It was a drive to extend Communism by force. Since South Korea was not guilty at all, force had to be met by force, and in case of a bigger war, Communists were to be blamed for that.

The attitude of the Indian Government was quite different and they approached the problem in an entirely different manner. The Indian Government did admit that aggression had been committed by North Korean forces and it had to be met, but since there was every possibility of this war taking turn into a large scale world war, this problem had to be overcome. Hence from the very beginning the Indian efforts were directed to localise the conflict, prevent its explosion into a East-West world war, and a satisfactory settlement to lessen the tensions in the Far East.

The difference between the two Governments arose as a result of Indian mediation efforts. The first attempt to effect a satisfactory conclusion of the crisis may be found in Nehru's Press Conference of July 7, 1950. He mentioned two pre-requisites for a peaceful and permanent settlement of the Korean dispute. Firstly, the admission of the People's Government of Communist China in the Security Council, and secondly, the return of the Soviet Union to the Security Council.

These conditions were not acceptable to the United States for two reasons. Firstly, People's Government was not directly involved in the crisis, hence the question of her representation did not arise. According to Washington, Chinese representation was entirely a different issue. Secondly, the U.S.S.R. left the Security Council of her own accord.

Nehru's suggestion caused great resentment in Washington. It was interpreted there to mean as if India was asking the United States "to buy off a communist aggression already underway." India was trying to mix up the Korean issue with the Far Eastern crisis without hitting to the problem of North Korean aggression, while the United States was anxious to maintain a distinction between the two different issues.

Then came the question of the U. N. forces crossing the 38th parallel. Nehru vehemently opposed the idea but in spite of his best efforts, the U. N. forces did cross the 38th parallel on 8th of October, 1950 and this crossing "certainly alienated Delhi from Washington." From this time onwards, Indo-American differences went on sharpening. Nehru's comment on the crossing of 38th parallel was that military mind had taken over in Korea.³⁷

³⁷ J. C. Kundra, *op. cit.*, p. 134.

One of the major reasons why India did not want U. N. forces to cross the 38th parallel was the Chinese note to the Indian Ambassador. The Chinese had informed the Indian Ambassador who had in turn informed the Western powers that in case U. S. troops coming too close to China, she would not sit idle. The United States lost all patience when the Chinese joined North Koreans (November 5, 1950). Since India did not criticise the Chinese move, rather "looked askance at the United States for having precipitated the crisis"³⁸ official as well as public opinion ran very high against India.

Misunderstanding was also caused during India's role as Chairman of the Neutral Nations Repatriation Commission when Secretary Dulles referred to it as the "so called neutral body."³⁹ In August 1953, the United States opposed India's membership on the Korean Political Conference. In spite of the U. S. opposition India was elected for the membership but it did create wide resentment in India.⁴⁰

Some of the responsible Congressmen charged India of pro-communist sympathies. As a matter of fact this is a baseless charge. Former Ambassador, Chester Bowles has rightly pointed out :

In retrospect India's position on the twisted course of debate on Korea in the United Nations was not pro-communist. On the crucial votes India found herself voting with the American delegates far more frequently than against them.⁴¹

INDO-AMERICAN DIFFERENCE OVER CHINESE RECOGNITION

During his visit Nehru had to refer to Chinese recognition by the United States in the light of developments that had taken place in China. India recognised the Communist Government immediately after Nehru's return from Washington (December 30, 1949). Since then India has been pressing the United States for recognising "realities". India's approach to the problem of Chinese recognition is based on the de-facto conception of recognition which means that governments should be recognised when they are, in fact, in control of the state machinery "without going into the nature of the government." The United States followed this policy down to the first Wilson administration.⁴² India's repeated urges to the

³⁸ *Ibid.*, p. 135.

³⁹ See *New York Times*, November 1, 1953.

⁴⁰ "Washington's opposition" remarked the *New York Times* correspondent, "to the inclusion of India in the Korean Conference brought Indo-American relations to a low point, if not the lowest in recent years." September 27, 1953.

⁴¹ *Ambassador's Report* (New York : Harper & Brothers, 1954), p. 243.

⁴² Fredrick L. Schuman, *International Politics* (New York : McGraw-Hill, 1948).

United States to recognise the Communist Government of China, are conditioned by the fact that in her opinion tensions in the Far East cannot be relaxed unless the United States recognises Peking regime.

THE UNITED NATIONS

To most Indians, the United Nations appears to be a victim of the cold war. Even Nehru observed that U. N. "is influenced very much by certain powers, including America." The reason why he held such a view was the United Nation's failure to solve the Kashmir problem, prepresentation of Communist China, South Africa's racial discrimination policy, Tunisia-Morocco issues and so on. He observed :

It is becoming rather significant how discussions on particular vital matters affecting world peace are avoided in the United Nations General Assembly,.... That is not the way either to work the United Nations to fulfil the purposes of the Charter, or to remove the tensions of the world.⁴³

U. S. ARMS AID TO PAKISTAN AND THE SEATO

One of the sore spots in the relations between India and the United States is the latter's decision to give arms aid to Pakistan. On 25th of February 1954 President Eisenhower announced his decision to give arms aid to Pakistan in order to strengthen the defensive capabilities of Middle East. The United States had started realising that a power vacuum existed in the Middle East and South Asia. She wanted to fill up this gap before the Soviet Union could get any stronghold in this area. The best way to achieve this goal was to give economic and military aid to countries who were prepared to accept it.

The policy makers of the State Department knew it very well that the arming of Pakistan, a country whose relations with India are not very cordial, would have grave consequences in their relation with India.⁴⁴ Hence to overcome this difficulty they made it absolutely clear in their agreement with Pakistan that the equipment, materials or services provided would be used "solely to maintain the recipient country's internal security and for its legitimate self-defence, or to permit it to participate in the defense of the area" of which it was a part. Besides, the recipient country was also required to undertake that it will not "engage in any act of aggression against any other nation." And above all, in case if this aid was misused, the President would take immediately "appropriate action both within and without the U. N. to thwart such aggression." The President also informed the Indian Prime Minister that the aid was in no way directed against India.

⁴³ *Indiagram*, March 3, 1954.

⁴⁴ Refer to Jernegan's article on American Policy towards India in the *Annals*, July 1954.

However, these assurances of the President did not satisfy the Indian public at all. Pakistan wanted this aid not on account of any external threat of Communist aggression but to strengthen herself against India.

In his Presidential address at the annual session of the Indian National Congress on January 23, 1954, Nehru mentioned the following three objections against military aid to Pakistan :

1. The cold war would come too near India's borders and disturb the 'area of peace' that India wanted in cooperation with other Asian countries to build,
2. the move would upset the balance existing between India and Pakistan which was dangerous as the latter's main aim was to herself against India,
3. the move was such as would introduce Western and foreign domination into Asia in a new guise.

Commenting upon the U. S. policy, *Amrita Bazar Patrika* observed that the United States wanted "a chain of military bases extending from the Pacific to the Atlantic," and that Pakistan and Turkey were going to strengthen provide the missing links.

The conclusion of the South East Asian Treaty Organization on September 8, 1954 added fuel to the fire. Krishna Menon branded SEATO as a violation of the meaning of the Charter, on the grounds that it was not any regional organization, but an organization of some imperial powers and others to protect a region, a modern version of the protectorate.⁴⁵

Commenting upon the usefulness of the Pact, Ambassador Bowles remarked :

To rely on an alliance of these nations (Formosa, South Korea, Thailand, Philippines, Australia, New Zealand with less than a population of 15% of free Asia) would be like trying to hold Europe with a NATO consisting of Spain, Portugal and Greece with the rest of Europe sitting on sidelines. It would be welcome assistance, but it could hardly be decisive.⁴⁶

VISIT OF THE SOVIET LEADERS :

The closing of the year 1955 was marked by the visit of Russian leaders, Marshal Bulganin and Secretary Khrushchev. They were given a warm reception by the citizens of New Delhi. During their stay in India, they delivered a number of speeches and gained a good deal of psychological success. They also subscribed to the principles of *Panch Shila* and made a few offers for trade and training Indian technicians.

⁴⁵ Strausz - Hupe, *op. cit.*, p. 27.

⁴⁶ *Ambassador's Report.*, p. 386.

Washington seems to be annoyed to see the success of Russian leaders. The editorial of the *New York Times* read as follows :

The joint communique (issued by Nehru and Bulganin in Delhi) and Mr. Nehru's toleration of Soviet anti-western attacks on Indian soil have aligned him so closely with Soviet policies as to put a large question mark behind his professed neutrality.

Perhaps as a retaliatory measure, Secretary Dulles made a statement with the Portugal Minister, Cunha, over Goa.⁴⁷ For a while the statement created a sensation in the whole of India. It is very difficult to see if Mr. Dulles gained anything except creating misunderstanding between the two countries. In his explanation to the Ministry of External Affairs, Sherman Cooper, the then Ambassador to India, emphasised that :

Dulles statement should not be taken to mean that Goa should continue to be under Portugal control. Mr. Dulles emphasised only the legal aspect of the problem.

However, for the public this was a lame excuse.

From the foregoing discussion it would be clear that the differences between the foreign policies of the two countries have arisen mostly on account of their approach to the problem of communism. The American attitude is based fundamentally to defeat communist expansion at the very beginning before it gets any strongholds. This objective, the United States has tried to achieve by gaining control of important strategic areas and partly by having reliable allies to help her in the event of communist aggression. But India looks upon these problems from a different angle. She is reluctant to recognise that communist aggression is imminent. An Indian writer has rightly remarked :

We may be stupid or completely blind, but where we do not see the menace, we cannot pretend to do so, merely because we are so advised by no doubt wiser people... It may sound strange to American ears, but nonetheless it is a fact that the leaders of India and Burma, and perhaps of other South Asian countries (excluding Siam), do not feel themselves threatened by communism.⁴⁸

According to the Indian way of thinking.

The best recipe for preventing it (communism) is to respect nationalist sentiment in Asian countries which dislike foreign intervention and take steps with international cooperation for the economic development of these under-developed countries.⁴⁹

From the foregoing discussion, the reader hardly gets an idea as to what is after all the United States' policy towards India in terms of political behaviour. The aforesaid analysis only throws ample light upon

⁴⁷ In this joint communique Dulles maintained that legally speaking Goa belongs to Portugal.

⁴⁸ Please refer to the January issue of *Foreign Affairs*, 1954. There is an anonymous article by an Indian writer—"P".

⁴⁹ B. S. N. Murti, *Nehru's Foreign Policy* (New Delhi: Beacon Information and Publications, 1953)

the differences between the two countries and their approach to world problems. However, one thing is absolutely clear and it is India's refusal to align herself with any of the power blocs.

Now the question arises: Why is the United States giving so much aid to India in spite of the fact that so many differences between the two countries do exist? Secretary Dulles remarked:

On some issues India's foreign policy differs from our own, but India's principles — the principles of democracy — are basically those which we cherish.⁵⁰

The right answer to the above mentioned question is that the United States wants to keep India neutral in the struggle of the two power blocs. This is the cornerstone of American foreign policy towards India. It is a matter of common knowledge that if today the United States stops giving aid to India, as has been recommended sometimes by persons like Stanwell Fletcher, the result would be that she will have to look towards the Soviet Union in order to get various types of assistance. When the Soviet Union comes to know that the United States has refused to provide assistance, she can dictate her own terms, the net effect of which would be that India will also become one of its satellites — although this time a powerful one.

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RECOGNITION OF COMMUNIST CHINA UNDER INTERNATIONAL LAW WITH SPECIAL REFERENCE TO THE POLICIES OF GREAT BRITAIN, U. S. AND INDIA

By

N. V. K. MURTHY

China, a country with one-fifth of the world's population today faces a strange situation. There are two governments, a Communist Government with authority over most of the territory and the people and a 'Nationalist' Government occupying a tiny island off the Chinese coast. Some states recognise one government and some the other. China as a state is a permanent member of the Security Council. But, the Chinese delegate to the U. N. cannot speak for the majority of the Chinese people, because he is a spokesman of the government which is in virtual exile in Formosa.

How has this ludicrous position come about? Let us examine the position of the Communist Government under international law and also see how Britain, United States of America and India have reacted to the problem.

As to the existence of China as a state, there is no question. As a permanent member of the Security Council, it enjoys almost universal recognition. The problem is, who represents this vast country the Communist regime in Peking or the Kuomintang regime in Formosa?

THEORIES OF RECOGNITION

Though the problems of the recognition of states and governments have got mixed up in the practice of states, they are essentially different. The confusion has arisen because when a new state is recognised it takes the form of recognition of the government in power.

The rival theories — declaratory and constitutive — do not clash as far as recognition of governments is concerned, because the recognition of a new government has nothing to do with the international personality of the state. The continuity of the legal personality of a state is not affected by change of government.

Hyde, a constitutivist, admits that 'in theory the question involved is merely one of fact' and...a party that 'has firmly established itself in power and thus appears to have gained permanent control' will have to be recognised.

Lauterpacht maintains that there is a duty to recognise a government 'provided that the conditions presented by international law are fulfilled'. The conditions are stability and de facto control over territory.

Thus, it will be seen that there is general agreement regarding the conditions to be fulfilled before a new government can be recognised.

A new condition was introduced in European politics early in the nineteenth century. The Holy Alliance (1814-1815) enunciated the doctrine of legitimism. This was born out of the dynastic feuds of those times. They refused to recognise any monarch who had no legitimate right to the throne.

In modern times, this doctrine has been revived by the American States. It was perhaps inspired by the too frequent revolutions in Latin-American countries. Tobar, Foreign Minister of Ecuador, in 1907 made a plea that governments born out of extra-constitutional methods should not be recognised. This principle found its way into the Treaties of 1907 and 1923 between the Central American States.

There are two other developments in the requirements that states stipulate for the recognition of new governments. They are that the acceptance of the new government by the people must be evidenced by a democratic procedure and the new government should give proof of its ability and disposition to fulfil the international obligations of the State. This democratic test seems to have been originated by Secretary Seward, who in 1868 said: "The policy of the United States is settled upon the principle that revolutions in republican States ought not be reorganised until the people have adopted them by organic law, with the solemnities which would seem sufficient to guarantee their stability and permanency."

PRACTICE OF STATES — UNITED KINGDOM.

The British Government, except during the days of the French Revolution, has dissociated itself from the legitimist doctrine. When the French Ambassador, Marquis de Chauvelin, on December 27, 1792 claimed to speak on behalf of the new Republican Government, he was informed that his new capacity could not be recognised. But, soon in the Peace of Amiens, Britain recognised the French Republic and accepted Napoleon as the international representative of the French State.

Lord Malmesbury explained to the House of Lords:

"It has been, as your Lordships all know, our usual policy for a period of 22 years — since the Revolution of 1630 in Paris to acknowledge the constitutional doctrine that the people of every country have the right to choose their own sovereign without any foreign interference; and that a sovereign having been freely chosen by them, that sovereign, or ruler, or whatever he may be called, being de facto the ruler of that country, should be recognised by the sovereign of this country."

During the Spanish revolutions, 1868-1875, British recognition was extended to the successive revolutionary governments. Lord Derby declared in the House of Lords, on March 8, 1875, that any government 'which, as a fact, the Spanish people acknowledged and obeyed' had been recognised. The non-recognition of the Soviet regime for a long time was a departure from the normal policy.

Thus, it will be seen that, by and large, the British policy has been to follow the de facto principle of recognition.

U. S. A.

Jefferson said in 1792, "I hold that a little revolution now and then is a good thing and is as necessary in the political world as storms in the physical... It is a medicine necessary for the sound health of government."

But Wilson's policy was quite the opposite. He opined that, "just government rests always upon the consent of the governed." However, this has not been consistently followed. Secretary Stimson stated the practice of the United States as follows in an address before the Council on Foreign Relations in 1931 :

"The practice of this country as to the recognition of new governments has been substantially uniform from the days of Secretary of States Jefferson to the days of Secretary of State Bryan in 1913... The general practice, as thus observed, was to base the act of recognition, not upon the constitutional legitimacy of the new government but upon its de facto capacity to fulfil its obligations as a member of the family of nations... The present administration has followed consistently the former practice of the government since the days of Jefferson."

The U. S. was a party to Resolution 35 of the Final Act of Bogota, in which, among other things, the American States declared :

"... That the establishment or maintenance of diplomatic relations with a government does not imply an opinion on the domestic policy of that government".

Referring to this Resolution, U. S. continued normal relations with Peru when General Odría overthrew President Bustamante in October 1948.

But, when in the following year U. S. recognised Israel and the new government there, a pointed reference was made to the election. The declaration said, "... The votes have now been counted, and this government has been officially informed of the results. The United States Government is therefore pleased to extend de jure recognition to the Government of Israel."

U. S. refused to recognise the Tinoco Government in Costa Rica in 1917 because it was unconstitutional. The *coup d'état* of General Huerta in Mexico in 1913 was denounced by U. S. as usurpation. In 1922, the U.S. Commissioner was instructed to recognise the President of Haiti, Borneo, if he was satisfied with the constitutionality of the election.

Thus, it will be seen that the U. S. has not followed any one policy consistently. We may infer that the policy in any given case was dictated by political conditions.

INDIA

India is still a very young Republic. We do not have any case law to fall back upon. But within the short period of its existence, it has consi-

tently advocated and practised recognition on de facto basis. Nehru has time and again advocated universal membership of the United Nations. This proves that India is committed to the policy of recognising any state or government which has de facto control of territory.

HISTORICAL BACKGROUND

Before examining the policies of the United States, United Kingdom and India towards China, it may be helpful to know the historical background in China in outline.

China was under a monarchy for centuries. Its position in the international community was unquestioned. There were relations, diplomatic and otherwise between China and the leading Western Powers of those days. Strong trade interests were developed by countries like England in China. Trade interests gave rise to political interests. But all was not quiet. Many attempts were made to overthrow the despotic ruling class and the powerful foreign vested interests. Finally, a very strong national movement developed under the leadership of Sun Yat Sen. The party which represented this national sentiment was the Kuomintang.

The Kuomintang finally succeeded in wresting power in 1928. A provisional Government was set up. Soon, the authority of the new Government was recognised by all foreign powers. It looked as if China had once again come into her own as a great power with a stable government under the leadership of Chiang Kai Shek, the Kuomintang leader (Sun Yat Sen having died).

The nationalist movement which culminated in the formation of the Provisional Government in 1928, was composed of many splinter groups. The Kuomintang was not a strongly-knit political body. It was at best a nationalist coalition. The Communist group was quite strong in the coalition. Soon, differences developed between the Kuomintang and the Communists. The differences were so deep rooted that they led to a civil war. What started as a small conflict for power developed into a full scale civil war covering almost the entire country side.

There was another dramatic turn of events in 1935. In addition to the civil war, China had to cope with a war against Japan. Japan perhaps thought it could exploit the situation in China. China was thus threatened with national calamity. Probably, this impending danger brought the Kuomintang and the Communists together again. The civil war was ended and a coalition established.

But underneath the coalition there was an under current of suspicion and the two parties never really forgot their differences. With the end of the war in 1945, all the old differences were revived with redoubled vigour. The civil war started all over again.

At the end of the war in 1945, both the U. S. S. R. and the U. S. A. were anxious that China should be united and strong to prevent Japan from moving back into China.

According to the original Roosevelt-Stalin plan for ending the Pacific war, "Americans were to push up from the south and the coast and Russian forces were to come down from the north, each cooperating with the Chinese fighting on the spot. But since the native anti-Japanese troops in North China were communist-led, both Washington and Chungking (Chiang Kai Shek's Headquarters) feared that joint operations with the Red Army would strengthen them inordinately in the internal balance of power, in which already, and without an ounce of outside aid, they had made such strides through military successes against Japan and political successes among the peasants."

"It was desirable for rapid victory and a stable peace to allay such fears, assure that all efforts be directed against Japan alone as Stilwell had tried to direct them, and create a basis for the reconstruction of the existing Chinese Government to permit democratic political competition instead of armed conflict between the great parties."¹

The Sino-Soviet Treaty of 1945 "was mainly a military alliance to smash Japanese aggression and provide assurance that it would not revive. The aid to be given was precisely defined and did not include assistance for civil war, which had nothing to do with either the defeat of Japan or rebuilding after victory."²

The U. S. attitude in China was, however, fast changing. Active support was being given to Chiang Kai Shek against the communists. This policy had become so blatant that General Stilwell wrote in April, 1946: "George Marshall can't walk on water. It makes me itch to throw down my shovel and get over there and shoulder a rifle with Chu Teh."³ Chu Teh was the Commander-in-Chief of the Communist Eighth Route Army.

Even the American-owned Shanghai China Weekly Review wrote: "For our part we are still attempting to figure out whether General Marshall has come here as an American mediator or as the commander of the combined American-Nationalist forces in the crusade against Yen-an (Communist Headquarters)."⁴

In spite of all this, by 1946 the Communists were showing considerable strength on the battle field. By 1949, the Communists had successfully driven the Kuomintang to the wall and established a new Government at

¹ Epstein, L., *The Unfinished Revolution in China*, pp. 292 and 293.

² *Ibid.*, p. 294.

³ *Ibid.*, p. 310.

⁴ *China Weekly Review*, June 22, 1946.

Peking. A problem was posed to the foreign Powers. Which was the Government in power in China?

In December 1949, the Chinese delegate, who was naturally a spokesman of the Kuomintang, brought forward a proposal, which among other things called upon member-states to desist from recognising the new Government at Peking. This suggestion was vehemently opposed by some delegates. The final resolution of the U. N. made no mention of this plea. But, more of this later.

INDIAN, U. S. AND BRITISH POLICIES TOWARDS CHINA

India promptly recognised the new Communist Government at Peking on the ground that it had effective control over the Chinese territory and authority over the Chinese people.

British followed suit in January 1950. When Atlee was asked regarding British policy towards China in 1949, he said that the British Government would wait and watch the situation.

During the debate in the U. N. in December 1949 on the proposal put forward by Nationalist China's delegate, Sir Terence Shone put forward the British view, rather emphatically, in the following words:

"Recognition did not imply any moral judgment or constitute approval of the government recognised. Nor could he agree that recognition or non-recognition of the Chinese Communist Regime would have any major influence upon the lives of the Chinese people. It was certainly not true that recognition would be a betrayal of them. Indeed, it might be argued that if the Communist Regime controlled the destinies of most of the Chinese people, it would be their advantage to have other states establish normal diplomatic and commercial relations with them."

The United States Government still does not recognise the Communist Government. It has diplomatic relations with the Government in Formosa.

In the early days after the establishment of the Communist Government, U. S. felt that there was no proof that the Government was stable and would last for long. There was also the question of the attitude of the new Government towards the rights of foreign nationals in China. With the Korean War, a new reason has been added. Because of the Chinese intervention in the Korean War, she was branded an aggressor by the United Nations. The United States did not want to recognise a government which was named an aggressor by the United Nations.

But this policy of support to the Chiang Kai Shek regime has come in for criticism in several quarters in America. Writing in the issue of March 15, 1949, of *Foreign Policy Reports*, John K. Fairbank, Professor of Chinese History at Harvard said:

"But while Chiang has been anti-communist, he has also lost the allegiance of the great bulk of the Chinese patriots, set himself to oppose peasant rebellion, and in large

measure failed to use the forces of social change. As a result, after twenty years' competition with communist leader Mao Tse Tung to see who could solidify peasant support on a nation-wide basis, Chiang has lost."

The same professor writing in the *Atlantic* magazine in November 1950, urged as follows :

"A majority decision to seat China in United Nations, by which we have promised to abide, might help the Chinese people view the world more independently. Meanwhile, Formosa is of marginal value to us and less distinct than Korea as an issue of principle. . . . In the long term Formosa is less valuable to us than peace with China. We must try to settle its disposition through the United Nations."

Criticising the U. S. support of Chiang Kai Shek, George E. Taylor wrote as follows in the *Foreign Policy Reports* of March 15, 1949 :

"It is to the interests of the Chinese people and of the U. S. to keep up the fight against the Chinese communists. But it would be ironical indeed to support in exile a government which we would not support in office."

So, it is seen that political interest rather than any principle of international law is playing a very strong part in the U. S. policy towards China.

CHINA AND THE UNITED NATIONS

The Republic of China was admitted as a permanent member of the United Nations in San Francisco. Also, it was recognised as one of the Big Powers and given a permanent seat in the Security Council.

Today it has become one of the most controversial subjects in the United Nations. When the question of representation of the Chinese State first came up before the United Nations the case had not been complicated by the Korean war and the Chinese intervention therein. Many delegates urged a realistic approach. The then Secretary-General Trygve Lie was outspoken in favour of seating the Communist Government. He said, "I fully sympathized with this position, taken by many Western European States, including Norway. Without being happy that the Communists had won the Civil War in China, I did not feel that the approval or disapproval of a regime was in question: it was a matter of recognising the facts of international life. . . . The Republic of China to which permanent membership in the U. N. was extended in San Francisco was not a government but a nation of some 475,000,000 people. It was China, not Chiang Kai Shek that belonged to the U. N."

Dr. Tsiang, the Nationalist Chinese delegate to the U. N. in 1949, submitted a proposal to the United Nations urging the following :

- (1) Condemnation of the U. S. S. R. for repudiating in action the Sino-Soviet Treaty ;
- (2) Urging member states to desist from giving any help, economic military, etc., to the Chinese Communists ;

- (3) Urging non-recognition of the Chinese Communist regime by any member state ;
- (4) Calling upon all members to refrain from taking advantage of the situation in China.

The proposal for urging non-recognition of Communist Government came in for strong criticism. Sir Terence Shone's remarks have already been quoted.

The final resolution that was passed contained the following proposals :

- (1) To respect the political independence of China ;
- (2) To respect the right of the people to choose freely their own political institutions ;
- (3) To respect existing treaties with China ;
- (4) To refrain from seeking spheres of influence or special rights or privileges in China.

This clearly shows that the United Nations did not want to pass any judgement on the new Government in China. On December 12, 1950, the U. N. appointed a committee comprising Canada, Ecuador, India, Iraq, Mexico, the Phillipines and Poland to report on the matter of Chinese representation at the U. N. But, to this day it has not been settled. Much has been said about the phrase 'are able and willing to carry out these obligations', contained in Article 4 of the U. N. Charter. If the willingness of the Communist Government to accept the obligations can be questioned, the ability of the Government in Formosa to carry out the obligations can be questioned with more validity.

The Korean conflict and the Chinese participation in it has further complicated matters. An aggressor, it is argued, must not be admitted to the United Nations. The shooting war has ended. The problem of Chinese representation, which had been shelved for some time is again looming large in U. N. affairs.

CONCLUSION

There does not seem to be much reason in putting conditions before recognising a new government of any state. The only objective condition is that of de facto control. The theory of legitimacy can straightaway be dismissed as unrealistic. If such a theory were to be followed, no government would perhaps qualify for recognition. No state has followed this theory consistently, though some have invoked this principle when it suited their political interests.

The conditions enunciated by the United States, namely, democratic approval of the government and the willingness and capacity of the new government to carry out international obligations deserve more serious

consideration. The insistence on democratic approval is again impractical. What one state might consider democratic may not satisfy the tenets of democracy as understood by another. Besides, this violates the principle of sovereignty, which is an accepted tenet of international law. In practice even the United States has not confined itself to recognising only democratic governments.

The willingness of a government to carry out the international obligations of the state is a corollary which follows from the fact that the government is in control of the state. The state has a continued international personality and there is no break in the international obligations of the state as such. As Chen rightly points out in his book *The International Law of Recognition*, insistence on the acceptance of international obligations of the state by a new government, may create the erroneous impression that the new government is bound only by such of the obligations as it has specifically accepted. Therefore, it is better to fall back upon the capacity of the new government to carry out international obligations. This would bring us back to the de facto principle of actual control.

Judging from this point of view, India and Britain have acted correctly in recognising the Communist Government in China. Let us examine the U. S. position critically.

The possible justification of the U. S. policy may be based on the following :

1. The Communist Government is not a legitimate government.
2. It is doubtful if the new government has effective control of the country.
3. The Government has not had any democratic approval by the people.
4. It has not shown willingness to carry out international obligations.
5. It has been declared an aggressor by the United Nations.

If the Communist Government is not legitimate, neither is Chiang Kai Shek's government legitimate. The Provisional Government established in 1928 and subsequently recognised by the U. S. was established by extra-constitutional means. In fairness to the U. S. it must be said that this objection has not been given by it as one of the reasons for non-recognition.

Regarding effective control, no sane person would doubt the control of the Communist Government. The articles written by leading Americans, to which reference has already been made, show that the U. S. is not unaware of the actual position in China.

Democratic approval is something which is difficult to prove or disprove. As has already been shown insistence on this principle goes contrary to the acceptance of the principle of sovereignty of states.

Willingness to carry out international obligations may again become subjective judgement. Some states (e.g. Australia) have said that China is not keeping her obligations regarding Hong kong. This sounds little less than ridiculous when the foreign power concerned, namely, Britain has recognised the Chinese Communist Government.

Even if China did commit aggression in Korea, that aggression has ended. U. S. policy towards other powers which have in the past committed aggression in one way or another, does not justify its trotting out this reason for withholding recognition from the Communist Government.

Mere non-recognition of the Communist Government is one thing. But recognition of the rival Government is quite another. No state has the obligation to recognise another state or government for whatever reason. But once a state is recognised, only the government in actual power can be recognised or no government should be recognised, which would amount to severance of diplomatic relations. In the past, the United States did not recognise new Governments of many recognised states, e.g. the Government of General Huerta in Mexico. But no rival government was recognised. Though the international personality of Russia was never doubted, she was not recognised by the U. S. for a number of years. Even when the Bolshevik Government was not recognised, the laws of that government were recognised by some U. S. courts as facts which could not be ignored. In the famous case of *Salimoff versus Standard Oil Company*, decided in 1933 by the Court of Appeals of New York, the court said : "The courts may not recognize the Soviet Government as the *de jure* government until the State Department gives the word. They may, however, say that it is a government, maintaining internal peace and order, providing for national defence and the general welfare, carrying on relations with our own government and others. To refuse to recognise that Soviet Russia is a government regulating the internal affairs of the country is to give to fictions an air of reality which they do not deserve."⁵

In the case of China, support of the Chiang Government can not be justified by any tenet of international law. The only thing in favour of Chiang is his friendliness towards U. S. But, unfortunately, this can not be taken into account under international law.

One can not help coming to the conclusion that U. S. policy is based on the hope that Chiang may return to power. It is, therefore, a clear case of intervention by the United States in the affairs of China.

⁵ Lauterpacht, H : *Recognition in International Law*, p. 148.

As far as the United Nations is concerned, the spirit of the Charter is clearly in favour of universal membership. Moreover, the entire concept of collective security under the Charter is based on the concert of Big Powers. China is a big power. Allowing a Government which has no effective control over the people and territory of China to speak for China, is a serious handicap to the concept of the concert of Big Powers.

The fact that the Communist Government was once declared aggressor should not be a handicap. After all, other powers like Spain, against which strictures were passed by the U. N. in the past, have now been admitted to the organisation.

In the words of Prime Minister Nehru,

"I think that China does not lose much as a result of its non-entry into the portals of the United Nations. If any body stands to lose, it is the free nations of the world and the U. N. itself. When you keep one country out, naturally that country will have no responsibility to implement the decisions taken by the U. N. I, therefore, maintain that by denying China her rightful claim you are weakening the United Nations."

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WORLD PANORAMA

By

R. C. HINGORANI

World is passing through a continual phase of tension and brinkmanship. Berlin problem is the sore problem of the day. Added to this is the recent Tibetan revolt which has resulted in the exile of Dalai Lama — God-king of the territory. Laotian situation is also a cause for concern to the world elites. Resultantly, tension are rising high and any day a minor incident may conflagrate the situation into a major war with attendant consequences.

Already the world has recorded a period of supremacy of science. One has seen during the past year launching of earth and sun satellites by the two Big Powers. Russian lead in space research as witnessed by the launching of sputniks and intercontinental ballistic missiles has broken the United States supremacy in the field of science. This has led to heart-searching among Americans.

In the American continent, United States is passing through a critical period. No more is it the supreme power which it was at the end of World War II and in subsequent years. A number of factors could be the cause for the same; a sick President, recession, Russian success in space research and political bungling by Dulles. And although the author of brinkmanship is no longer with us his policies will be adhered to by Eisenhower and Herter. There is also lack of unanimity in the Western bloc over the issues being discussed at the Big Four Foreign Ministers' Conference.

Rest of the American continent is not particularly in the news. In Canada, Conservatives who replaced the Liberals by a precarious majority in the general elections in 1957 have emerged out more powerful in 1958 elections. The Diefenbaker government exhibited a wise policy during the Anglo-American adventure in West-Asia.

Latin American countries continue to live in the old fashioned way. Their governments change often and coup is the normal mode of change of government. Among the casualties, Cuba and Bolivia has been its latest victims. Nicaragua, Guatemala and Argentina also suffer from continual tremors. On the international level, these countries are no more playing second fiddle to the United States. The last year demonstrations against Nixon during his goodwill Pan-American tour and their apathy toward U. S. intervention in Lebanon have won them the attention of the rest of

the world. Nevertheless, U. S. still wields great power on the continent and controls many governments there.

The European scene is fairly stable today. Yet it is not exempt from tensions. The bipolarized division of Europe into East and West is bound to have occasional repercussions. The October 1956 revolution of Hungary is a matter of history; so also the judicial murder of Nagi and his supporters. The revolution arising from the natural urge of its citizens to be free from the Soviet yoke was crushed unceremoniously. The pro-Soviet regime, formerly headed by Kadar, has become a fait accompli. The U.N. debates proved to be only pious wishes.

Yugoslavia is heading toward potential neutrality. After the death of Stalin, it seemed as if the Soviet Union and Yugoslavia had bridged their differences. Krushchev flirted with Tito and the latter in order to appease the Communist countries accepted the Oder-Neisse line between Poland and Germany as permanent. Tito recognized the East German government. But that was all. Soon after we discovered that differences were developing between the two countries and now they remain as apart as they were during the days of Stalin. A war of vilification against Yugoslavia is on. What proportions will it reach is yet to be seen. In the internal area the harsh conviction of the former Vice-President Djilas for expressing his views has spread gloom throughout the democratic world.

German re-unification is no nearer solution. The bipolarised powers hardly seem to be interested in its unification. Krushchev was fairly frank about this while talking to Social Democrat Parliamentarians during their recent trip to Russia. The Berlin situation has complicated the issue further. Adenauer's stubbornness is also partly responsible for the stalemate. His thesis of negotiating with Russia from a position of strength has proved wrong. Russian invention of I C B Ms and Sputniks has toppled the whole of Adenauer's theory.

What are the prospects of German reunification today? In the present circumstances, nil. But there could be some solution if the two Germanys enter into direct negotiations and form a neutralized confederation at present with eventual free elections at some later date. A proclamation of denuclearized Germany would be its first essential. A tripartisan policy—between Christian Democrats, Social Democrats and Free Democrats—on German reunification might then pave the way for direct negotiations between the West and East German Government despite the latter being an undemocratic one. In this connection, the present nuclearization process of West German armed forces would hardly contribute to better relations between two Germanys. Perhaps, better sense may prevail upon the Adenauer administration and thus bring about a spirit of reconciliation between the two Governments.

France has a Fifth Republic. General De Gaulle has been made its President with wide powers. A new political party—Union for New Republic—backed by De Gaulle and formed by Sovetelle who sponsored the Algerian Rightist revolt has won the new elections. All is not well however. French political crises are proverbial. It is commonly said that you go to London to see the change of guard at the Buckingham Palace and you go to Paris to see the change of Government. De Gaulle's recent constitutional reforms may check political instability, but that does not solve the basic French problems. Algeria is one of such problems and tied to this is the economic ruin caused by such war. Although the De Gaulle government has promised Algerian muslims equality with the French settlers no peace is visible in that area; nor will there be any chance of its solution so long as there is non-recognition of Algerian independance even though within the French Union. Today the extreme Right and militarists rule France and they are in no mood to agree to an independent Algeria. The only solution could be the emergence of Mendes-France. For the time being, of course, he has been eclipsed by his defeat in the national elections, but he may re-emerge soon after the De-Gaulle tempo is over. Like Indochina situation, he may again save the French people from chaos. Earlier the French people and politicians realize this there will be dawn on the French soil.

United Kingdom has seemingly recovered from its Suez set-back. MacMillan is gaining more strength. The tempo of conservative defeatism is gone. Since his return from the reconnaissance trip of the Soviet Union, he has been advocating negotiations with the latter. He has also supported the arms-freeze in Central Europe. This has created a cleavage in the Western alliance, particularly between West Germany and France on one hand as United Kingdom on the other.

Ostensibly, peace has been restored on the Cypriot soil. It has been promised an independant republic with some irrevocable guarantees to England for using the island for strategic purposes. There has been give and take concessions between the Greek and Turkish communities, the latter has been given some weightages and vetoes. United kingdom has once again succeeded in its traditional policy of "divide and rule". Like it did in Ireland, India, Ceylon and Burma it has also fomented ill-feelings between the two communities of the island. Nevertheless, let us hope that the Greeks and Turks of the island will smell the British tactics and thus progress under the able guidance of Archbishop Makarios, the prospective President of the new republic.

On the Communist side Khrushchev has finally succeeded in being another Stalin. Ever since Stalin died this had been his aim. First he succeeded in the liquidation of Beria. Malenkov and Molotov were the next targets. Zuhov and Bulganin followed. Stalin died six years ago,

but Stalinism continues to dominate the Soviet Union and its politics. Khrushchev is now the party as well as the government chief. The repression policy of Stalin has been revived and satellite Eastern Europe has been warned. Yugoslavia has also been rebuked for its revisionist policies. China is being pampered. All this centralization of Power in one man accompanied by ICBMs and sputniks may result in sudden eruption somewhere and, therefore, one has to watch the developments carefully.

There has not been any marked changes in other communist countries. In Poland, of course, there has been emergence of Gomulka as the Secretary of the Polish Communist Party. Although he formerly stood for an independent Polish Communist Party, there has been no appreciable swing toward that goal. Undoubtedly, Gomulka's Poland has received favourable responses from the United States but that is all. Future events may, however, show the real implications, if any, of Gomulka's emergence as Poland's leader.

Middle East is in the news. It is changing its shape, geographically as well as otherwise. Firstly, Syria and Egypt were merged into one state known as the United Arab Republic. Nasser was voted as its first President. Yemen joined the United Arab Republic perhaps to reinforce its claim for the return of Aden protectorate. As a counter balance to the above changes, the Hashemite dynasty cousin Kings of Iraq and Jordan formed a Federal State. However, Iraq has since then disintegrated and a republic has been proclaimed there after the killings of King Feisal and his Prime Minister, Nuri. A new government under Brigadier Kassem has taken over.

Iraqian revolution was first hailed as victory of Arab nationalism in general and Nasserism in particular. Subsequent events have, however, belied the expectations. Soon after the revolt, the military junta began to disintegrate. Colonel Arif, the strong man of the Junta and Kassem's deputy was condemned as pro-Nasser. Communists have since then thrived in the country and have captured a number of important positions. In the circumstances, Kassem and Nasser are drifting in opposite directions. Of late, Nasser has also launched a tirade against Communists thus resulting in strained relations between Nasser and Khrushchev. The situation in the Middle East is, therefore, worth watching constantly.

Lebanon has relatively remained quiet after the change of Presidency. President Shehab has done well in allaying the fears of falangists by including one of their supporters in Rashid Karami's cabinet. His handling of the situation has perhaps saved Lebanon from the pangs of civil war. He has also restored friendly relations with Nasser. Situation in the Middle East is far from being satisfactory. What are the causes of continual upheavals in the Middle East? To me, two factors contribute

to ever-present stalemate in the region; these are the Arab-Israel conflict and the rich oil fields. Arab nationalism adds fuels to the fire. The Arabs refuse to recognise the existence of Israel state. The existence of the Israel state is a *factum valet* and the Arab intransigence would only promote tension in the region. Reports run to the effect that Israel does not desire to remain in constant state of tension. It wants to devote more time to develop its economy. It also wants to remain on friendly terms with its Arab neighbours provided the latter do not continue on provoking. The Arab States, however, wish to isolate Israel and strive for its elimination from their midst. This is hardly possible to reconcile with the present state of affairs. The Israel State has come to stay and only a miracle could liquidate it. The best thing, therefore, would be to recognize the facts and start worrying about it.

Presence of rich oil fields has attracted the Big Powers to this area. Previously, Britain was the supreme power and master of this region. Things have tended to change. With the declining supremacy of the British in other regions, they have ceased to wield power here also. They had to vacate the Suez Canal and had to liquidate Anglo-Iranian Oil Company. Nevertheless, it is interested in the free flow of oil from this region to the United Kingdom. Without oil its economy will be completely shattered.

Events have also facilitated the bipolarized powers to enter into this arena. They vie with each other to win the Arab States. That is why United States condemned the Anglo-French adventure in Suez and the Soviet Union checked the United States' adventure in the area. The Soviet Union stepped into this area by supply of arms; the United States through its oil companies and by enunciating the Eisenhower doctrine. On the whole, the Arab States, are not happy to be involved in the cold war. They are rather dragged into it. They would prefer to be left alone to build their economy and to eradicate poverty and illiteracy from their lands.

Inter-Arab jealousies have also contributed to the instability in this region. Iraq and Egypt showed traditional rivalry; both aspire to lead the Arab nations; Iraq through its oil riches and Egypt through its dynamic President Nasser, who has symbolized the Arab nationalism. Overthrow of monarchy in Iraq was initially considered as Nasser's victory. Events have contradicted the earlier observations. King or no king, rulers in Iraq are in no mood to play to Nasser's tune. Rather, Kassem is trying to be a potential aspirant for leading the Arab world. Unfortunately for the region, Communists seem to be gaining ground in Iraq. Resultantly, one should not be surprised if cold war creeps in their region also. Perhaps, Arab nationalism which is still a cementing factor among the Arab nations may unite Nasser and Kassem together in time of emergency.

On the African soil, march of freedom is in progress. Hitherto considered as a sleepy continent, it is emerging out from the shackles of

slavery. Morocco and Tunisia which were initially denied freedom by France on the ground of being part of metropolitan France have since been granted freedom. The banished Sultan of Morocco was recalled and became the King. The fiery petral of Tunisia, Bourguiba initially became the Premier of Tunisia. Later on, the Bey of Tunisia was dismissed by the Tunisian Assembly which installed Bourguiba as the first Tunisian President.

France, however, has not learnt by events. Its queer protestations at the NATO Conference last year against the Anglo-American supply of arms to Tunisia could hardly be justified. A sovereign nation can always purchase an appreciable amount of arms for its self-defence and it does not lie within the power of a third state to object to such supply. But the Anglo-American supply of small amount of arms created a furore in the French capital which eventually resulted in the Anglo-French communique to the effect that France has a principal responsibility to discharge in the African region. Perhaps, the two powers were still entertaining the nineteenth century notions. These notions are partly responsible for the deteriorating relations between France and Tunisia.

Algeria is the burning topic of the day. Its nationalist party — FLN — has started a struggle for independence since 1954. Now it has established a Free Algerian Government in Cairo and the same has been recognised by a number of governments. The French have, however, taken the usual stand of it being a domestic question but with little success. The wind is blowing the Indo-China way. Unless the French see the light of the day they are bound to repeat the Dien Bien Phu defeat. Rightist intervention in the Algerian matter would only worsen the situation. Perhaps, De Gaulle could avoid Algerian secession by timely action by recognizing the Algerian independence and start negotiations by cessation of war. The present French political bosses are in no mood to accede to this. Promise of assimilation would hardly please the Algerian rebels. Emergence of Mendes-France, the realist politician of France, would alone save the situation. There could be some argument as to the large number of French settlers in Algeria. But that could be settled amicably. Repression would only create a wider chasm between the two. The earlier the French realize this the better it will be for the French settlers. Otherwise, they will be forced to migrate to France unceremoniously.

There is also a vexy problem of apartheid in South Africa. The white settlers there want to retain their supremacy over the local browns and blacks. The friction is continuing and the repression reinforced against the local population. But how long? Not for long, I suppose. The peoples of the sleepy continent have awakened to their rights. No body can deny them their rights. They are bound to occupy their rightful place in the political society today or tomorrow. The enlightened society is waiting for that period when there is ultimate victory of human values.

Asian countries have problems of their own. Many of the countries in Asia have been freed in the post-world-war period when their economy was shattered by their forced participation in war. India, Burma, Ceylon, Pakistan and Indonesia are among such nations. Incidentally, they form the Colombo Powers which sponsored the Afro-Asian Conference in Bandung in 1955. And although the Bandung Conference had promised a lot then, nothing appreciable has since been witnessed except brisk handshaking. Inter-rivalries and foreign inspired suspicions have overtaken the participating States thus resulting in drifting attitudes. Bipolarity has also affected the quantum of success. Some States have joined the SEATO and Baghdad Pacts for no better reason than to survive at other's cost. It is hoped that this slavish mentality will vanish soon and the Bandung Powers will solidify among themselves. In this connection, the implications of the recent unofficial Asia-African Conference in Cairo would be worth watching.

On individual level, India promises to be a potential country with the dynamic guidance of Nehru. Nevertheless, it has its own problems. Its growing population, the continuing food crisis and low foreign exchange in the face of proposed industrialization are the recent problems. Unemployment is also soaring high. And although the Second Five Year Plan may remedy some of these problems, many problems will yet remain unsolved. High taxation and soaring prices have broken the backbone of the middle class intelligentsia. Something immediate should be done to prevent the inflationary influence; else India will also follow the China way and Nambodripad's threat of civil war will become a reality.

Internationally, India has been involved in three matters Tibet, Kashmir and Portuguese India. In Tibet, India failed miserably and is reaping its fruits now. Righteousness apart, India was faced with a *factum valet*. Chinese troops occupied Tibet and then negotiated for its return to her. Defeated then, India evolved the famous *Panch Sheel* five principles of peaceful co-existence in the Indo-Chinese agreement on Tibet. Even this agreement has been violated by China by meddling with Tibetan autonomy. Consequently, Dalai Lama has sought asylum in India. Probably, Indo-Chinese honeymoon on international platform is over. Relations are getting strained day by day and perhaps situation may reach a breaking point where force alone will determine the fate.

Kashmir is another problem which involves India and Pakistan in the dispute. Kashmir was invaded by Pakistan. India to which Kashmir had acceded repulsed part of the attack and during the process asked the United Nations Security Council for vacation of the Pakistan aggression. Unfortunately the Security Council got involved in power politics thus prejudicing India's case. More than a decade is past since the question was first brought to the Security Council but the aggression has not yet

been vacated. Instead, missions after missions are being sent to keep the question pending. Perhaps, India will do better to withdraw the question from the United Nations or boycott the U. N. Missions on the question.

Goan question is another problem which India is facing today. It has equally failed here also. Foreigners are still under the impression that India is unnecessarily agitating over the return of the Portuguese enclaves in Goa, Daman and Diu. There are neither diplomatic nor publicity overtures by the Indian government to dispel these misunderstandings. India's attitude as a peaceful nation is often misunderstood as its weakness and giving up one's rights. If that were so we are doomed to failure. India should make the foreign states understand that it shall vindicate its rights, its peaceful attitude notwithstanding.

In India's international intercourse results have not been encouraging. India is considered to be a neutral nation but where was its neutralism when it agitated over Anglo-French adventure in Suez, but acted negatively in the Hungarian revolt. It also took cue from Russia in its demand for increasing the Disarmament Committee. Actually there was no need for increasing it; on the contrary, it should be reduced to only two Russia and the United States which are primarily concerned with the problem and which know the problem better than any body else. At the most, one neutral may be added if it is warranted by circumstances.

Pakistan, a seceded territory from the Indian sub-continent has its own problems. In the absence of national elections since its inception, it initially followed the French pattern of quick change of government. Its leaders had no national spirit. Corruptions and nepotism were order of the day. Tired of this political jugglery, General Ayub was installed as its President. There was some relief in the masses but it was short-lived. General Ayub also having failed at the national front has resorted to old tactics and slogans. Now he has adopted the trigger-happy policy toward India. Banking upon United States military aid, it shot down Indian aircraft for innocent intrusion in Pakistan. Perhaps, it feels it can negotiate with or dictate India from position of strength. The gun-boat theory has, however, become archaic.

All is not well in Burma. Ever since U Nu's temporary retirement, the Anti-Fascist People's Freedom League was simmering toward disintegration. The rift was perpetuated with the resignation of Kyaw Yin from Deputy Prime Ministership. All this culminated in the assumption of power by General Ne Win. And although General's tenure was said to be transitory he is now well saddled for an indefinite period. Perhaps, dictatorship is in the offing.

Indonesia is also in the grip of problems. The Indonesians have soon to make a choice between guided democracy as expounded by President

Sukarno and loose democracy with fifty five political parties with varying demands and ideologies. In the state of uncertainty which is prevailing in the region today General Nasution may take over any time. But perhaps he is too loyal to Sukarno who is the idol of the masses and who may save Indonesians from chaos. In the midst of such uncertainty, the West Irian problem has gone to the background.

On the Indo-China soil, although the French have evacuated they have left their legacy behind. South Vietnam is pitched against North Vietnam thus making Vietnam the hot bed of cold war. The elections that were to be held there according to the Geneva Agreement have almost been abandoned. Instead, military augmentation is in full swing. The situation though quiet at present may any time explode and develop into a major War.

Laos is also facing the same fate as that of Vietnam, although on a smaller scale. There is renewed fighting between the Royal Laotian and Pathet group forces. There is apprehension of cold war dominating this region also. Time, however, is not ripe for making any conclusions.

Korean affair is still in a melting pot. Despite the cessation of hostilities in 1953, the Koreans have not yet been able to reach a political agreement which may unify the two Koreans. The people are drifting apart day by day thus making the Korean unification a herculean task. This state of affairs will continue so long as the cold war does not loosen its grip over the region.

Chinese problem has been agitating the world organization ever since 1949. United States' insistence on not recognizing the Communist regime has deprived the rightful government of its participation in world affairs. It is denied a seat in the General Assembly as well as in the Security Council. Recently, Western Powers have evolved a theory of two Chinas thus giving rise to a fresh political controversy. Even a humanitarian organization like the International Red Cross was not immune from the disease.

Chinese participation in world affairs is essential for the maintenance of peace in world community. One cannot deny it the right and accuse it also. China has a justifiable grudge against the United States for continued injustice to it. Perhaps, its participation in world affairs may make the Communist regime more responsible and facilitate the solution of the Korean and Vietnamese problems.

While Chinese participation in World Organisation is essential it is also equally essential that it should exhibit peace-loving and conciliatory attitude toward world affairs. Its participation in the Korean war followed by aid given to Ho Chi Minh's forces have given a pretext to the United

States for propagating the non-peaceful inclination of the Communist China. Added to this is its present attitude of ruthlessness and cold war like propaganda regarding Tibet. It has violated Sino-Tibetan Agreement of 1951 and Indo-Chinese Agreement of 1954. Perhaps, it thinks that it can communise Tibet forcibly. It is mistaken in its notions. Earlier it realize this better it will be or it will loose sympathies of Asia including India.

Mangolia is the product of the cold war over the admission of new members to the United Nations. Hitherto little known, it suddenly came into prominence when Russia purported to bargain Japan's membership of the U. N. for Mangolia's admission also. Much is not known about Mangolia except the fact that it follows more or less the policy of Communist China. India's quick establishment of diplomatic relations at Embassy level in preference to other deserving States could hardly be justifiable on any account except to appease the Communist world.

Japan is a State to reckon with in Asia. Although a defeated nation in World War II, it has risen to prominence in the last few years. This is partly due to efforts on the part of its energetic Prime Minister, Kishi. Unlike the former Japanese Prime Ministers, he has actively associated himself with the Asian cause and has gone around the Asian countries on a goodwill mission. His promise of technical aid to under-developed Asian countries and the Japanese participation in the Colombo plan have contributed to forgetting its past adventures. Asian people also have sympathies for the Japanese sufferings from atomic attacks on Hiroshima and Nagasaki and consequent destruction of both the cities. Japanese election to the Security Council within the first year of its membership of the U. N. can show its growing popularity.

Situation in Thailand is also worth watching. General Sarat has staged a double coup since the overthrow of Pibul government but nothing appreciable has been attained to justify the coup. Perhaps, there is more clash of personalities rather than of policies. The recent constitutional changes exhibit some dictatorial tendencies. This possibly goes to prove that Asia is not fit for democratic atmosphere.

CONCLUSIONS

Invention of satellites has augmented armamentation. Idea of disarmament is thrown to winds. Bipolarity is practised and exerted by the two Powers. Ostensibly, fight is alleged to be between the democratic countries on one hand and undemocratic regimes in the Communist countries on the other hand. This is far from the truth. Fight is neither between Capitalism and Communism nor between democracy and dictatorship. In the so-called free nation's league we witness the dictators like Franco and Salazar. The feudal and dynastic kings whose people may not

have even heard of the word 'democracy' are no less welcome in this league. Even the Communist regimes are welcome so long as they decry the Soviet league. Similarly the Soviet Union also welcomes any country, Communist or otherwise which could rise against United States and its allies. Every bloc endeavours to create as many satellites as possible. No human values are involved. Ideal of self-interest reigns supreme.

In the midst of this tension, the United States has promised to supply the NATO Command with Intermediate Range Ballistic Missiles. This has been followed by a Polish proposal for a denuclearized zone of Germany, Poland and Czechoslovakia. Khrushchev has also promised withdrawal of Soviet forces from Eastern Europe if the like is done by the United States and England from Western Europe.

No agreement of substantial importance is yet foreseen. Mutual trust is the precondition for any useful agreement but it cannot emanate from the aerial exercises by the United States and threats of annihilation by the Soviet Union. Disarmament is essential but there should be proper atmosphere for it. This could be achieved by release of European countries from the NATO and Warsaw obligations. MacMillan's proposal for non-aggression pact and arms freeze in Europe can be widened. Whole Europe could be made a neutral zone. This is also the desire of many of these countries. They do not want to be involved into a terrible conflict for the third time during this century. But this cannot be done at present. The European countries are fed on the fears of the opposite group. Resultantly, they join one of the bipolarized powers by sheer necessity. This fear could only be dispelled by no-war pact between them. But so long as the United States has not achieved equality with the Soviet Union with respect to ICBMs, it would not be in a mood to lose the European fields from which it can conveniently attack the Soviet Union in case of emergency.

German reunification is another problem of the day. The Berlin problem has highlighted the imperative need for dealing with the whole German question. Unfortunately it is tied to bipolarity so long as the NATO and Warsaw Pacts continue to exist. Once they are scrapped there would be chances of its unification. Perhaps, no power is interested in its unification. Each bipolarized power is interested in having some part of Germany in order to prevent the United Germany from re-emerging as a potential power. This was the crux of Morgenthau plan during World War II and this is the aim of today's world powers. Adenauer should realize this if he seriously wants the German unification. There already exist some doubts as to his sincerity in his connection because his party being Roman Catholic, he fears his party would lose power in unified Germany which will have predominantly Protestant majority. Social Democrats and Free Democrats can impel the Adenauer government to rise above these petty considerations, leave the NATO and strive for one Germany.

In the Middle East the Big Powers should not pursue adventurist policy. If the West wants oil it could have it but not by dominating over the region. The people of the soil should be left alone to shape their destinies. Let them also get the best from the oil earnings. Today there may be Anglo-American monopoly. Tomorrow will, of course, be different. Italy and Japan are entering the commercial arena with better offers. Soon the Anglo-American interests will be forced to compete with them. They cannot have oil as well as the soil. If they want to have oil they should give better terms for it. Besides, they should give up their political adventures in the region. Same applies to Soviet Union tactics in the region. It entered this arena as a saviour of Arab nationalism by supplying arms. Now after having got a foothold in the region it is sabotaging the Arab cause and championing the International Communism. If these are its tactics it may have to be driven out of the whole region discredibly as is now partly done in the United Arab Republic.

In the Asian arena, the much publicized *Punch-Sheel* has been discredited by China which was one of its authors. Tibetan tragedy has perhaps exposed the international communism in true colours. Until recently, Soviet Union and China were to be the champions of the aggrieved. Today, of course, the picture is different. Probably, they are as much imperialists as the Western Powers. Difference only lies in the subtlety which they exercise in international affairs. Perhaps, China would do better by granting a Vatican-like status to Tibet. Otherwise, its aggression in Tibet, will be enough to bar its admission to the United Nations.

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TVA ADMINISTRATION AND ITS LESSONS

By

R. DWARKADAS

I

TVA's programmes, problems and achievements are subjects of diverse interpretations. They become meaningful on a deeper grasp of its pervasive governmental significance. This involves questions of public purposes of TVA as an administrative agency.

Undoubtedly, TVA is a federal resource agency and a public corporation. Its operations are both regional (confined as they are to TV region) and national (as they serve larger purposes of the nation). They are subject to direction of Congress. Its organic Act dictates direct reporting to the President of the United States. Lawrence L. Durisch, Chief of the Governmental Research Branch, offers a good definition of TVA: "TVA is a federal resource agency whose operations are centered in the Tennessee Valley region where, by direction of the Congress, it carries out certain functions of the national Government and shares responsibility for a general programme of induced development related thereto. Its major assignments are on an arial basis, and its administrative responsibility is directly to the President of the U.S. and Congress".

In the federal set-up of U. S. each of the 48 States has among its reserved power very definite responsibilities for resource development. Nationally organised conservation movement began with the White House Conference on national resources in 1909 under the inspiration of President Theodore Roosevelt. For the first time in U. S. history it found "The various uses of our national resources are so closely connected that they should be coordinated and treated as part of the collective plan". Thus the concept of integrated development emerged.

Since then national concern for resource development has become an established fact. The work of three Commissions, the National Water Policy Commission, the Missouri Valley Survey Commission, and Paley Commission accelerated the development of resource work. President Truman closed his term of office with a statement that is worth quoting. "The type of organization need not be the same for all regions. The breadth of our land, the number of rivers in it, inevitably have given rise to many differing needs. A fixed pattern may not be the sole answer to the problem of all these rivers. But whatever the outward form, the objectives should be the same. The organisation we decide upon should be

strong enough to be efficient." To President Eisenhower, resource development must not be considered solely the task of the Federal Government, but a task which is shared with the States and localities.

The problems of resources provide the framework into which TVA has been placed. It is to be noted that TVA is by no means the only resource agency of the Federal Government. The Department of Interior, with its Bureau of Land Management is in charge of millions of acres of public domain lands. Its Bureau of Mines is charged with the task of conservation of mineral resources and safety of mines. The Reclamation service deals with the water problems of Western States. Fish and wild life service, Geological survey, National Park service are some other agencies of the Department of Interior concerned with the problems of resource development. The same Department has several public power agencies reporting to it — the South-Western Power Administration, the South-Eastern Power Administration, which happen to sell power generated at dams built by the Army Corps of Engineers. The Extension service of the Department of Agriculture attempts to establish better farming. The Forest Service conserves and manages the forest resources of the U.S. The Soil Conservation service tackles the national problems in regard to soil depletion. The Army Corps of Engineers of the Federal Government has been building flood control facilities to a score of river basins. It happens to be one of the best construction agencies of the Federal Government.

Thus, it is clear, that the TVA is one of a group of agencies which play a significant role in resource development. It may be noted here that administrative agencies that handle resource problems are by no means static entities. They are dynamic approaches to dynamic resource problems.

II

Amongst many there are three striking lessons which TVA offers to the administrations throughout the world as an aid to concerted thought and as a stimulus for intelligent emulation in the field of administrative practice. They are as follows:—

1. TVA has striven to strengthen local institutions and sought to promote within the federal framework of U.S. as decentralized and operation in resource development and economic planning as possible.

2. A rather wide 'span of control' and effective managerial responsibility is facilitated by its institutional concept of decentralised responsibility, which makes it possible in the administrative scheme of things of TVA for division heads and officials to have a wide range of responsibility, discretion and authority. Related to this are its ideas of coordination. Coordination does not become an imposed thing but a self-stimulated effort for creative cooperation. In this new concept of 'self coordination' if one

would choose to call it, even the rank and file officials develop an awareness of their important creative role in the system and their organizational affiliations and loyalties grow to a maturity, as yet unknown in any other administration, and to a point where the traditional conflict between organization and individual finds a new, harmonious and friendly resolution. Says its General Manager John Oliver: "We utilize all the formal props to make the organization work effectively — Board and staff meetings, formal documentation of policies in the form of codes and instructions, reports and related techniques. But we strive most of all to breathe into the structure a maximum amount of initiative and sense of responsibility for results."

3. TVA is one of the few unique agencies in the world which has the capacity and willingness to condition its organizational apparatus to the exigencies of programmes and the compulsions of its operational responsibility.

III

The concept of TVA grew out of national concern for problems of resources and resource utilization. The agency was organized in 1933. That was a period when need for development programmes was urgent. There was national willingness to launch on new experiments. There might be disagreement concerning the advantages of specific administrative methods and approaches for handling resource problems, but there is scarcely any difference in regard to the importance of widespread governmental action in the field.

TVA was established on an area basis. Its activities constituted a regional programme. The very establishment of TVA marked an extension of the regional concept into federal administration and a decentralized attempt at economic planning and resource development.

The Tennessee Valley is made up of seven south-eastern States — Alabama, Kentucky, Mississippi, North Carolina, Tennessee, Virginia. Less than one per cent of the total area of the State of Mississippi lies within the valley, but over-half of Tennessee is contained in the watershed. The proportion of the other five States in the Valley are between two extremes.

Politically, the valley portion of the State areas are sub-divided into 125 counties. There is a good deal of variety of forms and practice of county government in the area. North Carolina leads all American States in the extent to which it has centralized in the State Government functions generally administration locally. Tennessee counties, on the other hand, do not even render complete financial reports to the State and possess a great deal of autonomy in many of their functions. The TVA idea and achievement is responsible for this happy phenomenon.

TVA Act of 1933 provided the basic charter for organising and administering a diversified programme of resource development in the public interest. The Act established a three-member Board of Directors, each of whose terms was to be nine years, one expiring every three years. They were to be appointed by the President subject to Senatorial confirmation. The agency was created as a government corporation, outside the federal departmental structure, and responsible directly to the President and to Congress. The Board were to establish an organisation, to fix responsibility and promote efficiency. The Directors were given an unusual degree of direction and freedom, for a public agency, to adopt management policies and devices needed to discharge their responsibilities effectively. Thus TVA Act defined the objectives clearly, granted responsibility definitely and matched it with commensurate authority. The Board's exercise of its responsibility and authority was of course subject to review both by the President and Congress. Their accountability to democratic authorities was carefully provided for.

The substance of the TVA programme and administrative policies were influenced largely by the physical nature of the water, land, and other problems on which TVA was to work and by the scheme of priorities defined in the Act to meet the regional exigencies and national interests. These programmes and priorities have evolved and changed considerably over the twenty-three years of TVA's history, with consequent results on organization and administration.

It is rather interesting to note that TVA has more of its own managerial and house-keeping functions under its own control than any other agency in the Federal establishment. This, while giving a good deal of discretion confronted the Board of Directors with the problem of initiating the whole programme from the scratch with all its administrative implications. It has to establish its new personnel policies and procedures without the benefit of past experience or traditions. Likewise, budgets had to be prepared and defended, funds secured, procurement policies and procedures defined. The staff had to be oriented with their legal powers and limitations. Accounting and fiscal safeguards had to be devised for the proper management of funds. These and more related to the managerial responsibilities of the Board, devolved on them by the President and Congress in pursuance to the relevant provisions of the Act.

The general managerial function had to be effectively discharged by some one. They fell initially on the Chairman of the Board. The total programme was divided into three major areas (engineering, power, fertiliser and agriculture) each director assuming primary responsibility for one of these areas. The Board was confronted with the problem of coordination right from the start. This was further complicated by the fact of conflicting personalities and philosophies of the three members of the

Board of Directors. Thus the seeds for tensions of a divided administration were inherent in the system. The establishment of a strong general manager plan of administration with TVA seemed to be an obvious way out. However, it is a surprise, that the organisation did survive in spite of the conflicts, actual and potential. To quote Mr. John Oliver :

"The early TVA experience seems to prove that when men differ as radically in temperament and philosophy as did Messrs. Arthur Morgan, David E. Lilienthal and Harcourt Morgan, and when there is no strong, central point of coordination below the level of the Board, the whole arrangement will fail. Whether it would work with a different administrative arrangement, but with the same range of temperament, our experience does not, of course, indicate. The problem as you may remember, became so acute that the President had to intervene by dismissing Arthur E. Morgan. This incident precipitated a congressional investigation of major magnitude — which also aided (in retrospect) in clarifying many major policies and relationships."

Is the Board idea best of all administrative devices? Theoretically the answer appears to be in the negative but strangely enough the TVA Board has been working effectively, at any rate, since the Morgan episode, which it is presumed to have lot to do with the determination of every Board Member to see that TVA works. Besides, there is no evidence of any plan of reorganisation making any headway as far as TVA is concerned. The general Manager, however, is a functionary appointed by the Board, serving at their discretion. His position incidentally, has been helpful in promoting administrative coordination in TVA. This does not, however, imply that the Board, as presently constituted, is incapable of attaining it.

As a matter of fact the Board has been constantly striving for integration in administration. Between themselves they have developed ways of cohesion and coordination, as yet unattempted and unachieved in the history of administrative boards. Not that there have not been different approaches to problems among the members. There has been consistent and laudable attempts to thrash out problems with a view to attain broadly acceptable solutions. There has never been any serious effort on anyone's part to dominate over colleagues.

The Chairman of the TVA is the titular head of the Agency. Popularly he is thought to have the last word in regard to TVA affairs ; but he is not a single administrator. He speaks for the Board, and when he commits himself for TVA he commits his colleagues too. This forces him to be circumspect about what he says. While it does not give him the unhampered discretion of the single administrator it does prohibit him from making snap decisions through speeches or answers to congressional committees. When speaking to outside authorities he is aware that he is not speaking for himself but for his two colleagues of equal rank as well,

GENERAL MANAGER

The members of the Board are the policy-makers and are not involved with execution of details of administration *per se*. As noted earlier they do not act as individuals on matters of administration. They are of course busy, deciding questions of policy, interpreting TVA to the public, considering host of matters submitted for their final decision by the General Manager, studying reports from operating divisions, advising the staff, exercising surveillance and ultimate control over management, reading a mass of material sent to them. As a matter of fact, high walls of official distinctions do not hamper communication between Board and TVA's staff. There is a continuing effort made to interchange of ideas at all levels. But, deliberately, the members of the Board have not taken over the functions of an administrative officer.

The post of General Manager was first established in 1936. Allowing for their varying temperaments and personality pulls, the General Manager it may be broadly said, is the chief administrative officer of the TVA Board, charged with the responsibility of bringing to Board's notice administrative matters for their decision and of executing their decisions. All members of TVA personnel report to the Board through the General Manager with the solitary exception of General Counsel who advises the Board directly on legal issues.

Two novel but complementary principles of TVA administration — the principle of self-coordination and principle of initiative of people "down to the line" inject a new element in the normally understood managerial responsibility of General Manager is a normal administrative system. The principle of initiative of people "down the line" happens to be one of the most striking and phenomenal contributions of TVA to administrative practice and science. This implies that most of initiative in regard to administrative inventiveness, decision-making and policy-making and coordination is not the main preserve of the top-level managerial ranks but is also the province of day-to-day administrative routine of the rank and file elements in the personnel of TVA. The concept of good management in TVA refers to the primacy given to relevant knowledge and relevant facts, irrespective of considerations of position and rank. In this context, the functions of the General Manager do not refer to giving orders in a pyramidal arrangement, or making operating decisions at the apex of the hierarchy or thrusting coordinative devices on the whole 'machine'. This posits an administrative rank and file, that is organization-oriented and management-conscious and coordination-minded. This concept is the buckle that fastens top management, middle management and rank and file into scheme of integral, cooperative venture of creative decision-making and effective administrative-functioning and smooth self-coordination. As a matter of fact it may even be said the very ideas of 'top', 'middle' and

'bottom' are dealt severest blow in practice by this 'bottom-up' Management Philosophy. This indeed is an experiment in real decentralisation. "The man on the firing line is in a good position to know what should be done."

THE OFFICE OF THE GENERAL MANAGER

TVA has a representative at Washington both to serve as a point of contact between TVA and its agencies located there and as a liaison official keeping in touch with Congress and Executive branch of Government. The official provides and secures information to and from Congress and executive departments. He serves as a channel of two-way information. Besides being a store-house of knowledge, the official is an authoritative person to answer questions on behalf of TVA to different authorities and concerned persons. The high competence shown by the official at Washington makes it possible for TVA to maintain headquarters in the region at Knoxville, Tennessee.

A major function of the office of the General Manager is the preparation of the Organization's budget. The budget administration of TVA is geared to programme-planning devices. The Budget Officer acts in the capacity of an Assistant to the General Manager. The Information service of TVA is headed by the Director of Information who like the Chief Budget Officer is an immediate assistant to the General Manager. The Information Service prepares yearly a comprehensive report to Congress and the President on all of TVA's operations.

Thus the two management service staffs, Budget and Information, function immediately under the office of the General Manager. There are other management units organised with the status of Divisions — of Personnel, of Law, of Finance and of Property and Supply. These provide management services to the General Manager.

There are two Assistant General Managers. One of these is in charge of the day-to-day flow of work through the office. He also serves as the Acting General Manager in the absence of General Manager. He assigns and coordinates responses to various inquiries which flow to the Board and General Manager's office from public, members of congress and its committees and the executive agencies. Many of these enquiries involve interpretation of TVA policies. The very process of developing responses involves a working philosophy of decentralised responsibility. The division which has primary responsibility for evolving responses for queries, consults other concerned units before recommending to the General Manager's office. The necessity in some cases for coordinating the TVA staff makes it important for an officer to act as principal aid in matters of coordination. This is aptly performed by the Assistant General Manager.

There is a second Assistant General Manager. This is a new position which has the assistance of a small staff of public administration analysts political scientists and planning technicians. They assist him in the analysis of programme and handle a wide variety of special assignments involving "expertize" considerations.

The control of major organisations with offices and divisions, primarily belong to the Board but is devolved on the General Manager, who is in turn assisted by the Division of Personnel. The Divisioning personnel is a unique agency in so far as it combines the considerations of the normal personnel problems with those of functional analyses and organizational revisions. Apart from these divisions concerned with managerial responsibilities these are functional offices and Divisions. To name only a few—office of Chemical Engineering, Office of Power, Division of Agricultural Relations, Division of Forestry Relations etc.

In fine, TVA administration has shown a great capacity, for organisational flexibility and resilience, internal communicability, orderly review of major projected changes in policy, organization and operations. Some of these merits are made possible by the organic capacity of TVA Board to have extensive direction, control and influence over its internal organizational matters. TVA is a worthy model for the conduct of quite a few public enterprises in India.

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SOME REQUISITES OF DEMOCRACY

By

P. S. MUHAR

In India is being conducted the most gigantic experiment in democracy. The Indian electorate, at present, is nearly 200 millions. This exceeds the population of every country except China. In view of the current eclipse of democracy in some of our neighbouring countries, including Pakistan, India remains the only bastion of democracy east of the Suez. The future of democracy in this country is, of course, of vital interest to us, the people of this country. However, it is of no less consequence to the Western democracies. For the success of the democratic experiment on the Indian soil means that the people of Asia and Africa would have a rival system to turn to besides the communistic systems of China and Russia.

Democracy is a form of government in which the ultimate, though not the immediate, control lies in the majority of the electorate. The operative principle of democracy is majority-rule. It is true that this is only a quantitative formula but it does not rest on mere force, as is sometimes alleged. We obey the majority because it aspires to represent the General or the Social Will. This will be specially so, if the decisions of the majority are preceded by a system of discussion. In fact, both Professor Lindsay and Barker define democracy as "government by discussion". But majority-rule and discussion are conjugated together in a democracy : majority-rule un-accompanied by a system of discussion would be tyranny, whereas the latter without the former would degenerate into aristocracy and even oligarchy. It is only in this sense that we can agree with Aristotle that "the many are collectively wiser than the few".

An essential condition of democracy is the possession of a certain homogeneity by a people. By this, however, is not meant so much the community of language, race and religion — although they are useful elements in homogeneity — as the absence of social, economic and even ideological barriers. There should be no caste and even unbridgeable class distinctions. Fraternity, or the psychological feeling of being partners in the same group, should be one of the keynotes of this society. Closely allied to fraternity — and in fact giving rise to it — is the notion of equality. Of course, there can be no dead or arithmetical equality. This is not possible owing to the differences in the physical and mental capacities of the people. It is also undesirable for it will pulverize the psychological incentive for effort. On the economic plane, equality means the reduction

of inequality to the narrowest possible limits consistent with the interests of society. However, the elimination of the economic schism alone would not make a society homogeneous. We must also remove the cultural schism. For the gulf between the educated and uneducated is not less dangerous than the gulf between the rich and the poor. One of the great modern forces making for homogeneity has been that of nationalism in so far as it tends towards a certain standardization among a people. It has, therefore, been generally an ally of democracy, although its perversion, because of its incongruity to a climate of discussion, might be a serious impediment to it. At present, however, the notion of social justice is the great engine of homogeneity. For its aim is to remove or, at any rate, to diminish the disparities of rank and status consistent with the interests of society. A welfare and not the police state, therefore, is the new ally of democracy. The great national schemes of economic and even social planning on which India is engaged at present are necessary not only because they are designed to raise the deplorably low standards of living in the country but also because they are meant to further equality and fraternity and hence homogeneity. The essence of homogeneity is the subjective feeling of a belief in common destiny although this may be grounded on some objective factors. There must be some common stock of historical tradition before there can be any discussion which can be conducted on common terms.

The Scandinavian countries and Switzerland possess homogeneity to a pre-eminent degree and constitute almost ideal grounds for the functioning of democracy. The institutions of these countries deserve to be studied more in our country than is the case at present. We are, of course, more familiar with Anglo-Saxon countries because of our historic connections with them. The country which lacks homogeneity to a striking degree is the Union of South Africa which does not even make a pretence of applying democracy to four-fifths of its population. India, although she has caste, linguistic and other divisions, may be said to possess such a common attribute as Indian personality to which many eminent foreigners have testified. For, behind the external differences, there is the underlying cement of Indian culture as the result of the working of the historic forces for thousands of years. Even then, however, it would be more accurate to say that it is *homogeneity in the making* rather than homogeneity itself.

Another factor necessary for democracy is a deep-rooted respect in society for human personality. That is, man as man, irrespective of his status and rank should be respected. If we were asked to point out to any factor which constitutes the foundation of democracy, we would point out to this. In fact, this is the governing factor in, what may be termed, the *Panchalila* of democracy, namely, personality, liberty, equality, fraternity and social justice. Unhappily, the Indian tradition has belittled

and, even ignored, this factor. Our philosophers from the Upanishads to Gandhi have emphasized the merging of the individual personality into the Supreme Personality. There has been one very important consequence of this in our country. In the West, one of the most delightful pieces of literature is autobiographical writing. So far as my knowledge of the classical literature of our country goes—through proxy unfortunately—that great literature is totally deficient in this. This omission, however, is no accident. Since human personality was not valued in our country, it was considered presumptuous to write about one's self. Autobiographical writing begins in India in the latter part of the nineteenth century and it is, evidently, the result of Western influence. Rabindra Nath Tagore was the first Indian to write his autobiography. Even Gandhiji wrote "My Experiments with Truth" in the twenties of this century. Memoirs and autobiographies certainly have been given a great push as a result of the nationalist movement. Sir Mohammad Iqbal, the Urdu poet, has almost apotheosized personality in his classic, "*The Asrar-i-Khudi*". However, we are weak, as against some of the Western European and North-American countries, in the recognition of human personality. The present writer may be permitted to say that there is greater recognition of human personality in the so-called, "dollar-chasing" country of the United States than in the spiritual land of ours.

Almost an axiom of democracy is an educated electorate. If democracy is a government by discussion, clearly, an illiterate electorate will not be able to participate even on the periphery of discussion. What is still more, it may fall an easy prey to the battery of myths to which it is subjected during times of elections. Propensity for religion is the most important trait of our people. In a secular state, like ours, there is a real danger of the reactionary elements making overt appeals in the garb of religion. The writer believes that the plebiscite in Kashmir would be a much more simple problem if the average Kashmiri could treat it as a purely political and hence a secular issue. However, the poser, "Would you vote for Islam or for the Kaffir?" puts forth alternatives surcharged with religious loyalties to which the voters are likely to succumb. The repercussions of this virtually religious plebiscite, on the domestic tranquility of India, where there live about forty million Moslems, may be disastrous. Is there any wonder, therefore, that India fights shy of this eventuality?

And yet the education of this electorate is a tremendous task because of the paucity of funds and of trained teachers. Besides, the population of India is increasing at the rate of five millions a year. Not only must we make provision for the teaching of the existing but also of the growing population. India's planned economy and other schemes of national reconstruction are running a race with time — with her population. Unless we succeed in arresting the growth of population, all our schemes to raise the cultural and economic level of our people are likely to be neutralized

and even negated. Fortunately, the government, since independence, has taken the courage not only to preach family-planning but even to make provision for clinics where people could secure the necessary clinical advice. One of the greatest and the most obstinate difficulty which the nascent democracy of India has inherited is over-population and terrific rate of increase which are likely to put a severe strain on it. The expenditure of even more funds on family-planning would pay very high dividends.

Respect for the means or procedures of democracy is another of its requisites. Dicey remarked over fifty years ago that the Rule of Law was the palladium of the liberties of the British people. However, as a result of the functional revolution in the state, administrative law has become, and is likely to become still more, a pronounced feature of the social service state. Far from being a rival to the Rule of Law, it seems to be becoming its indispensable companion. All that is necessary is that there should be no discriminations in the corpus of the law except those in the interests of society. Now while democracy implies certain postulates about human personality its most characteristic feature is the means or procedures for its realization. There is a sense in which we may remark that, in fact, democracy is the apotheosis of means. In reality, there is an indissoluble connection between the means and ends and any philosophy which divorces the two is bound to be anti-democratic. A Hitler or a Mussolini is bound to fix his gaze on the goal or goals and be very indifferent and even contemptuous of selecting, what may be regarded, as the right roads. In India there is a long tradition of the indissolubility of means and ends to which the history of the nationalist movement during the last half a century testifies. Gandhiji was never tired of emphasizing the purity of the means employed. In fact, he said that if we were careful in choosing the ethical means the ends will take care of themselves. In his political philosophy, the means determine the ends and not vice versa. His philosophy may not, unfairly, be termed as instrumentalist. It is due to the emphasis on the purity of the means employed in the freedom movement that we are witnessing today the political miracle of India and Britain, the former antagonists, deeply appreciative of one another and India choosing to remain in the Commonwealth of Nations. In fact, Gandhiji has rendered a great service to the cause of democracy the world over by emphasizing the value of means. The reason why democracy is functioning so well in Britain is that there is enshrined in the hearts of the British people respect for the procedural aspects of democracy. The reason why it is working so shakily in Latin American and some other countries is the lack of elevation of these procedural aspects to the dignity which they deserve. On this point, Indian tradition and teaching are on the side of Britain rather than of Latin America.

Since democracy is government by discussion, toleration is one of its pivotal qualities. As diverse opinions compete in the political arena for the

attention of the electorate, they must by permitted free play. In fact, the domain of opinion is the only field where both the state and society should follow a policy of *laissez faire*. There should be no social or political dragooning of ideas. Democracy and standardized social and political creeds are antithetical to one another. In democracy, there should take place a synthesis or marriage between diverse but cognate ideas.

Fortunately, India has very long tradition of religious toleration. That is the reason why this country has long been a live museum of religions. The rock edicts of Emperor Asoka proclaim the virtue of toleration of diverse religions. The signs of this toleration are visible on the character of Indian society itself. It is, as the late Mr. Bipin Chandra Pal put it, "a federal society". The Indian for thousands of years has not only tolerated diverse religious creeds but also diverse social structures. Standardization seems to be foreign to the Indian genius. Co-existence, therefore, has been the watchword of our country. This is, of course, reflected in the foreign and domestic policies of contemporary India. The foreign policy of non-alignment and her mixed economy are the logical consequences of this policy of toleration or co-existence. The Indian people are, what we may term, an all-saving people. That is, they do not reject old ideas outright although the reality may have gone out of them. We do not like to abandon the old forms. In this we are like the British. This trait ultimately springs from the conviction that no individual or group can lay claim to the monopoly of truth-spirit of toleration. If a spirit of toleration is indispensable to democracy, then there are very few countries which are so favourably placed as India.

Another fundamental requirement of democracy is a certain spirit of gradualness. The word "gradual" seems to have acquired a certain odium at the hands of the so-called progressive thinkers. However, we do not mean by it any opposition to economic and social planning on a national scale. Indeed, if political democracy of the nineteenth century has to have any significance to-day, it must be capped on economic and social democracy. In the under-developed countries of Asia and Africa this is only possible through the active interference and control of the state. Only through the state can the struggle for bread be abrogated in the less fortunate parts of the world. What we should avoid is, what we may term, social earthquakes. For they are injurious to the political health of the people. These social earthquakes are likely to leave a feeling of bitterness or frustration in the minds of the sections of people adversely affected, and thus leave islands of irreconcilable or intractable opinion which is not resolvable in the freeplay of opinion. We would concede that political democracy and industrial autocracy cannot go together. However, even the industrial fortress must be resolved gently rather than conquered by an all-out assault. A sentence of death has been pronounced in India against the Zamindari system. And yet we feel that it would have been

wiser to have gone slower in resolving the agrarian problem. For in that case, not only we would have saved this section of our people from a sense of frustration, but we, probably, could have harnessed them for the social and economic reconstruction of the countryside. The guillotining of Zamindari would have the effect of encouraging the flight of these classes to the cities thereby bringing about an accretion of strength to the cities but further denuding and impoverishing the rural areas of the educated classes. In fact, we seem to be speaking in two voices. On the one hand, we want the educated classes to settle in the countryside, thus helping in the regeneration of the poor people, and, on the other hand, make it difficult for them, because of our agrarian policy, to do so.

Democracy is a battle of ballots rather than of bullets, and, therefore, the incorporation of non-violence in the body-politic is another essential postulate of democracy. Violence is not congenial to the climate of discussion and hence of democracy. But not only is violence on the domestic plane the enemy of democracy but violence on the inter-statal plane is equally incongruous. For in both the cases the state is diverted from its normal path of harmonizer and reconciler of rights and interests. The modern wars have grown so destructive of the social, economic and even of the ethical fabric of society that they sap the very foundations of the democratic state. Therefore, democracy can only exist under the penumbra of international peace and international organization and even government.

Fortunately, for us, India has had very long traditions of *Ahimsa* or non-violence. From Mahavira to Gandhi the country has been exposed to its sermons. Gandhiji employed it as an instrument of freedom. As a political weapon it was forged by Gandhiji on the African soil and it is not improbable that we may find it employed on the grandest scale on that very continent. At any rate, the proceedings of the All-Africa Conference at Accra seem to point to some such consummation. Gandhiji was perfectly right when he said that he would not, even if he could, win the freedom of India through violence. This is perhaps the greatest contribution of Gandhiji to democracy — in fact to humanity. To permit violence in the body-politic is to read the funeral oration of democracy. A country permitting political assassinations is already on the road to dictatorship.

So far India has conducted two General Elections, one in 1952 and the other in 1957. One of the most remarkable features of these elections was the peaceful nature with which they were conducted. There was no eruption of violence in spite of the fact that the vast majority of the voters were illiterate — in fact were mere apprentices in the school of democracy. In the Second General Elections, 47.54% of the voters exercised their franchise in the election of members to the lower house of Parliament whereas the percentage in the case of election of the lower houses of legislatures in

the states was 48.25%. A striking feature of the Second General Elections was a marked decline in the expenditure: it fell from Rupees 10.45 crores, in the First General Elections, to Rupees 5.9 crores. According to the Report of the Chief Election Commissioner on the Second General Elections, "free and fair elections have come to stay and become part of the tradition of Indian political life". If the first elections served to teach the vast number of uneducated voters as to what the vote means, the second elections have familiarized them with the exercise thereof with "discrimination and understanding."

A healthy party-system is another of the requisites of democracy. Mr. Jai Prakash Narain, whose sincerity and intellect wring tributes from our hearts, aims to do away with the political parties with the eventual aim of establishing a partyless state. He has suggested that the senior congress leaders, including Jawahar Lal Nehru, should give up positions of power and concentrate upon generating a new spirit among the people. Inevitably, the Government would be left in the hands of second-raters — a novel proposition advocated in the history of political thought. He also suggests the substitution of the community-based indirect election for the present individual-based direct elections. We may be permitted to remark that the demise of the political parties would mean the death-knell of democracy. For, in spite of their shortcomings, parties perform some vital functions in the modern democratic state. In the first place, they give energy and mobility to the electorate which would otherwise remain politically inert. In the second place, by focussing the attention of the people on a few issues they help in the political education of the people. Finally, they — provided it is a healthy party-system — impart stability to the government. It may be observed that one basic difference between India and Pakistan is that India still has one strong party whereas the Moslem League, the counter-part of the Congress, has been virtually pulverised. The one thing that stands between dictatorship and democracy in India is the strong Congress party. In fact, a party-less state — supposing it is possible — could not exist even amongst the politically most mature people but only amongst the gods themselves!

It is true that a strong Opposition is necessary to the health and vigour of democracy. Perhaps it may come eventually in India, for it seems to be the destiny of all big political parties to break-up into two or more parties. However, it was fortunate for India that in the initial period of her freedom, there was one strong party, ably led, to pilot the new democracy. In this connection, we may recall Machiavelli's advocacy of despotism in founding a new state or in reforming a corrupt state. For a normal state he advocated democratic institutions. While conceding the necessity of a healthy and vigorous opposition party, it may be observed that for the nascent democracy of India, a strong party capable of impar-

ting stability to the government, was more necessary at the initial stages than a full-fledged party system.

Mr. Ayyangar, the Speaker of the Lok Sabha, recently suggested that, for the smooth-working of democracy, the Government should consult the leaders of minority groups on important measures. For this purpose, he suggested the setting up of consultative or standing committees of members, representing various groups, to be associated with each Ministry for the purpose of giving advice on all important matters coming up before the legislative bodies.

It is not easy to discern yet as to after which pattern, the British or the continental, the Indian party system would shape. The pattern finally evolved would vitally affect the character of our constitutional system. If the multiplicity of parties in the states is any indication of the shape to come, we may have the continental pattern installed at the centre after the inevitable splitting up of the congress party.

Besides the political parties, voluntary associations of all kinds are necessary for the shaping of enlightened public opinion. In fact, they are necessary for a climate of discussion. For small groups of discussion they serve as the foremen of democracy. As Lord Acton remarked, liberty is possible only in a society where there are centers of organization other than the political. A democratic society, therefore, should be a society of societies.

A closely connected condition of democracy is a public-spirited leadership. A country which does not have a reservoir of capable leadership or has not evolved a peaceful and normal mode of enlisting the services of this leadership — if it exists — is going to have serious difficulties in the working of democracy. The present leadership of India is exceptional, for it proved its mettle during the ordeal of the freedom struggle. We may compare our present leaders with the founding fathers of the United States. The real test will come after they have departed from the scene. The query, "What after Nehru?", is, in fact, in the heart of every thinking Indian.

An efficient, honest and impartial civil service keeping scrupulously aloof from party-strife and the politics of the country is also indispensable for democracy. Popular government predicates a working-alliance and even, marriage between the laymen and the experts. The sphere of the former is policy, whereas, the domain of the latter is means. This does not involve so much a separation as a specialization of the powers between the two. For the work of the modern civil service often results in the crystallization and formulation of policy. However, its effect on policy is only indirect and in this domain it can, and should, act only as advisers

to the representatives of the people. There is, therefore, no sharp dichotomy between policy and execution. Plato's Guardians, however, were responsible both for policy and its execution. This Platonic monism, however, is foreign to the temper and traditions of modern democracy.

India is fortunate in possessing one of the finest civil services in the world. This is one of the great legacies Britain has bequeathed to India. One of the wisest acts Britain did was to throw open the doors of the Indian Civil Service to talent in 1854. This service has behind it traditions of over a century. The Indian constitution enjoins the setting up of a central public service commission as well as similar commissions in the provinces (states). The Indian Civil Service, however, was originally designed for a police-state. It has now to function in the context of a social service state. It could afford to remain scrupulously aloof from the people before Independence. To-day, while maintaining its impartiality it has to take a more active part in the social and economic regeneration of the people. They should have understanding and sympathy with the ordinary life of the people. In the words of Professor Lindsay, they should have "sensitiveness of the second degree" to public opinion. Otherwise, they may easily turn into a bureaucracy.

Another requisite of democracy is healthy conventions. These conventions, as Professor Barker has pointed out, constitute in each country "a body of political ethics or system of political morality". They are concerned with the spirit and temper of mind. In fact, they are "the moral dispositions" which along with the law, and in addition to the law, should control the course of political action. They are merely a reflection in the political domain of the general standards of morality which prevail in a country. The writer does not believe in the dichotomy between public and private morality. In fact, there is an organic connection between the two. It may be asserted that just as water can never rise above its source, similarly, the moral standards associated with the various institutions of society, whether political, economic and religious, can never rise above the general moral norms which prevail in that community.

Government by discussion, as Professor Barker has pointed out, implies three organically related axioms. The first is the Rule of the Majority which is the essence of democracy. However, this is impossible unless it is accompanied by the Agreement to Differ and by the Rule of Compromise. This trinity presupposes toleration of differences of opinion. This in turn involves a candour which is open to conviction by the weight of argument, moderation in the hour of strength and reasonableness even in the throes of defeat.

Conventions are a matter of growth: they can not be manufactured. They take time in coming of age. However, they, more than anything

else, indicate whether democracy has secured a firm niche in the hearts of the people, or is a mere paper imposition.

It may be objected that we have omitted the existence of a robust public opinion as one of the essentials of democracy. Indeed, public opinion is the motor power of democracy. But we have not neglected it, we have assumed it. For it is really the function of the factors we have been discussing. If a country is rich in these elements, it will have a healthy public opinion. On the other hand, its poverty in these elements will be reflected in the anaemic character of public opinion. In fact, public opinion is a mirror in which a people find their own character reflected.

However, we must understand both its nature and its limitations. Public opinion, to be truly so, must both be public and an opinion. That is, it must not be confined to narrow sections of the people but must be fairly wide-spread. Its congruity cannot, of course, be as capable of being demonstrated as that of the axioms of geometry. Nor can it be as irrational as whiffs of passion: it must be a mean between the two extremes. It cannot be as active and vigilant as the General Will of Rousseau. Rather, it is more like the fabulous character of the Ramayana, Kumbh Karna who had the reputation of keeping awake for six months and slumbering for the other six months. The domain of public opinion is broad general principles and not technical issues. It is a barometer of public grievances rather than an indicator of the remedies. The media of public opinion, such as the pulpit, the press and the platform the "three P's", as Ramsay Muir calls them, should be free and be not dragooned by the state.

There is an organic connection between law and public opinion. Since, in the last analysis, law is in the nature of ideals, like effective ideals, it should be relevant to the soil: it should be rooted in public opinion although it may run slightly ahead of it. If there is too great a gap between law and public opinion there would be an open defiance of law, as may be instanced from the Sarda Act.

Aristotle says in the *Nicomachean Ethics* that "happiness is a gift of the gods", for it requires elements such as good health and congenial surroundings over which one may have very little control. Similarly, we may observe that democracy is also a gift of the gods since it requires conditions some of which are merely the gifts of history. The nascent democracy of India is strong in the possession of such elements as non-violence, respect for the procedural aspects of democracy, tolerance and an efficient bureaucracy. It is moderately well placed with regard to homogeneity, the party-system and leadership. However, it is weakest in the matter of literacy of the electorate, in the respect for human personality and the economic standards of its people. Behind these lurks the great population problem rooted in the socio-religious traditions of the

people. In fact, these last three elements are engaged in a deadly combat with the population problem. The outcome of the context is far from clear yet. And yet, on the outcome of this struggle depends the future of democracy in India.

One thing, however, is clear. Of all the countries of Asia and Africa and even of Latin America, India is most in earnest with respect to her democratic experiment. This is partly due to the fact that she has been most intensely exposed to democratic influences, as a result of her association with Britain for a century and a half. Partly, as we have pointed out already, she possesses some of the gifts of history which democratic government requires. Finally, the Indian nationalist movement, as Guy Wint has pointed out in his brilliant essay, entitled, "Spotlight on Asia", has emphasized the humanist and human aspects of nationalism, in sharp contrast from that of China for instance. Apart from her traditional ideology, a prolonged peace is a necessity to India in order to nurse the young plant of democracy. Her policy of non-alignment in the international sphere, therefore, should be sympathetically viewed by the Western powers. Incidentally, it may be pointed out that the United States, essentially, followed the same policy till the end of the nineteenth century. If foreign policy is, or, at any rate, should be merely a reflection of the domestic policy of a state, free India is acting up in accordance with that maxim. In fact, one of the most unfortunate features of current international relations is the dichotomy between domestic and foreign policy. Some democratic states, for instance, do not hesitate to ally themselves with dictatorships. This may be a useful policy in the short run, but, it is very doubtful if it can be regarded as a fruitful policy from the long-term point of view at the Second World War has shown.

India must add the social and economic dimensions to her political democracy. For this purpose she is engaged on a colossal social and economic reconstruction. She is tightening her belt in order to provide the financial sinews for this. Unhappily, the standard of living of our people is already low—dangerously low—and the margin within which they can be asked to share further deprivations is, indeed, very narrow. The Western countries, including Russia, can help India to bear the ordeal. This can be regarded by them, as our jurist Ambassador to the United States, Mr. Chagla, has pointed out, as their contribution to the democratic cause. Nay more. It may be regarded by them as their share in the political, social and economic regeneration of a gifted people.

Tulsi Das, the immortal author of the Hindi Ramayana has pointed out that it is impossible to worship God empty stomach. It is even true to say, that it is impossible for a people to be devotees of democracy if the wolf of hunger is at the door. For, in that case, as Rousseau has pointed out, liberty may be bought and sold, the poor many selling it, and the rich few purchasing it for the purpose of installing themselves as the tyrants.

INAUGURAL ADDRESS
 TO THE
 TWENTY-FIRST INDIAN POLITICAL SCIENCE CONFERENCE

By

SHRI GOVIND BALLABH PANT
Union Home Minister
Government of India

I am glad to be in your midst today to inaugurate this Conference. We are meeting here on the last day of the year, and in a few hours the new year would be ushered in; the procession of time wheels by; something new is added by each succeeding day and year, and yet what is added is not unrelated to the past. The past overflows into the future, and amidst ceaseless change, the basic framework subsists.

It is but appropriate that your Conference should be meeting here in Ujjain. Only a few months ago, the two thousandth anniversary of Kalidas was celebrated here in a befitting way. The imaginative vision and memorable words of this great dramatist and poet have travelled down the corridors of time, and have the same vivid effect on the human mind today as they had when first uttered centuries ago. Time has not withered their infinite variety. They remind us that there is something in man which is imperishable and universal. This basic truth needs to be constantly borne in mind when we discuss systems of political thought and organisations intimately connected with the lives of human beings.

The Conference has brought together men who have devoted earnest thought to the study of a vital aspect of human activity — the art of living together in organised society. What are the urges and aspirations, what are the goals that have been sought or that may be desired? These are questions which have engaged the best minds in all countries and in all ages. The urgency of these questions has increased immeasurably in the world of today. While there have been different systems of political thought in the past, it is only now that political systems are actively laying siege for the mind of man. Political ideologies have become weapons which are wielded with a fervour the nearest approach to which is provided by the religious wars of the Middle Ages. If we compare the political thought of the last century with that of the modern age, we observe a difference where the very categories of thought have changed, it is as if the thoughts related to two different worlds. The spacious metaphysical discussions on the nature of sovereignty or the State, the assumptions

about steady progress of mankind seem to have little relevance to the experience of the modern age.

A factor of great importance in understanding the trends in the world of today is the influence which one political system exerts on another. With the marvellous developments in the means of communication which science has brought about, the velocity of ideas has increased manifold. Political and economic thought and action in one country spread out rapidly to other countries. So the modern world in spite of its apparent divisions and bitter differences is knit together more closely through the undercurrents of thoughts than has ever occurred before in the history of mankind. The political students' range has therefore to be much wider and deeper.

Political science can no longer be looked upon as a study of political activity in isolation from the other broad currents which shape and affect the human mind. It is coterminous with the life of man in society and is a part of the science of life.

Political science today has to take the entire universe of human relations as its province of study. The knowledge of the forms of human society in different ages and conditions has given new perspective to political thought. The significant development however has arisen from the recognition of the intimate connection between political behaviours and economic and social patterns of thought and action. Political thought does not function in a vacuum. There is constant interaction of influence between political, economic and social factors.

Economic values are one of the determinants of political institutions and organisations, just as much as political values influence economic thought. A study of political systems and thought has therefore to go beyond politics, in the narrow sense of the term, and take into account the economic implications of that system. It is in this context that there is a measure of validity in the theory that the means of production determine the political and other superstructure of society. But it expresses only half the truth. It does not give due weight to those non-economic values which have exerted an abiding influence in shaping man's political behaviour, the values which are embodied in the saying of a famous philosopher — the moral sense within and the starry heavens above.

In political science or economics and other social sciences a careful distinction has to be made between the enunciation of principles and their application. The laws of economic or political behaviour are laws only in the sense that they describe an activity as it occurs within a certain set of circumstances. It is possible to analyse the causes and consequences of such activity, but the fact that it operates in a certain way does not make

it desirable or otherwise. The criteria for an integrated assessment are derived from something other than that particular science. This constitutes a vital difference between the physical sciences where value judgment has no direct relevance, and the human sciences where it is of the very essence. If the economic factors were to be left to operate by themselves, there would be no social justice or even social order. By deliberate design and plan the economic factors are set to serve certain ends which are considered desirable. There has to be intervention of the human mind and organisation of human effort in the interests of certain objectives. The same is true of political systems. So the study of political systems has to concern itself as much with the realm of values as to the application of these supra-political and economic judgments to the facts of political behaviour.

It is said that the proper study of mankind is man. Man is undoubtedly at the centre of every political system, in which is included not only the type of Government but also the economic and social framework on which the Government is based. Every political system is bound up with certain basic concepts about the nature of man. If man is looked upon as only a means, as an economic factor of production, you get a political system where a few assume the right to regiment the lives of the many, and direct them at will. It gives rise to a political system where the centres of power are focussed on a selected few. Every dictatorship, whether it claims to be the dictatorship of the poor or the rich, is in the ultimate analysis the direction of lives of many by a few who constitute themselves as a chosen class, or a chosen race.

If on the other hand, man is valued for his own sake, the political system must necessarily be different. It has to recognise the complex fabric of human personality, that part which is "short, selfish and brutish" as much as that element which is composed of infinite aspirations for freedom, creativity and moral vision. A great historian conceived of history as the history of man's search for liberty. That search goes on unceasingly, and the history of political thought may well be described in terms of the setbacks and victories in the course of this search.

The idea of liberty in human history is symbolised by democracy. While there are innumerable examples of dictatorship, from the early societies based on slavery to the modern varieties, there are hardly examples where the democratic ideal may have been realised in the full range of human activities. Its horizon, like that of the dynamic human mind, is continuously expanding. Democracy had its origin in protest. It was interpreted in terms of political liberty. In a feudalistic society it meant liberty from the arbitrary authority of the king. As the power of the king and the feudal lords declined, a new class came to exercise it, the

class that owned the means of production. The concept of political liberty came to be used as a convenient protective shield for the exercise of economic and political power by this class. From this contradiction arose the concept of economic and social liberty and equality. Democracy has thus functioned in history not only as a political system but as a means of harmonious adjustments in human affairs.

Democracy has now come to embody a way of life for the individual as well as the society. It is a growing and evolving concept, like life itself. It reaches out to new experiences and higher reconciliations. The crucial question today is to give it the economic and social content within the framework of liberty and equality. Just as the democratic ideal has become articulated in a political system and a particular form of Government, so it has now to find its appropriate vesture in the economic relationship of the modern industrial age. Political freedom for the individual without economic and social freedom has little meaning. Economic welfare would be deprived of all substance if the price is human personality and freedom. A dictatorship may well be a dictatorship of economic welfare. As a matter of fact, modern dictatorships have to secure a certain amount of economic welfare even as a condition for their perpetuation in power. We ourselves have seen the rise and fall of one of the most ruthless dictatorships the world has ever witnessed, Hitler's regime in Germany. When Hitler rose to power, the currency had collapsed, unemployment was rampant, and the economy of the country was in shambles. The Nazi regime no doubt rectified all this within a few years, but that great nation had to pay a price which cannot be measured in economic terms.

In the newly-awakened Asian and African countries the democratic ideals are being put to their severest test. Political freedom from foreign domination or colonial exploitation has come amidst social and economic poverty. There is today in these countries what has aptly been called "the revolution" of rising expectations. One country after another has passed into authoritarian rule. We hear of "controlled democracy", "guided democracy", "the new democracy". The essentials are however the same, the negation of democracy. It is significant that all modern forms of authoritarian rule seek to draw sanction for their existence from the argument that they function for the peoples' benefit, that they are safeguarding the interests of the people who otherwise cannot be trusted to conduct themselves wisely. It is said that adult franchise, elections, parliamentary control etc., are but forms developed by accident in some foreign countries and are not applicable to underdeveloped countries. Such arguments overlook the lessons of history. Dictatorship follows an inexorable course. Its very nature compels upon it the necessity to suppress one freedom after another and to stop criticism till the mind ceases to think. A perpetual struggle

for power is an accompaniment of dictatorial rule. Purges and periodic blood baths become logical events in sequence. All modern dictatorships ultimately aim at changing the very fabric of human mind. The modern methods of propaganda allied with the absolute power of the State over the education of children have become the apparatus of thought control. Man is conditioned to think in a certain way. Knowledge, art, literature are subjected to the iron control of censorship. Man becomes a robot. As a robot he may become an efficient unit in the machine, but he ceases to be a man. The starry heavens above are shut out of his view; the moral sense within is stilled. It is a terrible price to pay, and it is a price that has to be paid under dictatorship, whether young or old.

The democratic ideal is the only one which is consistent with the fullness of human dignity. There is no other way of survival for human society except the way of freedom. There are certain basic assumptions of democracy, non-acceptance of which is the negation of the democratic ideal. The success of democracy depends on the extent to which these assumptions become a part of a nation's thinking. The wider the acceptance of these basic tenets, the stronger will be the safeguards against political and economic aberrations. They also distinguish the true democratic ideal from other systems.

Democracy is the replacement of force by persuasion and co-operation, in the organisation of society. Its method is based on the approach to the finer elements in human nature, reason, goodwill, tolerance, understanding. The opposite of this method is the one that appeals to the lower passions in human nature. Violence derives its energy from hatred and therefore cruelty and brutality are its inevitable consequences. It is possible to have a society which derives its cohesion entirely from the sentiment of hatred; it may be classhatred or racial hatred.

Persuasion as the method of organisation posits freedom of discussion and debate. Freedom of thought and expression therefore are of the very essence of democracy. It is significant that this freedom is the first victim of an authoritarian rule.

Since democracy proceeds by free discussion and debate, the laws framed by the elected representatives of the people carry a moral sanction. Democracy cannot function unless those who have framed the law as well as those who may differ are willing to submit to the supremacy of the law. Law in democracy does not derive its sanction from the force which the State has at its command, but from the moral obligation on all those who may differ, to abide by the decision which has been arrived at by free discussion. Defiance of democratic law, whatever form it may take, is a resort to coercion.

The democratic form of Government, and particularly Parliamentary Government, gives special attention to the dissenting views. The rules of Parliamentary procedure are designed specifically to give to the minority views all reasonable scope for expression. It would not be correct to think that the evolution of modern party system has tended to make discussion in the legislatures less amenable to the influence of differing views. The opposition in a Parliamentary Government exercises all the time an imponderable pressure on the views of the majority. The extent of the pressure depends on the merits of the views.

Democracy is not only a form of Government but a way of life, and its strength depends to what extent the people participate in that way of life. Democracy has therefore to be structured from below. The apparatus for making laws, for carrying them out and for their interpretation and application is no doubt an important aspect of organised democracy but this is only a part and democracy is greater than the part. The democratic ideal has to permeate and inform all levels of society's organisation so that the centres of power and the sense of partnership may be as widely dispersed as possible. People's organisations like the Panchayats, Co-operatives, Local Bodies, Trade Unions are not merely training grounds but essential agencies of democracy. Democracy must be strong at the grass-roots.

The ideals of democracy in the economic, political and social spheres have to be furthered by democratic leadership. Leadership in democracy does not function through the imposition of an individual's will but as the point where the urges and aspirations of a group or the people crystallise, and find a direction. It is an educative process for the ends of social responsibility and social discipline. Another function of leadership in democracy is to stimulate thought and discussion. This is the role that the intelligentsia has to perform. Education in democracy has to be a continuous process, covering every individual as well as the community. The functions of leadership are not confined to what are called the professional politicians. They are in different ways but serving the same broad goals to be performed by the intellectuals, the organisers of labour movements, village leaders, educationists, newspapers and the whole body of enlightened citizens.

We in India have pledged ourselves to democratic faith. Our Constitution embodies those fundamental rights and freedoms without which human spirit cannot flower. Our general elections have been witness to our faith in the people, the ultimate repository of all power. The ideal of a socialist pattern of society based on a co-operative commonwealth is being translated into concrete economic and social policies through our Five-Year Plans which stand out as perhaps the only example in the world of democratic planning for economic growth in an underdeveloped country.

It is the democratic faith that holds together in freedom a people with a wide diversity of creeds, customs and languages. Our Parliamentary institutions are growing in strength from day to day. This is an achievement on which we the people of India can look with a sense of pride.

The democratic tradition in India draws its strength from those mainsprings of our cultural heritage which have nourished the moral values centring round the sacredness of human life and personality. These were reaffirmed vividly and imprinted on the national consciousness by Mahatma Gandhi. He rid the people of fear, and instilled into them the supreme courage of non-violence. He gave us the acid test of any political and economic system : the philosophy of the ends and the means. You cannot achieve desirable ends by resorting to undesirable means. That which is gained by violence will feed itself on violence. He gave us the purest example of democratic leadership. It is this tradition which has nourished the roots of our democracy. But while we may count our blessings, we cannot relax our guard. Eternal vigilance is the price of liberty. Events in the neighbouring countries spell out the danger against which we have to guard. We have to concentrate all our energies and effort on making democracy real to the people and to give it the social and economic dimensions. The ultimate safeguard of democracy lies in the strength, faith, unity and resolution of the people.

BOOK REVIEW

WORK SIMPLIFICATION By ROBERT N. LEHRER : Prentice Hall, Inc., New York Price \$ 9.25 1957.

Work simplification is the very heart of organization and methods work. Ever since the dawn of history man has struggled to lighten the burden of his work by evolving less tiring methods of doing it. The invention of the wheel may be cited as a very fine instance of such efforts in pre-historic times. But it was not till the latter half of the 19th century that any systematic effort at work simplification was made in an organized way.

Without ignoring the contributions of persons like Charles Babbage in England and Henri Fayol in France, Fredrick Taylor of the U. S. A. may well be regarded as the father of the modern philosophy of Scientific Management, and it was as a part of this philosophy that he originated the technique of Time Study. Later, Frank B. Gilbreth introduced the technique of Motion Study. In recent times Lilian Gilbreth and Ralph Barnes gave new dimensions to the concept of Motion and Time Study by adding psychological and sociological factors to it. The well-known Hawthorne Experiment carried out by Elton Mayo and others at the Western Electric's Hawthorne Works in the late twenties has widened the horizon of work simplification by underscoring human relations in industry. It may, thus, be said that while Taylor increased production by rationalising it, Mayo did so by humanizing it.

A lot of literature has grown up on and around the subject of management improvement under different titles ; time and motion study, methods improvement, operation analysis, work simplification and many more. Continuous research in the field has been going on, and it is by no means confined to business and industry. The government, too, has entered the field in a big way. The O & M units in the governments of U. S. A, Britain and Canada are turning out lot of literature on subjects like Forms design, Filing, Records Management, Office Management, Paper work, Automation, etc. In the U. S. A., besides the Bureau of the Budget, departments of the Army and the Navy have been doing good bit of research or work simplification and have some excellent publications and films to their credit.

To this last growing literature has been added this book by Professor Lehrer. The natural question to ask is why this book ? Let the author himself answer the query. "... ..this book has been the result of a sincere dissatisfaction with the more common method of handling cost

reduction, human relations, and motion and time study problems." The author departs from the more common treatment of charting techniques and emphasizes "the dynamic and human aspects of a constructive approach" to work simplification. The two main concepts underlying the book are Creative Thinking and Participational work simplification. Creative Thinking implies giving a new and fresh look at work problems and suggesting new and better solutions both by the management and the workers. Participational work simplification means participation of the workers in the improvement of their own jobs.

The book is by no means an essay in explaining in detail the many techniques of work simplification. Thus, even such conventional tools of work simplification as micromotion study and procedure analysis have not been included in the book, nothing to say of newer analysis tools such as input and output analysis and information theory. They are omitted for the simple reason that they are specialised tools and the book aims merely at "reducing to a broad level of intelligibility the procedures designed to make human work more effective". Naturally enough the book is based mostly on American experience. One could only wish that the author had drawn on the experience of other countries like Britain in a larger measure.

As Professor of Industrial Engineering Dr. Lehrer is fully conversant with simplification work in business and industry. But he has also made a full study of the work simplification programmes in government and has utilised this material in ample measure. He has even included a separate chapter on work simplification programmes of the U. S. Government. The book has 394 pages and is divided into 24 chapters. It is profusely illustrated by means of tables, charts, graphs and pictures. The author leaves heavily on case examples too. At the end of each chapter are given comprehensive references to books, brochures, pamphlets, reports, studies and films relating to work simplification. To use the best feature of the book is its simple and direct language and pleasant style which provide an easy reading even though the subject matter is technical. Being a Prentice Hall publication the printing and get up naturally are excellent. I can safely commend it as a suitable text book on work simplification.

A. AVASTHI

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IIPA Newsletter, Indian Institute of Public Administration, New Delhi.

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U. N. Special Fund
For Human Welfare.
UNICEF.
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My story of Unicef in Asia.
Technical Assistance Newsletter.
Expanded Programme of Technical Assistance.

UNESCO PUBLICATIONS :

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Chinese Statement on the Situation in the Taiwan Straits Area and Territorial Sea.

RESEARCH IN POLITICAL SCIENCE
IN INDIAN UNIVERSITIES

PATNA UNIVERSITY

(We have received only the following information so far)

Working under Dr. V. P. Varma.

Ph. D.

<i>The Gandhian Concept of Sarvodaya.</i>	Krishna Mohan Prasad
<i>The Political Philosophy of J. L. Nehru.</i>	Navin Chandra Prasad
<i>Municipal Administration in Bihar.</i>	Kailashpati Prasad

M. A.

<i>Social Philosophy of Maulana Azad.</i>	Abdul Qayum
<i>Social Philosophy of Acharya Narendra Deva.</i>	Ram Chandra Sahaya
<i>Philosophy of M. Gandhi.</i>	Dinesh Chandra Ojha
<i>Social Philosophy of B. G. Tilak.</i>	Sharda Prasad
<i>Social Philosophy of Vinoba Bhave.</i>	Jagda Nandan Sinha
<i>Social Philosophy of J. L. Nehru.</i>	Talat Z. M. Kamal
<i>Social Philosophy of Jayprakash Narayan.</i>	S. M. Shafi-Uddin

* * * *

A SPECIAL REQUEST

University Departments of Political Science are invited to send for publication in these columns complete information regarding "research completed" and "research in progress" mentioning the name of the student, subject of research, degree awarded or applied for, year of completion or registration—Mg. Editor.

SUBSCRIPTIONS RECEIVED¹

BY THE MANAGING EDITOR (Upto 31st July 1959)

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¹The Managing Editor will be obliged if his attention is drawn to any omissions or corrections in this list.

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 Kerala, University Co-operative Stores Ltd., No. 1955, Trivandrum.
 Maharana Bhopal College, Udaipur.
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 The Principal, Bhavan's College, Bombay.
 Departmental Libraries (Gen.) University of Bombay.
 M. N. College, Visnagar.

Current Technical Literature Co. Bombay
 Samaldas College, and Sir P.P. Institute of Science, Bhavnagar.
 Saugor University Library, Sagar (M.P.)
 Dattā Datar Poona
 Poona University, Poona-7.

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 Raina's News Agency, Srinagar, Kashmir for themselves.
 S. V. Kamat, Booksellers and Stationers, Kumta (N. Kanara).

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 Lehigh University, Bethlehem P. A.
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H. Blackwell's Ltd. Broad Street, Oxford.

INTERNATIONAL BOOK HOUSE, BOMBAY

Indian Aid Mission, Govt. of India, Kathmandu (Nepal).
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 Adm. Staff College of India, Bella Vista, Hyderabad.
 Gangadhar Meher College, Sambalpur.
 Maharaja's College, Ernakulam.
 Mahatma Gandhi Memorial College, Udipi (S.K.)
 Utkal University Library, Cuttack
 St. Thomas College, Palai, Arunapuram P.O. Kerala State.
 G. S. College of Science & Arts, Khamgaon (Vidarbha)
 Oriental Training Centre, Nilokheri Punjab.
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FEDERALISM IN INDIA—II*

By

BENJAMIN N. SCHOENFELD

The Constitution of India is unique with respect to its extreme detail and substance. It is the longest constitution in existence in the world totalling three hundred ninety-five articles and nine supporting schedules embraced in two hundred and seventy-two pages. Its uniqueness is attested to by its emphasis on constitutional detail, covering legislative procedure, administrative relationships between the Centre and the component states, and the inclusion of a constitution for the states with equal detail as that for the national political organism. The essential reason for this phenomenon is the basic distrust of the members of the Constituent Assembly of human beings, the communal ill-will prevailing between Muslims and Hindus, the fear of provincialism in the nation, and the need to empower the national government with sufficient strength to develop a national, industrialized economy from a backward state.

The character of the Indian Constitution is in a federal form. Federalism involves a distribution of sovereignty between the national government and the constituent member states. Within each sphere, each government is supreme.¹ The Indian Constitution itself does not characterize the form of government as federal, but rather, describes India (Bharat), as a Union of States.² However, the Drafting Committee of the Constituent Assembly referred to this when it reported the draft constitution to the Constituent Assembly stating that the committee preferred to follow the language found in the preamble of the British North America Act of 1867, and that "nothing much turns on this name."³

The Distribution of powers between the national government and the states is always a delicate matter of adjustment,⁴ and the Indian Constitution is no different. The distribution of powers in general follows the Government of India Act of 1935 both in form and substance. The Union Government is given exclusive power to make laws covering ninety-seven items set forth including such subjects as defence, war, foreign affairs, national security, citizenship, immigration, commerce, transportation, communication, aviation, postal service, money, credit, banking, lot-

*The first part of this article was published in Vol. XX No. 1 of this Journal.

¹ Srinivasan, N., *op. cit.*, p. 193.

² The Constitution of India, Part I, Art. 1

³ Quoted in *The Organization of The Government of India* (The Indian Institute of Public Administration), Asia Publishing House, Bombay, 1958 p. 9.

⁴ Ramaswamy, M., *The Constitution of the Indian Republic*, Orient Longmans Ltd, Bombay, 1950, p. 5.

teries, business, patents, copyright, trademark, weights and measures, petroleum resources, industries affecting the public interest, labour relations, coastal fishing, opium, motion picture films, national shrines, police, income tax except agricultural income and certain taxes.⁵ The residuum of power not covered in the list of powers granted to both the Union and the States in the Concurrent List, List III, or to the states alone, in List II, is allocated to the Union Government.⁶ The states are empowered to legislate upon sixty-six items including such subjects as public order, police, administration of justice in courts within the states excluding the Supreme and High Courts, prisons, local government, public health, liquor, relief, burials, higher education, libraries and other cultural institutions, such means of communication as were not covered in List I, agriculture, water, forests, fisheries, wild life, internal trade, wagering, a limited control over incorporation, treasure trove, land revenue and a limited class of taxes including taxation on electricity, goods, passengers, vehicles and animals, trades, professions, luxuries, stamps, documents, and on limited classes of advertisement.⁷

Forty-seven subjects are within the concurrent powers of both the Union and the states, including criminal law, criminal procedure, preventive detention, marriage and divorce, inheritance rights, contracts, torts, trusts, civil procedure, vagrancy, lunacy, control over food stuffs, labour relations, social security, professions, charities, internal trade and commerce, electricity, boilers, newspapers, books and printing, stamp duties, as well as any industry in which Parliament declares it in the public interest.⁸ In the event that both Union and state governments legislate upon subjects included in the Concurrent List, both laws are valid to the extent that there is no repugnancy between them. However, in the event of such repugnancy, the Union law will prevail to the extent of such repugnancy.⁹ It means that there is a priority of validity which consistently operates in favour of the Union List and against the State List.

Three possible relationships may arise in which the Union may further intrude upon the state domain thus readjusting the equilibrium of relationship between the two levels of government. Parliament may legislate upon a subject listed in the State List in the event that a Proclamation of Emergency has been declared. This power exists for a period of time not exceeding six months following the termination of the Proclamation of Emergency.¹⁰ Secondly, if a two-thirds majority of the upper house of Parliament, the Council of States, has declared that it is necessary or expe-

⁵ Constitution of India, Seventh Schedule, Art. 246, List I, Union List.

⁶ *Ibid.*, item 97, also Article 246 (4), Article 248 (1).

⁷ Constitution of India, Seventh Schedule, Article 246 (3), List II, State List.

⁸ *Ibid.*, Article 246 (3), List III, Concurrent List.

⁹ *Ibid.*, Article 251, 254.

¹⁰ *Ibid.*, Article 250 (1), (2). See comment in Joshi, G. N., *The Constitution of India*, Macmillan & Co., London, 1956, p. 274, 275.

dient in the national interest, Parliament may make laws upon any subject falling within the State List for an indefinite number of one year periods.¹¹ Thirdly, Parliament has power to enact legislation implementing treaties, conferences, associations, agreements, conventions with foreign countries or other international bodies. In the event that Parliament should thus enter the field of the State List, such a subject would become pre-empted for the Union action.¹² A further modification of the Indian Federalism may be found in the constitutional authority by which two or more states may empower Parliament to enact legislation falling within their authorities.¹³ Thus, once the Centre occupies the field at the request of a state that state is excluded from further passing legislation upon that subject.

One of the specialized relationships between the Union and the Centre which received great attention in the Constituent Assembly was the division of finances and tax powers between the Union and the states. The reason for the emphasis was the insistence of the states that they retain sources of revenue, and compensation for any losses occasioned by a surrender of a specific tax power to the Union. Although stamp duties and excises upon medical and toilet preparations are within the Union List of powers, the proceeds are required to be collected by and appropriated to the state within which they are collected.¹⁴ Taxes upon succession to non-agricultural lands, estate duties on non-agricultural lands, terminal taxes on goods or passengers on rail, sea or air, freight and rail travel, taxes on stock exchange and futures markets other than stamp duties, taxes on newspapers and newspaper advertising interstate sales and purchases of all commodities other than newspapers, these taxes are to be levied and collected by the Union, but are to be assigned to the states. The mode of distribution is to be within the state in which the tax or duty is levied and by Parliamentary statute.¹⁵ However, in the case of taxation of non-agricultural income, such are to be levied and collected by the Union and distributed to the states in which the tax is levied according to Parliamentary statute.¹⁶ Union excise duties other than that upon medicinal and toilet preparations which are on the Union List are to be levied and collected by the Union, but may be distributed among the states according to Parliamentary statute. Any enactment which varies the amount of money a state may get from the Union or which changes the concept of agricultural income of a state must receive the prior recommendation of the President before being introduced.¹⁷ Specialized credits have also been

¹¹ *Ibid.*, Article 49 (1), (2). See comment in Palande, *op. cit.*, p. 36-237.

¹² Constitution of India, Article 253. See the cogent analysis of the means by which Union power may be expanded by liberal use of this clause in Jennings, *Some Characteristics of the Indian Constitution*, Madras, 1953.

¹³ *Ibid.*, Article 252 (1), also Sec. 258 A.

¹⁴ *Ibid.*, Article 268.

¹⁵ *Ibid.*, Article 269 (1), (2).

¹⁶ *Ibid.*, Article 270 (1), (2).

¹⁷ *Ibid.*, Article 274 (1).

given to the states of Assam, Bihar, Orissa and West Bengal in lieu of any assignment of the export duty on jute and jute products to those states.¹⁸ Of course, if any arrangements on taxes, duties, cesses or fees were in effect before the commencement of the Constitution, Parliament is empowered to continue them even though they might conflict with the present constitutional provisions.¹⁹ It is the duty of the Finance Commission, a constitutional body, to recommend to President and Parliament the distribution of taxes between Centre and states, and the principles governing grants in aid.

The Constitution also specifically empowers the Union or the state to make grants for any public purpose even though the purpose is not one with respect to which Parliament or the state legislature may make laws.²⁰ Parliament has a broad discretion to award grants in aid of the revenues of a state to enable the state to fulfil those programs the state has undertaken with the approval of the Union government in order to improve the welfare of Scheduled Tribes and raising the levels of administration of Scheduled Areas.²¹

The all-powerful character of the Union may be found in the emergency provisions of the Constitution which permit the President to undertake the rule of a state when he is satisfied that the government of a state cannot be carried on in accordance with the provisions of the Constitution.²² This great power is augmented by a general power of the President to rule by decree,²³ and to govern in the case of financial emergencies.²⁴

Treatise writers speak of the Indian form of government as quasi-federal or federal in character.²⁵ Although there may be several different opinions with reference to the character of the Indian Constitution, federalism may take several forms. Regardless of its form, the essence of this system of government is the retention of a residuum of power by the component elements of a Union. Unless this minimum condition exists, the central government is in complete authority over all geographical parts of the nation, and the government may be characterized as unitary. Judged from this aspect, one may then ask whether the states under the Indian Constitution have that residuum of power, that minimum of sovereignty which marks the existence of a state, of whether, despite the formalized attempt to attain a federal system of government, the effect has been to mould a unitary structure. The broad grants of power in the

¹⁸ *Ibid.*, Article 273 (1).

¹⁹ *Ibid.*, Article 277.

²⁰ *Ibid.*, Article 282.

²¹ *Ibid.*, Article 275.

²² *Ibid.*, Articles 356, 357.

²³ *Ibid.*, Articles 352, 353, 354.

²⁴ *Ibid.*, Article 360.

²⁵ For an excellent summary of these views see Kagzi, M. C. J., *The Constitution of India*, Metropolitan Book Company, Delhi, First Edition, 1958, pp. 27-29.

Union List, the all-inclusive character of the Concurrent List, the mechanisms for abrogating state control over subjects in the State List, the lack of full legal control over municipalities by the states under the constitution, the gravitation of control under circumstances of emergency and national interest all point to the unitary character of Indian Government. The centrifugal character of Indian political authority is not inherent in the basic or fundamental nature of the constitution, but rather in the policy developed by the Union government under a particular administration. When the character of the Indian government is viewed in terms of the socialist objectives of the planned economy which has been an adopted goal in India, then the federal character of that government becomes even more difficult to envisage.²⁶

The federal form of government which explicitly provides constitutional devices for Federal-State cooperation for dual government in the same territory makes essential that there be a high degree of cooperation between both sovereigns if success of public policy is to be attained. It must be realized that the functioning of these two governments, the Centre and the States, over one area is likely to result in constant conflict of policy and interest. This is especially true where the Centre may be controlled by one political party and the state controlled by another. To secure the needed harmony between them, it is necessary that some mechanisms exist which will eliminate differences, develop compromises, remove obstacles, and reach consensus or agreement on the programs which are undertaken.

INTER-STATE COUNCIL

The Inter-State Council is one such device having as its goal the resolving of disputes which arise between states. The need for this body has been put succinctly by one constitutional authority :

"In view of the increase in the central activity in matters of common concern to the States, it may be useful to have in a big size Federation a common agency which will facilitate the meeting of Provincial or state representatives to discuss matters of common concern in order that a uniform policy may be followed in respect of these matters at least."²⁷

Where it appears to the President of India that the public interest might be promoted by the establishment of such a body, he may create an Inter-State Council and define its nature, duties and organisation under Article 263. Such a Council may be charged with the duty of investigating a dispute between two states, or one in which several states or the Centre

²⁶ See the discussion on this problem in Sethi and Mahajan, *op. cit.*, pp. 297-298. For an attempt to classify the Indian Constitution as a unique federalism see Iqbal Narain Srivastava, *Federalism in the New Constitution*, *The Modern Review*, vol. 93, No. 6, June, 1953, pp. 442-443.

²⁷ Arunchalam, N., *A Treatise on Constitutional Law*, Kuber Enterprises, Ltd., Madras, 1953, p. 419.

may have an interest. The Council is empowered to make such recommendation as will promote the coordination of policy and action in a given program. Viewed in another light, the object of Article 263 is not only to provide a mechanism to settle disputes, but also to facilitate coordination of activities of the different states which fall within their ambit of power. It should be clear that such a council has no powers to compel states to appear, or to participate in any of its processes. It has no punitive powers or powers of enforcement. The creation of the Inter-State Council has as its purpose the creation of a mechanism to discuss interstate problems with reference to those matters which fall within either the Concurrent List or the State List. It should be thought of as informal coordinating devices.²⁸ The importance of such a device has been realized at the Centre as a means of achieving maximum benefit of any public policy which may be undertaken. In its report, the Joint Parliamentary Committee pointed:

"It is obvious that, if departments or institutions of coordination and research are to be maintained at the Centre in such matters as agriculture, forestry, irrigation, education, and public health, and if such institutions are to be able to rely on appropriations of public funds sufficient to enable them to carry on their work, the joint interest of the Provincial Governments in them must be expressed in some regular and recognized machinery of Inter-governmental consultation. Moreover, we think that it will be of vital importance to establish such machinery at the very outset of working of the new Constitution, since it is precisely at that moment that institutions of this kind may be in the most danger of falling between two stools through failing to enlist the active interest either of the Federal or the Provincial Governments, both of whom will have many other more immediate occupations."²⁹

What has been the history of the device in the short period of Indian experience? It is fair to point out that the prediction of Sir Ivor Jennings that Article 263 and its machinery may be regarded as a dead section is fully justified.³⁰ This weakness has been contrasted with the power of the tribunal created under Article 262 which provides effective machinery for the adjudication of disputes among states in matters of inter-state waters or inter-state river valleys.

THE ZONAL COUNCIL

Inter-state cooperation has also been furthered by the Zonal Council device. This device was created under the States Reorganisation Act of 1956, and is designed to provide a forum for closer cooperation among the states included in each zone with reference to matters of common concern which any state may wish to place before the Council. The states have been grouped into five zones, as follows:

1. Central Zone—Comprising the states of Uttar Pradesh, and Madhya Pradesh;

²⁸ For a cogent analysis of the potential of this device, see Basu, Durga Das, *A Commentary on the Constitution of India*, Madras Law Journal Office, Madras, 1950, p. 576-577.

²⁹ Quoted in Shukla, V. N., *The Constitution of India*, Eastern Book Company, Law Publishers, Lucknow, 1950, pp. 253-254.

³⁰ For analysis see Sethi and Mahajan, *op. cit.*, p. 298.

2. Northern Zone — comprising the States of Punjab, Rajasthan, Jammu and Kashmir, and the Union Territories of Delhi and Himachal Pradesh;

3. The Eastern Zone — comprising the States of Bihar, West Bengal, Orissa, Assam and the Union Territories of Manipur and Tripura;

4. The Western Zonal Council — comprising the States of Bombay and Mysore; and

5. The Southern Zone — comprising the States of Andhra Pradesh, Madras and Kerala.

Zonal Councils for each zone have been created since November 1956 with a view to providing a forum for closer cooperation among the States and Territories on one hand, and the Centre and the states on the other with respect to common problems which have arisen in the various regions. Prime Minister Nehru in nominating the Union Home Minister as the Common Chairman of all Zonal Councils sought to achieve the needed coordination both between the Centre and the states and territories by this appointment. It is also designed to utilize the regional device as a mechanism to carry out national objectives. The consequences of this policy may be seen subsequently. The membership of each Zonal Council consists of the Union Home Minister, the Chief Minister of each State included in the Council, and two other Ministers from each State selected by the Chief Minister of the State. The Chief Ministers are to function as Vice-Chairmen of the Council by rotation and to hold office for a period of one year. The Union Territories are represented in the Councils by not more than two members from a Territory, one member being the Administrator of the Territory himself, namely the Lieutenant-Governor or the Chief Commissioner as the case may be. In the North-East-Frontier Agency (NEFA), the Advisor to the Governor of the State of Assam for NEFA is its representative on the Eastern Zonal Council. The composition of the Zonal Councils also provides for the inclusion of certain Union Official Advisers including a nominee of the Union Planning Commission, the Chief Secretaries of each State (the Chief senior civil servant in charge of State Administration) and the Development Commissioners of each state included in the Zone. These advisers may participate in Council discussions and offer advice, but have no right to vote.

A review of the work of the Zonal Councils shows that its principal role has been to carry out the program of the Centre in a given policy developed in the nation's capital. Thus the zonal councils have discussed the ways and means of implementing the policy of the Centre in matters of food policy, conservation, savings, and water conservation. They have also discussed regional problems affecting the member-states including such problems as official state and national languages, border disputes, water-shed development, regional hydro-electric power resources, food distribution, and police protection. Provision has also been made for the

holding of joint meetings of two or more Zonal Councils wherever two or more regions face common regional problems.

All Zonal Council meetings are held in the States included in the Zone and are rotated from state to state. The Council has a Headquarters Staff consisting of a Secretary, a Joint-Secretary and other subordinate officers. The post of Secretary is rotated annually among the Chief Secretaries of each State Government. The Joint Secretary of the Council is appointed by the Chairman of the Council and must be drawn from the administrative cadre of a State which is not a member of the Zonal Council to which he is appointed. This is designed to produce an impartiality of administrative personnel on the Council. All the Zonal Council Headquarter administrative expenses are to be borne by the Chief Government out of monies voted by Parliament.³¹

INTER-STATE WATER DISPUTES

Under any federal system in which the State governments possess a significant degree of autonomy there is likely to arise a conflict of interest both between the Centre and a State, or between two or more States. To provide for an orderly settlement of such conflicts the Indian Constitution vests in the Supreme Court of India the exclusive jurisdiction to settle these disputes.³² In addition, extra-judicial adjudicatory machinery is provided for by the Constitution. Parliament may by law provide for adjudication of a dispute or a complaint with respect to the use, distribution or control of the waters of any interstate river or river valley. This is a saving clause which limits the scope of Article 131.³³

Pursuant to its constitutional authority, Parliament has enacted the Inter-State Water Disputes Act of 1956 in which the Centre may convene a Water Disputes Tribunal for the adjudication of water disputes if any party to such a dispute so requests. When this request is made, the Centre is required to publish a notification of the convening of a Water Disputes Tribunal in the official Gazette for the adjudication of this dispute. The Tribunal consists of one person nominated by the Chief Justice of India from among persons who are or who have been Judges of the Supreme Court of India or who are Judges of a High Court of one of the States. The Tribunal may appoint two or more persons as assessors who are to advise in the proceedings before the Tribunal. The authority of the Tribunal is limited by the terms of another Act, the River Boards Act of 1955 which provides also for extra-judicial settlements of disputes. The Tribunal has the power to investigate, obtain testimony and it is

³¹ For an excellent summary, see, *The Organization of the Government of India*, Indian Institute of Public Administration, *op. cit.*, pp. 11-15.

³² The Constitution of India, *op. cit.*, Article 131 (a), (b), (c).

³³ *Ibid.*, Article 262 (1), (2). Also see excellent analysis in Shukla, *op. cit.*, pp. 253 et. ff.

directed to forward its report to the Centre setting forth the facts and its findings of law. After consideration of the decision of the Tribunal, the Central Government may request additional investigation by the Tribunal. After the final report is issued by the Tribunal, the Centre is required to publish the decision of the Tribunal in the Official Gazette and the decision is final and binding on all the parties to the disputes.³⁴

RIVER BOARDS

A different approach to solving the problems of federalism under the Indian structure of government is offered by the work of the River Boards. These Boards are created under the provisions of the River Boards Act of 1956 which provides for the establishment of such boards for the development of inter-state rivers and river valleys and for the adjudication of any conflicts which emanate from this program.³⁵ Wherever the Central Government finds it in the national interest to do so, it may constitute such Boards for various inter-state rivers and river valleys. Such Boards consist of a Chairman and other members selected in the discretion of the Central Government as well as one or more advisory committee or committees which the Board may appoint. The duty of the Board is to advise the government on the development and regulation of any desirable area, the various means of coordinating activities in an area in order to remove any conflicts and to achieve maximum efficiency, and finally, to resolve any conflicts which arise among the States. If conflicts arise over any advice offered by the Board, in the refusal or neglect of a State in undertaking a program developed by the Board, or the sharing of any financial benefits or liabilities arising under the program, any of the governments affected by this condition may refer the matter in dispute to tribunal arbitration. Such a Tribunal consists of an Arbitrator appointed by the Chief Justice of India from among persons who are or who have been judges of the Supreme Court of India or the judges of a High Court of a State. His decision is final and binding on all the parties to the dispute and must be carried out by them promptly.³⁶

CONFERENCE DEVICES

There are also a plethora of conference devices designed to facilitate federalism in India. Periodically, there are meetings of the Governors' Conferences or the Council of State Governments which publishes a monthly journal known as "State Government" to facilitate and encourage inter-state cooperation. There are also periodic meetings of the Chief Ministers of the Indian States, Chief Secretaries of State Conferences,

³⁴ The Inter-State Water Disputes Act of 1956, Act 3 of 1956, The All-India Reporter, vol. 43, Nagpur, 28 August 1956, pp. 269-270.

³⁵ *Ubi Supra*, p.

³⁶ The River Boards Act of 1956, Act 49 of 1956, The All-India Reporter, vol. 43, Nagpur, 12 September 1956, pp. 324-326.

Conferences of State and Central Officers, Ministers' Conferences of the various Ministries of the Centre and the States. All these conferences and meetings are devoted to discussions of current problems affecting the States and the Centre which arise. They seek to provide a forum for discussion of mutual problems and set the stage for the cooperative solution of these problems. These have been aptly evaluated by an eminent and respected Indian scholar who has pointed out :

"It would appear that no set of uniform codes has been framed so as to make these meetings a permanent feature of the Indian Constitution. If these adhoc meetings should be rationalized and rules evolved with a view to obtain uniformity for as many number of matters as possible as between the States of India vis-a-vis the Union a great deal may be achieved and many administrative difficulties avoided."³⁷

GRANTS-IN-AID

Of great significance is the grant in aid device-in-India. This technique has been utilized by the Centre to develop areas of public policy which fall within the constitutional purview of the States in such a manner as to secure uniformity throughout the nation. At the present, there have not been any governmental inquiries or academic research which give us accurate dimensions of the character of the program. This is in part due to a failure in government to characterize grants-in-aid as such and partly due to the lack of financial coordination in this program area. The grant-in-aid scheme in India assumes that the States and the Centre both have sufficient financial resources to achieve the realization of the goals of the program. In the case of the Centre, the budgetary difficulties faced by the Government and limited by the slow growth of capital formation make it difficult for the Centre to finance the programs it has passed. For the States, the limited revenue sources make the problem of accepting the aid even greater.

The Indian grant-in-aid scheme is based upon the principle that the State is required to make a contribution equal to that of the Centre. The condition works a discriminatory hardship upon the smaller states, like Kerala, or the states which are poor, like Orissa. In addition, the financing of the program by the State imposes a budgeting hardship. A State is required to expend the entire amount required for the project and then obtain a refund from the Centre. This results in an extremely great hardship upon states which cannot lay out the complete costs of the program, and serves thereby to delay the completion of the project.³⁸

THE PROBLEMS OF INDIAN FEDERALISM

The problems which Indian federalism faces stem from the needs of her people to have a central government armed with sufficient powers needed to solve modern economic and political problems on one hand, and

³⁷ Arunachalam, *op. cit.*, p. 420.

³⁸ Chand. Asoka, *Indian Administration, op. cit.*, p. 239.

the strong sentiments of regionalism found throughout the land. Regionalism in India takes on many aspects including religion, race, language, caste and political and economic power. These forces all plead for greater state autonomy in the major aspects of the life of the people in that region. There has been, for example, a tremendous agitation for the reorganization of the States along linguistic lines. This has resulted in the appointment of the Linguistic Provinces Committee, also known as the Dai Committee to investigate this problem. This Committee issued an unfavourable report on the principle of the linguistic state. Nevertheless, popular pressure for official linguistic state status has persisted and it has resulted in the subsequent appointment of Wanchoo Commission to consider the implications of such a linguistic state. The problem, although prevalent throughout India, was particularly pressing for the Telegu speaking area of Madras. After consideration of the Commission's report, the Government announced its decision to form Andhra Pradesh, and accordingly in 1953 the state of Andhra was formed. A similar pressure is now mounting in the State of Bombay where the Maharashtrian and the Gujarati communities both seek to obtain a partition of the State along linguistic community lines. The pressure for linguistic statehood has its counterpart in the demand for states organized along cultural-religious lines. The persistent demands of the Sikh people in the Punjab area has been to obtain statehood status of those areas where Sikhs are in heavy concentration of population. This demand has recently centred upon the right to control the places of religious worship for Sikhs by means of the pressures of religious morchas, satyagrahas, and direct political action of the Sikh community upon the Central Government.

These illustrations must be set against the broader background of a country in which there are fifteen major languages and over three times that number of minor languages and dialects spoken. Strong traditions of local autonomy, cultural differences all accentuate the drive to perpetuate these tongues. In some instances, linguistic conflicts may have an economic foundation. If the present constitutional requirement of adopting Hindi as the national official language is adopted, there is widespread fear among South Indians, especially in the Tamil speaking areas, that the lower echelon positions in the Central Government which require lower educational prerequisites will be closed to non-Hindi speaking applicants from Tamilnad.

The sharp contrast to these demands for linguistic statehood, and multilingual status, is the need for one national language spoken by all Indians. Although Hindi is the official language under the Constitution, the use of English is permitted to continue for a period of fifteen years, that is until 1964, at which time, theoretically at least, Hindi is to be the official tongue in use.³⁹ At the present time there is widespread discussion of this problem with responsible governmental officials publicly stating

³⁹ The Constitution of India, Article 343.

that it is unlikely that national linguistic unity will be achieved by the required date. Mr Frank Anthony, Anglo-Indian M. P. has recently demanded that English be especially classified as a minority language and that further study undertaken.

The linguistic problem is reflective of the basic problem in India, namely the role of the States in the Indian Union. The former Comptroller-General of India has pointed out that, although the characteristics of a federal structure are present in the Indian Constitution, there are important reservations present to emphasize the supremacy of Parliament.⁴⁰ The explanation for this lies in the context of the past evolution and the present and future needs of the Indian people. This, in turn, poses the question: "Can India retain her present federalism where her needs dictate a strong central government armed with sufficient power and talent to achieve these needs?" Although initially Dean Paul A. Appleby, in his first Report on the Public Administration in India pointed out that there was a strong role for state government in developmental plans and operations,⁴¹ his viewpoint on second examination had undergone some change of heart for as he pointed out that:

"Principal responsibility for revenues to be applied to the (Five Year) Plan rests with the Centre, but the mechanisms ultimately essential for enforcing maximum collection are in an important and excessive degree those of the States."⁴²

It must be realized that the level of government primarily responsible for the revenues which will be utilized for programming will exercise a pervasive influence upon the mechanisms which execute those policies. This influence is even greater when it is realized that the effective aspects of planning, development of national resources, and experienced, effective personnel, and greater financial resources rest with the Centre rather than with the States.

The formulation of various programs under the planned economy of India presents several serious problems for a federal type of government. Although the role of the Centre is to shape policy and to give it direction, yet the States do have vast autonomy in such fields as health, education, taxation, and economic development. Under the First Five Year Plan, before the 1956 States' Reorganization, about two-thirds of development projects were administered by twenty of the twenty-eight states and under the Second Five Year Plan a little less than fifty percent of the expenditures for the Plan it is contemplated will be made by the States.⁴³ This condition

⁴⁰ Chand, Asoka, *op. cit.*, p. 50.

⁴¹ Appleby, Paul A., *Public Administration in India, Report of a Survey*, Government of India, Cabinet Secretariat, Organization and Methods Division, New Delhi, India 1953. See pp. 17, 55, 56.

⁴² Appelby, Paul A., *Re-examination of India's System with Special Reference to Administration of Government's Industrial and Commercial Enterprises* Cabinet Secretariat, Organization and Methods Division, Government of India, New Delhi, 1956, p. 49.

⁴³ Planning Commission, *The New India, Progress Through Democracy*, The Macmillan Company, New York, 1958, p. 118.

makes it essential for both levels of the government, State and Central, to co-operate harmoniously. However, political differences, between the two, which arise out of different party control, may be a descriptive factor in a program requiring close co-operation. Thus, Chief Minister, E. M. S. Namboodiripad of the State of Kerala, has repeatedly stated that his State was being discriminated against by the Central Government in development planning because of Congress Party control of the Centre in opposition to Communist Party control of the State. This source of conflict is bound to increase as the political strength of the Congress wanes and stronger opposition parties arise in the States. This charge is superficially substantiated by the present practice in India of having basic development plans originate not within the trained civil service in Government, but rather within high echelon political councils of the Congress Party.

The quality and character of public administrative personnel is also a major factor affecting the federal character of Indian Government. Although the Indian Administrative Service is an all-India personnel system under control by the Centre, it is also divided into component State units under state control and responsible to the state governments. At present, in the keen demand for highly trained and qualified administrative personnel, the Central Government has been successful in attracting greater numbers of such personnel because of the increased opportunities and incentives in national government employment. As a result, state personnel systems suffer from a shortage of trained personnel in technical and scientific categories. This condition results in hampering the State in formulating and executing development plans, and further serves to delay the implementation of the Plan. In order to alleviate this shortage, the Centre has made such personnel available on a limited basis. It has also encouraged the interchange of state personnel wherever needed through the medium of the Zonal Council device. Thus, road engineers and hydro-electric technicians employed in one state have been loaned for special project purposes to other states. It should be realized that this is a device of limited scope in solving the personnel shortage problem. In an effort to utilize personnel effectively, recently, in 1959, the Indian Government has developed a roster of foreign trained Indian personnel available for employment both by the State Government and by private employment.

Above and over these problems is the basic problem of leadership under Prime Minister Nehru. His personal popularity has developed into a charismatic type of leadership which has served to unify the various states within the nation. To a great extent this same function has been fulfilled by the all-powerful role of the Congress Party throughout the country. Although it is speculative to determine the extent to which the death of Nehru, now seventy years age of or the decline and the decay of the Congress Party would affect the nation, certain broad generalizations may be made. Any subsequent leader will not possess as great a hold upon the party organization or upon the masses as the present Prime Minister. Thus the unifying element of

political leadership in India will not be as great as in the past. Secondly, the decline of the Congress signifies the use of other and increasingly powerful party organisms. Their success is and will be based to a great extent upon their satisfaction of regional and local demands. This leads to the conclusion that an over-all weakening of Indian federalism in which the Centre plays a significant role is portent in the future.

PROBLEMS AND PROSPECTS OF PARLIAMENTARY DEMOCRACY IN INDIA

By

S. A. H. HAQQI

THE STRUGGLE FOR ASIA

History is repeating itself — and with bewildering rapidity. The lights are today going out in Asia as they once did in Europe during the twenties and the thirties. From Baghdad to Bandung democracy is everywhere on the retreat. With Pakistan and Burma both going under military rule the prospects of democracy in Asia no longer appear bright as they did during the decade 1945-1955, which saw the end of what Sardar K. M. Panikkar has described as the Vasco da Gama epoch of History, that is, that of Western dominance over Asia; the decade also held forth the promise of ushering in a new and glorious period of Asian history. "Asia, too long submissive and dependent, and a plaything of other countries", said Pandit Nehru, "will no longer tolerate interference with her freedom".¹

The recent political and constitutional developments in a number of Asian countries, especially in Burma and Pakistan, have come as a rude shock to all those who believed that the adoption of the parliamentary system by the new nations of South East Asia was not merely an act of faith but also a decision warranted by recent political awakening as well as the old tradition, however limited, of democratic working at the village level. With the bayonets taking the place of the ballot box and a reign of terror replacing the Rule of Law in so many of our neighbouring countries, the question which is being asked throughout the length and breadth of India, and not without anxiety, is what next? It is both a legitimate and a timely enquiry to reflect upon (and also to guard against) the possibility of the new 'Asian Flue' — of political and economic frustration resulting in 'guided democracy' and military dictatorship — overwhelming our infant democracy. The events in Pakistan, as Pandit Nehru said, are "a big change and a big portent"; they also serve a stern warning to our people that nation-state and a democratic constitution do not by themselves foster and ensure the growth of democracy and that eternal vigilance is the price of liberty.

The recent developments in South East Asia are of vital concern to us, for they are bound to have at least an indirect impact on Indian

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¹ Quoted in Lennox A. Mills and Associates: *The New World of South East Asia* p. 16.

politics²; and the gravity of the situation and with it the crucial importance of preserving and strengthening democracy in India was well brought out by the Liberal daily, the News Chronicle, London, "Far too few people are concerned about what is happening in India and far too few realize the depth of the crisis; yet its terms are simple enough. There are, it it commented,³ "a number of unpleasant symptoms. Parliamentary democracy has become deeply snarled up in Ceylon as well as in Indonesia. Now both Burma and Pakistan have suddenly switched to military rule. In Pakistan the President has dismissed the government and banned all political parties out of sheer disgust at their antics. Almost wholly unreported, Indian delegates have been meeting at Darjeeling to discuss how democracy can be made to work better. *Their personal background is 400,000,000 hungry people; their global background is all Asia on the brink of the totalitarian abyss...* Democracy throughout Asia is crumbling, and if India is not saved all Asia is menaced". (Italics mine).

It is China and India, as Chester Bowles⁴ pointed out a few years ago, and not U.S.S.R. and U.S.A. that are really fighting for the soul of Asia; upon the success or otherwise of parliamentary government in India depends not only the future of democracy in Asia, but perhaps, in the world too. Didn't Lenin say that the road to London and Paris, for Communism, lay through China and India?

PRE-REQUISITES OF PARLIAMENTARY DEMOCRACY

The adoption of a democratic constitution for a country like India — with its galling social inequalities and semi-feudal economy, with its vast size and with its huge and rapidly growing population — which provided for adult suffrage, free elections, fundamental rights and a parliamentary system of government based on the Westminster model, was not merely an act of faith but also a most exciting and hazardous venture if one remembers the many abortive attempts to transplant democratic institutions on Eastern soil, in Persia, in Egypt, in China and in Japan. "Parliamentary Government", as Bailey has pointed out,⁵ "is a more difficult system to operate than is often realised. In only a few countries has it hitherto worked satisfactory." "The historic task of many parliamentary systems",

² Pakistan, according to Mr. Rajagopalachari has demonstrated "in a most unexpected manner for our benefit that people may not under all conditions stand up for democracy. Our claim has always been that the people of India and the people of Pakistan are very much the same, and that the two-nation theory is totally baseless. If under some circumstances the people of Pakistan could without protest or trouble accept the rule of a military usurper and his junta, the people of India too may under those or other circumstances give up their faith in democracy", *The Hindu Weekly Review*, December 29, 1958.

³ *The News Chronicle*, Oct. 13, 1958.

⁴ See Chester Bowles: *Ambassador's Report* (1945) and *The New Dimensions of Peace* (1956); also see Tibor Mende: *South East Asia between Two Worlds* (1955).

⁵ S. D. Bailey: *Parliamentary Government in Southern Asia* (1953) p.1.

according to Alfred Cobban⁶, "appears to have been to prepare the way for the sovereignty of a dictator". "Dictatorship in modern times has arisen so often out of so-called democratic institutions that it seems almost as though it could not appear where there had been no previous attempt at self-government." The reason is not far to seek. It is, as the authors of the Simon Report⁷ said, "a difficult and delicate operation to transplant to India forms of government which are native to British soil...The British parliamentary system has developed in accordance with the day-to-day needs of the people, and has been fitted like a well-worn garment to the figures of the wearer, but it does not follow that it will suit everybody... British parliamentaryism in India is a translation, in even the best translations the essential meaning is apt to be lost". For parliamentary democracy is not a mere matter of *forms* — adult suffrage, an elected legislature, cabinet responsible to the legislature and a string of fundamental rights enshrined in a written constitution — but of *methods*; the essence of democratic order — free elections, freedom of discussion and majority decision — lies in the atmosphere and spirit in which the system *actually* works⁸. "Democracy", says Bassett⁹, "is not a particular kind of civilization; it is rather a civilized way of taking political action. Dictatorship, though often hailed as a new method of salvation, is, in fact, a reversion to the methods of a relative barbarism...Democracy involves the pooling of ideas and views; it implies a willingness to persuade and an openness to persuasion. The facts are recognized that there are differences of opinion concerning political ends, and that all men are fallible. Democracy, therefore, is based upon tolerance, and necessitates compromise".

Parliamentary democracy is thus based not on any theory of divine right of the majority to govern but on the twin principles of toleration and compromise — an obligation of tolerance being incumbent on the majority to respect the legitimate rights and interests of the majority and, correspondingly, an obligation on the minority to be responsible and constructive in its opposition and also to co-operate with the majority in the discharge of its responsibilities. "Tyrannous majorities and hopelessly recalcitrant minorities are the enemies which destroy democracy". Requiring an "agreement on fundamentals" and a respect for the "rules of the game", democracy is a very intricate and difficult system of government to operate and specially so in countries like those of South East Asia, where the population is divided by social and cultural barriers, where the rate of literacy is low but that of poverty, ignorance and inertia is great¹⁰.

⁶ *Dictatorship, Its History & Theory* (1939) p. 20.

⁷ *Report of the Indian Statutory Commission*, Cmd. 3568-9/1930 Vol. II, pp. 6-7.

⁸ See A. D. Lindsay: *The Essentials of Democracy*; R. Bassett: *The Essentials of Parliamentary Democracy*.

⁹ *Essentials of Parliamentary Democracy*; op. cit. pp. 102-3.

¹⁰ For a succinct treatment, see Hansard Society, *Problems of Parliamentary Government in the Colonies*, 1953; Lennox A. Mills, "Problems of Self-Government" in *The New World of South East Asia*. Sir Ivor Jennings (*The Approach to Self-Government*) has given a lucid and learned exposition of the problems confronting the Asian countries of the Commonwealth.

PROBLEMS OF PARLIAMENTARY GOVERNMENT IN INDIA

No just estimate can be made of the prospect of parliamentary democracy in India without an examination of the problems and dangers it has to face. The first, and the most obvious, is the ignorance and illiteracy of the masses; and according to Bailey¹¹, the parliamentary system has never been successful "for a prolonged period in a country where a substantial proportion of the electors were illiterate". The magnitude of the challenge of illiteracy to democracy in India is indicated by the fact that about 80% of the population is illiterate which means that, because of adult suffrage, it is the illiterate electorate which will be called upon to judge the worth of a policy and determine the shape of things to come. "The ability to read enables people to seize an idea, but by itself it does not teach them to test and value it", Says Mills¹², ".....literacy is a sign, though not a cause of social progress, and its low level in South East Asia does not favour the success of the most difficult of all forms of government, democracy". J. S. Mill had, therefore, advocated that universal education should precede the adoption of universal franchise but he had also pointed out that if any class is excluded from the franchise, its interests will be neglected by those in power. A modern democratic state has now no alternative to adult suffrage. "What toucheth all should be decided by all". Illiteracy is, however, a diminishing weakness and the sooner we educate "our masters" the better.

Besides ignorance and illiteracy, the existence of abysmal poverty and galling inequalities is both a challenge to our social conscience and a potent threat to the future of democratic government in India. For political independence without a sound economic foundation is an illusion and, as pointed out by Carl Becker,¹³ "democracy does not flourish in communities on the verge of destitution". "Power corrupts and absolute power corrupts absolutely", said Lord Acton, but poverty too corrupts and it can corrupt much more and a far larger number of men. For power can corrupt only a few men at the top while poverty will and does corrupt the lives of the millions. With poverty there is ignorance, superstition and disease, which during the days of the struggle for independence, had been commonly ascribed to our dependent status and, quote Jennings¹⁴, to "almost perfectly executed 'imperialist' policy designed to maintain the high standards of life which the British enjoyed"; and "the general discontent," in the words of Prof. Busia¹⁵ "found expression in the demand for freedom from 'imperialism'."

¹¹ *Parliamentary Government in Southern Asia*, op. cit. p. 1.

¹² *The New World of South East Asia*, p. 305.

¹³ Carl L. Becker, *Modern Democracy* (1941) p. 12.

¹⁴ Sir Ivor Jennings, *Nationalism and Political Development in Ceylon* (1950) p. 19.

¹⁵ G. G. Haines (ed), *Africa Today* (1955) p. 294.

In view of the "revolution of rising expectations" the object and grinding poverty¹⁶ of the masses is, in my view, a far more potent and serious threat to our infant democracy than their illiteracy. For literacy, as indicated above, does not always provide sufficient capacity for the proper use of the vote and, conversely, illiteracy does not always mean lack of sturdy commonsense or capacity to understand public affairs; two of the most successful of our medieval monarchs, Alauddin and Akbar, did not have the benefit of an education in the 'three Rs.' But poverty tends to breed a feeling of utter helplessness and a sense of resentment at the apathy, indifference or callousness of the ruling classes whom they not unnaturally hold responsible for their misery and degradation. Low wages, and semi-starvation diet, ignorance, disease and resentment of the upper classes' wealth and higher standards of living, the frustration of the intellectual proletariat, all tend to create and accentuate that state of mind in which "the hungry masses" are ready and willing to believe anything and everything against the government and, therefore, liable to fall a prey to the propaganda of those who promise plenty in no time. "It may be illogical", says Bailey¹⁷ "to judge the parliamentary system by the extent to which it promotes economic welfare, but hungry men can be excused if their actions lack logic."

No less serious a problem is that of sectional loyalties based on caste, creed and region. "The absence of cultural homogeneity and the lack of social mobility", in the words of Mehta¹⁸ "become sources of social tension....India may or may not be, as some critics have mentioned, many countries packed in a geographical receptacle, but she undoubtedly is a place where many centuries jostle together. Side by side in our country, especially among the Hindus, wide educational and cultural differences exist — differences accentuated by the rigid caste barriers; social life is cut up into many enclosures, and thought reared on such foundations gets fractured into particularisms". Such loyalties are not only a major factor in our social and cultural life but they also play not an unimportant role in Indian politics; and, as a competent critic has observed¹⁹, "no account of voting behaviour, legislative proceedings or even ministerial appointments would be complete unless considerable attention were given to this factor." Referring to the dilemma of casteism in Indian politics, the noted Indian

¹⁶ Referring to the removal of "disabilities in regard to the wearing of ornaments by scheduled caste women or in regard to the eating of *ghee*, sugar and the like", the report of the Commission for Scheduled Castes and Tribes for the year 1952 (p. 31) said that "they cannot afford all this due to their poverty".

¹⁷ *Parliamentary Government in Asia*; p. 95.

¹⁸ Asoka Mehta: *Politics of Planned Economy*, p. 31 also see Humayun Kabir, 'Unity and Isolation,' *Quest*, July-September 1958.

¹⁹ W. H. Morris-Jones, *Parliament in India* (1957) p. 28. According to M. Venkatarangaiya *The General Election in Bombay City*, 1953, p. 152 in the general elections of 1952, the Socialists lost votes among the middle-class Hindus in Bombay because of their alliance with the All India Scheduled Castes Federation.

anthropologist, Prof. M. N. Srinivas told a recent meeting of the Indian Science Congress²⁰: "Caste has played a crucial role in the functioning of representative institutions and in the struggle for power. Devolution of power in India is seriously complicated by caste. One of the dilemmas of modern India is that while smaller states will make far more intimate association of the people with the government, they are also likely to make for the tyranny of the dominant caste. The conferring of vast powers to panchayats (village councils) places great temptations before the locally dominant caste to use the money and power available to it in favour of its own members and at the expense of the other and dependent castes." "The politician," he added, "who wants caste to disappear is also aware of its vote-catching power and is thus faced with a real dilemma."

Of a similar nature is the problem posed by the existence of religious minorities and much the same might be said about the importation of communalism in Indian politics. The communal problem has not yet been fully solved, notwithstanding the adoption of a secular democratic constitution and all the guarantees embodied in the constitution; and it is here, according to Professor A. B. Lal that the supreme danger to parliamentary institutions in India lies²¹. The R. S. S. he warns, "is using several tools in its attack on democracy in India. It uses the appeal of religion, the sentiment of anti-Pakistan feelings, the bogey of Communism, the support of the reactionary wing of the Congress, and the device of Gandhism."

Then there is the problem of regionalism or the centrifugal force created by the social and cultural differences and contrasts that exist between one part of India and another, and which has been accentuated by the adoption of Hindi as the official language of the Union, the reorganization of the States more or less on a linguistic basis, and the fanaticism of the zealots who insist on an artificial sanskritization of Hindi. It constitutes an element in our political life which cuts right through all political parties. The strength of the non-Hindi regions is illustrated by the following table:—²²

Telegu	33,000,000
Marathi	27,000,000
Tamil	26,000,000
Gujrati	16,000,000
Cannada	14,000,000
Malayalam	13,000,000
Oriya	13,000,000
Assamese	5,000,000

"In size and resources," as Harrison points out,²³ the ten regional components of the Indian Union can properly be compared to the sovereign

²⁰ Quoted in A. M. Rosenthal, "Mother India Thirty Years After," *Foreign Affairs*, July 1957, p. 626.

²¹ A. B. Lal (ed) *The Indian Parliament* (1956) p. 252.

²² Census of India, 1951, Paper No. 1, Languages, All India Tables pp. 6-7.

²³ Selig S. Harrison, "The Challenge to Indian Nationalism," *Foreign Affairs*, July, 1956, p. 620.

nations of Europe. While of no mind to demand sovereign status, they cross swords in a sharpening political and economic competition which, unchecked, can only undermine India's strength and influence." To Pandit Nehru, too, the danger to India's nationhood and secular democracy lies more within than outside her borders. Pandit Nehru entitled one of his books *The Unity of India* (1942) and ever since independence he has always emphasized the need for national unity. "I did so, because I found there was no other way out," he said on May 15, 1954, explaining his retention of the two offices of Congress President and Prime Minister. "Several weaknesses had crept into the Congress — dissensions, internecine quarrels, petty rivalries and bickerings.... We must remain united and ward off the evils of parochialism and casteism.... We must work hard to get things properly consolidated in India." "This business of Caste, provincialism and linguism, kept in their proper place, may be all right; but", as observed Pandit Nehru in the course of his address to the 30th Annual Session of the Federation of Indian Chambers of Commerce and Industry, "if they get out of their proper sphere, they are dangerous for India as a whole".

THE SCHOOL OF ASIA

The adoption of the parliamentary system of Government for India was, thus, a great act of faith; faith in the universality of democratic institutions and an equal faith in the ability and capacity of our people to operate the 'Wesminster model' and yet progress fast enough to become, in the words of Prof. Robson,²⁴ "On the one hand a welfare state, and on the other, a modern, up-to-date, vigorous and progressive nation equipped with the scientific outlook and technology of the West, able to produce the whole range of engineering products, eager to embark on large-scale industrialization and the exploitation of her natural resources". For a true appreciation of the significance of this momentous decision one has but to remember that there have been not a few observers of the Indian political scene, both Indians and foreigners, who, like Lord Morley, believed that parliamentary institutions are not congenial and suited to the environment, the needs and conditions in India. Gandhij's famous phrase, 'Parliament is a prostitute', and his frequent reference to 'Ram Rajya' as his ideal, which indicated a lack of enthusiasm, on his part, for parliamentary institutions, helped to arouse and strengthen revivalist tendencies and a vague longing for a political system, which should be definitely and distinctly *Indian*. The feeling and the desire for a constitution suited to the Indian genius found eloquent expression in the Constituent Assembly. The draft constitution was criticised by one member after another for lacking in Gandhian outlook and for being, in the words of

²⁴ William A. Robson, 'India as a Welfare State', *The Political Quarterly*, April-June 1954, p. 129.

Loknath Misra²⁵, "a slavish imitation of — nay much more — a slavish surrender to the West". "The ideals on which this Draft Constitution is framed", complained Lakshminarayan Sahu²⁶, "have no manifest relation to the fundamental spirit of India...what is there in the Constitution to be proud of?" "If you look into this Constitution", bemoaned Ramnarayan Singh²⁷, "it would be difficult for you to find anything Indian...The British have departed but I regret to say that our countrymen have not forsaken the ways of their former masters. *We will experience much more difficulty in bidding goodbye to the ways of the British than we experienced in bidding goodbye to the British themselves*" (Italics mine). But the idea that "What India wants is a constitution suited to her own genius", as K. M. Panikkar²⁸ wrote long ago, "indicates either a reactionary mind which sees in democratic progress a challenge to interests, or a vague idealism generated by a faith in India's past greatness. Both attitudes are dangerous to the peaceful political evolution in India. What India wants...is nothing less than 'Responsible Government'. The assimilated tradition of England has become the basis of Indian thought".

It would be both legitimate and natural to enquire how in the face of such formidable obstacles as indicated above — Communalism and Casteism, ignorance and illiteracy, poverty and backwardness — there should have been such a development of democratic ideals in India as to make "the assimilated tradition of England...the basis of Indian thought". The answer is to be found in the impact of Western civilization²⁹ on India and especially in the history of British rule in India during the last hundred years or so. The answer is to be sought in the Macaulayan Code which was based on the principle of equality before law; in the system of English education, which embodied and inculcated the principles of liberty, equality and fraternity, in the system of local self-government which familiarized the "unenfranchised" masses with the principle and working of representative institutions at the city and the district level; in the gradual evolution of parliamentary institutions at the centre and in the provinces, which provided the politically conscious and educated *elite*³⁰ the necessary training in the arts and responsibilities of self-government, in the growth and development of the national movement which functioned on a purely democratic basis and whose ideology was, on the whole, democratic, all of them have contributed to the development of democratic ideals in the country and helped the growth of a strong democratic tradition in India, so strong a tradition that, I believe, that there is no ground for pessimism concerning the future of democracy in India.

²⁵ *Constituent Assembly Debates*, VII. 242.

²⁶ *Ibid* XI, 613-616.

²⁷ *Ibid* XI, 639-642.

²⁸ 'Kerala Putra', *The Working of Dyarchy in India* (1928) pp. v, vi; also pp. 111-116.

²⁹ See Arnold Toynbee, *The World and the West* (1933)

³⁰ For details, see A. Appadorai, *Dyarchy in Practice* (1937) p. 72.

"Parliamentary institutions have not had a very good time in Asia," wrote the *Manchester Guardian* on June 5, 1954. "All that is happening in Asia throws a spotlight on the Parliament in Delhi as the one institution of the kind which is working in an exemplary way. Pericles said that Athens was the school of Hellas. Mr. Nehru without boasting may say that Delhi is the school of Asia." That is high praise indeed but, in my opinion, not unmerited but based on hard facts and borne out by the recent developments in our neighbouring countries. If the experience of the decade since independence and the voting behaviour of the masses during the general elections of 1952 and 1957 can provide any guidance to the shape of things to come, there is every reason to be proud of our achievements and to be confident about the future of parliamentary democracy in India.

Nothing probably illustrates better the strength of democratic ideas in India than the fact that how within the short span of a decade important, even major social, economic and political changes have been brought about, for instance, the integration of the Indian (princely) states, the abolition of large-scale landlordism (Zamindari and Jagirdari), the abolition of untouchability and the legislation concerning marriage, divorce and inheritance among the Hindus, the imposition of the Estate Duty and the gradual extension in the sphere of state activity, the redrawing of the map of India, each and every one of which, in the context of Indian social structure was radical in its character and revolutionary in its effect; a democratic government alone could undertake such measures which are bound to change the face of India. Equally remarkable and illustrative of the new spirit is the peaceful and democratic way these changes have been affected. The changes have been slow in coming, not because of any doubts or hesitancy on the part of the leaders but because of the importance attached to 'means' whereby the 'ends' are to be achieved: progress by persuasion, not development by compulsion. And it is also worth noting that in no instance the social-economic changes were resisted by force; the defenders of the status quo appealed to the courts, and not the barricades, for the preservation and maintenance of their 'rights'.

The decade since independence has seen more changes in Indian social structure than took place in centuries before it. Whether and to what extent these changes have been effective is, to my mind, not so important as the fact that an attempt has been made to change "the unchanging East" and to transform and revolutionize the very basis of Indian social life: the individual's place in society and human relations within the society. It is too much to expect of a people to change or give up centuries-old patterns of thought, behaviour and attitude in a decade but one can sense and feel that the attitudes are changing and a subtle change is taking place in social relationships. Communalism and Casteism are still a force in Indian politics but as far as one can gather it appears that the hold of such sectional loyalties is weakening and one can expect that with an increase

in the level of general education and an improvement in the standard of living of the masses, there should be a change for the better in the popular pattern of political behaviour.

Another hopeful feature of the national scene is that Indian political life is, on the whole, left of the centre, that is, progressive and forward-looking, egalitarian and anti-capitalistic. The three great national parties — the Indian National Congress, the Praja Socialist Party, and the Communist Party of India — they all subscribe to a more or less 'socialistic programme'. The C. P. I. has affirmed its willingness to work as a parliamentary party within the framework of the Constitution. The party was till recently in power in Kerala and still provides the official opposition in Parliament. The formation of a communist government in Kerala was an experiment in co-existence and an example to the rest of the world. It is, however, too early to say if and to what extent this change in tactics and the experience of parliament would have a mellowing effect on the ideology of the Communist Party. But, in any case, it is better that they are not outside but inside the Parliament, for, as has been very well said, "there is more in common between two deputies, one of whom is a revolutionary and the other who is not, than there is between two revolutionaries, one of whom is a deputy and the other who is not."

Though the Communist Party provides the main opposition group in the parliamentary life of India, Indian democracy is, in my opinion, threatened more from the right than from the left. The Communists, no doubt, make skilful use of the tensions and pressures which exist in the Indian body-politic — the conflict between the peasants and landlords in the villages, between the workers and the capitalists in the factories, even between the students and educational authorities in the colleges and in the Universities, they have failed to enlist mass support. If they gained a spectacular success in Kerala, they, also, suffered a smashing defeat in Andhra. "The Communists in India", as Prof. A.B. Lal has pointed out "suffer even now from the consequences of their past acts of omission and commission and are not likely to become a serious threat. Their support to the British Government in 1942, their violence in 1948, and their anti-religious attitude are their serious drawbacks. In a country recently liberated from colonialism the Communists bear the stigma of looking to foreign sources for inspiration and serving as foreign agents."

AFTER NEHRU ?

No question is perhaps asked more anxiously and more consistently than that relating to the future of the Congress and of India after Nehru disappears. The General Elections of 1957, in my opinion, seem to have given what, perhaps, might ultimately be the answer of history — that the loss of its top leaders should not by itself destroy a political party. The Jan Sangh, notwithstanding the loss of its founder-president Dr. S. P.

Mookerji (through death) and his successor, Mul Chand Sharma (who crossed over to the Congress) suffered no diminution of its poll in 1957; on the other hand, it succeeded in more than doubling its vote from 3.2 million in 1952 to 6.7 million in 1957. The P. S. P. went to the polls under still greater handicaps. The death of Acharya Narendra Deo deprived the P. S. P. of the services of an outstanding national figure; the retirement of J. P. Narayan from 'active politics' to join the Bhoodan Movement was no less a crippling blow and, finally, the split caused by the militant ideologue, Dr. Lohia, seemed to all appearances, as far as election prospects were concerned, to be 'the last straw on the camel's back.' And yet the Party succeeded in retaining its second position in the country. Moreover, the Indian peasant and labourer, though poor and illiterate, has shown himself capable of political judgment; and by exercising their franchise in favour of parties 'left of the centre', the Indian people have unmistakably indicated their preference for secular democracy and a socialist pattern of society.

Besides, Pandit Nehru's is an exceptionally outstanding personality and the country is no doubt fortunate to have him at the helm of affairs at such a critical period of history. But democracy with its emphasis on liberty and self-government, on the unfettered development of the spirit and the untrammelled expression of mind, is based on the principle of active participation by the general mass of the people in the conduct of public affairs and its corollary that no man is indispensable. It is, in accordance with the well-known definition by Lincoln, a government of the people, for the people, and *by the people*, and hence it is based, or should be based on the principle of dispersed leadership, and not on the 'cult of personality'. It is only in times of great crisis that there is need for outstanding leadership — a Pitt, a Lincoln, a Churchill or a Nehru — otherwise it is 'mediocre men' — a Bonar Law, a Baldwin, a Taft or a Truman — who are required and who have worked the democratic institutions with reasonable efficiency, and there is, I believe no dearth of such 'mediocre men' in Indian politics, who should carry on, in the footsteps of Nehru, the great and exciting task of introducing India to the twentieth century. Land problems, economic development, social and cultural integration, foreign investment and foreign aid are some of the problems which have to be still faced and which would no doubt profoundly influence the future course of Indian constitutional and political development and, therefore, the future of parliamentary democracy in India will ultimately depend on the ability of our political parties to cope with such concrete issues.

THE ORGANISATIONAL PATTERN OF STATE ENTERPRISES IN INDIA

By

LAXMI NARAIN GUPTA¹

In pre-Independence India hardly a question was asked about the form of organisation of the few public enterprises, such as the posts and telegraphs, the railways, and the opium and salt monopolies — whose departmental administration was taken for granted. But in the post-Independence era, with the great increase in governmental activities both in nationalising of existing enterprises as well as in starting new ventures, the question of finding suitable form of organisation for them came in for active consideration.

So far as the nationalised industries were concerned British experience in this field provided a ready model mostly because the Indian administrative system, by and large, is based on the British chassis. The Reserve Bank, air transport, and life insurance were nationalised and established as public corporations essentially on the British pattern. The same type of agency was utilised to run financial institutions like the State Bank, the Industrial Finance Corporation, and in few other cases.

In the case of the Damodar Valley Corporation, the romance of the TVA attracted both the Government and the Members of Parliament much more than any thing else. The attraction was so great that when the DVC was set up 'the impression was created that the millennium was round the corner.'²

In establishing new industrial enterprises Indian experience could find no easily adoptable equivalent. The number of such enterprises was going to be large and their nature such that most of them could have been left to private enterprise had it not been for various limiting factors.³ The Government was aware of the fact that the normal administrative and financial procedures customary in a departmental administration would not be suitable for the purpose, yet it was unwilling to apply the available alternative — the public corporation. As will be presently seen it was decided to establish joint stock companies to operate these enterprises.

¹ I am much indebted to Professor W. A. Robson and Dr. Vera Anstey of the London School of Economics for their comments and criticism in the preparation of this article.

² Report of the Damodar Valley Corporation Enquiry Committee, page 16.

³ Such factors are common to underdeveloped countries. They include the dearth of technical skill, which can best be obtained internationally on a governmental basis, the large amount of investments required etc.

Some of the old established enterprises like the posts and telegraphs, the ordnance factories and the railways continue as departmental organisations; the salt monopoly has been converted into a joint stock company, and the additions of a locomotive and a coach factory have been made to the Railway Department.

Developing this sketch further, and assessing the efficacy and role of various types of agencies used, we take up the public corporation first.

THE PUBLIC CORPORATION

Most authorities agree that the best medium for conducting public enterprises is the public corporation. It is found in most countries of the world though with numerous local variations. Even in one country it may have different versions, depending upon the circumstances of its creation, the personality of the individuals who may control it, the nature of the work entrusted to it, the position it may have come to occupy in the national life and so on. However one consideration is basic everywhere. The public corporation at once provides a machinery which, in contrast to a government department, provides flexibility and initiative, as well as retaining the requisite amount of government control.

The difficulties of keeping flexibility in a government department arise not only from the size of the organisation but also because of a rigid adherence to traditions. Here, procedures and practices come to acquire a stronger hold than anything else. Therefore, when we have to run 'lively commercial business which cannot and ought not to "run on rails"',⁴ the choice falls on the public corporation. So far as the question of maintaining initiative is concerned, the main difficulty arises from the meticulous details for which a department is held liable to Parliament. This necessarily creates an attitude of undue caution and of 'playing safe' for those who have to take decisions in rapidly changing circumstances. The fear of detailed criticism is bound to discourage individual initiative and is another reason of choosing the public corporation form of organisation.

But in a public enterprise the machinery for freedom and initiative will have to be sufficiently balanced by a requisite amount of government control. This the public corporation seeks to achieve by a compromise. Its scope of action is clearly defined in the statutes which also specify the powers of the government and the way they are to be exercised. Though one cannot be very dogmatic about the way and the extent to which the public corporation achieves this aim, it is so designed as to achieve it in the best possible way. This will be clear with reference to some of the basic principles on which a public corporation is supposed to work.

The first of these principles is the public corporation's immunity from ministerial and parliamentary control into its day-to-day working as distinct from matters of policy. Broadly speaking, the statutes of Indian

⁴ Herbert Morrison. *The Government and Parliament*, London, 1954, p. 253.

public corporations recognise this principle in two ways, (a) by providing that the public corporations shall be guided by such directions in matters of policy involving public interest as the Central Government may give them⁶, (b) by providing that the corporations shall act as far as may be on business principles⁶, thus indirectly recognising that they shall not be interfered with in their day-to-day operations.

The second principle is that the personnel of a public corporation does not form part of the civil service. Indian public corporations are fully empowered to regulate their own personnel policies.⁷ However, in the case of the DVC the Secretary and the Financial Adviser of the Corporation are appointed by the Central Government.⁸

The third principle of a public corporation is its self-contained finance. This means that the public corporation's finances do not form part of the national budget, except to provide for capital or loans or to cover losses. It is also allowed to use and re-use its revenues. In India except in the case of the DVC which by its very nature cannot at present be self-supporting, other corporations go to Government only either for loans or for additional capital. The corporations are also entitled to borrow from the market but the consent of the Government is necessary⁹. The sanction of the Government is also required for incurring capital expenditure beyond certain limits¹⁰. However, with all these characteristics what happens in practice also requires consideration.

The freedom from parliamentary inquiry into its day-to-day management is the hard core of a public corporation. And it is exactly at this point that the situation is unsatisfactory and confusing. Parliament seems to be continuously encroaching upon the field it has voluntarily agreed to abandon. Generally speaking, Parliament's actions appear to have been actuated by too great a caution with regard to public corporations. To quote Mr. Appleby, 'there is among members of Parliament too much general and vague fear that its responsibilities are not being preserved.'¹¹ Not infrequently small lapses are magnified into valid arguments for Parliament's interference. But this unhealthy trend is unfortunately encouraged by the fact that the lapses on the part of the corporations are not always small ones.

⁶ Sec. 21 of the LIC (Life Insurance Corporation) Act, sec. 48 of the DVC Act and sec. 34 (1) of the Air Corporations Act.

⁷ Sec. 9 of the Air Corporations Act, Sec. 6 (3) of the LIC Act. There is no provision in the case of the DVC.

⁸ Sec. 6 (3) of the DVC Act, sec. 8 of the Air Corporations Act, and sec. 23 of the LIC Act.

⁹ Sec. 6 (1) of the DVC Act.

¹⁰ Sec. 42 of the DVC Act, sec. 10 (3) of the Air Corporations Act, and sec. 6 (2) (f) of the LIC Act.

¹¹ Sec. 35 (a) of the Air Corporations Act. There is no similar provision in other cases.

¹² *Re-examination of India's Administrative System*, 1956, p. 43.

Uncordial relations, for instance, between the first public corporation the DVC, and the Government worried Parliament a great deal. As the Estimates Committee reported to the House, the autonomous character of the corporation was taken to extreme limits. It developed a strange concept of its autonomy and tried to by-pass the authority or advice of the Government.¹² Giving his personal reminiscences at a later date a former Finance Minister told the House that when he came to New Delhi in 1949 he found that the DVC and the Ministry concerned were not on speaking terms.¹³ The situation was aggravated by the charges of corruption, mismanagement and delays in work levelled against the Corporation in Parliament several times.

In fact the experience of this corporation profoundly influenced the choice of the form of organisation for other public enterprises. As early as 1951, when the question of the form of organisation was in an unsettled state, the then Minister for Works, Mines and Power who had so vigorously pleaded for the DVC being a model for other enterprises, said in reply to a question in the House that, 'The experience of having autonomous corporations has not been very happy or satisfactory. In the light of that experience it has been decided by Government that there should be less autonomy and more financial control. Like any other person the Government is also learning from experience.'¹⁴

In the case of the Industrial Finance Corporation, its working came in for severe criticism in both the Houses. Serious allegations were made about favouritism and nepotism in the grant of loans by the Corporation. All this finally led to an Enquiry Committee headed by a Member of Parliament.¹⁵

Recently, in the case of the Life Insurance Corporation allegations of corruption, collusion and favouritism were levelled against the Corporation in making its investments in the shares of some industrial concerns. The Finance Minister, maintaining the autonomous character of the Corporation, told the House that 'The Finance Ministry did not run the Life Insurance Corporation. The set up of the Corporation was such that it was neither proper nor feasible for the Finance Minister to look into its day-to-day operations.'¹⁶ The charges against the Corporation were, however, so devastating that the thin cover of autonomy could not stand up to scrutiny. The Speaker was cheered when he said, 'Whatever may be the nature of the institution—let it be an autonomous corporation—it is public money that has been invested. It will be better if some of the suspicions are cleared once and for all.'¹⁷ The results of the enquiry held

¹² Estimates Committee, 5th Report, March 1952, para 105.

¹³ *Lok Sabha Debates*, 9th September 1955, col. 12984. The Minister was Mr. C. D. Deshmukh.

¹⁴ *Ibid.* 26th April, 1951, col. 3587.

¹⁵ *Report of the I.F.C. Enquiry Committee*, New Delhi, 1953.

¹⁶ *Lok Sabha Debates*, 15th December, 1957.

¹⁷ *Ibid.*

later into the affairs of the Corporation are all too well known.¹⁸

The explanation of much of the present difficulties can be found in the not-too-happy manner in which the public corporations have generally functioned. And having mis-managed their affairs they could not gain parliamentary confidence which alone could have precluded undesirable parliamentary and governmental interference in their affairs. But the absence of healthy parliamentary traditions and the almost missionary vigour of Parliament as regards its sovereignty are also important factors to be taken into account to explain the present position. Another student of the subject also supports this view. He thinks that, 'When Parliament criticised, it showed eagerness to discredit the agency of autonomous corporations itself and betrayed jealousy that its creature should be sharing power with itself...'¹⁹

Furthermore, in most cases money is provided by Parliament as capital or as loans and in some cases as a subvention to meet a recurring loss. A corporation receiving money in this way may have to fight for necessary appropriations and may at times be unable to get sufficient priority for its budgetary needs.²⁰ The present position not only makes them excessively dependent upon the Government but also widens the field of parliamentary enquiry.

Then, as regards personnel policy the public corporation's freedom has been recognised in various statutes, but not much has come of this in practice. The difficulty starts at the top. Not only do the boards of management include many civil servants, but their members are put on a par with civil servants in all respects.²¹ Further, senior employees in some cases are borrowed from the civil service and for other employees also, in most cases, civil service rules of promotion, seniority, dismissal etc. are freely adopted.

Thus, for the most part, it appears that the public corporation in India has lost the spirit but kept the form. Much of it may be reasonably justified by the lack of administrative personnel, inevitable financial dependence in many cases, and the administrative setting in which the public corporations have to work. But it should not be forgotten that the public corporation in itself 'is a very difficult device to work successfully, even under governments far more experienced and equipped with a much more sophisticated administrative apparatus than that of India.'²²

Even in the U.K. and the U. S. A. the public corporation is gradually losing its characteristics. In the U. S. A., for example, the public corpo-

¹⁸ The Report of the Life Insurance Enquiry Commission published in the *Hindustan Times* 14th Feb. 1958.

¹⁹ H. Venkatasubrah, *Indian Economy Since Independence*, 1958, p. 131.

²⁰ See e.g. the evidence of the Chairman of the DVC before the Estimates Committee, *Minutes*, Vol. I, No. 6, p. 13.

²¹ See e.g. the term of appointment of the DVC members in the *Gazette of India* 23rd April, 1948, part 1 sec. 1, p. 482.

²² A. H. Hanson, *Public Enterprise and Economic Development*, London 1959, p. 347.

PATTERN OF STATE ENTERPRISES IN INDIA

ration, according to Professor Dimock, is hardly distinguishable as a form of organisation.²³ The explanation he gives for this can be applied, with more or less equal force, to all countries which have experimented with public corporations. He says: 'Administrative formulas, and management principles are rarely, if ever, capable of immunization against group pressures and public policy controls, which bend administration to their own designs, sometimes in conformity with what the impartial experts consider sound principle and practice, but just as often in knowing disregard of such considerations.'²⁴ In Australia, e. g., the comparative failure of the public corporation has been partly ascribed to the fact that, 'all Australian (political) parties have been compelled by political and financial necessity to maintain some degree of central government control over activities which might qualify for statutory autonomy.'²⁵

In the U. K. too, various practical considerations have modified the concept of the public corporation. For instance, the 'Ministerial grip on prices is at odds with the (National Coal) Board's statutory duty to see that, on an average of good and bad years, their revenues should at least balance their outgoings.'²⁶ Then, in matter of finances, the public corporations' dependence on the government is constantly increasing,²⁷ though it is claimed that this has not affected their autonomy.²⁸ But the most important point of all is the government's interference in labour disputes. To quote the *Economist*, deploring the government's interference in the railway worker's wage claim over the head of the Court of Inquiry and the Railway Executive, it remarked, 'The railway settlement drives one more nail into the coffin of the public corporation; it is probably a nail stout enough to ensure that the lid will never be prised off again.'²⁹

In India the public corporations are restricted to much smaller area of operation and it appears that perhaps in future a predominant part will be played by a modified version of the public corporation which may suit her requirements. To some extent such a version appears to be emerging in the joint stock company to which we now turn.

THE JOINT STOCK COMPANY

The Industrial Policy Resolution of 1948 stated that the 'Management of State enterprises will, as a rule, be through the medium of public corporations under the statutory control of the Central Government.'³⁰ But

²³ *The American Political Science Review*, 1949, page 900.

²⁴ *Ibid.*, p. 899.

²⁵ W. Friedmann (ed.), *Public Corporation*, London 1954, p. 14.

²⁶ Report of the Select Committee on Nationalised Industries, 29th April, 1958 para 83.

²⁷ Since the Macmillan budget of 1956 public corporation's right of stock issue has been terminated and they are being financed by Exchequer advances.

²⁸ Report of the Select Committee on Nationalised Industries of 29th October, 1957, evidence question 13 and 14.

²⁹ *The Economist*, London, 3rd March, 1951, p. 466.

³⁰ Resolution of 6th April, 1948, reproduced in the *Legislative Assembly Debates of the same date*, p. 3293.

today one finds that most of the State enterprises are joint stock companies incorporated under the Companies Act. What were the considerations which led to the choice of this form of organisation, as against the public corporation, is not easy to say. There has been no declaration of a changed policy. What is known is that the Government on a paper submitted to the Cabinet by the Ministry of Industry and Supply took a decision on 12th November, 1950 to form private limited companies for the management of State industrial enterprises.³¹ It was on this basis that the first Government-owned company — the Sindri Fertilizers — was established in December, 1951. Since then some 30 such companies with a total authorised share capital of over Rs. 600 million have been set up.

However, the circumstances in which the public enterprises have developed since Independence throw some light on the considerations which might have weighed with the Government in arriving at the above mentioned decision. Here it may be noted that most existing Government companies have been floated to carry out the projects which form part of the five year plans and have in general been approved by Parliament. Now, one great advantage of establishing companies as against corporations was that with a large number of projects in hand the Government could obviate going to Parliament each time it wanted an independent administrative machinery for them.

Then, in many cases foreign participation was required mostly because of the lack of technical skill in the country. The joint stock company provided the easiest means of establishing and terminating such participation.

Another, though usually unstated, consideration was the sour experience of the Government about its first public corporation — the DVC. As seen earlier, there was trouble about the autonomy of this corporation and the Government wanted to keep sufficient powers in its hands. This could best be achieved by becoming the sole or substantial shareholder in a joint stock company.

Whatever may have been the considerations for choosing the company form this has been a subject of great controversy. In India a bombshell was exploded by the Comptroller and Auditor General when he remarked that, 'These private limited companies are a fraud on the Companies Act and also on the Constitution.'³² The latter part of these devastating remarks has now been more or less fully met,³³ but 'fraud on the companies law' part seems to stand.

³¹ The Public Accounts Committee, 15th Report, Vol. 2, Appendix LIII.

³² *Ibid.* 3rd Report, page 12.

³³ In brief, the C. & A. G. had expressed doubt on the constitutional propriety of the Union Government spending money out of the Consolidated Funds of India for establishing an industry without the prior approval of Parliament as required, vide item 52 of list I of the 7th Schedule of the Constitution of India. Secondly, he thought that he should be given the right of audit of Government companies by Parliament under Article 149 of the Constitution and not by making a provision in the articles of the various companies. Both these objections have now been met. The first by the provisions of the Industries (Development and Regulation) Act, 1951, whose sec. 2 now empowers the Central Government to operate various industries now run by Government companies, and the second by the new Companies Act (of 1956) whose sec. 619 gives statutory recognition to the Auditor-General's right with regard to the Government companies.

As a matter of fact the real features of a joint stock organisation no longer remain in a Government company. The latter has all the outward characteristics of an ordinary company but with the vast difference that there are no shareholders. In most cases a few officials of the Government hold all the shares. By not prescribing any qualification shares for the directors the shares are restricted to much fewer hands. To illustrate, the total share capital of the Sindri Fertilizers and Chemicals Private Limited³⁴ has been held as follows:³⁵

<i>Name of the subscriber</i>	<i>Address</i>	<i>No of shares</i>
1. C. C. Desai For and on behalf of the President of India	Ministry of Works Production and Supply, New Delhi	299,999
2. C. C. Desai Secretary, Ministry of Works, Production and Supply, New Delhi	Same as above	1

It was this position which led the Auditor-General to characterise Government companies as a fraud on the company law. For, he argued that 'a company can be formed by a group of persons. The President or the Secretary to Government is not a person. These officers do not have any personal financial interest in the Company (he was referring to Sindri Fertilizers) and their joining together cannot constitute a company in the correct sense of the term.'³⁶

Opinions may differ about the Auditor-General's remarks. But there is no doubt that company law as such serves little useful purpose in the case of Government companies. 'The absence of the shareholders automatically renders large and important branches of company law totally inapplicable; rules relating to the raising and maintenance of share capital, the control of directors by members, protection of minority shareholders, company meetings and the like have no relevance.'³⁷ In fact the provisions in the articles of association of Government companies about the commission for subscribing to the share capital, lien on shares, forfeiture of shares, calling the general meeting and the like are nothing more than meaningless fictions. A small instance of the irrelevancy of the company's law arose recently. The Prime Minister pointed out³⁸ the incongruity of the use of the word 'private' in the names of the Government companies, which under the law should form part of every private company's name. Since

³⁴ According to sec. 13 (a) of the Companies Act a private limited company's name shall have the word 'private' before 'limited'

³⁵ From the subscription clause of the Memorandum of the Company.

³⁶ The Public Accounts Committee, 3rd Report, 1952, p. 14.

³⁷ L. C. B. Gower, *The Modern Company Law*, London, 1957, p. 228.

³⁸ *Hindustan Times*, New Delhi, 10th March, 1959.

then the Government companies have dropped the word 'private'³⁹ though they continue to be registered as private limited companies.

To conclude this part, there remains no doubt that the company law is largely irrelevant to the Government companies. However, these companies present, in practice, some actual and potential advantages which are not generally fully appreciated. In brief, they are:

First, when a government wants to conduct a business enterprise it is only reasonable that it puts itself on a par with a private citizen. As Chief Justice Marshall observed in *Planters Bank* case, 'It is...a sound principle that when a government becomes a partner in any trading company, it divests itself, so far as concerns the transactions of that company of its sovereign character and takes that of a private citizen'⁴⁰. As the Government companies are operating pure and simple business and industrial enterprises along with, and sometimes in competition with, private enterprises it is justifiable that they should be made to feel and act like a private enterprise, so long as the fact of their being owned by the nation is kept in view.⁴¹

Second, the company form of organisation can facilitate outside participation. The Estimates Committee recommended a 25% public participation in the Government companies, in which they said the Government could fix a ceiling for individual holdings as also on dividends. There is some force in this recommendation. The Government also sees no objection to a minority participation in the share capital by the public,⁴² but it does not give any convincing reasons for its not accepting the recommendation. It is thought that if the Estimates Committee's recommendation, which is gaining support from other quarters,⁴³ is accepted, the company form of organisation will provide a means of conducting State enterprises in its true sense.

Finally, it is not sufficiently realised how the company form of organisation has tended to come on a par with the public corporations as such. The two are not, in practice, as distinct and different as is often made out. A comparison between them on most of the important points as of finance, personnel, constitution of the Boards, parliamentary accountability, audit, Government's power of control, etc. hardly shows any important

³⁹ Presumably this been done under section 620 of the Companies Act which empowers the Central Government to modify the Companies Act in relation to Government companies.

⁴⁰ Quoted in Thurston S., *Government Propriety Corporations in the English Speaking Countries*, Harvard University Press, 1938, p. 60.

⁴¹ This fact is recognised by special provisions in the articles of the companies and in the Companies Act.

⁴² Estimates Committee, 19th Report, Second Lok Sabha, April 58, p. 16-21.

⁴³ See, e. g., H. T. Parkekh, *Future of Joint Stock Enterprise in India*, New Delhi, '58 pp. 139-43 and 159. He very convincingly supports this recommendation. See also the *Memorandum of the Federation of Indian Chamber of Commerce and Industry* to the Krishna Menon Committee.

difference. In fact Mr. Appleby was largely right when he remarked that the corporations and companies in India are 'essentially the same and differ — unimportantly — only in the basis of their legal authorisations.'⁴⁴

Still, if the Government has no intention of outside participation it would be better if statutory recognition is given to the Government companies.⁴⁵ They should be taken out of the purview of the company law, which clearly serves little purpose in their case. A general statute of Parliament can meet their special requirements. And thus without bringing any change in their organisation or administration it would allay the actual or potential dangers, if any, of their being used by the executive without being fully and properly responsible to Parliament.⁴⁶ This would also put them in their proper setting and dispel much of the fog and secrecy that surrounds them.

Another great advantage of a statutory recognition will be to rationalize parliamentary control. At the moment sometimes the impression is given as if the Government companies are totally insulated against parliamentary control,⁴⁷ and at the other that they are a part of the executive machinery of the Government.⁴⁸ Statutory recognition will give a clear conception of their accountability to Parliament. In fact at the moment, in our view, Parliament is legitimately entitled to refuse to honour their autonomy which unlike that of the corporations has never been accorded by it.

THE MIXED COMPANY

We may consider in brief the mixed companies in India also, as certain authorities consider such companies as a separate form of organisation. Though in Government companies there is no public participation as such, minority specialised participation exists in a few cases. However, the trend of such participation is on the decline. This is clear from the fact that the Government recently terminated foreign as well as indigenous

⁴⁴ Appleby's Report, op. cit. page 35.

⁴⁵ If there is public participation then these companies will have to be converted into public limited companies and then they should work under the full rigours of the Companies Act. However, even with public participation a statutory recognition may be recommended as it exists in many companies in South Africa. See for details Professor Price's article in Friedman, *Public Corporation*, op. cit.

⁴⁶ For example, the objects clause of the memorandum of association of the State Trading Corporation Private Ltd., is drafted in such a broad way that it can provide enormous powers to the executive with consequent alarm for the industrialists. The *Eastern Economist* thinks that a step of such a radical departure (of going into state trading) from the policy should have been brought before Parliament in all fairness. 29th November, 1957.

⁴⁷ See, e. g., the Minister of Production's refusal to supply information about the Sindri Fertilizers. *Lok Sabha Debate*, 16th November, 1953.

⁴⁸ See, e. g., the questions asked on the 3rd and 5th Dec. 1957 in the Lok Sabha, about Sindri Fertilizers.

participation from the Hindustan Steel (of Krupps and Demag), the Hindustan Machine Tools (of M/s Oerlikon of Switzerland), the Hindustan Housing (of M/s Bashakha Singh Wollenburg), the Eastern Shipping Corporation (of the Scindias) and the Ashoka Hotels (of Jam Sahib of Navanagar), for various reasons.

On the other hand instances of mixed companies with a majority foreign participation have come up recently. In the case of the Indian Explosives Ltd., e. g., the Government owns 20% of the share capital with 80% owned by the Imperial Chemical Industries. Similarly in Oil India Private Ltd. Government shares one-third with the two-thirds of the Burma Oil Ltd.

The mixed companies in which the Central Government owns shares with the state governments provide another variety. In most such cases the Centre's share is not less than 50% and the nature of the work is of a kind which for geographical reasons could not be undertaken elsewhere, e. g., mining in the case of the Orissa Mining Ltd., or the processing of earth as in the case of the Indian Rare Earth Ltd. and the Travancore Minerals-Ltd.

THE DEPARTMENTAL ORGANISATION

There appears to be little disagreement in India about the unsuitability of the departmental organisation to operate State enterprises. First Five-Year Plan clearly stated that the 'successful conduct of public enterprises requires a great deal of initiative and power to take quick decisions on the part of the executive incharge, and these can hardly be secured if the enterprise is directly under a government department.'⁴⁹

Thus in the post-Independence India the role of departmental organisation has been more in promoting than in operating State enterprises. Most of the new enterprises have originated in various departments and later converted into joint stock companies clearly because of the lack of faith in departmental organisation to operate them.⁵⁰ Welcoming one such conversion, for instance, the Estimates Committee remarked: 'The formation of a limited company to execute the project would give considerable scope for decentralization of authority and for the adoption of business like methods with a view to expeditious conduct of work and production.'⁵¹

In fact not only the new but also the old established enterprises are gradually being turned into limited liability companies, precisely for these reasons. The first of such enterprises to be converted was the National

⁴⁹ *The Plan*, p. 429.

⁵⁰ It may be asked if we do not approve of a department's running a business enterprise, why should we allow them to carry on the process of originating them? To bring an enterprise into existence is in no way simpler than running it. Much can be said against a department's promoting an enterprise. But it is not intended to go into the details of this point here.

⁵¹ 39th Report, 1956-57 of the Bharat Electronics Limited, Page 4, p. 10.

Instrument Factory. Then, all the Government collieries run departmentally were put under the administrative organisation of the National Coal Development Corporation Ltd., and the Government salt monopoly was handed over to the Hindustan Salt Ltd. In all cases the conversion was based on the recommendations of the Estimates Committee. Even as regards the ordnance factories the Committee recommended the establishment of a company or a corporation under an Act of Parliament, but this recommendation has not yet been accepted by the Government.⁵²

Not that the Estimates Committee feel the joint stock company to be the panacea for all ills. Recognising the shortcomings of this form of management the Committee remarked that, 'it has by no means universally succeeded for a variety of reasons, but mainly because of lack of experience, lack of sufficient and effective decentralisation of authority and the inability of those controlling these industries to get away from their official background.' Yet the Committee expressed the hope that, 'this system of management is still admittedly better suited for industries than the departmental system and...its advantages are bound to be noticed with the passage of time.'⁵³ There is much truth in this. In addition to a decentralised administration a new agency is not bound down, like a Government department, by established procedures and traditions.

Of all the post-Independence enterprises only two — the Chitranjan Locomotives and the Integral Coach Factory — are departmentally operated. In their case the question is often asked: 'Why they should be so run?' The reason rightly given is that they run as efficiently and economically as any other Government company, or in case of the Chitranjan as its competitor in the private sector — the Tata Locomotives. The other reason given is that they are intended to meet the departmental requirements only, and, unlike other Government companies, have no dealings with the public.⁵⁴ But it is not only the inter-departmental dealings of a government business enterprise which should settle its form of organisation. The facts that a departmental business is subject to budget, accounting, audit control, and civil service regulations of employment, promotion and dismissal are also important considerations. Moreover, the department's liability to Parliament is absolute even in matters of day-to-day operations and this may not be in consonance with business administration.

A more important reason for the success at least in these two cases appears to lie in the fact that they work under the Railway Board which to some extent is a semi-autonomous body. Moreover, wide

⁵² The Estimates Committee, 54th Report, March 1957, para 18. The Baldev Singh Committee set up to consider the problems of the ordnance factories also came to the conclusion that the departmental management was not suitable for their efficient operation.

⁵³ *Ibid.*

⁵⁴ This reason is given by Mr. A. Chanda. *Indian Administration*, London, 1958, p. 261.

powers have been delegated by the Railway Board to the General Managers of these two organisations.⁵⁵

In fact the question of comparing the success of a departmental organisation with that of an autonomous one is very elusive. It is difficult and dangerous to be dogmatic on this point. A departmental organisation may be successful in gaining a larger measure of autonomy than an autonomous enterprise. The position which an organisation has come to acquire and the persons who control it may become more important than the organisational structure. This happened, e.g., in the case of the Chitranjan when tributes to Mr. Karnail Singh, its General Manager, were paid for the outstanding success of the organisation. Similarly, to take another well-known case, the Renault Motor Factory of France is run as a departmental organisation. But 'it is much more autonomous in actual operation than the law would lead one to think. The exceptional quality of the man who has managed it since 1944, P. Lefauchaux, and the results that he has achieved seem to give him a very strong personal position in the management of the company.'⁵⁶

These examples do not, of course, prove any rule, but are given to show that there can be exceptions to the general rules on which the superiority of the public corporation or the joint stock company is established.

CONCLUSIONS

Concluding this study we can say that in India the concept of the public corporation has, in practice, been applied in a highly modified way, though from the beginning the tendency has been to be attracted by the charm of this institution and to apply foreign experience wholesale. Even now often endeavour is made to follow the British pattern without giving due weight to considerable differences in the two countries. The demand in and outside Parliament to have a select committee on nationalised industries on the British model is a case in point.⁵⁷ However, the fact that Indian public corporations unlike their British counterparts are subject to a greater degree of parliamentary scrutiny through questions and debates, through detailed investigations by the Estimates and the Public Accounts Committees and through the audit by the Auditor-General is completely overlooked.

⁵⁵ See the Seminar Report on 'Administrative Problems of State Enterprises', published by the Indian Institute of Public Administration, for the powers of the General Managers, p. 126-9.

⁵⁶ Mario, Finandi & others, *Nationalisation in France and Italy* Cornell University Press, 1955, p. 111.

⁵⁷ The issue was discussed in the Lok Sabha on 10th Dec. 1953 on a motion on 'Parliamentary Control over Public corporations.' 'On 31st March, 1956 the House again considered the issue and the demand for a select committee was rejected. On the 9th April, 1958 the *Statesman*, Calcutta, reported that 'there are firm indication that opinion within the Congress Party favours the appointment of a select committee to examine the working of public enterprises.

The danger from unconsidered copying is great. It is easy to regard 'the organisational knowledge of the West in the same way as its technical knowledge — as something to be 'acquired,'"⁵⁸ A simple transplantation of the systems of organising public enterprise from one country to another is full of pit falls. The system will always take shape according to the traditions, political considerations, administrative set up and a good many other variables in the country in which it operates.

As seen above, India is developing her own version of the public corporation. One modification may appear in the shape of the Government owned joint stock company. It is too early to predict the exact shape it will assume. The effects of audit by the Auditor-General, of parliamentary scrutiny in day-to-day management, and of increasing civil service control are yet to be assessed. Most enterprises are still passing through teething troubles and to draw any conclusions from the present limited experience and information would be pre-mature.

As regards joint stock companies themselves, the preference appears to have been taken a bit too far. Even for functions primarily of a departmental character the Government has come to choose this agency of administration. For instance, the National Industrial Development Corporation Ltd. 'was set up as an instrument of Government for securing a balanced and integrated development of industries.'⁵⁹ The organisation with the Minister of Commerce and Industry as chairman and 3 or 4 secretaries of the Government along with a few industrialists, it is thought, could better be operated as a departmental organisation.⁶⁰

Some re-thinking is therefore, required on the question of setting up autonomous bodies. As Mr. Chanda rightly observes, 'There must be adequate and valid, if not compelling reasons before the company or corporation form is adopted.'⁶¹

Finally, at present there appears to be no possibility of an extension of the scope of the departmental organisation to operate public enterprises. However, if an excessive amount of control over autonomous bodies is applied, the dearth of administrative personnel outside government field persists or they could not be attracted because of insufficient remuneration, and the experience of associating private industrialists does not turn out to be a happy one, there may be a disillusionment about administration by autonomous bodies. Then the possibility of a drift towards departmental organisation cannot be ruled out. But it will be too early to prophesy in this regard.

⁵⁸ Hanson, *op. cit.* p. 336.

⁵⁹ The Report of the Board of Directors of the Corporation for the year ended 31st March 1955, Appendix 1.

⁶⁰ Another such company is the Indian Handicrafts Development Corporation Ltd., set up in 1958 to promote and finance export trade of hand crafts. It has the Secretary of the Ministry of Commerce and Industry as its Chairman and three other officials as directors. Such companies may be no better than a departmental wing.

⁶¹ A. Chanda, *op. cit.*, p. -64.

SEATO AND NEUTRALISM IN S. E. ASIA

By

R. J. HARRISON

An excellent survey of the role of South East Asia in World Affairs by S. C. Singh appeared recently in this journal.¹ It ended with a rather non-committal description of the work and purposes of the South East Asia treaty which was signed at Manila in 1954. If anything, Mr. Singh's attitude was favourable to the treaty. In the same issue appeared a very critical article by K. C. Pal devoted entirely to a consideration of the implications of the treaty. My purpose here is to follow the subject up with an account of the recent SEATO conference in Wellington, New Zealand, and with critical comment of the Treaty Organization and its implications for Asian statesmen in the neutral, objective vein of Mr. Singh.

It was not expected that the Conference, the fifth of its kind, would result in any important developments. Normally it provides an opportunity for the Foreign Ministers of the eight powers to discuss East-West relations in general terms. Owing to the Berlin situation, however, this meeting was taking place elsewhere. In any case, the man whose visit would have attracted most interest in this rather isolated country, Mr. Dulles, was too ill to travel.

The atmosphere in which the conference took place was one of great secrecy. Information, therefore, about what was discussed, member's attitudes and actual decisions taken, was confined to press interviews and releases, to the Secretary General's report (issued as the Conference opened), to a final communique, and to the speeches at the opening session (which was public). Information from all but the first of these sources was vague and general, with a tendency to repeat the phraseology of previous Conferences. The general theme was that peace in the area is mainly owing to the guarantee provided by SEATO and that it enables the member countries to devote a greater portion of their resources to economic and social development than would have been possible had each provided separately for its own defence. This claim tended to lose some of its credibility when the Pakistan Military Adviser, Air Marshal Mohammad Asghar Khan, revealed² that Pakistan devotes about 70% of her total budget to defence.

¹ Vol. XXIX No. 4, pp. 410-416. Another article by Messrs. Ambekar and Divcekar pp. 388-398, provided some useful historical background.

² *Evening Post*, Wellington, April, 1959.

Another of the main points of emphasis, as in previous conferences, was that 'the threat of open aggression against the countries of South-East Asia has decreased,'³ and 'the principal threat to the security and independence of the Treaty Area is now being presented in more indirect forms'.⁴ These indirect forms were identified frequently as subversive activities by Communist and by Communist front organisations, and also Communist economic activities in the Treaty area dictated by political motives.⁵ In particular it was alleged that 'by the carefully timed unloading of quantities of low priced goods, Communist China has upset the local markets in the Treaty area....and has affected the normal flow of trade with the free countries of the world.'⁶

SEATO preparations to meet military aggression include preparation of detailed defensive plans through the Military Planning Office in Bangkok, combined military exercises, exchange training schemes and standardisation of equipment. The latter, according to the British Military Adviser, Air Marshal the Earl of Bandon, had not gone very far yet.⁷

Counter subversion is primarily the responsibility of the member governments but they receive assistance from SEATO's Committee of Security Experts and from other Expert Committees.

The Organisation does not ordinarily engage directly in economic activities but the Secretary General's Report list four labour training projects, the most important of which is the establishment of the SEATO Graduate School of Engineering in Bangkok which is due to open in September 1959 under the guidance of Colorado State University.

From Press interviews with delegates it could be seen that there was some difference of opinion about the adequacy of these different kinds of activity.

From the military point of view, Mr. Manzoor Qadir, Pakistan Minister of Foreign Affairs, gave the impression at a Press Conference that a great deal more is needed to be done before Pakistan would be completely satisfied. In particular, he was reported as favouring the establishment of a SEATO standing force, like that of NATO, and a permanent command structure.⁸ Mr. Casey, Australian Minister of External Affairs, on the other hand, is reported to have said that he did not think SEATO should become another NATO, nor did he favour a command structure, and

³ Address by Mr. Nash, Prime Minister of New Zealand, opening SEATO Military Advisers Conference, Wellington, April 2, 1959. (Dept. of External Affairs N. Z. mimeograph p.).

⁴ Final Communique, 5th meeting of the SEATO Council of Ministers. Dept of External Affairs N. Z. mimeograph, April 10, 1959, p. 2.

⁵ *Ibid*, p. 4.

⁶ Secretary General's Report 58-59, p. 5.

⁷ *Evening Post*, Wellington, April 1959.

⁸ *Evening Post*, April 1959.

when asked to comment on the fact that Pakistan was dissatisfied with the military strength of SEATO, he answered tersely, "We're not".⁹

The different attitudes of Pakistan and Australia appeared to be representative of the difference between the Asian and non-Asian members generally. One report suggested that all three Asian countries pressed for a command structure and a general military strengthening of the alliance while the remaining five partners regarded such a development as premature and undesirable.¹⁰

A similar difference in view-point manifested itself in other matters. Although there was a general recognition of the economic problems facing the member countries in Asia and their relevance to the purposes of the Treaty the stress on these problems came from the Asian members.

These differences are not hard to explain. The non-Asian signatories to the treaty are certain to feel less of a sense of urgency about the defence of the area than the countries 'in the front line' so to speak. The United States cannot help but regard South East Asia as only one aspect of its world wide strategy of containment of communism. In the event of a global thermo-nuclear war the treaty would obviously have little relevance, particularly as no standing force with a command structure has been set up. Global requirements would dictate United States Military activities, not the text of a treaty of which the most stern obligation is that in the event of aggression each member :

'will act to meet the common danger in accordance with its constitutional processes.'¹¹

Theoretically of course the containment policy rests on a threat of thermo-nuclear war, on meeting each and every communist military aggression with what Mr. Dulles called 'massive retaliation'. The large conventional armies which are really needed to hold back limited aggression are unpopular in the democracies, partly because of the traditional fears that they are a menace to civil liberties, and partly because they have to be paid for, — by voters. Massive retaliation with nuclear weapons offers a more acceptable alternative, acceptable because the democracies believe it is as terrifying to the Russians and Chinese as it is to themselves and so would never have to be used. It is a policy, however, which has not avoided all criticism. A growing body of opinion in the United States alleges that it is not enough. One writer, R. E. Osgood, has seized upon its crucial weakness. It makes it possible for the Russian bloc to confront the West 'with the choice between total war, non-resistance, and ineffective resistance.'¹² This kind of criticism has not been without its effect and it can be taken for granted that 'massive retaliation' does not mean the same thing now as it did when it was first announced. In the event of communist

⁹ *Dominion*, Wellington, April 8, 1959.

¹⁰ *Evening Post*, April 4, 1959.

¹¹ S. E. A. Treaty, Art. IV.

R. E. Osgood, *Limited War*, University of Chicago, 1957, p. 237.

military aggression in say, South East Asia, attempts would certainly be made to limit the scope of the war.

This is the case in which the Treaty would assume some importance. Its work is primarily directed towards strengthening the possibility of local resistance to aggression. The objectives of the Asian and non-Asian signatories to the treaty are coincident at this point but of course the interest of the Asian signatories is to battle for all the assistance they can get from the other power. Many factors operate on the latter to resist this pressure. Quite apart from the different sense of urgency about South East Asia and the world wide commitments of some of the powers is the necessity to consider relations with the three Asian countries in the context of opinion in South East Asia generally, and in the context of East-West relations.

It is well known that both India and Indonesia opposed the Treaty at its inception. Mr. Nehru could not help but regard it as a setback to his own hopes for a neutral Asian bloc. Then, Burma, India and Indonesia were apprehensive about a new kind of colonialism, worse than the old kind because it would be undertaken by a combination of Western powers. Another source of Indian hostility to the Treaty was the fact that Pakistan was one of the signatories. Until the Kashmir dispute is settled and the danger of war between the two countries recedes India cannot welcome any development which strengthens Pakistan militarily. Again, the governments of Pakistan and Thailand are very far from being model democracies, and aid to those countries can be interpreted as enabling their leaders to resist genuine movements for democratic reform. Finally, it can be assumed that the general question of East-West relations is taken into consideration. The West does not want to heighten cold war tension by military developments which could be regarded as threatening, close to communist borders. This can be seen in the emphasis at all times on the defensive nature of the treaty, in the emphatic denial of any intension to place nuclear missile bases in South East Asia,¹³ and in the fact that the various military exercises are of a defensive and training character. The latest naval exercise, for example, was in two phases, the first being basic gunnery, communications, anti-submarine work and aircraft exchanges between carriers, while the second was a general tactical exercise in which maritime aircraft supported the fleet while it refuelled and reprovisioned under simulated submarine attack.¹⁴

All of these considerations have affected the willingness of the non-Asian signatories to make any rigid military commitments under the treaty or to institute any spectacular plans of military aid. Admiral H. D. Felt, United States Military Adviser, made his country's attitude quite clear: "SEATO is primarily a political organisation and the military advisers make plans for the use of such 'hardware' as each government

¹³ See for example statement by Mr. Duncan Sandys, *Evening Post*, April 7/59.

¹⁴ *Evening Post*, April 9/59.

provides".¹⁵ The alternative then, which SEATO provides to the policy of massive retaliation, is one of local resistance to aggression by Asian ground forces who have, to only a limited extent, been trained and equipped by their non-Asian partners in SEATO. These forces would be assisted by the 'mobile striking force' of the United States; that is, by its navy and airforces, using tactical nuclear weapons of whatever size necessary to 'roll back' the aggressor.

The same considerations about Asian opinion have affected the extent of action taking place under the economic and social provisions of the Treaty, in spite of the pressure from the Asian members. The West claims that its economic efforts in underdeveloped territories are altruistic, based on a liberal humanitarianism, a genuine desire to improve the lot of people in Asia, Africa and South America without any ulterior motive. Secondary is the important and desirable objective of combating Communism by removing its most efficient assistant, poverty.

There is no point in debating the genuineness of the priority claimed for the altruistic motive. Suffice to say that it would be as idiotic to deny the evidence that it is one of the motives as it would be to claim that it is the only motive. Just as liberals at the end of the 19th Century were urging the end of colonialism for humanitarian reasons, so in mid-twentieth century, for the same reasons, there are liberals who want to see the concept of the 'welfare state' extended to become a concept of a 'welfare world'.¹⁶ What is relevant to the present discussion is that Western claims would be discredited throughout South Asia if membership of a military pact like SEATO were seen as a precondition of economic aid, or even as a factor distorting the general pattern of aid under such specialised agencies as the Colombo Plan and ECAFE,¹⁷ which enjoy advantages of collaboration and exchange of information not available to SEATO. As it is then, SEATO does relatively little in the economic field apart from emphasising how much economic progress depends on the atmosphere of security which it affords.

In sum, SEATO is, as Admiral Felt said, primarily a political organisation, but as a political organisation it operates with many disadvantages. These disadvantages lend added weight to the admonition made by Mr. Singh:

'It is now the duty of South East Asian statesmen to realise the gravity of the times and to put their house in order. If it is divided they are bound to fall a prey to the outside powers.'¹⁸

This does not mean that the rest of South East Asia should adhere to SEATO. Such a move would be as much of an apparent threat to the communist bloc as would a military strengthening of the present treaty in South-East Asia and it would do as much to heighten the temperature of

¹⁵ 'Dominion', Wellington, April 2, 1959.

¹⁶ See for example Harold Wilson, 'The War on World Poverty.'

¹⁷ United Nations Economic Commission for Asia and the Far East.

¹⁸ *Op. cit.*, p. 415.

the cold war. In any case, South Asia opinion is overwhelmingly neutral so that even to contemplate such a development would be politically unrealistic.

What it does mean is that it is desirable to increase the degree of cooperation and the solidarity of the friendship between the countries in the area.

Neutralism, has a very important role to play in a bipolar world. The uncommitted countries are both a potential asset and a potential danger to the opposing blocs. The degree to which their opinion will be taken into consideration depends on their strength and unity. If neutralism then, is to be a force for stability in international relations, the neutral countries must be strong and unified. If they are, they can be effective as mediators and they can give the activities of the United Nations an added significance because that organisations depends on the existence of a wider frame of reference than the interests of the two opposing blocs.

Now the reason for the creation of the South-East Asia treaty was the belief that the countries in the area were weak and divided and therefore likely to become victims of aggression. It is also the main reason for its continued existence. I have indicated, however, that the organisation operates under a good many disadvantages reducing both its present effectiveness and its potentialities. What is really needed is a neutral regional organisation for defensive and economic cooperation. This need was highlighted as the delegates to the SEATO conference were on their way to New Zealand, by events in Tibet, and in the Sinkiang province of China. The satellite status of Tibet and popular discontent has been more marked under the New Republic than ever it was in the days of the Chinese Empire. The ferocious quelling of the consequent revolt and the hounding of the Dalai Lama across the 'roof of the world' rudely awakened public opinion in India to the character of its Chinese neighbour. Reports reaching Wellington indicated that there were angry scenes in Parliament and, though Mr. Nehru successfully urged moderation, he stated unequivocally that India's sympathies were with the Tibetans and that India would not submit to dictation from any country.¹⁹

Given this determination for continued independence, India might very well take the lead in measures calculated to ensure it. If suggestions for a regional collective security arrangement came from India there is every likelihood that Burma, whose territory has more than once been violated by Communist Chinese troops and more recently by Chinese Nationalists, would receive them favourably. Malaya and Laos would almost certainly welcome such a move and so possibly would Cambodia. There would be nothing incompatible between membership of SEATO and membership of a purely regional and neutral pact of this kind. The terms of SEATO are defensive. They would not, for example, come into operation if one

¹⁹ *Evening Post*, March 31st 1959.

of the signatories attacked Communist China or some other country in South East Asia. There is no reason therefore why Thailand, Pakistan and the Philippines should not become members of a neutral organisation provided its purposes were defined as against aggression from any country outside the proposed treaty area. Such a definition would also leave any hostilities between Pakistan and India outside the scope of the treaty.

The case is equally strong for social and economic cooperation on a regional basis. Trade agreements, commodity agreements on products at present sold competitively in world markets, common irrigation and other development schemes, exchange industrial training, pooling of professional and technical school and university resources²⁰ these are some of the possibilities which might be explored. A useful first step would be a South East Asian treaty providing for an annual conference of Economic Ministers, a permanent Secretariat, and Permanent Working Groups on Agriculture, Industry, Skills, Marketing etc. etc., under a Committee of Economic Experts with overall responsibility for presenting recommendations and plans to the annual conference.

Such is the challenge presented to Asian statesmen. Neutralism, if it is merely passive, stands condemned. In a divided world, in an age in which war has 'so dreadful a prospect' for belligerent and neutral alike, the duty of neutral countries, and their self interest, is to assume the role of mediator. It is a role which demands that they be strong and unified.

²⁰ As for example in the Southern Regional Educational Compact in the United States.

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RECOGNITION OF RED CHINA

By

V. VENKATA RAO

Among the unsolved international problems, the status of China is of paramount importance. The Communist Government of China is firmly established as the effective government of that country. It has also emerged as one of the major powers of the world. Yet it is the Government of Chiang Kai-shek, which controls only the island of Formosa with nine million people, that still represents China in the United Nations and is still recognised as the Government of China by a large number of states and in particular by the United States.

The recognition of Red China has two major aspects, the recognition of the Communist Government of China by the other states individually and her admission into the United Nations as the legitimate representative of the people of China.

Historical Background. On October 1, 1949, the People's Republic of China issued a manifesto, expressing her desire to establish diplomatic relations with any foreign government which is willing to observe the principles of equality, mutual benefit and mutual respect for territorial integrity and sovereignty. On behalf of the People's Republic of China, the Foreign Minister Chou-en-Lai forwarded the manifesto to all governments in the world and invited recognition. On October 2, a day after the Manifesto was issued, the U.S.S.R. recognised the new regime, all the other members of the Soviet bloc and Yugoslavia promptly following suit.

Among the nations of Western Europe, Great Britain evinced keen interest in the matter of recognising Red China. The reasons are obvious. Firstly, the British stake in the mainland of China was great. She invested a billion dollars there. Secondly, the geographical position of the island fortress, Hong Kong, induced her to be realistic in her approach to the problem. Finally, she had considerable trade interests in China. Although Britain evinced keen interest in the matter of recognising Red China, it was withheld because she was anxious to formulate a common policy in consultation with the Commonwealth Governments and the United States of America. But when she found American opinion sharply divided on this issue, she informed the State Department that she would be according recognition to the People's Republic of China and it was done on January 6, 1950.

Among the non-communist states, the first to accord recognition was Burma. Burma was having trouble from communists and therefore thought

that by recognising Red China she would be depriving the Burmese communists the material for propaganda against the Government. When India recognised Red China, she was satisfied that the new government of China was stable and that there was no force to supplant it. That is, she was accepting simply a major event in history. India's approach was therefore based on the de facto theory which maintains that new governments should merit recognition as soon as they are in virtual control of the state irrespective of the nature of government.

Of the countries that have not recognised Red China, the most important is the United States of America. To understand the reasons for the non-recognition of Red China by the United States, one must have a knowledge of the relations between the two countries prior to 1949. It is common knowledge that in the days of her isolation, the United States claimed disinterestedness in the political and economic affairs of China. She turned her face against the establishment of western pockets of influence and extra-territorial rights in China. She was never suspected of having entertained imperialist ambitions. Her only adventure in this field was in the Philippines where she acquitted herself creditably. She did not fortify her outposts such as Guam and Wake Islands even though she was acutely alive to the growing Japanese menace. Unlike the nations of Western Europe, she did not adopt the methods to coerce China to accept her hegemony. On the otherhand, she regarded herself as an apostle of good will and an emissary and torch-bearer of western civilization. The United States had, therefore, the enviable record of being a non-imperialist country at a time when China clamoured for liberation from foreign domination.

After the defeat of Japan in the Second World War, the United States was, however, called upon to play a different role in South East Asia which necessarily involved her in international rivalries. Her occupation of Japan was looked at with uneasy suspicion by China and Russia. The possession of many new and strategic territories and their administration brought her into conflict with vested interests. Her 400 million dollar-loan was deprecated by adverse criticism as an aid to the discredited government of Chiang Kai-shek than to the people of China. Moreover, the American marines played a considerable part in Tientsin, Peiping, Chungwangtao and Hulutao in 1946 in establishing and maintaining the authority of the National Government in these places at a time when they might have been occupied by the Chinese communists. Again, the Americans established a naval base at Tsingtao, a port of great strategic importance. Had the American fleet not been based there, the Communists would have promptly occupied this place and with it the whole of the Shantung peninsula. The communists, therefore, entertained the feeling, though not justly, that the United States was responsible for the prolongation of the life of the Nationalist Government. They, therefore, regarded the United States as an imperialist power with territorial ambitions.

Against this background, let us consider the question of recognition of the Communist Government of China by the United States. American opinion on this issue is sharply divided. Powerful members of Congress are bitterly set against the recognition of the Communist Government of China. They say that although it may be possible to gain some useful information about the conditions and policies of the People's Republic of China through regular diplomatic representatives, experience in other communist countries has conclusively proved that the diplomatic representatives would not be in a position to function as listening posts. Further, they also point out that the Chinese communists have declared themselves unequivocally on the side of Russia in the cold war and are dedicated to the overthrow of the democratic system of government for which the West stands for. Moreover, if the United States recognises the Communist Government of China, it may shake the foundations of the non-communist governments in South Korea, the Philippines and elsewhere. Therefore, they say that the United States may follow the Stimson Doctrine of 1932, which denied recognition to the regime which the Japanese had set up in Manchuria under the name of Manchukuo.

But there are others, many of them are businessmen, who urge the Government to face facts. The new Government is a *fait accompli*. It would endure for an indefinite period. It is in possession of the central machinery of the state. It has no rival in the mainland of China disputing its authority. It enjoys mass support, at least the passive acquiescence of the people of China. Therefore, they urge the Government to adopt a pragmatic attitude towards Red China. There are others who favour the recognition of Red China on other grounds. They say that recognition would enable the United States to have listening posts behind the bamboo curtain which would be of inestimable value. They warn that non-recognition may induce Red China to be more and more dependent on Moscow. Whereas prompt recognition may encourage her to follow her own policy, independent of Moscow. In support of their contention they point out the example of Yugoslavia. Again, as the United States has officially recognised the communist regime of the Soviet Union, it must accord recognition to the communist regime in China also.

There are also other reasons why the communist government of China should be recognised. It must be admitted that such a formal recognition will hardly boost her position because a nation can be seldom lifted to any station greater than that obtained by virtue of her own strength. On the otherhand recognition of China's sovereignty and legitimate aspirations will further the cause of peace. It will inhibit Moscow from inciting Peking to fresh provocative acts. It will bring allies closer to one another. It will allay the fears of the Asian neighbours. It will fortify her spirit of independence. We must not ignore the great historic fact that the Chinese communists built up their power without outside help. Such a regime, having risen by its own efforts, will refuse to be dwarfed by subservience

to Moscow. Communist China has an independence of will and spiritual dignity which are absent in Russia's East European satellites. This is the reason why those satellites have so far failed to develop into a positive force for the reconstruction of Europe. Communist China on the otherhand is no handmaid to Russia. She is not an ephemeral creation like Manchuria, Croatia or Slovakia. She stands firmly on her own feet, ordering her own affairs and shaping her own destinies. It may be noted that the attempts of the pro-Soviet elements to usurp power in the Chinese Communist Party from its early days to the present have been defeated. The survival of the Chinese Communist Party is due to this spirit of independence.

Apart from these facts, non-recognition of Red China has induced some Asians to think that the United States was unwilling to accept the decision of the Chinese people as to the form of government they should have and in an imperialist fashion is attempting to dictate to the Chinese the form of Government they should have. Above all, Red China satisfies the usual and by far the most important test for the recognition of a new government, viz, the ability to control the territory and population of the State which it claims to represent and its consequent ability to discharge her international obligations. By that test there can be no doubt that the effective government of China today is the communist government which decisively defeated and expelled the Chiang Kai-shek's government and maintained ever since its undisputed control over all but some nine million Chinese of the five hundred million natives of China.

It is admitted that in the past, some states, particularly the United States and Britain withheld or delayed recognition of new governments for political reasons. The main reason for such delay was hostility to the political character of the new regime. The well known example is that of Soviet Russia which was not recognised by the United States for sixteen years after the former had gained full control over the country. Needless to say that where a government maintains itself effectively in power for a prolonged period, recognition is bound to follow sooner or later.

Now let us consider whether the denial of recognition to the Communist China by the United States has the sanction of International Law. At the very outset, it must be said that we are not concerned with the recognition of the State of China. China as a State has already been recognised by the United States. We are only concerned with the recognition of the Chinese Government. The existence of a government within a State is a question of fact. A foreign State through recognition simply recognises this fact. She is not and must not concern herself with the form or origin of that Government, nor with political or economic advantages or with ideological questions. This view is shared by numerous writers on International Law. Hyde, for instance, says that in the long run a Government that has firmly established itself in power and thus

appears to have gained permanent control must be recognised. Lauterpacht has gone so far as to maintain that there is a duty to recognise a government provided that conditions of permanency and effectiveness laid down by International Law are fulfilled. Schwarzenberger on the otherhand maintains that recognition is purely a discretionary power in the hands of the existing Government. It is fundamentally a question of policy and not a question of Law. From this it follows that every State is entitled to grant or withhold recognition to a new Government according to its sense of urgency or advantage.

But States like Britain and the United States have generally followed the de facto doctrine. Canning for instance when charged by Spain that he had abandoned his former legitimist stand, retorted that Britain had never been the supporter of the legitimist view. He declared that Britain recognised the Directory of France in 1796 and 1797, the Consulate in 1801, and Bonaparte in 1806. This principle was followed since then consistently. During the Spanish revolutions (1868 to 1875) British recognition was extended to the successive revolutionary governments. Derby declared in the House of Lords in 1875 that recognition had been accorded to any government which the Spanish people acknowledged and obeyed. The non-recognition of Soviet Government seems to be one of the most flagrant departures from the long standing de facto principle although it was not on the ground of legitimacy. Again, in 1949, the British Government departed from the de facto principle. The Chinese Communist Party was in control of most of China by 1949 and yet the Labour Government did not accord recognition to the Communist Government of China. Six months later Bevin declared in the House of Commons that British policy in this matter was being formulated in consultation with the Commonwealth and other friendly governments. It was in 1950 that the Labour Government recognised the Communist Government on the ground "that it is now in effective control of by far the greater part of the territory of China".

The United States also adhered to the de facto principle, from the early days of her statehood. This principle was laid down in the memorable words of Thomas Jefferson. Jefferson proclaimed, "It accords with our principle to acknowledge any Government to be rightful which is formed by the will of the nation substantially declared". Jefferson went to the extent of saying that "the right to choose their own government is a right whereon the United States is found and must not be denied to other peoples. Whether the choice be king, Convention, association, committee, president or anything else should make no difference to foreign States so long as it presents the will of the nation".

This principle was followed by the successive governments throughout the century. For instance, in 1829, Secretary Van Buren declared with reference to the new Government in Columbia as follows. "So far we are

concerned that which is the Government *de facto* is equally so *de jure*". President Pierce declared in 1856 that "it is the established policy of the United States to recognise all governments without question, of their source or organization or the means by which the governing persons attain their power provided there is government *de facto* accepted by the people of the country. Their determination whether it be by positive action or by ascertained acquiescence is to be a sufficient warrant of the legitimacy of the new government". In 1900, Secretary of State Hill asserted with reference to Bogota, "the policy of the United States announced and practised upon occasions for more than a century has been to base the recognition of foreign governments solely on its *de facto* ability to hold the reins of administration".

This policy was so closely followed that recognition became almost automatic. In 1848, the United States Minister to France accorded recognition to the Provisional Government of France without waiting for instructions from his government. His action received the approbation of President Polk. On many occasions blank forms of credence were sent to legations abroad to be completed by them whenever in their judgment a *de facto* government had been established. On other occasions the American diplomatic representatives were delegated with discretionary authority to recognise *de facto* Governments.

In course of time the application of the *de facto* principle by the United States was modified by two developments. Firstly, One is the requirement that the government must have a democratic basis. Secondly, the new government must give proof of its ability and disposition to fulfil its international obligations. The democratic test seems to have been laid down by Seward in 1848. "The policy of the United States is settled upon the principle that revolutions in republican states ought not to be accepted until the people have adopted them by organic law, with the solemnities which would seem to be sufficient to guarantee their stability and permanency". Since then this test was frequently invoked by the United States. It was invoked by Cordell Hull in 1936. It was again invoked by the Ambassador at large Jessup in 1950 when explaining United States policy towards Communist China. But then is it necessary that every government should command the confidence of the people? Is not ability to exact habitual, though not willing, obedience sufficient? If voluntary obedience is insisted upon as a necessary condition for recognition then the United States should not have recognised the Soviet Union, Abdul Kassem's Iraq and Ayub's Pakistan. Further, by such insistence the United States is committing herself to the principle of legitimism. Conceding that a democratic test is desirable, is it not a fact that very often our general elections do not reflect the genuine will of the people? Is it not a fact that popular will has been controlled and manipulated by unscrupulous dictatorships?

The second principle generally insisted upon is the ability and disposition of the new government to fulfil its international obligations. This principle is supported by a large number of jurists. But its insistence reflects the desire of the Governments concerned to consolidate their economic power and protect their investments abroad. Thus in 1861, Russell pointed out that recognition was accorded to the Mexican Government on the assurance that the Government of Mexico would pay damages to British subjects who sustained personal or material loss for a number of years at the hands of successive governments in Mexico. Great Britain was prepared to recognise the *de facto* Finnish Government if the latter would obtain the release of the British subjects arrested on Finnish territory by Germans. When the United States recognised Egypt in 1922 it was on the condition that her rights in Egypt as they had existed hitherto would be maintained. Similarly, Dr. Evatt, the Australian Minister for External Affairs, declared that the Communist Government of China would not be recognised in the absence of specific assurances that the territorial integrity of neighbouring countries, particularly Hong Kong, would be respected, and that the new Government would discharge all international obligations. Dr. Evatt's argument is neither sound nor relevant. The assurance that the Communist Government may give does not create greater security than the original undertaking given by the previous government. The assurance no doubt prevents the new Government from denying the existence of such obligations. But if the obligations are well founded they cannot be denied in any case. The very demand for an assurance may induce the new Government to think that she is not bound by any assurance not given by it.

Yet this requirement has often been used as a pretext for withholding recognition whenever the demand of the recognising State are not complied with. The term 'international obligations' has been interpreted to mean the settlement of border claims, the use of boundary rivers, the agreement to submit certain outstanding disputes to arbitration etc. It is also said to include the willingness to conclude a treaty of amity and commerce on terms favourable to the recognising State. Some times it was used to mean the protection of the person and property of the citizens of the recognising country in the country to be recognised. The withholding of recognition brought into existence the Estrada Doctrine. The Mexican Foreign Minister Estrada stated that his Government would maintain diplomatic relations only with such countries which would not pronounce judgments upon the legality of his Government. In countries where revolutionary changes are endemic and are regarded as equivalent to general elections, the Estrada Doctrine is almost a matter of practical necessity.

From the above discussion it is clear that in the eyes of International Law any Government which is in effective possession of the central machinery of the State must be recognised. Communist China has not

been recognised by the United States even though she is in possession of the central machinery of the State of China. Non-recognition of the Communist Government of China by the United States has no legal sanction. It is regrettable that the United States has adopted a recalcitrant attitude towards Communist China. This is against both International Law and common sense. Such defiance of Law for emotional reasons has neither ethical nor legal justification.

The admission of Red China into the United Nations poses a number of questions. We should, however, remember that the membership of the State of China in the United Nations is not a matter of discussion. China is already a member in her own right as the founder member of the United Nations. We are only concerned with the credentials of the Communist or Nationalist Government as the legitimate representative of the State of China in the General Assembly, the Security Council and other organs of the United Nations.

A few days before the people's Republic of China was proclaimed, the People's Consultative Conference in a Declaration of the Chinese People to the world demanded that the United Nations General Assembly should stop all criminal activity of Tsiang Ting Fu and other representatives of the Koumintang gang and immediately cancel their right of representation at the United Nations General Assembly. The Soviet Union promptly supported the Chinese demand. In September 1949, Tsiang, the Chairman of the Nationalist delegation to the General Assembly tabled a motion that the political independence and territorial integrity of China and the peace of Far East were being threatened by the Soviet Union as a result of the violation of the Sino-Soviet Treaty of Friendship and Alliance of August 14, 1945. The above motion was objected to by Byelorussia, Czechoslovakia, Poland, Ukraine and the U.S.S.R. on the ground that it was submitted by a delegation which had no right to represent the Chinese people. They argued that the Communist Government was the only lawful Government of China. They made it plain that they would not participate in the discussion of the motion and that any decision arrived at was not binding on them. Yugoslavia supported the stand taken by Byelorussia and her allies.

In spite of these protests the General Assembly referred the subject to the Political and Security Committee of the United Nations. The Committee adopted the draft resolution jointly prepared by Australia, Mexico, Pakistan, the Philippines and the United States. The resolution called upon the members of the United Nations to respect the rights of the people of China to choose freely their political institutions and maintain a government independent of foreign control, to respect existing treaties relating to China and to refrain from seeking spheres of influence of special rights and privileges in China. The General Assembly accepted the resolution of the Committee.

On November 15, 1949, Foreign Minister Chou-en-Lai notified to the United Nations that the delegates of the so-called National Government had no legal status and should not be allowed to speak as the representative of the State of China. On January 8, 1950, he despatched a telegram to all the Members of the Security Council excepting Yugoslavia informing them that the presence of the Chinese Kuomintang reactionary clique in the Security Council was illegal and that they should be expelled from it.

The situation created by Red China is without a parallel in history. So far there is no precedent in the annals of the United Nations for questioning the credentials of a sitting member. The nearest approach to the situation is to be found in the Italo-Ethiopian dispute of 1935-36 when the League of Nations, in order to deprive Ethiopia of membership and to appease Mussolini, refused to recognise the credentials of the Emperor Haile Sellaissie's delegation to the 1936 Assembly.

Now the question is whether the Communist Government of China is entitled for membership in the United Nations. Article 4 of the United Nations Charter reads as follows. "Membership in the United Nations is open to all other peace-loving States which accept the obligations contained in the present Charter and in the judgement of the organization are able and willing to carry out the obligations. The admission of any such states to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council".

The United States and a number of other States, usually accepting the lead of the United States in regard to such matters opposed the admission of Communist China on the ground that she is not a peace-loving country. It must, however, be admitted that even if there is evidence on the aggressive designs of the Communist Government of China, such as their actions in North Korea, the interpretation of the term 'peace loving' is open to many doubts. On the theory propounded by the United States, the Soviet Union, Britain and France who are the permanent members of the Security Council must be expelled from the United Nations because of their naked aggression in Hungary and Egypt respectively. Even the United States is guilty of aggression in some of the South American Republics. As a matter of fact a large number of States have shown militancy in recent times. Thus the practice of the United Nations goes against the spirit and letter of the Charter at times.

Yet it must be said that the United Nations is still the pre-eminent and indispensable forum where the nations of the world can meet and exchange views and occasionally take joint action. From this it follows that the membership of the United Nations should not be refused to nations which are able to participate in the affairs of the world. The non-recognition of the Communist Government of China by the United Nations has already had its undesirable effects. One instance was the compelling of the Secretary General of the United Nations to fly to Peiping

for negotiations concerning the release of the American airmen detained by the Communist Government of China. Had the Communist Government been represented in the United Nations such a loss of face could have been avoided. Again, the explosive situation which arose in 1955, about the possession of Matsu and Quemoy by the Chiang Kai Shek Government could have been negotiated inside the United Nations. This could not be done because one of the parties to the dispute had no representation on that organization.

It may be argued that the admission of the Communist Government of China into the United Nations may result in her instantaneous recognition by the other states. However, the participation of the Communist Government in international organizations does not necessarily mean recognition by other States. It is true that admission is now limited to States. And admission of a State to the membership of the United Nations is a positive testimony of Statehood though it is not obligatory on the part of other member states to enter into full relations with it. The admission of Israel to the United Nations, even before she was recognised by all the members of the United Nations suggests that the existing members do not consider membership of the United Nations as a title to absolute and automatic recognition by other States.

In the ultimate analysis the United Nations is a global organization. It is a place where, inspite of fear and tension of cold war both sides can still meet and discuss and arrive at even joint decisions. Therefore, it must be representative in character. Exclusion of Red China from it means exclusion of one of the most effective voices of Asia.

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SIGNIFICANCE OF INDIA'S MEMBERSHIP OF COMMONWEALTH

By

A. K. BAHL

India's decision to stay in the 'British commonwealth', before her independence in 1947, could not be taken for granted or anticipated with certainty like most of the Asian British colonies including Pakistan and Burma. When Burma decided to become a Republic and opt out of the 'British commonwealth', she set a precedent which could have been followed by some, if not most, of the Afro-Asian colonies and dependencies which acquired self-government and self-determination subsequently, if India, too, had decided to follow Burma. Thus, India, by deciding to become a Republic and still staying in the commonwealth established another precedent which not only checked the tendency created by the earlier one, but also paved the way for the evolution of the commonwealth as it is to-day consisting of ten members belonging to almost all the continents except South America, representing most ancient and modern civilisations, Hinduism, Islam and western christendom as distinguished from the British commonwealth prior to 1947, which consisted of only five members who were in fact, daughter dominions and looked upon U. K. as 'Mother country', for the obvious reason that most of their populations descended from the British stock, thus all belonged to the Western civilisation, cultural traditions and christendom.

India's precedent not only brought in India herself in the commonwealth, but it also set up the pattern of its future evolution. No one can be cock-sure about the future development of social and political organisations but one can safely anticipate with greater certainty to-day about the future course of the remaining British colonies and dependencies—of viable units—which are at different stages of the development of self-governing institutions. Thus, in the foreseeable future, the Commonwealth of Nations as it was evolved after 1947, may comprehend and embrace the entire what was once the British Empire over which 'Sun never set' and convert it truly a family of nations, 'equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs' with the exception of Ireland and Burma,¹ which the British commonwealth lost because the Imperial Government granted self-government too slow and too late. For the same reason political opinion in India before 1947 was not expressly inclined towards commonwealth, in fact her expressed goal

¹ Also American colonies, in a sense, but more of it later.

resolved as early as 1930 was Purna Swaraj or complete independence. That India agreed to modify her original resolution in favour of remaining in the commonwealth was, among other things, due to the leadership of Mr. Nehru who is thus entitled to an honoured place in the line of illustrious statesmen beginning from 'Sir John Macdonald in Canada, Parkes in Australia, Rhodes in South Africa down to Botha and Smuts whose ideas have dominated the evolution of the Commonwealth'.² Thus, "the British Commonwealth was not a British invention, it was, if responsibility can be allocated, a Canadian, South African and Irish" and Indian invention. "The British contribution has been tolerance and an infinite capacity for acting as father where necessity is the mother".³

Commonwealth of Nations is the offspring of the political genius of the English speaking peoples and has been evolved by the gradual harmonisation of conflicting forces and theories. Prior to 1947, what was called the first Commonwealth of Nations, the process of harmonisation was concerned with the reconciliation of Imperial unity with colonial freedom, the omnipotence of the British Crown and Parliament over all British territories on the one hand, and on the other the irrepressible assertion by the communities of British race of the right of self-determination. That was by no means an easy task and also it was not clear during the mid-eighteenth century⁴ — if and how such a reconciliation between so divergent urges could be effected. That this became possible subsequently was the result of a combination of factors and forces both historical and political.⁵

"If the British Government had been capable of realising the trend of its own constitutional evolution, secession might have been avoided and war of independence on the part of American colonies might have been averted". And secession of Ireland and Burma could have been avoided by a more far-sighted policy.

That far-sighted policy and attitude was definitely displayed at the Commonwealth Prime Ministers' Conference in April 1949. India decided to stay in the Commonwealth not on sentimental grounds. On the contrary, though India has adopted a constitution of the British type, the sentiment required that there be an express repudiation of allegiance to the Crown. However great be the advantages of the Commonwealth membership, it would not have been acceptable to India had it involved the allegiance to the Crown postulated by the Balfour Declaration and the preamble to the statute of Westminster. India had to become a Republic as a result of her earlier resolutions of Purna Swaraj i.e. independence. For India, like other Asian countries, independence was fundamental. The

² L. S. Amery: *Thoughts on the Constitution*, p. 111.

³ Ivor Jennings: *British Commonwealth of Nations*, p. 107.

⁴ Albany Conference of 1745 was a failure because of "the short-sighted logic of extremists on both sides" which wrecked the hopes of an earlier British Commonwealth coming into being. Amery: p. 107.

⁵ *Ibid.*, p. 108.

establishment of the Constitution which was republican in form was a condition precedent to remaining in the Commonwealth. When it was found at the Conference of Prime Ministers in April 1949, that the other nations were prepared to acquiesce, India was glad of the opportunity to stay. "Membership of the Commonwealth, as the former Prime Minister of New Zealand truly said 'is independence with something added. For Asia, independence was fundamental, but there was no objection to something added'".⁶

The U. K. Delegate at the Fourth unofficial Commonwealth Relations Conference in Bigwin Island, Canada, in September, 1949 believed that the admission of a Republic was an essential step in the growth of the Commonwealth. Commenting on the relationship of U. K. and Ireland, it was like "to match at the shadow and lose the substance." Dr. Mansergh's observations reflect U. K.'s attitude towards the acceptance of India as a republic within the Commonwealth: "An element of constitutional untidiness is a small price to pay for a flexibility in Commonwealth relations which enables peoples of many races and traditions to cooperate whole heartedly in the common purposes which the Commonwealth serves the world". Mr. Churchill is quoted to have said that "the Indian decision to remain within the Commonwealth was one of the most generous gestures he had witnessed in his whole political career".

CHANGE IN THE COMPOSITION

India's decision to join the Commonwealth followed by Pakistan and Ceylon soon after, changed its very complexion. "Those new partners had ancient and indigenous cultures and religions which differentiated them from older Dominions. They did inherit, however, British concepts of parliamentary government and democracy without which membership would have little meaning".⁷ The older Dominions in spite of cultural diversities in Canada and South Africa had a common heritage of Western European culture. The older Dominions, furthermore, were colonies with responsible government long before the status known as Dominion Status was evolved, the process of emancipation was also slow. But according to Sir Ivor Jennings the Asian countries jumped straight from a status subordinate to the U. K. into a status of equality and independence within the Commonwealth. Other differences are more important, according to him. The three countries are the heirs of a great and ancient tradition or more accurately of several layers of tradition. Accordingly, the elements of diversity which may be classified as deriving from race, language, caste, religion, class and education are of greater importance."⁸

⁶ Ivor Jennings: *Commonwealth in Asia*, p. 122.

⁷ Prof. Mansergh.

⁸ Jennings Ivor; *The Commonwealth in Asia*.

Prior to 1947, the population of the 'Mother Country' was a dominant figure as compared with other members but after 1947, the population of Asian countries i.e. India and Pakistan became preponderant as would be clear from the following table which is based on 1951 records:

Prior to 1947	Millions
U.K.	50
Canada	14
Australia	8
New Zealand	2
South Africa	12
After 1947	
India	357
Pakistan	76
Ceylon	8
	527
Others	70
	597

Thus the people of the U. K. do not dominate the Commonwealth but have become a small minority. Prior to 1947, the population of the then Commonwealth was of European origin but after 1947, the population of European origin among the entire Commonwealth countries became a minority of 78 millions in the total population of say 600 millions. The Christians too are now in a minority. Prior to 1947, English language was the dominant language as it was commonly spoken. After 1947, although English still remains the official language of all the member countries but English speaking population among all the members "approaches one hundred million, still a minority and still fewer than the English speaking population outside the Commonwealth."⁹ Thus the Commonwealth has undergone a radical change in its composition and character so far as racial stock, religion and language are concerned. These physical changes in the composition of the Commonwealth however do not imply more than that it has now become more comprehensive and broad-based, the old dominions or the first dominions will continue to enjoy their pre-eminent position as hithertobefore because of their industrial development and scientific and technological advancement.

CHANGE IN THE NOMENCLATURE

1947 may be regarded another land-mark in the evolution of Commonwealth. We have noticed in the preceding discussions that various authors and authorities have sought to make out a distinction between old Dominions and First Commonwealth that is the Dominions which were

⁹ Jennings, Ivor: *The British Commonwealth of Nations*.

members of the Commonwealth before 1947 and the new Dominions and the New Commonwealth which emerged after 1947. Similarly, a change took place in the nomenclature of "British Empire" and "British Commonwealth" which terms were loosely used sometimes, implying the same meaning. In the nineteenth century, the popular term was "the British Empire". The term became objectionable after some colonies acquired self-government. The word "imperialist" became a term of abuse as according to some liberals, it indicated a policy of making profits out of dependent peoples.¹⁰ An alternative phrase was used in the Balfour Declaration of 1926 i.e. the "British Commonwealth of Nations". But no attempt was made to define it. It seemed to be used in two different senses. In the wider sense it included all territories hitherto described as "British Empire." In the narrower sense, it included only territories which had attained self-government. Another distinguishing consideration was that the conservative minded continued to use the term British Empire while liberals and radicals used "British commonwealth of Nations." Sir Winston coined the phrase "British commonwealth and Empire." When after 1947, India decided to remain within the commonwealth, the word British was also dropped and it became the commonwealth of Nations.

Those members of the commonwealth which possessed self-governing institutions were called 'Dominions' and their relations with the United Kingdom were the responsibility of the Dominion Office. The Indian Independence Act, 1947 created the Dominions of India and Pakistan, but after its new constitution in 1950, India became a Republic with the name of 'Union of India.' "Also, some of the Dominion statesmen began to dislike the term 'Dominion' because it contained a suggestion of dominion or ownership or even domination."¹¹ Consequently in 1947, the Dominion Office was re-christened the office of Commonwealth Relations. The correct legal term, according to a constitutional expert on commonwealth affairs, Sir Ivor Jennings, is "not Dominions but independent members of the commonwealth".

India's view is that she retains full membership in the Commonwealth, not the British Commonwealth. The April declaration referred to the 'British commonwealth of Nations' in the opening paragraph when describing the situation before India chose to become a republic, but on six subsequent occasions the word 'commonwealth' only is used. It is the Indian view that the omission of the word 'British' is intentional. Mr. Attlee later declared that everyone was free to use what nomenclature he wished.

Prof. Mansergh is of the opinion that 'The British commonwealth of Nations is now the commonwealth'. For corroboration, he points to the British Nationality Act of 1948 in which it is stated that, "... the terms British subject and commonwealth are and will henceforth become interchangeable."

¹⁰ *Ibid.*, p. 9.

¹¹ *Ibid.*, p. 10.

POSITION OF THE BRITISH CROWN

The starting point of the evolution of the commonwealth, "the keystone of the constitutional arch, the symbol of our partnership and the focus of our common loyalty" to quote Mr. Baldwin's words at the coronation conference of 1937 "has been crown." According to Amery, Sir John Macdonald "struck the Keynote and the turning point in the constitutional process which had led up to the commonwealth as it stands to-day"¹² (that is March 1947) by "the double emphasis which he laid upon Canadian nationality and upon crown as the symbol of imperial unity."

At the Imperial conference of 1926 while the committee tacitly rejected any attempt to lay down the constitution of the British commonwealth, yet they readily agreed to define their existing mutual relations in the famous words. "They are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the crown and freely associated as members of the British commonwealth of Nations." Now it has been discussed earlier¹³ that whatever the advantages the commonwealth membership may imply India could not reconcile her earlier resolutions of complete independence by accepting allegiance to the crown. However, India was willing to accept the Crown as the head of the commonwealth. As such, the Declaration of the commonwealth Prime-Ministers conference of April 1949, which recorded India's wish to remain in the Commonwealth, as a republic and endorsed the policy by recognising Crown as the symbol of free association of its independent member nations.

South African view is much nearer the Indian view as in India there is no sentimental or "romantic" loyalty which binds many citizens of white Dominions to the Crown.¹⁴ "Crown is not a symbol of common allegiance or proof of the existence of an alien over-lord but a living dynamic creation of our own statecraft."¹⁵ The South African view is that commonwealth cannot be monarchical association united by common allegiance to the Crown, in which India is to be an eccentric exception. Whether the partner governments are Kingdoms or republics is not of great significance so long as they are free partners in what is 'Concord of Nations.' In this Association as Prime Minister Malan stressed in London, the Crown does not possess a vestige of functional reality. India's view as expressed at the fourth unofficial Commonwealth Conference in Bigwin Island in 1949 is that by the April Declaration, Crown acquires no new powers as "Head of the Commonwealth." Prime

¹² Amery, L. S. *Thoughts on Constitution*, pp. 111.

¹³ *Ibid.*, p. 13.

¹⁴ Jennings: *Commonwealth in Asia*, p. 122.

¹⁵ Soward, F. H., *The Changing Commonwealth*.

Minister Nehru has said: "It has been perfectly clear that the king had no functions at all. He had a certain status but the Commonwealth itself as such had no body, it had no organisation to function and the King also could have no function."

WHAT THEN 'COMMONWEALTH' IS ? AND WOULD TEND TO BE ?

At the Commonwealth Conference at Bigwin in 1949, it was made clear that the link that bound the Commonwealth was no longer the Crown. One Canadian delegate took mild issue with a U. K. speaker regarding the feeling in that country about the need for some symbol. "Was that really the U. K.'s view" he asked, "was a symbol really necessary?" He continued, "The Crown caused no difficulty in Canada, but there were other countries that would find a symbol difficult to accept." The Hon'ble Mr. Brooke Claxton, Canadian Minister who inaugurated the Conference said "The members of the Commonwealth have a feeling of community because, irrespective of their origins, they seek their security and their happiness in the frame-work of the reign of law and with the assistance of parliamentary institutions." The essence of the Commonwealth lay in its spirit, which was dangerous and difficult to define and not in the letter of its relationship. It was an international democracy dependent upon free discussion out of which came a sense of common purpose. It was also absolutely dependent upon free and equal partnership which might not be hampered by forms that might destroy the spirit.

The Commonwealth was a new sort of entity that was not in the books. It is not a state but it is a collection of nations associated for a few purposes but dissociated for most. It has no common foreign policy, economic or defence policy, nor indeed does it aspire to one. In the opinion of Prof. Mansergh, "its essence in the post-war years was 'faith in discussion'." This faith carries implications of a willingness to consider every problem that arises on its merits and a distrust for a rigidity of policy whether imposed from above or agreed upon in advance. The Secretary of State for Burma, when moving the bill providing for that country's independence said, "The essence of Commonwealth relationship is that it is a free association of nations, with a common purpose, who belong together because they have decided of their own volitions to give and take their fair share in a world wide partnership."

There is no formal alliance or a charter which binds the members of the Commonwealth together. Sir Ivor Jennings has beautifully summed up the position. "An alliance creates obligations" and there is no obligations in Commonwealth. On the other hand, an alliance depends upon a 'scrap of paper' and "there are no scraps of papers" in the Commonwealth. Whatever help the nations of the Commonwealth give to each other—whether it be in a war, a famine, a drought, an earthquake or an economic depression—it is given freely and willingly. The obligations

are imposed not by one nation or another but by each nation on itself. Nor are the obligations mutual."¹⁶

With the entry of Asian Dominions in the Commonwealth, the configuration power had been changed to an extent which it was impossible to assess today. Between the two world wars, the partner governments in the Commonwealth had operated with the maximum of informality as befitted a family of Nations. It remained to be seen whether the entry of the Asian Dominions into the family circle would lessen the informality and introduce a greater tendency to spell out details.¹⁷

Dr. V.K.R.V. Rao is of the opinion that the future of the Commonwealth will be determined not in London or in Ottawa or in Canberra but in Delhi and Karachi. And it will be determined by the manner and the speed with which the rest of the Commonwealth will react in its political, racial and economic policies to the aspirations and hopes as also the needs of the Asian Dominions.¹⁸

He further quoted the opinion of Lenin who had said long ago that the ultimate defeat of world capitalism lay in the fact that the peoples of Russia, China and India constituted a majority of the world's population. "The Soviet Union started the communism, China has also gone the communist way. But India still remains in the Commonwealth. Will she continue to do and thus help to make of the commonwealth a third force liberal in outlook and democratic in its practice or will she also go the communist way?"

The observations made by the Canadian delegate at Bigwin seemed to me an appropriate reply. He remarked, "Against the revolutionary ethics and tactics of the Russian communism, Commonwealth represents ideals of constitutionalism, graduation, peaceful change, reform by discussion, and confidence in peaceful solutions either within the state or in the Commonwealth sphere." The delegate thought the answer lay not within the Commonwealth but without. As long as its members preserved the integrity of the liberal democratic spirit, it would be a mistake to concern themselves with the remote future "All generations are equidistant from eternity."

¹⁶ Jennings, Ivor: *The British Commonwealth of Nations*, p. 125.

¹⁷ Prof. Mansergh.

¹⁸ These views were expressed by Dr. Rao after his return from the Fourth Unofficial Commonwealth Relations Conference held in Bigwin Island, Canada, in September 1949 which he attended as a member of the Indian Delegation, in an article published in the *India Quarterly* Vol. VI, Jan-March, 1950. It appears that the relevant questions he has so pointedly raised were also agitating the minds of the statesmen of the Commonwealth and they were keen to find out the answer which happily they did soon after. It was at the meeting of the Commonwealth Foreign Ministers at Colombo in January 1950 that Colombo Plan was conceived as the appropriate solution.

POLITICAL IDEAS OF HAROLD D. LASSWELL

By

PRADEEP J. SHAH

Harold D. Lasswell was one of the first political scientists to make extensive use of Freudian psychoanalytic categories for the understanding and interpretation of political phenomena. He employed Freudian psychoanalytic categories in the first instance, for laying bare the neurotic basis of the political activities of various types of political agitators, organizers and administrators.

In his book *Psychopathology and Politics*, Lasswell relates adult political traits and interests to certain developmentally significant experiences of the individual politician in his adolescence, childhood and infancy. Thus, a political agitator's vigorous espousal of socialism as involving brotherhood of mankind, is traced by Lasswell, to his unconscious guilt feelings because of the fact that he hated his actual brother in his childhood. The sense of guilt, arising out of his hatred of his actual brother impelled him to develop a reactive formation that was the reverse of his brother-hatred. He displaced this reactive formation, embodying the concept of brother-love, on to the remote social object of mankind, by imagining the desirability of achieving socialism i. e. brotherhood of mankind. And he rationalized this displacement in terms of stark injustice and cruelty involved in the ruthless exploitation of the toolless proletariat by greedy and heartless capitalists.

Here we have all the constituent elements of the developmental profile of a full-fledged political man or *Homo Politicus* in the Lasswellian scheme.

According to Lasswell, the political man displaces the private motives which are organized in his early life, on to public objects. The distinctive mark of the political man or *Homo Politicus* is that he rationalizes that displacement in terms of public interests.

Lasswell employs the following general formula with three terms, for sketching the developmental history of the political man:

$$P \{ d \} r = P'$$

P equals private motives, *d* equals displacement on to public objects *r* equals rationalization in terms of public interest. *P* signifies the political man and *}* means transformed into.

Psychoanalytical procedure of Freud emphasizes continuous interaction between the mental life of the individual and various cultural factors in his

social environment. The individual, according to Freud, introjects within his own personality, during the various developmental phases in his growth from infancy through childhood and adolescence to adulthood, authoritative demands of the social order, as validated in cultural norms and moral values prevailing in the community and the social group to which he belongs. This process is the basis for the formation of conscience or superego in the personality of the individual. There is a constant conflict going on in the personality of the individual between the superego and the *id*, which comprises anti-social impulses of the individual. The conflict is further complicated by existence of ego in the personality, which performs the task of reality testing with reference to varying demands of constantly changing social and material environment.

For the purpose of political analysis, Lasswell considers the mores patterns of the community as appealing chiefly to the superego structure of personality, the countermores pattern of the community as appealing chiefly to the *id* structure of personality and efficient, social, economic and technological practices of the community as appealing chiefly to the ego structure of personality.

Lasswell thus brings out broad social and cultural implications of the tripartite division of personality into the superego, *id* and ego. Lasswell analyses the dynamics of political behaviour in terms of underlying political attitudes and motivations of the individual participants, as they are formed in the process of the working out of political implications of the continuous unconscious conflict between the superego and *id* structures of the personality, with reference to the demands for reality adjustment postulated by the ego structure of personality.

We shall consider his analysis of the dynamics of a revolutionary social and political movement, in order to exemplify the psychoanalytical mode of procedure employed by him to understand political phenomena.

According to Lasswell, successful revolutionary propaganda for the violent overthrow of the legally constituted political authority in a community consists in dividing the superego (conscience) of the majority of the members of the community against itself. Ordinarily, the respect for political authority is ingrained as a part of the superego of the members of a community, as it is enjoined by the mores pattern of the community, consisting of its prevailing cultural norms, moral values and social standards of deference and respectability. But when disturbances occur in the life situation of important segments of the population in the community, either because of drastic changes in their material environment or because of subtle cultural changes in their social environment, a state of psychological susceptibility is created for the enthusiastic reception of new political ideas.

In the context of such a situation when the tension level of the members of the community is high, the leaders of a revolutionary social and political movement would disguise the countermores character of their

acts against the legally constituted political authority of the community, by presenting those acts as motivated by the desire to realize certain important constituents of the mores pattern of the community, like justice, social equality and political liberty. Revolutionary leaders would consciously strive to precipitate acute division in the superego of the members of the community by setting one part of the superego, concerned with maintaining certain fundamental moral values championed by revolutionary ideology, against another part of the superego, which enjoins upon the individual to harbour the sentiment of unquestioning loyalty and reverence for the basic symbols of the legally constituted political authority.

This acute division and conflict in the superego generates a high level of anxiety in members of the community. It also reactivates in them certain primitive psychological impulses, which are potentially capable of explosively releasing strong anti-social impulses of the *id* structure of personality against the symbols of established political order. A revolutionary ideology by offering a new set of political symbols for the positive allegiance of the members of the community enables them to alleviate their sense of anxiety by identifying themselves with the revolutionary demands for radical social and political action.

Thus, revolutionary leaders may succeed in directing anti-social impulses of the members of the community for the destruction of established political order. This is primarily achieved by presenting this countermores activity as motivated by the noble purpose of vindicating certain significant elements in the mores pattern of the community like justice, social equality and political liberty.

We see here that for Lasswell there is no cleavage between the processes by which political symbols secure the allegiance of an individual in the community and the collective processes of political life, which result in the incorporation of political symbols in the moral consensus or mores pattern of the community. There is no cleavage; there is simply a gradation of reference points.

The same social, economic and cultural forces both determine the patterns of political behaviour in the collective political life of the community and also the motivations, expectations and attitudes of the individual in the community as they bear on legally established political authority, rival sets of political symbols and demands for gradualist or radical changes in the social and political order.

This approach of Lasswell leads him to comprehend the dynamics of political processes in the total context of social and cultural milieu of the community. He stresses the necessity of penetrating beneath the forms and legal cloaks of political institutions for identifying those dynamic factors in the social and political life of the community which shape the crucial patterns of political behaviour that underly political institutions and determine the manner of their actual functioning.

anti-humanitarian appeals of anti-semitism and international hatred, made by Hitler and his Nazis to the German people. They were sincerely puzzled and bewildered to find that the highly gifted and civilized German people followed with fervent enthusiasm the charismatic leadership of Hitler, who stood for the conscious and systematic destruction of the fundamental liberal democratic values of individual freedom, political liberty and brotherhood of mankind.

Marxist politicians in Germany were equally taken aback at the phenomenal success of the Nazis in achieving a wide base of popular support for their anti-liberal and irrational aims. Their thinking had become warped and confused because of their exclusive reliance on the operation of economic motive as the sole determining factor in causing political changes. The leaders of the Third International had believed that the German masses, who were impoverished and "proletarianized" in preceding economic depression, would decide to rally around the banner of international communism. They had fondly hoped that the objective, rational and economic interests of the German masses would inevitably impel them to follow the leadership of the communist party for the purpose of bringing about the destruction of the prevailing capitalist regime in Germany.

It becomes clear from this specific historical instance that both liberalism and marxism have no conception of the preponderant strength of irrational motives and reactivated primitive psychological impulses of lust and sadism in directing the collective processes of political life.

Their total neglect of irrational motives in political life is traceable to the predominant concern of both liberalism and marxism with economic interests. The "economic man" or "rational individual" of liberalism is motivated in his social and political conduct by the desire for maximizing his economic gain. The "class conscious" individual of marxism is motivated in his social and political conduct by considerations of economic wellbeing of his social class. Now consideration of economic interests is the task particularly congenial to the mental faculty of conscious reason. Hence the over-emphasis of both liberalism and marxism upon the efficacy of rational motives, in the direction of social and political affairs.

The predominant concern of both liberalism and marxism with economic aspects of social life, that are particularly amenable to the processes of rational calculation and adjustment, can be well exemplified by examining their portrayal of the ultimate goals of human endeavour. The ultimate ideal of social policy for liberalism consists in a regime characterized by free trade, economic liberty and the minimum degree of political activity consistent with enforcement of contractual obligations and the protection of the community from internal rebellion and external aggression. The ultimate ideal for mankind, according to marxism, is the attainment of a classless society which is characterized by free spontaneous

economic activity of groups of producers and the total absence of political coercion because of the "withering away" of the state.

As both liberalism and marxism are preoccupied with economic aspects of social life, they exhibit a gross ignorance of the intricate complexity of the problem of securing harmonious adjustments in collective processes of social and political life. This is because they have no conception of the strong attracting power of irrational and even economically unprofitable social and political goals, to commend themselves readily to the primitive psychological impulses of the human personality which derive from unconscious components of human nature and possess great efficacy in moulding social and political behaviour.

Lasswell emphasizes the predominance of irrational motives in social and political life. He stresses the fact that these irrational motives are capable of assuming many different and alternative form of expression and manifestation in social and political affairs. He consequently lays emphasis upon the impossibility of making apriori predictions regarding the nature of political behaviour elicited in response to changes in social and material environment.

This emphasis of Lasswell on rich variety and complexity of human motives in social and political affairs, leads him to postulate the principle of plurality of causes or the principle of interdetermination of events, for comprehending the nature of important variables determining the salient features in a political situation. Lasswell points out the erroneous and deceptive nature of speculative generalizations regarding human motivations and conduct in political life, made by exponents of liberalism. Assuming the universal prevalence of rationalist motives in political life, exponents of liberalism are inclined to explain a group of complex political phenomena in terms of one of the abstract juristic concepts like sovereignty, rule of law and freedom of contract.

To take one example, failure in the effective implementation of a piece of legislation dealing with an important aspect of social policy, will be interpreted by exponents of liberalism as revealing the disrespect in which the sovereign authority of the legislature is held by certain sections of the people. They will stop at that. They will not make a realistic analysis of important social and cultural factors which influence the attitudes of the various sections of the people towards that particular social policy problem. Rationalist postulates of liberalism incline its exponents to make the legalistic and institutional analysis of political situation.

In this particular case, the exponents of liberalism will not make an attempt to probe behind the legal forms of political institutions in order to determine the extent to which proposed innovations in social policy will alter, if properly implemented, the pattern of distribution of important social and cultural values like power, deference and welfare among different social groups in the community and thereby bring about changes in the political

practices of the ruling groups in the state. A thoroughly realistic analysis of this particular political situation will go further by trying to appraise the nature of motivations impelling important sections of the community to adopt hostile attitudes to the proposed innovations in social policy, as set forth in that particular piece of legislation, with the result that its effective implementation is successfully thwarted.

Such a complicated set of phenomena, traceable to and having impact on, the wide range of social, cultural and political forces in the community, that shape the patterns of social and political behaviour underlying the relevant political practices, cannot be explained in terms of notions, deriving from a single abstract juristic concept of sovereignty.

Lasswell points out the inherent limitations of this "one cause, one effect" mode of analysis of a political situation, both for comprehending the complexity of relevant political phenomena and discerning the nature of inter-relations among the crucial variables in that political situation.

To understand the salient features in a political situation, it is necessary to make empirical investigation of social, political and cultural factors determining collective attitudes of groups of participants, towards important political issues raised by that political situation.

It would be instructive to examine the success of rival political symbols in securing allegiance of different social groups in the community. Rival political symbols, purporting to offer rival interpretations and goals of political life in terms of key political concepts of state, nation and class, are the most important dynamic elements in the Flux and movements of political processes.

Major political changes and revolutions can be understood by examining the processes by which collective attitudes of the broad strata of the population are modified, when they are exposed to symbols demanding significant alterations in the prevailing social and political practices.

We can gain a deep insight into the complex of motives determining political behaviour during the revolutionary upheavals, by knowing the social, political and cultural factors that influence various sections of the community into adopting favourable or hostile or neutral attitudes towards revolutionary symbols which demand drastic alteration, by the use of violent methods, in the prevailing pattern of distribution of important social and cultural values among the different social groups in the community.

Lasswell asserts that in every political community we can identify the *elite* which maintains dominant position in its political and social life by virtue of its possessing preponderant share of the major social and cultural values like power, deference and welfare. This *elite* wields the effective levers of political control in the community, whatever may be the formal constitutional arrangement of governmental functions and institutions.

Even in a liberal democratic polity, which provides for universal adult suffrage, it would be possible to find a relatively small social group that generally succeeds in determining the important policy of the government

by virtue of the broad fact that this social group controls the avenues to political power in that community, because of its possessing preponderant share of the major social and cultural values.

A detailed investigation of the social origins, skills and political motivations of the members of the *elite* in a community would throw light on the basic ideological framework of the social and political regime, whatever may be the professed social and political aims of the members of the legally constituted government. Thereby it will become possible to identify the social groups and classes that are the main beneficiaries of the prevailing political order. It will also become possible then to identify the social groups and classes that feel a sense of deprivation, a sense that they are denied their legitimate share of the social and cultural values of power, deference and welfare, on account of the political operations of the *elite*.

This type of investigation of the social and political variables, having a significant bearing on the operations of the *elite*, would possess some prognostic value in laying down the possible broad ideological alignments in the future. We may be able to visualize, from this type of investigation, the nature of the counter-*elite* which would challenge the authority of the ruling elite. We would also be able to make a surmise as to the nature of symbols which would be manipulated by the counter-*elite* in order to disintegrate the loyalty of the masses towards the symbols of the ruling regime.

Lasswell discerns the dynamic of world political processes in terms of his concepts of "Symbol" and "elite". He postulates a continuous pattern of development, which connects the present phase in the evolution of world political processes, on the one hand, with the past stage of world historical development and on the other hand, with the probable next phase of the emergent future in the evolution of world political processes.

Thus, the world historical epoch from the French Revolution of 1789 to the First World War (1914-18) can be interpreted in terms of steady ascendancy, in one country after another, of the bourgeois of capitalist elite identified with the symbols of liberal democracy. Liberal democratic values by their preoccupation with formal political equality led to the emergence of new protest symbols of socialism in the name of economically exploited toolless proletariat.

After the Russian revolution at the end of the first World War, the proletarian symbols of marxian socialism became the symbols of the ruling elite in Soviet Russia. The ruling elite in Russia was the skilled elite, composed of communist party functionaries, trade union officials and technicians. This skilled elite was the real beneficiary of the Russian revolution, conducted in the name of proletarian protest symbols of socialism, just as the bourgeois or plutocratic elite was the ultimate beneficiary of the French revolution, that had for its ostensible purpose the political emancipation of the whole humanity.

The bourgeois or capitalist class overgeneralized their protest against the social and political inequities of Feudalism, by identifying themselves with the liberal democratic symbols demanding the emancipation of the whole humanity. In the same way, skilled groups of the middle class, disenchanted with the plutocratic consequences of liberal democracy, overgeneralized their protest against liberal democratic symbols, by identifying themselves with the protest symbols of socialism, demanding the economic emancipation of the class of the toolless proletariat from ruthless capitalist exploitation.

Even in countries, where the symbols of nationalism had deep hold on the allegiance of the masses, political regimes there adopted some of the equalitarian, centralizing and bureaucratic features of the Russian revolutionary pattern, in order to neutralize explosive potentialities of revolutionary labour movements.

National socialist Germany was ruled by the skilled elite of the lower middle class, composed of Nazi party functionaries, and specialists in the skill of violence. Nazi political regime took effective measures to reduce wide disparities in the income levels of different social groups in Germany. Nazi Germany was a close-knit centralized state.

In many of the countries of Western Europe, various national alternatives to Russian pattern of world revolution, in the form of various social democratic ideologies, were developed. The social and political order desired by social democrats would give privileged position to the skilled elite of middle class, composed of trade union officials, functionaries of social democratic parties and managers and technicians of the state-owned or state-managed industries. Social democrats also desired the introduction of full-fledged social security schemes and unemployment benefits for reducing income differentials of various social groups in the nation, thereby ushering in the welfare state.

Thus, the distinguishing feature of the political movements, transformations and revolutions in our epoch of world history, is, the rise to positions of power and privilege in many states of the world, of the skilled elite of middle class. This skilled elite of middle class may secure the allegiance of the masses by identifying itself either with proletarian socialist symbols as in Russia today or with extreme nationalist symbols as in Nazi Germany or with the symbols of welfare state, as in some countries of Western Europe.

Lasswell considers the emergence of Russian pattern of world revolution as the major revolutionary upheaval of our epoch. All other political movements and ideologies, he construes, as motivated by the purpose of either promoting or hindering the spread and world-wide diffusion of the Russian revolutionary pattern or some of its characteristic features. Hence he postulates the basic ideological challenge to the Russian pattern of world revolution as the main dynamic factor in the future political evolution of the world.

The next phase of the emergent future in world political evolution would be characterized by the emergence of new protest symbols, that would vehemently deny the claim of the skilled elite, ruling in Russia today, to represent the interests of the world proletariat. The new protest symbols of the future would seek to achieve this, by designating the skilled elite of party bureaucracy, managers and technicians in Soviet Society, and not the proletarian social formation, as the real beneficiary of the Russian revolution. Thus the new protest symbols of the future would attack the very ideological basis of Soviet Russian regime, by portraying the ruling group in Soviet Russia as promoting the interests, not of the world proletariat as they ceaselessly claim, but of a small privileged social formation of the skilled elite, composed of communist party functionaries, trade union officials, managers and technicians of the state industrial undertakings and executive and administrative officers of the government.

We may now sum up certain main features of Lasswell's mode of procedure for approaching political phenomena.

Exponents of liberalism indulged in speculative generalizations about political behaviour of mankind on the basis of apriori assumptions regarding universal validity of rationalist motives in political affairs. Lasswell questions the value of this characteristic method of liberalism for approaching political phenomena.

Lasswell stresses the predominance of irrational motives in political life. He maintains that these irrational motives are capable of assuming many different forms of manifestation and expression in collective processes of political life. Therefore he asserts that we cannot make apriori predictions concerning political behaviour in relation to changes in social and material environment.

Lasswell emphasizes the necessity of making empirical investigation of social, cultural and political forces in the community that mould political attitudes, expectations and motivations of individual participants and shape the associated pattern of political behaviour.

Criticising the overemphasis of liberalism on institutional aspects of political life, Lasswell shows that the formal and legalistic analysis of political structures and institutions is devoid of empirical significance for identifying important variables in dynamic social and political processes and comprehending their inter-relationships.

He stresses the necessity for penetrating beneath the legal forms of political institutions and formal constitutional arrangements for allocating political authority, in order to identify crucial patterns of social and political behaviour that determine the major trends of political activity. Only thus will it be possible to arrive at the pattern of effective political control in the community, whatever may be the constitutional allocation of formal political authority.

Lasswell starts from psychoanalytic categories for approaching the important data of political attitudes, motivations and behaviour. He fully expands upon the possibilities for comprehending the dynamics of political behaviour, inherent in the psychoanalytical postulate of the continuous and dynamic interaction between mental processes of the individual and broad social and cultural influences in the community. His mental set is thereby widened.

He develops a comprehensive frame of reference for interpreting political attitudes, expectations, motivations and behaviour of the individual members of the community in terms of broad social, cultural and political forces that have a significant bearing on the collective processes of political life.

In Lasswell's scheme of procedure, the same social, cultural and political forces, both mould the political attitudes and motivations of the individual and also shape the patterns of political behaviour in the collective political life of the community. To Lasswell, there is involved no cleavage, but merely a gradation of reference points when an observer of political scene moves from the consideration of political attitudes and motives of the individual to the consideration of collective processes of political life.

BOOK REVIEWS

POLITICAL PHILOSOPHY AFTER HEGEL AND MARX By DR. NARAYANI BASU, Grantha Bhawan 93, Mahatma Gandhi Road, Calcutta 7, Price Rs. 5/-

OUTLINES OF POLITICAL SCIENCE by DR. H. N. SINHA, Asia Publishing House. Rs. 10/

The first of these was originally doctoral thesis submitted to the Calcutta University, now presented in book form. The latter is the usual kind of text book on political science in which the country abounds.

Although the first book is called "Political Philosophy after Hegel and Marx" the first 38 pages out of a total of 200 pages deal with Hegel and Marx. Therefore; a more appropriate title will be "Political Philosophy since Hegel and Marx". Or, better still, it should be "The influence of Hegel and Marx on later times" since this seems to be the main theme of the book.

The author seems well versed in the political thought of Hegel and Marx although not equally well versed in the thought of other writers. Several of the chapters are scrappy. The most interesting part of the book is the latter chapters where she deals with Co-operative Democracies in Scandinavia and Switzerland, San Yat-sen and Democracies in China and People's Democracies in Eastern Europe. Book III deals with Aurobindo, Tagore, Gandhi and Subhas Bose. No reason is given for not discussing the political thought of M. N. Roy, which would have been more useful to the general reader than the abstruse thought of Aurobindo or the extreme views of Tagore on nationalism.

Much hard work has gone into the making of the book. Yet there are some blemishes. It is not made clear how anarchism can be called a "Collectivist doctrine". In the chapter on modern imperialism, only about 6 lines are given to the "dollar diplomacy" and "economic imperialism" of America. Not a word is said about the "strategic imperialism" of our day; nor about "imperialism by proxy" which Lattimore calls "hitchhike imperialism". The expansionism of Russia and China is glossed over.

One would like to question the author's assertion that parliamentary democracy and people's democracy of the communist variety have the same aim, but only differ in methods. One would also like to question the view "The Ramraj or the new social order of Sarvodaya is hardly different from the classless and stateless utopia of Karl Marx" (p. 180).

One is happy to note that the book is got up well. Words are not divided irrespective of syllables, as is frequently the case in books printed in India. There are few spelling mistake or queer idioms. Attention, however, must be called to the odd expression "best new tracks" and "reafforestation" (p.68) instead of "afforestation" or "reforestation". Louis Fischer is spelt as "Louise Fischer" (p. 170). Elliott is spelt as Elliott (p. 205). The proof reading is excellent.

Large portions of the book are descriptive in character and the philosophy behind them is not made clear. Yet the book deserves careful reading.

Rupees Five only (the price of the book) is a cheap phrase. Price — Rupees five is dignified.

The second book, written by one who is primarily a historian, does not do full justice to him in his role as a political thinker. The first part of the book deals with Political Theory and the second with Political Institutions. The first part hardly adds anything new to what other books contain. The only addition is Ch. IX which deals with "The External Aspect of the State". This is a welcome addition. The phrase "hinderance of hinderances" is associated with the idealistic school of political philosophy and not with the individualistic school as mentioned on p. 100. "Theory of rights" is dealt with only incidentally. Likewise, the treatment of Fascism, Nazism, Communism and dictatorship — civil and military — is not as full as one would like to see it.

Part II which deals with Political Institutions is decidedly better. I value particularly the historical introduction which the author gives to these institutions. The chapter on the Electorate and Representation is lucid and full. The reference to the French Constitution found on p. 185 is to the constitution of the Forth Republic, and not the Fifth. In discussing political parties, one fails to see reference to current discussions in India on the "No-party states" and "all-party states". Students are naturally interested in such questions.

The get up of the book is good. The price is rather high. It is bound to be useful to Intermediate and B. A. students.

There are several spelling mistakes and idiomatic errors which should be corrected in any future edition. The word "Scotch" on p. 23 should read "scots" or the Scottish people. "scotch" usually mean whiskey. "Gettell" is almost always spelt with one "l" (pp. 38,44 &c.) "stand-point" is one word. It is not to be hyphenated (p. 62). Where "Society" should be used without the definite article "the" the opposite is done pp.23, 63, and "regarded fundamental" should read as "regarded as fundamental". (p. 73) "The custom" should simply read "custom". On p.79 footnote "Goodnow" is spelt as "Goodrow". It should be "the U.K.", and "U.S.A." Morocco and Uruguay are misspelt on pp 105 and 121. "The UNO" is old-fashioned. It is simply "the UN". The definite

article "the" is left out in several places, as on pp.119 and 130. The word "cradle" is misspelt on p. 107.

The book is written in an easy style and the average Indian students will find it easy to read. Appropriate references are made to standard authors.

E. ASIRVATHAM

INTERNATIONAL AFFAIRS By DR. S. C. SINGH, M.A., Ph.D., D. Litt., Reader in Political Science, Saugar University. Published by Lakshmi Narain Agarwal (Agra), 1959. pp. 387. Price Rs. 10/-

This handy volume deals with some of the main aspects of International Affairs since 1939. The author begins by a description of pre-second world war international settlements and the condition of the world before the outbreak of World War II. The next six chapters (chapters 3 to 8) are devoted to the Genesis of the United Nations, its Principles and Organization. Political Problems, Economic and Social problems, Trusteeship in Theory and Practice and an Assessment of the United Nation. In the next five chapters he deals with the main features of the foreign policies of the U.S.A., Russia, Britain, France and India. He then passes on to a discussion of Regionalism in World Affairs, the Middle East, the Far East and the Emergence of South-East Asia. The last chapter on World Government discusses the problem of establishing a system of government for the whole world, probably as a solution of the vexed problems of mankind in this century so as to ensure peace in the world.

The author has no doubt read widely and intelligently the literature existing on the subject and he has succeeded in placing in the hands of students of international affairs a book containing a large store of information. The book contains appropriate citations from distinguished authors of standard books. His method is objective. Wisely, if I may say so, he has refrained from indulging in the pastime of making political prophecies or wild or impracticable suggestions. It appears that he is convinced of the usefulness of the United Nations in bringing nations together to handle on a co-operative basis the manifold problems—political, economic and social, which concern their relations and the larger interests of the peoples of the world. In times of world crises, politician and pseudo-politicians think of the establishment of a new world order through a world government, forgetting that the achievement of such an international organization is impracticable so long as man has freedom of thought and action. The world is, unfortunately though, not ruled by saints or seers, by Christs, or Buddhas or Gandhis. Those who by other than spiritual or human powers and considerations succeed in placing themselves at the heads of administration in different states control world affairs through principles or ideologies which are enforced on an unwilling or unthinking populace. The result is tensions, here, there and everywhere

Racial pride and racial hatred, intolerance, inequalities, lust for empire building in different guises, all these factors lead to conflicts between nations, and unless a new conception of life emerges as a result of the tremendous advances of science in this age, rivalries between nations will neither cease nor diminish. In the name of democracy or people's rights and welfare worst forms of political slavery is being enforced or supported.

The author has placed before his readers a book containing much useful information on some of the aspects of international affairs now agitating the minds of statesmen the world over. His approach is academic, but he has naturally, devoted greater attention to Asian problems, whether in the Middle East, the Far East or the South-East region. Regionalism has come to stay and is bound to play an important role in world politics, whether one thinks of the Asian nations or the African people who in different parts of that much neglected continent have been aroused to a new consciousness and awareness of their inherent right to control their own destiny. This awakening in the two continents of Asia and Africa has brought into prominent relief the importance of the Pacific and Indian Oceans and given a new impetus to geopolitical considerations in directing the affairs of more than three-fourths of the human race. The book under review will be found useful in giving a clear idea of how international affairs since 1939 are reshaping the political groupings in the world.

B. M. SHARMA

THE MILITARY AND INDUSTRIAL REVOLUTION OF OUR TIME, By Fritz Sternberg, *Atlantic Books*, Stevens & Sons Limited, London, pp. 359, Price 25s. 1959.

WAR AND THE SOVIET UNION, By H. S. Dinerstein, *Atlantic Books*, Stevens & Sons Limited, London, pp. 268, Price 37s. 6d. 1959.

Since Blackett published his *Military and Political Consequences of Atomic Energy* (1948), some very useful literature has appeared on this subject. The books under review are two of the most recent works dealing with the most crucial problem engaging the minds of scientists, statesmen, social and political scientists and military men alike viz. the significance of the development of nuclear power and the fundamental and far reaching consequential changes it has brought about not only in military thought, organization and strategy but in the whole world situation.

Dr. Fritz Sternberg introduces his book with the thesis that we are at present in the midst of the greatest military revolution of all times. It actually began in the final phase of the Second World War with the explosion of the atom bomb over Hiroshima, but it is only now, with the hydrogen bomb and intercontinental rockets, that we are beginning to understand its real scope. It is the purpose of this book, in the author's own words, to deal with this military revolution only in so far as it results

in decisive world political and foreign political changes. There have been, the author admits, periods in the history of the world in which the discovery of new weapons and new means of waging war have not only changed the whole art of war but even brought about basic changes in the very structure of society itself. But the situation today, he contends, is fundamentally different in several respects. Firstly, today's military revolution is particularly remarkable for the very rapid development of weapons. There was less than a decade between the first atom bomb tests in the U. S. and the possession of the hydrogen bomb by both the U. S. and Soviet Union; and only a few years between the production of the hydrogen bomb and the development of the technical means to carry it to its target, viz. the inter-continental bomber, the atom-powered submarine and the I.C.B.M. Secondly, the present day military revolution is taking place in peace time. This has significant implications. For example, the fact that the United States for the first time in the history has to maintain a really powerful military sector in times of peace, is directly due to the changed situation brought about by the military revolution. This is true of other nations as well. The maintenance of a powerful military sector in peace time involves certain fundamental changes in the relation between the State and the economic system, and, in consequence, a change in the whole social structure.

But the military revolution is moving forward parallel with, what Dr. Sternberg calls, the second industrial revolution; in fact, he contends, that it was the first which originally launched the second. The new factor which produced the military revolution is at the same time a new source of energy. Atomic power is a factor which will in the upshot completely transform the entire life of industrial nations. Unlike the first, the second industrial revolution has, right from the start, a truly international, world historical character. It runs parallel with the socio-political revolutions which are taking place in the industrially backward countries of the world, primarily in Asia, but also in Africa and South and Central America. The second part of the book deals with the development of this second industrial revolution and the introduction of automation it involves.

We have, the author concludes, entered into the phase of world history; that is to say into a phase in which the interacting influences of all countries and all nations with their great variety of social and political systems will affect the lives of all of us more and more. And here the author sounds a note of warning: "If humanity learns to control and guide the military revolution, if humanity is spared the disaster of nuclear war", then, and then alone, will the second industrial revolution be an important factor in strengthening the tendencies towards world history.

The book is written in a stimulating but journalistic style with too many generalisations. There are some interesting facts pertaining to Soviet industrial production, training of scientists and technicians in the Soviet

Union, Soviet military budget and the strength of the Soviet armed forces. There is no bibliography, however, which definitely diminishes the usefulness of the work for a serious reader.

The second book under review was prepared as part of the research undertaken for the U. S. Air Force by the Rand Corporation. The author, H. S. Dinerstein, who received his doctorate in Russian History from the Harvard University and then spent several years in government service and teaching, is the author of several works and a known American authority on the Soviet Union. *War and the Soviet Union* is an analysis of the major strategic problems of nuclear warfare and the Russian solutions to them.

The book is divided into seven chapters. The first is introductory and sets the stage for the rest of the book, anticipating many of its arguments, the evidence for which is then elaborated in the following chapters. It may be useful to examine the line of the author's argument in some detail.

Chapter two gives a resume of Soviet military history in the fifteen years before Stalin's death, and then proceeds to examine the change in the balance of power brought about by the Soviet development of atomic weapons, and the resultant revolution in Russian Military theories, between the latter part of 1953. For nearly a third of the century after the October Revolution, Soviet life was pervaded by a feeling of constant peril. And there were good reasons for it. Although the Western European powers failed to crush the Soviet regime in 1917-1920, the Soviet leaders were not unreasonable in suspecting that the "Capitalist" nations might well try at some favourable to dislodge the Soviet reigns even by violent means. The Soviet Union in its early years would undoubtedly have lost any major war on which it became engaged. Indeed this might have occurred had not its enemies been divided.

During the Second World War, the author continues, disaster seemed imminent. And in spite of victory the war left the country so devastated that had the United States chosen to make war upon the Soviet Union in 1945 the latter would probably have been defeated. The Russian leaders must have been considerably assured by the rapid American demobilization of 1945. And although in 1947-48 the United States announced her intention to rebuild her military establishment, the Soviet Union knew that years must elapse before the American force level of 1945 could be restored.

Meanwhile the Soviet Union had already built up new strength and was steadily improving her military posture. The Soviet Union made great advances in heavy industry and technical skill and the gap between the U. S. and the Soviet was fast closing. The accession of Eastern Europe and China to the Communist camp further raised the official morale in the Soviet Union. Finally the Soviet leaders must also have derived satisfaction from the difficulties met by the West in their present or former colonial

areas. The Soviet leaders now believed that the world military balance of power had changed decisively in their favour and a new confident note replaced the former feeling of extreme vulnerability.

All this while, however, Russian military thought and planning had continued to be governed by Stalin's personal conception of the nature of warfare. In 1942 Stalin had promulgated a dictum that became the last and only word on the subject for more than ten years. Stalin's position was that war was a massive social phenomenon in which two or more societies were pitted against one another. In this contest, what were known as the "permanently operating factors" determined the outcome. These factors were: "the stability of the rear, the morale of the army, the organisational ability of the army commanders." Transitory factors such as surprise could not, according to this formula, determine the outcome of war. The last war was presented as a series of Soviet successes, and the withdrawals of the initial period were explained as a planned policy of "active defence." Stalin did not commit the cardinal error of neglecting the development of nuclear weapons. Nevertheless, he failed to understand their true importance and emergence of a military doctrine suited to the nuclear age.

Some months after Stalin died, the chief theoretical organ of the Soviet Ministry of Defense, *Military Thought*, carried an article by Major General Talenskii that opened the first real discussion on military theory in the Soviet Union. Talenskii rejected Stalin's formula concerning the permanently operating factors and advanced a basic law that, he argued, was an improvement over Stalin's formula because it did "not exclude the possibility of a decisive defeat within limited time... given the existence of certain conditions." For the first time since 1945 a Soviet theoretician had openly envisaged a possible war of the future essentially different from World Wars I and II.

Talenskii's chief innovation was his emphasis on the 'armed conflict' as the crucial aspect of warfare. Not only did he put the 'armed conflict' in the forefront of his treatment, but he insisted that the same principles of war effected both parties. His opponents contended that it was anti-Marxist, that is theoretically and morally wrong, to apply the same social laws to two radically differed social systems. Capitalist states, organised differently and seeking different goals, could not command the loyalty of their own peoples over an extended period and had perforce to try for quick conclusions. Talenskii and his supporters accepted the importance of these differences but by emphasizing on the combat at the expense of economics and morale made it possible to assess justly the role of nuclear weapons.

Talenskii's view, according to Dr. Dinerstein, initiated a discussion on matters of basic importance. Several major conclusions emerged and the editors of *Military Thought* established these, as a new official line in an article of April 1955. The doctrine of permanently operating factors, at

first dropped out of discussion as inadequate on the whole, although valid in some contexts, was explicitly abandoned in 1957.

What are the political implication of the new theory? In chapters three, four and five the author examines in detail the controversy that has developed since 1953 between Malenkov and Mikoian and their supporters on the one hand and Khrushchev, Bulganin, Kaganovich and Molotov on the other. Some of the leading issues in this controversy were: Is the destructiveness of nuclear weapons a sufficient deterrent to war? Can a country win a war being the first to strike? Is there profit in such a war? Is "pre-emptive war" to be preferred to "preventive war"? Does the Soviet Union possess a retaliation-proof capability? etc.

Chapter six and seven entitled 'Surprise and the Initiation of War' and 'The Conduct of a Nuclear War' deal with the consequences of the revised Soviet official line on military strategy and planning. The guiding Soviet principle according to the author is the Russian readiness to fight any kind of war no matter what the consequences may be. The Soviet leaders, in the author's opinion, believe that in some circumstances it might be desirable to strike an initial nuclear blow, and they mean to have military establishment suited to that end.

The author's thesis is ably argued and logical. The book is well documented and full of citations from the statements of Russian leaders. There is a detailed bibliography and supplementary notes at the end which further add to the value of the work. But there are certain serious omissions. The author, for example, does not even make a mention of important military concepts like 'indirect approach', 'limited war' and 'protracted war'. The last omission is all the more serious in view of the important contribution made by Mao Tse-tung in this respect to communist technique, and more so because it is inherent in the Communist method itself. Nevertheless, Dr. Dinerstein's work is a welcome contribution to the subject and should be read by all serious students of politico-strategic problems.

A. L. LOOMBA

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 Central News Agency, New Delhi.
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- Chao Kuo Chun, Visiting Professor, I. S. I. S. New Delhi.
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 Parmatma Saran, 2, Mangat Rai Quarters, Chipi Tank, Meerut.

THEORIES OF SOCIAL CHANGE*

By

PANOS D. BARDIS

Systems of thought concerning the patterns of social change were formulated even in very ancient times. It is no wonder, therefore, that by now we have innumerable theories dealing with this subject. Space limitations, however, permit us to present only a brief summary of the most important systems, which may be classified into eight major categories.

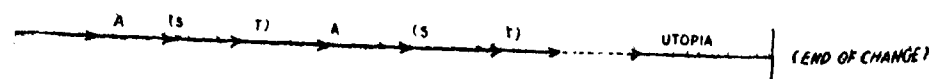
Evolutionism or unilinear social change: According to this group of theories, change follows a straight line, moving from a primitive stage to a more advanced one. Diagrammatically, this may be represented as follows:



The most important representatives of this school are Georg Hegel (*Vorlesungen über die Philosophie der Geschichte*): thesis, antithesis, and synthesis or evolution of the *Geist* moving from an early stage (Orient, where one — the ruler — was free) to the middle stage (classical world, where few were free) and then to the late stage (modern West, where all are free); Auguste Comte: theological, metaphysical, and positive stages; Johann Bachofen (*Das Mutterrecht*, 1861); Sir Henry Maine (*Ancient Law*, 1861): status to contract, or early patriarchal, middle semicontractual, and late contractual; Karl Marx: savagery, barbarism, capitalism, and communism, or exploitation, unrest, revolution, and utopia, or (Hegel's) thesis, antithesis, and synthesis; Sir John Lubbock (*Prehistoric Times*, 1865; and *The Origin of Civilisation*, 1870); Edward Taylor (*Primitive Culture*, 1871): animism, polytheism, and monotheism; Herbert Spencer: militaristic savagery, semi-industrial barbarism, and modern industrial; Lewis Henry Morgan (*Ancient Society*, 1877): promiscuity, group marriage, matrilineal, patrilineal, and bilateral; John McLennan (*The Patriarchal Theory*, 1885); Daniel Brinton (*Religions of Primitive People*); Alfred Haddon (*Evolution in Art*): realistic representation and geometric or symbolic or abstract representation; Sir James Frazer (*The Golden Bough*, 1890); Edward Westermarck (*The History of Human Marriage*, 1891); and Andrew Lang (*The Making of Religion*, 1898; and *Social Origins*, 1903).

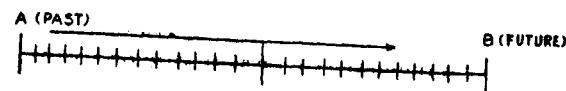
* Section in a forthcoming textbook dealing with the philosophy of education. For an analysis of social change, see Panos D. Bardis, "Change: Definition and Types," *Social Science*, 33 (June, 1958), pp. 172-73.

Discontinued evolutionism: Although Marx was included in the unilinear school — because it is customary to do so — a more careful analysis of his ideas concerning social change convinces us that they constitute a *sui generis* theory, which may be termed *discontinued evolutionism*. In other words, although Marxian evolution is actually unilinear, according to this system, change is also characterized by the additional feature of coming to an end sooner or later and thus ceasing completely. Indeed, Marx's dialectical Materialism may be defined as a "theory of reality affirming continuous transformation of matter and dynamic interconnectedness of things and concepts, and implying social transformation through socialism toward a classless society."¹ Furthermore according to this ideology, "social evolution may be described as a sequence of many theses, antitheses, and syntheses. A thesis is the organization of a given society. An antithesis is the opposition to this organization. And a synthesis is the new organization which results from the conflict between the theses and the antitheses. This synthesis now becomes the new thesis, which is opposed by a new antithesis, and so on until we reach the perfect classless society."² It is interesting to note that Marx himself seemed to believe that his theory was very similar to that of Darwin; for, after having read the British naturalist's *The Origin of Species*, which was published in 1859, he exclaimed enthusiastically: "Nothing ever gives me greater pleasure than to have my name thus linked onto Darwin's. His wonderful work makes my own absolutely impregnable. Darwin may not know it, but he belongs to the social revolution."³ This comparison, however, is very unfortunate, since Marxian social change is of this nature:⁴



While Darwinian evolution is of the *irregular* type (see below).⁵

Dichotomy School: This category includes theories describing not stages but two usually ideal-typical opposite extremes (A and B in the diagram below), one of which represents a mechanically organized past and the other a rational future, while the continuum between these two extremes is subdivided into many degrees in this way:



The most noted dichotomists are Sir Henry Maine (mainly an evolutionist, *Ancient Law*, 1861): from status to contract; Emile Durkheim (*La division du travail social*, 1893): sacred and profane, or *solidarite mecanique* and *solidarite organique*, or *conscience collective* and *conscience individuelle*; Charles Cooley (*Social organization*, 1909): primary (and secondary); Vilfredo Pareto

(mainly a cyclical evolutionist; *Trattato di sociologia generale*, 1916): logical and nonlogical acts; Max Weber (*Gesammelte Aufsätze zur Wissenschaftslehre*, 1922): "ideal types" or mental "spirits": *Kurwille* and *Freiwille*; Ferdinand Tonnies (*Gemeinschaft und Gesellschaft*, 1926): *Gemeinschaft* and *Gesellschaft*; Pitirim Sorokin (mainly a cyclical evolutionist; *Social and Cultural Dynamics*, 1937-41): ideational and sensate, or rural and urban, or familistic and contractual; Robert MacIver (*Society*, 1937): community and association; Robert Redfield (*Tepoztlán, A Mexican Village*, 1930; and "The Folk Society", *American Journal of Sociology*, January, 1947, pp. 293-31): folk society (and urban or modern society); Howard Becker (*Through Values to Social Interpretation*, 1950): sacred and secular societies; and various ethnologists: primitive society (and literate society).

Telic social change: This type of change, being deliberately and consciously aimed at some desirable goal (Greek *telos*), may be diagrammed thus:



The waves in the above line, of course, symbolize various kinds of obstacles encountered while the goal is being pursued.

This pattern of change represents St. Paul's ideas as well as those of the Scholastics. More recently, Lester F. Ward (*The Psychic Factors of Civilization*, 1893; *Pure Sociology*, 1903; and *Applied Sociology, A Treatise on the Conscious Improvement of Society by Society*, 1906), a natural scientist who became the father of American sociology (*Dynamic Sociology*, 1883), spoke of *social telosis*. Optimistically, he asserted that blind change, which is typical of the inanimate world, the animal kingdom, and primitive man, is not inevitable in modern society. On the contrary, modern man is capable of controlling and directing change rationally, intelligently, and effectively for the sake of achieving desirable goals. Such progress, Ward believed, is easier to achieve when science and education are promoted and employed extensively — Dewey based his educational philosophy largely on this idea.

Zigzag social change: Roger Babson's statistical approach may be translated into a line characterized by sharp turns first to one side and then to the other. Such turns indicate sudden variations in social change.



Irregular social change: Like Darwin's⁶ ideas concerning biological evolutions, William Ogburn's (*Social Change*, 1922) theory of social change may

be symbolized by a line of this type:



According to this theory, culture is divided into two categories, namely, "material" culture and "nonmaterial" or "adaptive" culture. The former, Ogburn believes, usually changes first, while the latter is rather slow to respond, thus causing disharmony or maladjustment which he terms "cultural lag."⁷ Forests, for instance, may be destroyed because conservation policies lag behind modern agriculture, new industrial needs may not be met by antiquated educational systems, and traffic regulations may be ineffectual as far as the latest means of transportation are concerned. Cultural lag of a similar nature may also be seen in America's political system. Georgia, for example, still has 159 Lilliputian countries, most of which were created in the days of rather primitive transportation, although today, due to the invention of the automobile, "the state might well be served with only 10 counties, instead of 159."⁸ Similarly, although Chicago's metropolitan area has already become an economic unit, this region consists of 1642 independent governments.⁹

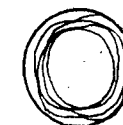
In this interpretation of social change, Ogburn repeats Marx's error (Ogburn's "material-nonmaterial" formulation recalls Marx's "substratum-superstructure," but the two are not identical), since neither the former's "material" culture nor the latter's "substratum" really refer to genuinely material entities. Furthermore, the term "lag" may be employed correctly only with reference to the component elements of either the "material" culture or the "nonmaterial" culture alone, since these two areas differ considerably. Then, the belief that the "adaptive" culture should respond to the usually more rapidly changing "material" culture constitutes a value judgment or a technological bias. Moreover, Ogburn does not seem to place enough emphasis on the fact that the "nonmaterial" culture may result in new forms of "material" conditions¹⁰ (it is not true, however, as some authors believe, that Ogburn, like Marx, considers "nonmaterial" evolution always the result of changes in the "material" culture; on the contrary, while Marx asserted that the "substratum" always evolves first, it is Ogburn's conviction that sometimes "nonmaterial" changes precede "material" ones¹¹). Again, this theory approaches *mono-causationism*, since an important invention, for instance, may be easily accepted, in the light of Ogburn's reasoning, as at least one of the causes of practically all subsequent social phenomena. Finally, in this theory, almost nothing is presented concerning the cause or causes of changes in the "material" culture itself. In spite of the above weaknesses, however, Ogburn may be considered an important pioneer in scientific research dealing with the influence of technology on society.

Spiral social change: According to this theory, which represents the ideas of Ibn Khaldun, Giovanni Vico (*La scienza nuova*, 1725), and Friedrich

Nietzsche, through repeated stages, each of which involves birth, growth, and decline, and each of which is slightly superior to the immediately preceding one, society gradually achieves higher degrees of progress. Accordingly, this conception, being a combination of the telic and cyclical theories, may be expressed by the following diagram:



Cyclical social change: Finally, there is the pessimistic cyclical theory presenting society as an organism (biological analogy), which is born, grows, matures, declines, and then dies to be reborn and go through many new cycles again. This conception may be represented thus:



The most important advocates of this theory are Anaximander, the Pythagoreans, Heraclitus ("the Weeping Philosopher"), Democritus ("the Laughing Philosopher"), Plato, Aristotle, the Stoics (concept of *palingenesia*: rebirth, regeneration), Polybius, Cicero, Proclus, Johann Herder (*Auch eine Philosophie der Geschichte zur Bildung der Menschheit*, 1774), Ludwig Gumplowicz (*Der Rassenkampf*, 1883; and *Grundriss der Soziologie*, 1885), Vilfredo Pareto (*Trattato di sociologia generale*, 1916), Oswald Spengler (*Untergang des Abendlandes*, 1918-22), Corrado Gini (*Demographic Factors in the Evolution of Nations: on the rise and fall of "cultural groups" or "nazioni"*), Arnold Toynbee (*A study of History*, 1933-54), Pitirim Sorokin (*Social and Cultural Dynamics*, 1937-41), and Carle Zimmerman (*Family and Civilization*, 1947; and *The Family of Tomorrow*, 1949: each cycle in the evolution of the family consists of the primitive, trustee, domestic, atomistic, and anarchical types).

Of these, Spengler, influenced by Heraclitus ("pater panton polemos"), on whom he wrote his doctoral thesis, and by Zosimus of Constantinople (*New History*) who, less than a century before the fall of Rome, had predicted the death of that glorious city, denied the existence of linear time and divided world history into eight autonomous "cultural organisms" (Egyptian, Mesopotamian, Hindu, Chinese, Classical, Arabian, Mayan, and Western). Each of the first seven, Spengler believed, began with the stage of "primitivism," achieved maturity during the period of "culture," and finally reached the age of "civilization" which, dominated by wars

and metropolitan centers, led the "cultural organism" to "fellahinism" (from the Arabic *fellahin*: husbandman) or animal-like existence and death. The same cycle, according to Spengler, will also be followed by the West, which will inevitably enter "fellahinism" during the twenty-second century.¹²

With less pessimism, Toynbee, who has been influenced by Paulus Orosius (*Seven Books Against the Pagans*, A.D. 415-18) and, to some extent, by Spengler, considers cyclical evolution the result of God's grace and man's free will (Spengler stressed fate), asserting that "civilization is not an organism. It is a product of wills," while history is "God revealing himself." According to Toynbee, however, at least during the first period of each cycle, the geographical factor constitutes the most important force. Thus, Toynbee underestimates man's role and, furthermore, does not explain how dissimilar historical developments may occur under similar geographical circumstances. At any rate, he attempts to interpret social change in terms of the interaction between two phenomena, which he terms "challenge" and "response." Of these, "challenge" may be environmental ("external proletariat" and, especially while a civilization is rising, geographical conditions) or ideological (conflict between the "internal proletariat" and the degenerating "creative minority," and cooperation between the former and the "external proletariat"). Of course, growth occurs when the "response" is adequate — which is feasible only when the geographical conditions ("challenge") are neither too harsh nor too pleasant. When, however, the "response" level becomes lower than the "challenge" level, the civilization begins to decline and soon dies. On the other hand, when the "response" is merely equal to the "challenge," the result is a "petrified" civilization (e.g., Minoan, Sumerian, and Hellenic). On the basis of this theoretical framework, Toynbee divides world history into several "rabbits," namely, insignificant primitive stages, and over thirty "elephants," that is, important historical periods. Of the latter, only twenty-one, the genuine "civilizations," have undergone a complete cyclical development. Moreover, of these, five were "original" (Egyptian, Sumerian, Chinese, Mayan, and Indic), while the remaining sixteen were derived from the above five. Concerning the Western civilization, which is based on the Roman Empire and the church, Toynbee believes that its death is not inevitable ("I do not believe that civilizations have to die."); for past experiences and the acceptance of God's Law may prove salutary. Our civilization, however, having reached its peak during the Middle Ages and the Renaissance, began to decline in the sixteenth and seventeenth centuries, when due to the nationalistic movements and the religious wars, it became "post-Christian" or "ex-Christian." This decline soon led to the writing of *Das Kapital*, the gospel of a new "Christian heresy." Unfortunately, Toynbee laments, both Communism and the west have denied God, the former deifying the state and the latter apotheosizing the individual or the homunculus. This ideological conflict, he finally asserts, may be reduced only by peaceful

coexistence, for neither Zealotist (after an ancient Jewish conservative party) nor Herodianist (after another Jewish party accepting certain Greek ideals) policies can prove conducive to peace.¹³

Sorokin, a Russian-American sociologist, also influenced by Spengler, conceives of each cycle as a sequence of three stages, which he presents as somewhat ideal-typical structures rather than completely empirical historical phenomena. The first of these stages, which he terms "ideational" (similar to St. Augustine's "*civitas Dei*" with its "*pax aeterna*"), is dominated by religion, ritualism, fideism, spiritualism, and familism. The second or "idealistic," being a transitional or mixed period, places less emphasis on God, while the third or "sensate" (similar to St. Augustine's "*civitas terrae*" with its "*pax terrena*") stresses materialism, hedonism, sensualism, empiricism, behaviorism, contractualism, and the natural sciences. At the present time the West having reached its "ideational" climax during the Middle Ages, is an "overripe sensate social system." Its death, however, Sorokin asserts rather optimistically, is not inevitable and may be prevented by applying the lessons which history has taught us. Thus, his theory is less dogmatic and mystical than those of many other cyclicists. Nevertheless Sorokin tends to be rather selective in his presentation of empirical data supporting his cyclical theory. At the same time, he leaves much of social change unexplained when he merely asserts that, like organisms, civilizations grow and decline because such change is one of their characteristics. Finally, his evaluation of the "ideational" and "sensate" stages is somewhat subjective, since, influenced by his personal biases, he accentuates the positive points of the former and the negative of the latter, instead of dealing with the etiology and genesis of social phenomena more empirically and objectively. Sorokin's impressive erudition, however, has enabled him to contribute considerably to our understanding of social change.¹⁴

In conclusion, we may say that practically all of the above theories of social change, from evolutionism to cyclicism, tend to be mono-causationistic, mystical, speculative, and subjective. Furthermore, their advocates seem eager to verify their hypotheses by presenting selective data which support their *a priori* schemes. Consequently, such efforts are of limited value to the social scientist. Of course, social change seems to be actually characterized by some degree of regularity. At the present time, however, perhaps it would be wiser to place main emphasis on research dealing with the etiology and genesis of individual social phenomena, which, when enough empirical data are available, may facilitate synthesis of a more fruitful nature. The construction of satisfactory supersystems will then be feasible and more justifiable.

¹ Panos D. Bardis, *Ivan and Artemis*, New York: Pageant Press, Inc., 1957, p. 126.

² *Ibid.*

³ *Ibid.*, p. 188.

⁴ T: thesis; A: antithesis; and S: synthesis.

- ⁵ For a critical analysis of Marx's statement, see Bardis, *op. cit.*, pp. 188-89.
⁶ *Ibid.*
⁷ William F. Ogburn, *Social Change*, New York: The Viking Press, 1950, Part IV *et passim*; see also his "Machines and Tomorrow's World", revised edition, Public Affairs Pamphlets, 1946, no. 25; *The Social Effects of Aviation*, Boston: Houghton Mifflin Company, 1946; and "How Technology Changes Society," *Annals of the American Academy of Political and Social Science*, 249 (January, 1947), pp. 81-88.
⁸ William F. Ogburn and Meyer F. Nimkoff, *Sociology*, New York: Houghton Mifflin Company, 1940, p. 891.
⁹ *Ibid.*, p. 892.
¹⁰ See, for instance, Bardis, *op. cit.* pp. 140-41.
¹¹ The writer's interpretation has been confirmed by Dr. Ogburn himself during a recent conversation.
¹² Oswald Spengler, *The Decline of the West*, translated by Charles Francis Atkinson, New York: Alfred A. Knopf, Inc. 1939, *passim*.
¹³ Arnold J. Toynbee, *A Study of History*, London: The Royal Institute of International Affairs, 1934-54, *passim*.
¹⁴ Pitirim A. Sorokin, *Social and Cultural Dynamics*, New York: American Book Company 1937-41, *passim*; see also his *The Crisis of Our Age*, New York: Dutton, 1941; *Socio-Cultural Causality Time, Space*, Durham, North Carolina: Duke University Press, 1943; and *Social Philosophies of an Age of Crisis*, Boston: The Beacon Press, 1950.

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POLITICAL PHILOSOPHY OF DAYANAND

By

VISHVANATH PRASAD VARMA

I. INTRODUCTION

The unique and powerful personality of Swami Dayananda Saraswati (1824-1883) has been a vital force in the present Indian Renaissance movement. He imparted a great impetus to the process of the tremendous upsurge of the spirit — *Geiss* — of India which had long been dormant. He was a personality whose many-sidedness recalls once more the ancient Aryan characteristic of the luminous perfection of the different powers and faculties of a man. The ancient Greeks emphasized intellectual, aesthetic and athletic excellence. The ancient Indians desired power — *virya* and *ojas*, intellect — *dhi*, but at the same time they were worshippers of *Rita* — the immanent cosmic force of moral and spiritual omnipotence. According to the Vedas the development of the powers latent in a man was to be inspired by a supreme spiritual urge. Dayanand tirelessly worked for this recall of the ancient Vedic Aryan spirit. Temperamentally he was a born fighter against injustice. He said: "The world is fettered by the chain forged by superstition and ignorance. I have come to snap asunder that chain and to set slaves at liberty." His conception of man is not that of a Rousseauite enjoying the felicities of nature but of a person bent on vindicating justice and truth and unbent in the face of the most powerful strongholds of tyranny. His own personality was a vindication of this type of manhood. Dayananda was an arch-rebel. He had refused to submit to the authoritarian traditional dictates of his father in the field of religious conscience. He refused to yield to the temptations and frowns of the leaders of Hindu orthodoxy. He refused to yield in his denunciations of the evils of Christianity although the British imperialism was in its triumphant ascendancy in India in those days. He stood for the sanctity and supremacy of the individual in quest of perfect truth. He was a great idealist sponsoring the victory of truth according to his own light. He declared: "The purpose of my life is the pursuit of truth in thought, speech and deed." He laid it down as the fourth principle of the Arya Samaj: "We should always be ready to accept truth and to renounce untruth." A vast Vedic idealism dominated his personality and he wanted to make his own personality the model of the birth of the new Aryan race.

The manifold activities to which Dayananda directed his attention demanded an inexhaustible energy and power and we find him preparing

himself for his supreme work in life for nearly forty years. By a pure and unblemished life of supreme God-devotion he had amassed an amazing store of creative energy which he utilized for the uplift of the nation. He was a Yogi and hence death had lost all terrors for him. His luminous equanimity and spirit of surrender to God in the face of approaching death indicate the inward conquests he had been making throughout his life. His great physical strength was Herculean and his encyclopaedic learning in the fields of grammar, philosophy, religion and Hindu legal and sociological literature reminds one of the universal learning of Plato, Aquinas and Hegel.

Dayananda was a profound Vedic scholar and a social reformer. He has not given us any systematic work in the field of political philosophy. But he is entitled to consideration in a history of Indian political theory for two reasons. First, he prepared the foundations of political independence. His commentaries on the Vedas written in Hindi, his crusade for the uplift of the downtrodden and women and his stress on education gave a new sense of vitality and strength to the Indian people. He sang the glories of Swarajya in the days when the British imperialism was firmly entrenched in this country. Second, he founded a powerful organization like the Arya Samaj which carried on important social and educational work in northern India. The Samaj gave to the country numerous fighters for the cause of independence. Although not a political organization, the Samaj inculcated the sentiments of patriotism. Throughout Northern India the Samaj spread the message of strength, power and freedom. Hence Dayananda and the Arya Samaj occupied important place in the history of Indian nationalism. Romain Rolland says :

"How great an uplifter of the peoples he was — in fact the most vigorous force of the immediate and present action in India at the movement of the rebirth and reawakening of the national consciousness. His Arya Samaj, whether he wished it or not,¹ prepared the way in 1905 for the revolt of Bengal. He was one of the most ardent prophets of reconstruction and of national organisations. I feel that it was he who kept the Vigil."²

2. PHILOSOPHICAL FOUNDATIONS OF DAYANANDA'S POLITICAL THOUGHT

Besides being a bold prophet and social reformer of a very high order Dayananda was a mystic. In contrast to the Kantian and Spencerian agnosticism he preached a fullness of faith in God to be attained by a holy selfless living. Dayananda was a perfect devotee and a theist. He repudiated the Advaita Vedantic distinction between the absolute of metaphysics and the God of theology — impersonal and personal God, like Ramanuja Madhva. The God of Dayananda has all the essence and all the predicative determinations of the Vedantic Brahman and Isvara combined. He believed that in the highest degree of Asamprajnata Samadhi the human ego could realize the trans-cosmic God-head. The God of Dayananda and Ramanuja is not the attributeless Nirgun Brahman but is the reservoir of all noble attributes and hence Dayananda prescribes that one of the ways to the attainment of moral life is the contemplation of the divine attributes.

The highest reality is not a metaphysical unknowable but is to be felt and perceived in a transcendental vision. Hence Dayananda's insistence on Yoga. This mystic side of his character puts him on a different category in comparison with the predominant intellectualism of European Philosophers. Epistemologically, Dayananda is a realist like the Nyaya philosophers. Metaphysically considered he accepts God and Soul as spiritual substances. According to Dayananda there are three kinds of eternal substances. God, Soul and Prakriti constitute the eternal elements. Dayananda was a realist. He believed in an independent eternal Prakriti as did the Samkhyas. But he also postulated a creator God who arranges matter. He believed in the cosmological argument for theism. He also advocated that the manifest immanent teleology and purposiveness of the world substantiates the doctrine of theism. He believed (like Aristotle) that there was cyclic recurrence of periodic creations on the basis of the Vedic authorities — यथापूर्वमकल्पयत् — and refuted the Semitic conception of only one creation as unsatisfying to the logical intellect because it could not explain the rationale moral differences. Dayananda dismissed the Vedantic theories which regard the soul as either one in essence with Brahman, or only partially different from Brahman. He advocated the eternal difference of Soul and God and pointed out that even in the state of Mukti, the soul retained its distinction from Brahman, due to its possessing the "powers of the internal organs". He believed in a theory of return from Mukti — perhaps a new contribution to eschatological thought. His Traitavada, however, is difficult to defend. But it is to be noted that even Ramanuja and Madhva have condemned the Sankarite monism which is lauded so much in Europe (e. g. by Deussen) and India. In modern Europe and America we find a growing reaction against Hegelian idealism and an assertion of realism. In modern monism we find an attempt to do away with the trend of the negation of the empiric phenomena which we get in the older idealistic philosophies, and there is an increasing stress on concrete dynamic monism as in certain neo-Hegelians. These modern developments can be used to substantiate Dayananda's criticism of *mayavada*³

Dayananda's stand was perfect Vedism. He proclaimed the revelatory character of the Vedic Samhitas and wanted to solve the problems of life in accordance with Vedic canons. His seer-vision found in the ancient code of Aryan wisdom the words of God himself and hence his rock-like faith in the Vedas.⁴ We feel that since the days of the Vedic Samhitas there has not appeared in the world any greater protagonist of the Veda than Dayananda. With the zeal and energy of a St. Paul and Luther combined, his whole life was a concentrated dedication at the altar of the Veda. I do not uphold the doctrine which Dayananda proclaimed — that the Veda contains the entire amount of knowledge. But we do acknowledge that the Vedas have something important to say about mysticism, philosophy and social organisation. It is difficult to pronounce a categorical

opinion on the soundness of Dayananda's Vedic researches. Aurobindo also accepts the presence of deepest occult mystic secrets in the Vedic mantras. The prevalence of philosophical and moral wisdom has been recognised in the Veda even by foreign critics. The *Nasadiva* hymn, according to Tilak, formulates the exalted beginnings of monistic idealism. These are indications as to the truth of some of Dayananda's Vedic views although I do not agree with him at all in holding that the Vedas contain the seeds of all knowledge, including the knowledge of science.

3. POLITICAL PHILOSOPHY OF DAYANANDA

Dayananda was not a political philosopher in the accepted sense of the term. He has not written any systematic work in the field of political theory. But he gave expression to political ideas in course of his writings and sometimes in private conversations. In both of his famous books — the *Satyarthaprakash* and the *Rigvedadibhasyabhumi* there is one chapter each devoted to discussions of political ideas. Dayananda has been considerably influenced by the political ideas of the *Manusmriti*. At the time when he flourished India was under the iron rule of British imperialism. Furthermore, the Christian civilization was making inroads upon the old culture of the country. At such a time Dayananda appeared as the aggressive exponent of Hindu revivalism. "It seems certain that the Arya Samaj do fear the spread of Christianity. There is no question that Dayananda feared it....in part because he considered that the adoption of any foreign creed would endanger the national feeling he wished to foster."⁶ But although a great revivalist, Dayananda was also a great patriot. He was intensely attached to India. He regarded it as the land of the celebrated philosophers' stone (*Parasmani*) and the land of gold (*Surarnabhumi*). Hence in his writings he laments the political slavery of the country and even in his commentaries on the Vedic prayers to God, he solicits divine help for the independence of India.⁸ He regretted the slender patriotism of the Prarthana Samaj and the Brahma Samaj.⁷

History records the evil effects of a mere glorification of power. On the other hand a mere absorption into the dazzling heights of the transterrestrial spiritual bliss also has a politically and socially baneful influence. The mighty Buddhist and Vedantic speculative metaphysics could not save the independence of India against Islamic hordes. Dayananda's penetrating vision realised this defect and hence he wanted to adumbrate a framework for the revival of the comprehensiveness of the ancient Aryan spirit. This desire to enshrine the powerful and pure spirit of the Vedic Aryans in place of the weakening structure of the contemporary Indian society and religion gives a novel tone to the mission of Dayananda. He has been called a reactionary. His insistent Vedism is supposed to be an antiprogessivist slogan. But the great energy and enthusiasm that constituted the personality of Dayananda could not rest satisfied with a programme of halt. He was an actionist, not a mere speculative thinker. His Vedism

was meant to provide a necessary inspiring tone to the manifestation of the energy of our country. He was an aggressive champion of "militant Hinduism". Great movements in history often look to the past. The Renaissance and the Reformation looked to Aristotle and to the Bible respectively and the French Revolution looked to the republicanism of Hellas and Rome. Dayananda's Vedic idealism was meant as a key to a programme of action. This idealism has been the saviour of our country in some of her great trials. Indian thinkers have always emphasized inner greatness as a prerequisite for outer hegemony. Hence inspite of numerous alien impacts and invasions India kept the internal torch burning. Dayananda added the impress of his magnificent, pure and creative personality to make this torch burn more powerfully. This idealism was bound to call a halt to all kinds of dull worships of old fetishes and to the crude absorption in the drudgeries of a dependent life. Dayananda fought valiantly against unreasoning superstitions and orthodoxy and wanted to enshrine a life of reason and truth. Dayananda's prophetic gaze revealed to him the titanic strength of the sleeping Indian and he wanted to create a new civilization by the harmonious development of Aryan spirit. He held the defects in the Indian character to be responsible for India's downfall. He wrote in his book *Satyarthaprakash* that India's downfall "is due to mutual feud, differences in religion, want of purity in life, lack of education, child-marriage, marriage in which the contracting parties have no voice in the selection of their life-partners, indulgence in carnal gratifications, untruthfulness and other evil habits, the neglect of the study of Veda, and other malpractices." Action to be successful needs an ideal. Rousseau and Marx have provided the philosophical background to the French and Russian revolutions respectively. Dayananda wanted the triumph of the Vedic Aryan ideal in the world. He said :

"That which is devoid of partiality, which inculcates justice and equality, which teaches truthfulness of thought, speech and deed, in a word, that which is in conformity with the will of God as embodied in the Vedas, even that I call dharma."

The slogan of Universal Aryanisation provides his real place as a world thinker and preacher.

He appeared as a counterpoise to the challenge offered by the Semitic cultures and civilizations. Nehru says :

"The Arya Samaj was a reaction to the influence of Islam and Christianity, more especially the former. It was a crusading and reforming movement from within as well as a defensive organisation for protection against external attacks."⁸

Sometimes it is said that there was a note of prejudice and malice in the attacks that Dayananda made on other religions. It is true that in putting the Bible and the Koran to the scrutiny of the critical, rational enquiry, Dayananda has offended the religious sentiments of the followers of these books but he applied the rational method also to the Hindu and Buddhist religious and philosophical works. He says :

"Though I was born in Aryavarta (India) and still live in it .. yet just as I do not defend the falsehoods of the religions prevailing in this country but expose them fully.. in like manner I deal with the religions of other countries and their supporters. I

treat the foreigners in the same way as my own countrymen so far as the elevation of the human race is concerned. It behoves all men to act likewise."

He wanted his own programme of dynamic powerful spiritualism to spread over the world. Hence his programme of Aryan Renaissance had a twofold aim. First, it was meant to create a powerful vigorous race in India which would not submit to the defeats of 1857 (which the Swami had seen). Dayananda clearly saw the decadence of the contemporary Indians in social cohesion and moral living. Behind the political downfall of India he found the operation of the lack of social character. He frankly stated that the British rulers in India had "superior social efficiency, better social institutions, self-sacrifice, public spirit, enterprise, obedience to authority and patriotism" and he urged upon the Indian people the supreme necessity of the reformation of their individual and social character. In the scheme of Dayananda, character was the indispensable basis of social and national regeneration and emancipation. Secondly, Dayananda wanted a band of people who would preach throughout the world a gospel of purity and peace.

Dayananda was an advocate of the Varnashrama dharma. He bitterly criticized the iniquities associated with the caste system as practised in India. There were tremendous evils associated with the criterion of birth as the determinant of one's caste. Hence Dayananda advocated that one's Varna was to be determined in accordance with one's psychological dispositions, qualities and actions. This idea of Dayananda was revolutionary indeed. It was a death-blow to the notion of superiority conferred by birth. His own criterion of Varna on the other hand was democratic indeed. According to Dayananda, the theory of the four Varnas based on an occupational criterion provides a good solution of many social and functional conflicts. The criterion of Varna-belongingness was not birth but the psychological capacity to perform a particular function. In the social life of India Dayananda's democratic idealism was shown by his placing merit in place of birth. The occupationally stratified social system has also been advocated by Plato and Aurobindo. If the doctrine of the four ashramas is followed a well-directed restraint can be put upon the exaggerated display of the instinct of competition. But I am very doubtful of the efficacy of the Varna theory as a principle of social stratification in India since it is suffused with centuries old historical conservatism and traditionalism. Hence although I agree with Dayananda in his theory of ashramas I strongly differ from him in his theory of the varnas.

Dayananda was very fearless and always stressed fearlessness or Abhayam as a moral virtue. Only fearlessness, in its political shape, becomes the force which stands against oppressions of despotic imperialism. Fearlessness is the basis of a consciousness of human right. Dayananda wrote in the *Satyarthaprakash*:

"He alone is entitled to be called a man who possesses a thoughtful nature and feels for others in the same way as he does for his own self, does not fear the unjust, however

powerful but fears the truly virtuous, however weak. Moreover, he should always exert himself to his utmost to protect the righteous, and advance their good, and conduct himself worthily towards them, even though they be extremely poor and weak and destitute of material resources. On the other hand, he should constantly strive to destroy, humble and oppose the wicked, sovereign rulers of the whole earth and men of great influence and power though they be. In other words, a man should as far as lies in his power, constantly endeavour to undermine the power of the unjust and to strengthen that of the just. He may have to bear any amount of terrible suffering, he may have even to quaff the bitter cup of death in the performance of this duty, which devolve on him on account of being a man, but should not shirk it."

Dayananda was intensely attached to freedom. His whole being yearned for freedom. It was in quest of emancipation of the soul that he had left his parental home. He had refused to bear the burdens of a married life and taken to Sanyasa. He conceived of the human soul as a free agent although for the fruits of its actions it was dependent on God. Dayananda categorically laid it down that the human being was free in its choice of means and technics suited to his own development but was subservient so far as actions having reference to the society were concerned. This distinction reminds us of Mill's distinction between self-regarding and other-regarding actions.⁹ Dayananda laid down the ninth and tenth principles of the Arya Samaj thus:

"Not to be content with promoting one's own happiness or well-being but to consider one's welfare only in the welfare of all.... To have due regard to one's own individual freedom and development with the ultimate object of promoting general weal; or, in other words, subordinating, disciplining and developing self so as to promote social welfare."

Dayananda heralded the intellectual freedom of the human mind by subjecting the sacerdotal literature of the different religions to an independent and vigorous criticism, not making any concession even to the amazing heights of the Buddhist nihilism and the Vedantic idealistic monism. By proclaiming the rational freedom of the human mind, indirectly he became the ground-maker of a powerful movement of Indian politico-economic emancipation. Hence his disciples like Shradhdhananda and Lala Lajpat Rai laid themselves as martyrs at the altar of the country. Dayananda's cult of Swadeshi, carried forward in all domains had a tremendous political implication. He wanted the revival of the Vedic educational system — the Gurukul system. As a great champion of social justice he taught the rehabilitation of the socially and economically down-trodden. Hence Jayaswal says:

"The Sannyasi Dayananda gave freedom to the soul of the Hindu, as Luther did into the European. And he forged that freedom from inside, that is from Hindu literature itself.... Dayananda was not only the greatest Indian of the nineteenth century.... In the nineteenth century there was nowhere else such a powerful teacher of monotheism, such a preacher of the unity of man, such a successful crusader against capitalism in spirituality."¹⁰

Dayananda did not take any active part in politics but he was passionately attached to India.¹¹ He referred in burning words to the glories of Swarajya. His place as a prophet of nationalism is seen in his formulation of the powerful slogan of independence or Swarajya looking

to the magnificent past. He condemned Duryodhana because the latter was responsible for that Mahabharata War since when the decline of Aryavarta began. The Kauravas and Pandavas and Yadavas came to an end because of mutual dissensions. He adhered to the slogan famous in the nineteenth century that good government, howsoever good, is no substitute for self-government. He says in the sixth chapter of the *Satyarthaprakash*: "Foreign Government, perfectly free from religious prejudices, impartial towards all the natives and the foreigners — kind, beneficent and just though it may be — can never render the people perfectly happy." According to Dayananda's philosophy of history in ancient days there was prevalent throughout the world Aryan Chakravarti monarchical imperialism.¹² To a decadent and prostrate people he gave the new slogans of *Chakravarti Samrajya*¹³ and *Swarajya*. There is some truth, therefore, in the remarks of a rather unsympathetic critic, Valentine Chirol:

"The whole drift of Dayananda's teachings is far less to reform Hinduism than to range it into active resistance to the alien influences which threatened, in his opinion, to denationalize it."

After the death of Swami Dayananda, the Arya Samaj continued the propaganda in favour of the superiority of the old Vedic culture. The intensity and vehemence with which the Samaj taught the gospels of strength, purity, freedom, self-reliance as vindicated in the Vedas generated an attitude of self-assertion. Although the Arya Samaj was not a political association and it meticulously avoided as a body all activities of a revolutionary and seditious nature, yet it became the herald of the sentiment of patriotic nationalism in the minds of young Indians. As Swami Shraddhananda (the former L. Munshi Ram) and Ramdeva point out in their work *The Arya Samaj and its Detractors*:

"When, therefore, the Arya Samaj sings the glory of ancient India — the land of expositors of Revealed Learning, the sacred soil where Vedic institutions flourished and put forth their choicest fruits, the holy country where Vedic Philosophy and Vedic Metaphysics attained their highest development, the sanctified clime where lived exemplars who embodied in their conduct the loftiest conceptions of Vedic ethical teachings — the health-forces of nationalism receive an impetus, and the aspirations of the young nationalist who had persistently dinned into his ear the mournful formula that Indian History recorded the lamentable tale of continuous and uninterrupted humiliation, degradation, foreign subjection, external exploitation, etc., feels that his dormant national pride is aroused and his aspirations stimulated. So patriotism, which is the handmaiden of Vedicism, is lofty, inspiring, vitalizing, unifying, tranquillizing, soothing, bracing and exhilarating."

Dayananda not only taught the supremacy of Swarajya, he also fostered the rise of Indian nationalism by the impetus he gave to the vernacular movement. Although a profound Vedic and Sanskrit scholar and although by birth a Gujarati, Dayananda wrote his famous work *Satyarthaprakash* in Hindi. It was certainly a great day in the intellectual history of India when Dayananda sat down to write commentaries on the Vedas in Hindi. By making the Vedic wisdom which had so long been the monopoly of ecclesiastical groups available in Hindi, Dayananda initiated

a force of great significance in the body politic of India. The non-Brahmin sections received a new sense of intellectual self-confidence. After the death of Dayananda, his disciples continued their work of preaching through the medium of Hindi. Just as the growth of Italian, German and French Languages since the Renaissance gave an impetus to the growth of nationalism in Europe, so also the writings and preaching of Dayananda and his disciples gave an impetus to the growth of Indian nationalism.

Dayananda's political philosophy represents a synthesis of the ideas of the *Manusmriti* and the Vedas. From the *Manusmriti* he adopts the conception of a monarchy thoroughly rooted in obedience to Dharma. Manu had championed the notion of a conquering monarch who rules in conformity with Dharma and with the help and cooperation of the ministers. The ideal sketched in the *Manusmriti* has some resemblance to the ideal of philosophical kingship practised by Joseph II of Austria and Frederic II of Prussia. But in the Vedas there are references to assemblies and the election of the king. Dayananda stresses the element of election. The king, he interprets to be, a president of the assembly. According to Dayananda the wisest and most learned among the members of an assembly was to be elected the king or the president.

Dayananda was a democrat. His attachment to the concept of democracy is proved in two ways. First, the organizational structure of the Arya Samaj founded by him was based on adherence to the principle of election. From the bottom to the top, the persons who were to function either as office-bearers or as members of some boards or councils were elected. The introduction of the principle of election was a revolutionary step in the Hindu religious system. The authority of the Brahmin class in Hindu society is based on traditional sentiments. But now in the Arya Samaj authority in a socio-religious body was made a function of election. Secondly, Dayananda, supported the resort to the democratic principle of election in the various bodies recognized by him as legitimate organs of government in the sketch given by him of an ideal polity. He outlined the structure and functions of three bodies — the *Dharmayasabha*, the *Vidyayasabha* and the *Rajayasabha*. These bodies were to adhere to the concept of checks and balance. Dayananda says:

"It means that no single individual should be invested with absolute power. The King, who is the President of the Assembly and the assembly itself should be inter-dependent on each other. Both should be controlled by the people, who in their turn should be governed by the Assembly. . . . When people become wicked and unjust, they are absolutely ruined. Let a nation, therefore, elect the most learned men, as members of the Educational Assembly, the most devout men, as members of the Religious Assembly and men of the most praiseworthy character, as members of the Legislative Assembly; and let that great man in it, who possesses most excellent qualities, is highly accomplished and bears most honourable character, be made the Head or President of the Political Assembly. Let the three Assemblies harmoniously work together, and make good laws, and let all abide by those laws. Let them all be of one mind in affairs that promote the happiness of all. All men should subordinate themselves to the laws that are calculated to promote general well-being; they should be free in matters relating to individual well-being."¹⁴

Dayananda visualised a political system which will have the essence of democratic idealism although the external mechanism of it is monarchical. He strongly pleads for the construction of a vast commonwealth with the village as the unit. It is remarkable that earlier than Gandhi, Dayananda witnessed the decline of the village polity and economy and on the basis of the *Manusmriti* he advocated the idea of making the villages integrally connected with the administrative mechanism. He says in the *Satyarthaprakash*:

"Let him, therefore, have an administrative office in the midst of two, three, five and a hundred villages, wherein he should keep the required number of officials to carry on government business. Let him appoint an official to carry on government business. Let him appoint an official at the head of one village, a second one over ten such villages, a third one over twenty, a fourth one over one hundred villages, and a fifth one over a thousand such villages.¹⁵ Let the Lord (i. e., the Administrator) of one village daily apprise the Lord of Ten privately of all crimes committed within his jurisdiction and the Lord of Ten submit his report to the Lord of Twenty. Let the Lord of Twenty notify all such matters to the Lord of one Hundred every day and the Lord of one Hundred to the Lord of one Thousand, in other words, five Lords of Twenty, to a Lord of one Hundred, ten Lords of a Hundred, to a Lord of Ten Thousand, and the Lord of Ten Thousand to an Assembly which governs the affairs of a hundred thousand townships and all such Assemblies to the Supreme International Assembly representing the whole world. Over every ten thousand villages let him appoint two presiding officials, one of whom should preside over the Assembly, whilst the other should tour all over the country and diligently inspect the work and conduct of all the magistrates and other officials"¹⁶.

But although Dayananda was a mystic and a Sannyasin and although on the basis of the *Manusmriti* he advocated the authorities of the Rishis trained in the Vedas in political matters, he was not a pacifist. He did not prescribe absolute adherence to the concept of non-violence. He sanctioned penalties to the criminals. He would not shed tears if a robber would be executed by the authority of the state. In some of the vedic hymns God is prayed for help in defeating those who transgressed the canons of justice. But although Dayananda advocated the principle of "due violence" and was never on principle attached to the concept of absolute non-violence like Gandhi, nevertheless in his personal life he adhered to non-violence because he was a Sannyasin. Several times he forgave wicked men who tried to injure him physically. He demonstrated supreme forgiveness when he pardoned the person who had administered to him fatal poison. But Dayananda was a realist and hence he thought that no society or polity could be built on absolute adherence to the creed of Ahimsa.

Dayananda advocated national patriotism but in his own life he seems to be an anarchist accepting only the authority of God and not of any temporal power. Dayananda, however, never contemplated the destruction of the state. He never visualised a political system characterized by the absence of coercion. But as a Sannyasin, in his own personal life we find that he regards God as the only suzerain. This idea is remotely parallel to the conception of the Natural Law school in medieval Europe which interpreted natural law as superior to the reigning monarch. When a choice

will have to be made between obedience to the laws of God and the laws of the political superior, Dayananda would be categorical in his adherence to the former. He accepted the universal sovereignty of God and was unequivocal in his supreme loyalty to it. He says:

"Let all understand, 'We are the subjects of the Lord of the Universe — the king of kings. He is true king and we are all his humble servants.' May we in this world, through His mercy, be privileged to occupy kingly and other high offices and may He make us the means of advancing His Eternal Justice."¹⁷

Dayananda did believe in the literal revival of Vedism in modern India. But his vision was not confined to the geographical horizons of the country. He claimed that although he was born in Aryavarta and lived there, he stood for the emancipation of man. He did not believe in any body's bondage. Thus we can find traces of internationalism also in Dayananda's teachings. He wrote:

"The primary object of the Samaj is to do good to the whole world by bettering the physical, spiritual and social condition of humanity.' (*Principles of the Arya Samaj of Lahore*, revised in 1877). 'I believe in a religion based on universal principles and embracing all that has been accepted as truth by humanity and that will continue to obeyed in the ages to come. This is what I call religion: Eternal Primitive Religion (for it is above the hostility of human beliefs).... That alone which is worthy to be believed by all men and in all ages, I hold as acceptable.' (*Satyarthaprakash*)

Besides the Arya Samaj, Dayananda also established a philanthropic association — the *Paropakarini Sabha*. It was put under a committee of twenty three trustees. It had threefold duties to perform: (i) to spread the knowledge contained in the Vedas and the Vedangas, (ii) to send missionaries and to establish missions in all parts of the world for teaching the Vedic Dharma to people and to preach that truth should be adhered to and untruth renounced and (iii) to give protection and true education to the orphans and the indigent inhabitants of India. Dayananda felt the supreme urgency of the emancipation of the depressed and fallen sections of Indian society but he was also intensely keen about the spread of the pure faith of the Vedas in the world. He was a great champion of the concept of world brotherhood. But his internationalism did not visualise any idea of the political federation of the nations of the world. It was the romantic internationalism of a preacher and prophet who dreamt of the dawn of a day when the entire world would adhere to the teaching of the Vedas.

4. CONCLUSION

Dayananda's insistence on the independent reality of the world has a very great national importance. His plan and programme of social reform and rehabilitation has come to be the precursor of national political progress in modern India. His gospel of the equal rights of all (including the untouchables and the peoples of all the world over) to receive the Vedic gospel and to participate in Vedic studies also has a great national meaning.

Dayananda was a great maker of the Indian nation. He will be revered as one of the supreme architects of modern India. He infused a new faith

and renewed self-confidence in the Hindu people. Due to centuries of foreign domination the Hindu people had lost their personality and being. Dayananda boldly asserted the supremacy of the old Vedic wisdom. His gigantic championship of Indian wisdom at that time produced amazing results. The Hindu people learnt to assert themselves. They got a new vision and a new pattern to mould their lives upon. Dayananda's influence in the Panjab was tremendous. Perhaps it may not be an exaggeration to say that he was the spiritual father of the Panjab nationalism. His influence in the U. P. was also considerable. After his passing away the mission of his life was carried on by his followers in the Arya Samaj.

Dayananda preached the glories of Vedic Swarajya. He wanted the freedom of the country but he could not at that time openly condemn the British imperialistic power. Hence he was content with stressing the theory of Swarajya. Swarajya as conceived in the Vedas signified a regime of peace, prosperity, freedom and abundance. It could be maintained only by a sense of organic and mutual cooperation and unity. By inculcating the theory of Swarajya Dayananda was preparing the foundation of future independence. He provided a concept round which people could organize themselves and concentrate their energies. Later on in 1916 Lokmanya Tilak proclaimed in prophetic and leonine tone : Swarajya is my birth-right.

Dayananda indirectly also prepared the foundations of an independent political life. He stressed the values of character-building, moral education, purity and chastity. He embodied these values in his own personal life and hence his teachings caught the imagination of the people. Throughout northern India Dayananda's life and character have left indelible marks on the lives and thought of people.

Dayananda did not have any training in western knowledge. He was a product of Sanskrit learning. Although his nationalism appealed to the western-educated Indians, his being a Rishi and a Sannyasin influenced the masses. Dayananda taught and lectured in the Hindi language and this enabled him to reach the Indian masses. Much earlier than Mahatma Gandhi, Dayananda was the first mass leader in Indian history. In the eyes of the Indian masses Dayananda appeared as another Samkara.

It is very true that Dayananda did not stand for all-India nationalism as we understand it today. He took his stand on the Hindu scriptures and his influence was confined to Hindu sections. There are instances to prove that the Moslem sections looked upon him with hostile feelings. But the Hindu nationalism which received impetus from the life and teachings of Dayananda has been the dominant element in Indian nationalism. Nationalism postulates the strengthening of the associational bonds of social and political existence. It means the transcendence of local and egoistic attachments and preferences. Hence even if Dayananda stood for Hindu solidarity, he was strengthening Indian nationalism because if the Hindus could become organized they could fight the British political power.

There have been two interpretations of the career of Dayananda. One school regards him as a mighty protagonist of Hindu solidarity and also possibly an opponent of Moslem theology and Christian domination. The other school would consider him a Vedic universalist who wanted to champion the cause of Vedic teachings in the world and was not concerned with the immediate interests of the Hindu community. Some of the immediate disciples of Dayananda considered the Arya Samaj to be separate from the Hindu community. I think that there is no evidence to show that Dayananda ever contemplated separation from the Hindu community. He wanted the restoration of the Vedic faith. He was born a Hindu, lived amongst Hindus, was the disciple of a Hindu Sannyasin and his Arya Samaj movement was financed by Hindus. Neither is there any evidence to show that he was opposed to the political and economic interests of the Moslem community. His opposition was mainly to the irrational statements contained in the different scriptures of the world. It is certainly true that the energy and enthusiasm emanating from the personality and teachings of Dayananda have strengthened the cause of Hindu solidarity, but Dayananda himself did never think in terms of Hindu solidarity as opposed to the interests of the other communities living in India.

Consciously Dayananda taught only two things. First, occasionally in his writings he refers to the concept of Swarajya and feels sorrow at the condition of India in bondage. Secondly, he was a prophet of Vedic wisdom and cherished the triumph of Vedicism in the world. His own missionary activities and the activities visualised for the Arya Samaj by him were meant to enhance the physical, social and spiritual betterment of the world.

Dayananda accepted the Vedas to be the fount of scientific and metaphysical knowledge. It is one of the prime concepts of Vedic culture that political authority — *Kshatras* should be added by *Brahma* — spiritual and moral authority. Hence Dayananda put the primacy on moral renaissance. He could never sanction any isolation of political considerations from moral considerations. He always pleaded for the guidance of the political rulers by the spiritual leaders. He would always suspect a nationalism based only on secularistic and materialistic considerations. A political motivation removed from the consideration of the good of mankind would repel him because he adhered to the famous Sanskrit maxim — “good people use their power for the cause of altruistic philanthropy.”

Dayananda was a profound scholar and a man of original insight. He prepared the moral and intellectual foundations of independence. He revived the Vedic concept of Swarajya. His stress on the integral connection of villages with the central commonwealth is a great contribution to the theory of government. But his uncompromising Vedicism is not acceptable to the modern mind. He was a great patriot but he was exaggerating the range and depth of ancient Hindu political science when

in his *Satyarthaprakash* he regarded the political ideal contained in the Veda, the *Manusmriti*, the *Mahabharata* and the *Sukraniti* as complete and perfect. I believe in the possibility of an integral comprehensive system of political philosophy constructed on the foundations both of Eastern and Western knowledge. The extreme Vedicism of Dayananda prevented him from appreciating the truths contained in the writing of Western social and political philosophers.

Dayananda is honoured for being a profound Vedic scholar, a great social reformer and a man of immense personal purity. His services to the theory and practice of Indian nationalism are also being recognized. But I would put great stress on his democratic idealism. He has futured the cause of democratic theory and practice in three ways. First, as a social thinker he substituted birth (*jama*) as the criterion of one's station in life by merit (*guna, karma and swabhava*). Secondly, he founded the organisational structure of the Arya Samaj on the democratic principle of the election of representatives. Thirdly, for his ideal polity also he accepted the democratic theory of election. Hence although Dayananda was not a political theorist in the technical sense of the term he is entitled to consideration in a history of Indian political philosophy. St. Paul, Luther and Calvin were not political theorists either but because they advocated certain views and principles which had enormous influence on subsequent thought, practice and movements, they are given place in a history of European political thought. Swami Dayananda not only initiated a powerful movement of Vedic revivalism and social reform but the Samaj founded by him has provided to Indian political movement numerous leaders and followers. He championed the cause of rationalism and freedom in theological and social problems. It is true that his rationalism was not the utter declaration of the emancipation of the human intellect from the chains of theology but he took a great step in proclaiming that not faith but reason was to be the judge in religious matters. He thus became the arch prophet of freedom in India. The dawn of at least partial rational freedom in the domains of social thought and theology became the foundation of freedom in matters political. Hence Dayananda will have an important place assigned to him in the history of Indian political philosophy.

¹ "He forbade it in public; he always claimed to be non-political and non-anti-British. But the British Government judged differently. The Arya Samaj found itself compromised by the activity of its members."

² R. Rolland, *The Life of Ramakrishna* (Almora, 1944), pp. 157-158.

³ Cf. the criticisms of Mayavada by Tagore and Aurobindo.

⁴ Sri Aurobindo, *Bankima—Tilak—Dayananda*. In this book Aurobindo accepts a national instinct in Dayananda's Vedism.

⁵ Mr. Blunt, in the *Census Report* of 1911, Quoted in Lala Lajpat Rai, *Arya Samaj*, pp. 168.

⁶ Dayananda, *Aryabhivinaya*.

⁷ *Satyarthaprakash*, chap. xi.

⁸ Jawaharlal Nehru, *The Discovery of India*, pp. 378-379.

⁹ The terms that Dayananda uses are (i) *Hitakari*, and (ii) *Samajika Sarvahitakari*.

¹⁰ K. P. Jayaswal, *Dayananda Commemoration Volume* pp. 162-163.

¹¹ Dayananda had a tremendous love for the country. He used to call India as Aryavarta. He lamented the absence of undivided (Akhand), independent (Swatantra) self-controlled or self-governing (Swadhina) and fearless (Nirbhaya) rule in India.

¹² According to Dayananda, from the beginning of creation till about 3000 B.C. throughout the world there prevailed the universal sole overlordship of the Aryans. In other countries there were only Mandalikas or small kingdoms.

¹³ This Chakravarti Samrajya as conceived by Dayananda was not a Hindu parallel of Western imperialism for domination but was to be based on obedience to the laws of God and was to preserve true justice.

¹⁴ *Light of Truth* (English translation of the *Satyarthaprakash* by C. Bharadvaja) pp. 162-163.

¹⁵ "In other words, the present system of having a Surveyor (Patwari) in one village, a branch Police Station for every ten villages and a head Police Station over two branch stations, a Tahsil over five such Police Stations, a district over ten such Tahsils, and so on, has been borrowed from our ancient system of Government as taught by Manu." (p. 178, *Light of Truth*)

¹⁶ *Light of Truth*, p. 178.

¹⁷ *Light of Truth*, chapter vi, p. 202.

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THE STATE AS CONCEIVED BY THE IDEALIST THINKERS

By

SISIR KANT BHATTACHARJEE

It is more or less accepted that Aristotle was right when he asserted long ago that "man is by nature a political animal"¹. Man must live in some sort of political and social organisation. If anyone claims that he is self-sufficient and does not require the help of anybody he must be "either above humanity or below it"², that is he is either a God or a beast and surely we are not concerned with him. And largely for this reason we cannot accept the romantic dream of Rousseau about going back to the state of nature despite the fact that the statement, "Man is born free, but he is everywhere in chains"³ contains some truth. The basic fact then must be recognised that we cannot live outside or without the state.

The study of the state is so important that some thinkers have gone to the extent of asserting that the study of Political Science begins and ends with the state. From the days of the Greek philosophers down to the present day numerous political thinkers have given various opinions, regarding the nature of the state. Oppenheimer consider the state as an "Organisation of one class dominating over the other classes". Machiavelli, Hobbes and Treitschke considered the state as a power system. While thinkers like Grotius, Athusius and other considered it to be a welfare organisation. But no school of thought has given such a lofty place to the state as has been given by the Idealist thinkers. They have developed a philosophy which "idealises the state and glorifies it almost to the point of deification, which tend to regard it as an end rather than means"⁴. To understand properly this line of thought must go back to the Greek philosophers viz., Plato and Aristotle. Aristotle commented that the nature of the state was to be self-sufficing and that the "state comes into existence, originating in the bare needs of life and continuing in existence for the sake of a good life",⁵ He considered the state as the highest community embracing all the other and it in his opinion aimed "at the highest good." This view was also supported by Plato. The citizens, according to the Greek thinkers; prior to the rise of Alexander, could not think of a life outside, against or beyond the city state. And the only relation the Greeks could think between two states was a relation of hostility. Both of these ideas strongly influenced the later idealist thinkers like Hegel, Treitschke and Bosanquet. Plato's idea of the organic nature of the state also influenced the modern idealists. The identification of the state with society as conceived by the Greek philosophers has also left a deep impression on the idealists

specially on Bosanquet. Modern idealist thinkers cannot forget their indebtedness to Rousseau. The greatest paradox regarding Rousseau is that he began with a rather defiant attitude towards power of the state in the first line of his epoch making book Social Contract but strangely enough ended with conferring almost absolute power upon the state. He did not consider the state merely as a legal organisation but an association which could raise a man to his moral perfection. The membership of the state according to him makes man "an intelligent being and human." The state is the embodiment of general will and hence by becoming a member of the state man can attain his moral liberty. "In developing their theories both Kant and Hegel start from the Rousseau's conception of moral freedom as the peculiar and distinctive quality of man and both consider the state in its relation to this freedom."⁶

Whenever we are going to consider the ideas of modern idealist thinkers we are to begin with Immanuel Kant. Kant maintained that the state is 'all powerful omnipotent and omniscient in addition to being divine. All the authorities of the state have come from God. Therefore in his opinion the obedience to such a state was the most sacred duty of the individuals and in this respect the citizens need not bother about the legitimacy of the rulers who happen to rule at a particular time. Man is to obey the state without question of this sort because the "State realises a holy and divine idea." Kant could never think of disobedience of the authority of the state in any circumstances. He prescribed blind support for the state without questioning the nature and function of it. "Kant's horror of revolution was so great that he preached a stagnation, says Vaughan, which even Burke would have regarded as excessive yet when revolution occurred and a legitimate government was displaced by one established through violence, so superstitious was his veneration for authority that he considered obedience to it duty because, although founded on revolution, it realised the idea of the state"⁷ Kant advised that whenever a state is not pursuing a policy which can help men attain their moral freedom or ennoble their character the citizens may not give their 'cordial' support to the State but support or obedience they must give however unwilling it may be. So he said, "grumble, but obey." The importance and the necessity of the state is so paramount that the question of revolution does not arise at all. However, it should not be lost sight of that Kant differed from Hegel and other idealists on many points. He was not so dogmatic in his idea of absolute state as Hegel. It has been argued that Kant's philosophy has marks of individualism in some respects. State according to Hegel is an end in itself. Spirit can reach its highest point only in and through the state, for, said Hegel, the state is the highest expression and "final embodiment of spirit on earth". Kant on the other hand believed that the individual and not the state is the end. The state is the means. In his opinion the natural tendency of man is egoistic and hence the state is to help man by creating

the conditions favourable to the enjoyment of moral freedom. The state may use force with justification to remove the hindrances to freedom. The force used by the State "has a sort of sacred import, for it represents force consecrated to the assertion and expansion of final good which are spiritual, moral and rational"⁸ Kant was influenced by Rousseau in his idea about the nature of the state. "The state", argued Barker, "he (Kant) conceives as in its nature a contractual body, and far from exalting the control of the state over the individual, he emphasises the necessary subordination of the state to the ideal of a permanent peace in Europe, and advocates a federal league of nations, each subject to the adjudication of the general collective will"⁹.

The most important contribution to the idealist theory of state has been made by the German philosopher Hegel. Hegel did not believe in the contractual nature of the state, for contract is related with the domain of mere law and is generally concerned with property. In the state the outward self of man has been raised, according to Hegel, to his inward self of thought. "The state must be envisaged in terms neither of law nor of the morality of individual conscience but in terms of social ethics."¹⁰ In the opinion of Hegel the state is the "reality of the ethical spirit". It is the manifestation of the 'Self-conscious, substantial will of man, thinking and knowing itself, and suiting its performance to its knowledge'. Freedom according to Hegel is the product of society and it is active and developing. It expresses itself in various ways, in laws, in inward morality etc. By obeying the state man can enjoy freedom. Freedom is the most important discovery of modern times. Hegel criticised the Greeks because they supported slavery in the state that means a denial of freedom to a section of the population. By freedom Hegel meant the development of the spirit. The development of history is the development of freedom. History finds its final end in the nation-state and the spirit is eventually embodied in it. The state thus becomes the "actualisation of freedom. To obey the state is to be free and man can enjoy his real freedom when he identifies himself perfectly with the state. The state is perfected rationality an 'absolute fixed end in itself. Since the state is not a means but an end and since it is the rational ideal in historical development it is the "truly spiritual or intelligent element in civilisation". As the state is reason objectified the individual can realise his true self and ethical quality only by being a member of the state and obeying its command and precisely for this reason the claims of the state upon the individual is of paramount importance. "Hence the romantic idealisation so typical of Hegel's description of it as the absolutely rational, the divinity which knows and wills itself, the eternal and necessary being of spirit, the march of God in the world"¹². The state is also conceived to have a personality and will apart from and above the individuals composing it which is called the "General Will" and it is not merely a bundle of individual wills. By identifying general will with the will of

the State Hegel places the actions of the State beyond reproach, for one of the most important characteristics of the general will is that it never errs. Hegel thus makes the actions of the state infallibly just. So if an individual finds his will in conflict with that of the state he may rightly be "forced to be free". He is here guided by some narrow and selfish interest; he does not know his own mind. Moreover if we accept the fact that the state is the objectification of reason, to disobey the dictates of the state would be quite foolish, for it will then mean "reasoning against reason". From this point it further follows that the individuals can have no real right against the state. The problem which Spencer faced later viz. *Man Vs the State*, was unthinkable to Hegel. For rights are derived from the state and state is an end in itself, it is the unity of objective and subjective freedoms. From Hegel's idea of the personality of the state and of real rights the state has been regarded as "a self-conscious ethical substance and a self-knowing and self-actualising individual". Joad has drawn three paradoxical conclusions from this conception:

(1) the state can never act unrepresentatively. Thus the police man who arrests a burglar and a magistrate who locks him up, are really expressing the burglar's real will to be arrested and the policeman and the magistrate reflect the real will of the thief. "There is in fact a complete identification between law and liberty, real liberty only being attained in and through obedience to law".

(2) The bond which binds the individuals to each other and to the state as a whole forms an integral part of the personality of the individuals. And hence no one can act as an isolated unit but only as an integral part of the state. Thus during the time of rebellion a man rebelling against the state is not guided by a will different from that of the state but in fact it is obtained from and is continuous with the state's will. That is, argued Dr Bosanquet, during the time of rebellion the state is divided against itself.

(3) The state contains within itself and represents the social morality of all its citizens. But from this it should not be understood, to quote Joad, "that the state is itself moral or that it is bound by moral relations in its actions"; for moral actions imply existence of more than one party, but according to the conception of the idealists there can be no other party besides the state which compares all the parties.¹³ The state is thus neither bound by morality nor international law in its dealings with other states. Hegel did not accept the existence of international law since there is no superior power to the state that can control or guide the state. From all these no one can resist the Hegelian state to become perfectly absolute, omnipotent and infallible. In war the utilitarian nature of society is obviously subordinated. "The state of war", said Hegel, "shows the omnipotence of the state in its individuality, country and fatherland are then the power which convicts of nullity the independence of individuals". It may be mentioned here that Kant's idea as expressed earlier

differs fundamentally from that Hegel and Bosanquet regarding the place of the *vis-a-vis* international law.

However powerful and omnipotent the State may be it need not be feared for it is the crystallisation of social morality. There is also a halo of divinity about it. It is the Divine Idea", writes Hegel, "as it exists on earth", "it is the divine will as the present spirit unfolding itself to the actual shape and organisation of the world".¹⁴ And hence "all the worth which the human being possesses — all spiritual reality he possesses only through the State".^{14a} In the opinion of Garner Hegel's state is a God-state,"—incapable of wrong, infallible, omnipotent and entitled to every sacrifice which its interest may require of the individuals". By virtue of its transcendent character of the sacrifice and devotion which it has a right to demand, it elevates and ennoble the individual, whose tendency is to become selfish and self-centred and carries him back into the life of the universal substance".

As Hegel's state is a God state or the march of God on earth, to obey the state is to obey the God. No one challenges the absolute power of God and hence logically the power of the state must also be unchallenged. It is, that is, the "absolute power upon earth". "It is its own end. It is the ultimate aim which has the highest right against the individuals whose highest duty is to be a member of the state."^{14b}

Like Plato Hegel has also likened his state with an organism having a natural growth and naturally it should be considered as a whole. The individuals are parts of the state and so they can have meaning or importance to the extent granted by the whole. Individuals must therefore be subservient to the state by their complete "immersion in its activities."^{14c} Hegel however maintained that this lofty position that he had given to state is applicable not to a particular state but to an ideal state — not the state as it exists but the state as it ought to be. But his identification of the ideal state with the Prussian monarchical state is due to historical circumstances. Hegel's country was then under the feet of Napoleon and Hegel thought Germany could be resurgent and unified only through war. So he declared, war and not peace shows the health of a state and because of this he exalted the nation state to a "mystical height".

After Hegel many of his disciples carried his philosophical theory of the state to the extreme point and virtually made it militaristic even brutal. Most important among them are Nietzsche Treitschke and Bernhardt. All of them following Hegel deified the state and justified war. In the opinion of Treitschke war is justified for the enlargement of the state. Small states in his opinion are worthless and it is a "Sin against the Holy Ghost" for the state to be weak and small. He conceived the state merely as a power system and idolized Machiavelli as "the brilliant Florentine who was the first to declare distinctly that the state is power." Here we may note that Hegel admired the two heroic figures in modern politics viz. Machiavelli and the French politician Richelieu. According to Hegel the 'Prince' of

Machiavelli was the "great and true conception of a real political genius with the highest and noblest intention." Treitschke believed that only in the State "can there be developed that genuine national pride which is the sign of the moral efficiency of a nation." A state having superior culture and civilisation has a right to impose its civilisation on another state having inferior culture and civilisation. It is neither desirable nor possible to banish war from the world. In his adulation of the state he did not hesitate to assert that "the living God (the state) will see to it that war shall return again and again, a terrible medicine for diseased mankind". He believed that without war no state can come into existence. 'Hence it can be inferred that Treitschke's idea was that the state should originate through war and it should continue to enlarge itself through war and conquest and maintain itself by force. The citizens are to bow down to it in awe and reverence.

The waves of idealism reached the shores of England originating from Germany. In England some thinkers of the 19th century were strongly influenced by idealistic philosophy of the state. Among them the most notables are Green, Bradly and Bosanquet.

T. H. Green, the most brilliant of the group, developed his philosophy in an England where far reaching changes were taking place in public opinion and legislation and individualism was gradually giving in to a "collectivist trend". Green's political philosophy begins with the idea that the state is the result of human consciousness. He believed that man had to form the state because without it no right is possible. He accordingly criticised Rousseau's idea — in the state of nature as there was no state and law people enjoyed absolute liberty. Green thought that without a society conscious of common moral interest there can be no rights but powers. And because the state of nature was a stateless one there could be no liberty but power. The state is thus the result of this consciousness. Barker has put the philosophy of Green in the following propositions: "Human consciousness postulates liberty. Liberty involves rights. Right demand the state"¹⁶ True to the belief of the idealists Green regarded the state as natural and necessary. The state is needed for the full development of man's personality and proper realisation of his latent faculties. The individuals since they are members of the state enjoy rights but the state which adjusts the relations among the groups and individuals has a certain finality in its adjustment. But Green never conceived this finality as something irresponsible or the almighty Leviathan. Here Green differed from Hegel and he further argued that the state has got some duty towards other states for the relation among the states is to be regulated in the light of the conception of "universal brotherhood". Because of this attitude of universal brotherhood Green's conception of war was vitally different from Hegel's. War can never be absolutely right. It can at best be relatively right, for it violates the right of man to free life. Green's condemnation of war in unequivocal terms clearly states his departure from Hegelian

ideas. "He at any rate was far removed", said Barker, "from any conception of the omnipotence or irresponsibility of the state."¹⁷

Internally also, Green was of opinion that by force no state can sustain itself for long, and hence his famous theory "Will, not force is the basis of state". Behind every state there must be common conviction of a common good called the General Will.

Green's general will is not so much the will of the state as it is will for the state. He said, "the state is the system of complex relations out of which rights arise so far as those rights have come to be regulated and harmonised according to a general law". Green even accepted that the citizens have the right to resist the state — a proposition unthinkable to Hegel. He however laid many restriction on it. The citizens are generally to obey the state because "the state", he argued, "will be speaking with the wisdom of ages and that may be presumed to be greater than the wisdom of the individual men". Before going to resist the state action the citizen must be clear to his conscience that the real motive of his defiance is the establishment of common good and not the personal one. In spite of all these the individuals remain the basis of all his ideas. He like Kant never believed that the state is an end in itself. It is a means to an end, the end being the full development of individual personality. He accordingly could not sacrifice the individual's rights at the altar of the state action. "The life of the nation", he said, "has no real existence except as the right of the individuals composing it. In Green's thought the state can control only the external behaviour of man. But man is free in the realm of morality and conscience. He thus made a distinction between the things the state can control and things it cannot. Therefore the duty of the state is to remove the hindrances to moral life, that is, it is to act as the 'hindrance of hindrances'".

The state is a "society of societies" and it is supreme over all the other associations. It may appear Hegelian but there is a difference between Green and Hegel on the point that in the former's opinion associations or societies are prior to the state and hence they have their own rights which do not depend on the state and as they are prior to the state the state must preserve them. They were not created by the state and hence the state should not destroy them. Green was an idealist no doubt but he was not so much dogmatic as Hegel or Treitschke in his glorification of the State. "The state is limited within, it is also limited without". However, it should be remembered that the state is majestic and when man shall resist the state he resists with "fear and trembling". "From all these", Barker concludes, "he is more of an Aristotelian than a Platonist and more of a Kantian than a Hegelian."¹⁸

Apart from Green there are two other English idealists of importance viz. Bradley and Bosanquet. In his book *ethical studies* Bradley wrote a famous essay entitled, "My station and its duties" where he considers the state as a system of whole where each individual being part must do the duty

assigned to him specifically. The individual can lead a full life only by this cultivation. State he considered as a moral organism. A man is born in society and "he is what he is by including in his essence the relations of social state." Bradley combined in his philosophy the platonic idea of 'justice' which means each individual is to perform the special type of function given to him by the state — and the Hegelian idea of social righteousness or *Sittlichkeit*. It means the spirit of a nation controls and dominates a man and he feels it his duty to act accordingly. The state has been considered a moral organism and it differs from the animal organism in that "on its outer side it has a body of institutions and on its inner side it has a soul or spirit which sustains that body." Thus both the state and the individuals live and Bradley tried to give importance to both. "The breadth of my life is not measured by the multitude of my pursuits, nor the space I take up amongst other men's but by the fullness of the whole life which I know as mine".

Bosanquet started with the idea of Rousseau and Kant. He also followed at first the principle of Green that the state is to act as the 'hindrance of hindrances', action of the state is only negative in character. But in his '*Philosophical Theory of the State*' he rejected Green and finally identified himself with Hegel — no more hesitation, no more caution. He accepted the Hegelian concept of the State as the consummation and sublimation of all virtue and authority. "State", he said, "may legitimately do whatever is required for the preservation and improvement of the organised life of the community and is the sole judge of what is so required." The state, according to Bosanquet, is the expression of 'General Will'. The general will is the sum total of the real wills of the individuals living in society in co-operation. State, that is to say, is the ethical idea, as Hegel said, "it is the self-conscious ethical substance."¹⁹ He described the ethical character of the state as the "sole organiser of rights and as guardian of moral values".¹⁹ State then can regulate the relation of individuals in society "through absolute physical power". It should however, be remembered that the political aspect of the state is not the true state of Bosanquet's conception. Rather it is the supreme community and guardian of morality since it promotes the common good life. Because of this the question of morality and immorality does to arise. It also does not accept any limitation of international law or the universal brotherhood of man.

The state he said "has no determinate function in a larger community, but is itself the supreme community, the guardian of a whole moral world, but not a factor within an organised world". He further said, "It is hard to see how the State can commit theft or murder in the sense in which is possible only within the state and not among states or beyond the state. So the so-called immoral acts of the state are to be assigned to its agents only. Bosanquet was however conscious of the fact that he was talking of a State which existed in the realm of ideas only and hence it was a measuring rod to gauge the standard of achievement of the existing states."²⁰

- ¹ Aristotle, *Politics* p. 28.
- ² Aristotle, *Ibid*, p. 28.
- ³ Rousseau, *Social Contract*, p. I.
- ⁴ Garner, *Political Science & Government*, p. 210.
- ⁵ Aristotle, *Ibid*, p. 28.
- ⁶ Barker, *Political thought in England, 1818-1914*.
- ⁷ Garner, *Ibid*, p. 211.
- ⁸ J. Dewey, *German Philosophy & Politics*.
- ⁹ Barker, *Ibid*, p. 18.
- ¹⁰ Barker, *Ibid*, p. 18.
- ¹¹ Sabine, *History of Political Theory*, p. 539.
- ¹² Sabine, *Ibid*, p. 539.
- ¹³ Joad, *Modern Political Theory*, pp. 13-14.
- ¹⁴ Hegel, *Philosophy of Right*, pp. 312-13, 327.
- ^{14a} Hegel, *Ibid*, p. 10.
- ^{14b} Hegel, *Ibid*, p. 306.
- ^{14c} Laski, *State in Theory & Practice*, p. 16.
- ¹⁵ Garner, *Ibid*, p. 214.
- ¹⁶ Barker, *Ibid*, p. 23.
- ¹⁷ Barker, *Ibid*, p. 36.
- ¹⁸ Barker, *Ibid*, p. 47.
- ¹⁹ Bosanquet, *Philosophical Theory of the State*, p. 284.
- ²⁰ Bosanquet, *Social and International Ideas*, p. 276.

G. D. H. COLE AS AN INTERNATIONAL SOCIALIST

By

KRISHNA CHANDRA JENA

Last year G. D. H. Cole died at 69. He was one of the last persons who bridged the 19th and the 20th Century together. With him passes one of the last fighters of the traditional socialism. In a unique sense the Socialist world must suffer an irreparable loss in his death. His contribution for socialism, the world over, is too profound to be passed over lightly. Throughout the world, he will be remembered as a great intellect whose original thinking was next to nothing. He had been fortunate to be recognised as a writer of importance in his own life time; an opportunity that is rarely possible in the life of many writers. In this sense, Cole is fortunate. In case of Karl Marx, St. Simon and Sismondi, the socialists of Europe, this was not so.

G. D. H. Cole had tremendous influence over the intellectual Europe of the present century. Since, Europe was the recognised intellectual motherland of the globe, the influence of Cole was sure to influence the intellects of the world. In this light, there is little to be surprised that G. D. H. Cole died as an international personality. He infused the doctrines of socialism in many peoples and many countries. He was a popular writer in the sense that he was understood by the masses as well as the top ranking intellects. This opportunity was not possible in case of the other socialists like, Karl Marx and Robert Owen. They were either too pedantic to be read and understood by the neo-literates and semi-literates, or too profound in theoretical analysis that was impossible for the ordinary people to assimilate. But Cole was an exceptionally simple styled writer and the practical experiences he included in his theory of Socialist study made him extremely well understood.

In coming down to the lower level of social life to preach socialism, Cole made an important departure from other socialists. He did not believe in mere doctrines or assumptions. Though Marx himself had criticised Platonic ideas as utopian, he himself had done little to improve, Socialism for the bulk of the people was ununderstandable. This is proved from the fact that even in the time of Robert Owen much of the attempts to root socialism in Europe had failed. The common man and woman was not capable to enter the socialistic philosophy and Cole made greatest contribution in stating the socialistic theory in the simplest possible medium. This extension of socialism and socialistic knowledge to the masses was the most significant factor in the history of socialism of the present times. Never before so many people had been attracted by

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Socialism; the contribution of G. D. H. Cole deserves the highest of our tribute.

G. D. H. Cole wrote a number of books and papers to explain the complex and intricate problems of socialism to the masses. As few writers would do, he realised the intellectual capacity of those for whom he wrote and those who would like to assess the value of socialism with no pre-determined prejudices. G. D. H. Cole put flat all the social and economic issues and left little for the hands of Destiny. He made it his purpose of life to preach socialism and gave his whole life for this mission. A powerful out-look with a determined ambition were fused in him and like a crusader he was determined to win a world for socialism. He left behind a new tradition, a new method and a new study of socio-economic life. He is sure to have a place as high as that of Marx or Owen and for ages to come his influence is sure to predominate. He had deeply impressed the political life of Britain and like Laski, he will be considered as a builder of the contemporary social system of England.

For G. D. H. Cole the study of political science was an important activity of life. He felt that the development of life is dependent on the existing political condition. Politics as a subject of every day life is becoming more and more intensive as well as extensive; more and more branches of study are included in its folds. The more we go ahead, the greater is the possibility to embrace many more in political life. A few decades back, such a situation was absent. Politics was a matter of indifference for many and those who came to political discussions took it as if it was their monopoly and others had no business. This sense of indifference in many and an extreme sense of exclusiveness in others was suicidal for political growth. G. D. H. Cole was one of those few who assessed this danger and advocated a re-orientation of our attitude to political study. He wanted some serious adjustments to be made in political out-look of the age. Never before so many people were influenced by political decisions as to-day and most of the people died in the past century without any reference to political considerations. Whether it was the individual or the society, as to who would predominate, made little difference for the bulk of the society. To-day, the position is entirely different. Whether it is feudalism or dictatorship, socialism or state control, every thing brings out a significant sense of direct relationship with the common man. The growing importance of politics was visible to Cole. Apart from the changing pattern of political influence there was another current of change occurring in international political life. In the major countries like Russia, America and Britain important changes came in. The traditional beliefs and ideas had to be replaced by new ones. It was no good to cling to the shores of thought attained in the 19th century. Half of the global population made their opinion about socialism and *laissez faire* re-oriented. This was an inevitable consequence of the growth of socialistic ideas. The change in the political atmosphere was immensely

due to the introduction of the socialistic forces. The birth of *Das Kapital* and the experiments of Robert Owen placed private capitalism on a new trial. Here was the turning point for socialism. G. D. H. Cole has studied in detail the cross-roads that had to be passed during the 19th and the early first-half of the 20th century. The alterations in political thinking declared that in a socialistic pattern of life the individual may or may not think of politics but politics cannot ignore the individual. It is necessary, therefore, that the individual should be sensible enough to think of politics and find his own place, lest he loses for nothing. This is a revolutionary change in political theory of the present age. G. D. H. Cole remarked that this importance of political theory can be understood only in the long run when the passion of the time will die down.

The contribution that G. D. H. Cole made for the spread of political consciousness and socialism is a new milestone in the story of the political man. He was greatly responsible to educate the people of Britain and other followers of Britain in right directions. It must be due to the efforts of thinkers like Cole who channelised political emotion and excitement in proper and evolutionary methods. Without writers like Cole it would have been impossible to avoid discontent and revolutions in an atmosphere of glut and starvation, of armies and unemployment and rotting wheat and burning coffee.

G. D. H. Cole was a pluralist. Like Laski he felt that the purpose of society shall be frustrated unless society acknowledges the principle that society must accept the independent existence of other organs of society; they must have a chance to live and prosper. Society cannot be considered as a pyramid on the top of which the state can dominate. Society is a society of societies and the importance of other social organs must be recognised on an honourable plane.

The most important contribution Cole made for the political world was in his emphasis on International Socialism. With his wife Margaret Cole, he advocated that Socialism must spread throughout the world. To a certain extent his idea of international socialism was a near approach to the Marxian idea of international communism. Cole felt, that any determined effort to establish socialism in any single country will be defeated unless the world becomes a socialist world; at least the world must be sympathetic towards the socialists. Cole took a sober view about the success of socialism in a hostile world. Here he differed from Marx in assessing the aggressive capacity of socialism as compared to that of communism. This idea of international socialism was closely associated with the concept of international society and universal brotherhood. For good or bad, he realised that we are sailing in the same boat. It is impossible for the independent nations to take an independent decision. The world cannot be a healthy world divided by itself. For G. D. H. Cole, socialism must be international and it was important to note that he fought like a crusader to make the whole world socialistic. It was of no concern for him whether he succeeded or not; men of his zeal and conviction do not worry about the results, they simply fulfil their mission of life.

The idea of international socialism had to eradicate certain old and out-of-date opinions about the traditional beliefs in socialism. He was essentially a progressive and at times a radical thinker. Unlike Marx, he was ready to discuss and explain his own position and always possessed an open mind for others' opinions. Unlike many other socialists he was undogmatic and extremely flexible to the changing conditions and circumstances. He felt that dogma is death in political ideology and politics is the last subject to tolerate any kind of prejudice. This assertion of a new interpretation and approach to politics was a new method in political study. This was mostly unknown to the earlier socialists. For example, Robert Owen was unwilling to think that his ideas could be incorrect; like a preacher he believed that his ideas were above all argument and he suffered as the men of religion would do. In case of Karl Marx, he was still more conservative. He took his theory as permanent and valid for all time. He accepted the theory of exploitation of labour, the labour theory of value and the ultimate decline of capitalism as above all doubt. He was unaware that no social theory could be valid for ever, every thing has to give place for others. In assuming the universal applicability of his theory he did great disservice to the cause of socialist theory and philosophy. This was a great blunder due to the lack of intellectual accommodation with others. This defect in Marxian socialistic theory not only undervalued the importance of Marx for the future, it put a great responsibility on other socialists to clear the way further.

G.D.H. Cole had no such predetermined conclusions. He was a practical man and did not tie down political assumptions with unnecessary political theories. He advocated the spread of international socialism on a similar ground. He reflected the conditions of the world and made the progress of all men as conditional on the unification of all peoples on a socialistic stage. His theory of labour, trade union, private right and private property were accepted in many countries and many climes. He fused all the problems of all countries and tried to arrive at a common solution. He was not unaware of the difficulties on the path to arrive at international socialism. But, he was not a fatalist; he was convinced that Man can attain the end provided there is sufficient sincerity in sufficient people. His historical study of the problem led him through the birth of the League of Nations and the United Nations. G. D. H. Cole felt that in course of time there will be no difficulty in establishing an international society and this will be possible only when there is no socio-economic difference between the nations and peoples. International society is pre-conditional on international socialism.

Those who misunderstood G. D. H. Cole declared that Cole was making an impossible attempt. In a dangerously divided world it is impossible to attain equality, hence socialism. But Cole never thought that it was impossible. He knew that it takes centuries for any new idea to root in human mind and become a part of human heritage. Even for Machiavelli it took more than three hundred years to attain the national state. In case

of Marx he had to face still worse problems. Marxian theory had to take thousands' lives to establish itself. In case of Socrates he had to give his life, in case of Plato he never had the opportunity to be put into practice and there is no end to the number of examples to show how miserable had been the lot of many who wanted to contribute something new to the realm of thought. The best that can be done is to wait and see for the future turnings. But he cannot take a fatalistic attitude leaving every thing to chance.

G. D. H. Cole declared that a deliberate attempt should be made to put international socialism on trial. The failure or success of this will determine the future of Man. Machiavellism came by its own gravity, there was little attempted as an end by itself. In case of Marx, it was mere chance that put his philosophy on a strong pedestal. But in case of the idea of Cole we cannot follow the same pattern followed by either of them. A conscious and deliberate effort must be made by all the lovers of international society and international peace and most important of all international survival. Unless there is the birth of international socialism it is almost absurd to hope that a divided world can continue. To attain international socialism the conservative and the reactionary forces must be let aside and the revolutionary tempo must be at the top. G. D. H. Cole is one of the last socialists of the century that is dead, he is the first of his kind and the starting point of a new tradition in socialistic thought and feeling. The socialist world will remember long the spectacular and unique contribution that Cole has made for all men the world over.

JOHN LOCKE AND THE IDEA OF SOVEREIGNTY

By

RAGHUVeer SINGH

Sir William Holdsworth, the famous historian of English Law, in a lecture delivered in the Law School of Northwestern University, made the following observation: "Even at the end of the seventeenth century the theory of sovereignty was either very loosely held, or even misunderstood both by statesmen and lawyers. Hobbes, the one Englishman who had really grasped the theory, failed to influence his contemporaries because his theories were defeated by statesmen like Clarendon, by lawyers like Hale, and, of course, by all theologians."¹ This remark, though it makes no specific reference to John Locke, tacitly assumes that he too either loosely held the theory of sovereignty or completely misconceived its nature. A noted historian of political philosophy has popularised this view in its extreme form among the students of political theory by his well-known declaration that "Locke had no theory of sovereignty at all; the true sovereign of Civil Government is the individual."² Students of Locke need not be told that this is the assumption of most of his commentators. It is the object of this paper to establish a converse thesis by showing that the concept of sovereignty in the West has never been altogether univocal, that though Locke had no theory of sovereignty in the Hobbesian-Austinian sense, he had a clear view of its nature and residence in a truer and more traditional sense and that it is only in this sense that sovereignty can constitute a solid foundation of a constitutional state. It is true that Locke did not use the term 'sovereign' in its technical meaning,³ perhaps because of its Hobbistic associations, but from this it would be quite unreasonable to infer that the concept itself is absent from his thought, especially when a corresponding term 'Supreme' has been repeatedly employed by him. The scope of this essay necessarily requires a general analysis of the idea of sovereignty in a historical perspective.

The most typical theory of sovereignty with which we are familiar is the juristic theory expounded in its classical form by Hobbes and Austin. The core of the theory, as of any other comprehensive theory of sovereignty, is a particular conception of law. Etymologically this conception is said to be connected with a Teutonic root meaning to 'lay', to place or to set.⁴ Law is thus something positum, imposed from above. It is, according to this view point, not an expression of reason immanent in the universe and an order inherent in the nature of things but the manifestation of a superior will. In the telling phrase of Hobbes "it is not wisdom but authority which makes a law". In the well-worn Austinian terminology

law is the command of the sovereign. The sovereign being declared the source of law, is most logically conceived as "legibus soluta", legally illimitable or absolute and his supreme position is made to rest partly on the fact of habitual obedience on the part of the subjects and partly on his power to impose his commands over them. Such a theory, whether disguised under the fiction of contract or under an equally untenable fiction of consent, ultimately results in a theory of the state based on force. For it postulates nothing but will as its own justification. And where will need nothing but itself to justify its actions, it logically reduces itself to force, pure and simple.⁵

Such a theory of law and sovereignty was most characteristic of the formative periods of modern European civilisation. Behind this theory lay a view of society in general derived from a mechanistic conception of the universe. The resolute-compositive method reduced the universe to an aggregate of essentially isolated, impenetrable atoms mechanically brought together by an external agency conceived as God. Human cognition was likewise understood as a bundle of discrete particulars of sense-impressions unified by the psychological law of association. The application of this general methodology to social sciences led to an atomistic conception of society according to which the state is nothing but a collection of inherently discordant individual wills constrained into a state of peace by their forcible subordination to a single will. Hobbes' Leviathan, "the mortal God", is the perfect social analogue to the immortal God of the Cartesians ruling the Universe by His fiat.

This theoretic construction corresponds to the nature of the modern absolutist state as it emerged from the medieval political conditions. In its early form state absolutism was hardly distinguishable from royal absolutism because it was the monarch who was responsible for bringing order out of the various contending powers of the Emperor, the King, the nobility, the clergy and others. The will of the state was generally identified with the will of the King. When Louis XIV declared that he was the state he was expressing the normal viewpoint of his age. But in course of time the growth of democracy and constitutionalism made this identification impossible. The theory of sovereignty had to be modified and the modification took place along two different lines. In England the Glorious Revolution of 1688 transferred the seat of sovereign power from the King to Parliament, but it left the essence of sovereignty unchanged. At least this was how most of the Whigs understood the situation. For the absolute power of the king they substituted the absolute power of Parliament. When later on the question of the actual subordination of parliament to the electorate or to the people was raised, recourse was had either to shifting the location of sovereignty from parliament to parliament plus the electorate as by John Austin, or to an unfortunate distinction between the legal and the political sovereign as by Dicey⁶ and Bryce.⁷ In point of fact, such a distinction only served to conceal a fundamental ambiguity of using a single term for realities of two

different orders, juridical and metajuridical.⁸ But this was not the whole of the trouble. The purpose of the Glorious Revolution, as thinkers like Locke saw it, was not so much to change the location of the absolute power as to impose legal and moral limitations on the supreme authority in the state. In other words, its aim was to establish a limited or constitutional Government. This aspect of the Revolution was generally overlooked by the thinkers of the Austinian school. They could not logically restrict the authority of the parliament without radically modifying their theory of law. For if law is considered to be the declaration of the supreme power in the state, parliament, being the highest legislative body in England, must ipso facto be presumed to be legally illimitable, because it cannot be bound by what it wills. But in reality the unlimited power of parliament was as irreconcilable with constitutional government as the unlimited power of the Stuart Kings, for constitutional government presupposes the absence of arbitrary power and the acceptance both by the ruler and the ruled of a principle of limitation. Without such a principle authority becomes tyrannical and the tyranny of the many is as obnoxious as the tyranny of the one. As Royer-Collard declared in his memorable speech on October 4, 1831, before the French Chamber of Deputies, "The will of one, the will of many, the will of all, remains only force more or less powerful; to none of these wills, on the sole claim of will, is due either obedience or the least respect."⁹ The cardinal error of the Austinian school lay in its application of the postulate of law as an expression of sovereign will to explain the nature of constitutional democracy.

Continental political theory sought to grapple with the problem of sovereignty on the basis of a more profound and realistic view of the nature of social life than the crude assumptions underlying the early form of the modern state. It clearly perceived that the attempt to place absolute sovereignty in a particular organ of the state was doomed to failure because of the complexity of the political structure resulting from the growth of democracy and federalism. Besides, the obvious trend of government was away from personal power. Sovereignty was, therefore, attributed to the state as such and different organs of the state were regarded as different channels through which the essentially indivisible and inalienable supreme power expresses itself. The decline of rationalistic individualism and the growing realisation of the synthetic unity and historical continuity of social institutions were theoretically responsible for this re-orientation of political thought. In Rousseau's romantic idealism the Greek view of community was revived. The state was conceived to be an organic reality, a corporate moral personality and its will was supposed to be general will in which the mere particularity of individual wills was blended and transcended in a harmonious rational synthesis. Since sovereignty is the exercise of general will which is always pure, infallible

and unalterable, individual has no moral or legal right to disobey the sovereign. It is significant to note that Rousseau is as much of an absolutist as Hobbes. For both, law is the expression of a supreme will.¹⁰ To Hobbes, this will is of an individual or a group of individuals; Rousseau, in effect, created a super-individual, a collective moral person and endowed it with a mystical will of its own.¹¹ This was only logical for him. For if there is really a will which wills ideal objects, we must postulate a real person to whom that will can be ascribed. The political theory of the Hegelian idealists was, *mutatis mutandis*, similar in substance. Later on, the legal philosophy of the second half of the nineteenth century Germany assumed the state to be a juristic person possessing an 'inherent, original, underived power to enforce its own will against other wills.' On this assumption law turns out to be simply the declaration of the supreme will and the state becomes legally unlimited or absolute. But the ideal of *Rechtsstaat* required that the state must recognize certain legal limits to its action. Hence the doctrine of auto-limitation originated by Jhering (1818-92) and developed by Jellinek (1851-1911). According to this doctrine the state is bound by the jural principles of which it is the sole creator. "By voluntarily accepting obligations growing out of a jural principle which it has itself created or resulting from a contract to which it has consented, it submits itself to law, it limits its action by law; it is legally bound. But in spite of that, its sovereign *Herrschaft* retains its will to submit itself to right, to a contract, has been determined only by itself."¹² This facile device of reconciling the absolute will of the state with the principle of its juridical limitation cannot conceal the fact that the theory of juristic personality could not attain the idea of a full-fledged legal state. For, as has often been pointed out, auto-limitation is no limitation at all. It is no explanation of the fact that power in the modern state is generally exercised in accordance with law. To quote an eminent modern authority, "Such an explanation merely repeats the fact; it offers the fact itself as its own explanation. For if the law itself is the will of the state, there is no assignable reason why that will should express itself in law or conformably to law and in no other way."¹³ In fact, the difficulty goes to the root of the theory of the state. If the inherently authoritative will of the state is asserted to be the first principle of political theory, the view that law is made simply by virtue of its declaration follows as a matter of course; it becomes almost a logical correlate of the initial hypothesis. It is only an inescapable conclusion from such a premise that the state cannot be limited by law, for the creator cannot be bound by its own creation. If, on the other hand, we postulate a state which is lawful through and through, we must presuppose the logical priority and objective validity of certain impersonal juridical norms and ethical values which constitute the source and limit of political authority itself. To accept both these positions together, that is, to make the state at once absolute and limited, is to have the cake and eat it too. To put the same thing differently and more

succinctly, sovereignty (whether of natural persons or of corporate moral or juristic persons) based on the imperative theory of law is fundamentally opposed to the philosophy of the constitutional state. Thinkers like Hobbes who have followed this theory to its logical conclusion, have rightly claimed that the idea of limited sovereignty is a contradiction in terms. In this sense it is perfectly correct to say that Locke virtually repudiates the doctrine of sovereignty.

But to identify the concept of sovereignty with one of its theories is an over-simplification which betrays only a superficial acquaintance with the political traditions of the West. Besides the Hobbesian-Austinian tradition there is another tradition of sovereignty based on a radically different conception of law. This tradition has its roots in the classical antiquity and was the dominant political creed during the Middle Ages. Instead of conceiving law as the command of the sovereign, it regards the sovereign as a creation of law. St. Augustine distinguished a political association from a band of robbers on the ground that whereas the one is based on law or rights the other is founded on force or might. A similar distinction was drawn by John of Salisbury between a King and a tyrant. Henry Bracton neatly summed up the medieval tradition when he asserted that "the law makes the king...and there is no king where the will, not the law, has dominion". According to this point of view law is not the result of human volition but is a set of rational principles immanent in the order of nature and society. It is coeval and co-extensive with the cosmos itself, and no human or divine will can arbitrarily alter it. In other words, behind the political order there is moral order and the authority of the ruler is rooted in certain inviolable ideals of justice. But these general and immutable ideals must be adapted to the peculiar needs of changing social circumstances; they must be adjusted to time and place. Here arises the necessity of particularisation of the universal and this is the origin of specific and contingent rules of social behaviour which supplement the general and absolute ideals of justice. These rules require precise formulation, authentic promulgation and prescription of methods for their effective enforcement by a determinate human authority in the state. To deny such authority is to expose social order to constant threat of chaos and disruption. Within limits this authority is supreme; it is *legibus solutus* in so far as it is the immediate source of the statutory law usually known as the positive law. But this law is valid only in so far as it is consonant with the spirit of the primal principles which constitute the foundation of the political order itself. "In Human Law", says St. Augustine, "nothing is just or legitimate if it has not been derived by men from the eternal law"¹⁴ In a more widely acceptable form, it is the "higher law" or the "fundamental law" to which all enacted laws of a real commonwealth or a true *respublica* must conform. This fundamental law may consist of the eternal principles of justice known as the law of nature, immemorial customs and traditions of a particular community, juristic ideals crystallized and incorporated in

judicial decisions or even the political ideas and aspirations of a nation declared through a properly constituted constituent assembly. According to Prof. Barker this broader meaning of law has also a corresponding etymological basis. The Latin word for the general body of law, he says, is 'jus' which seems to be connected with "jungere" which means primarily a 'joining' or 'fitting'¹⁵ Thus law is a set of principles which hold the state together. Any particular authority within the state must be subordinate to these general principles or norms which are presupposed by it. There is absolutely no contradiction in speaking of a supreme power within the state which is superior to the ordinary law of the realm but is, at the same time, bound by the basic juridical norms of the commonwealth which it can never violate without transforming itself into gang of robbers and pirates. This distinction between the fundamental law of the state and the positive law emanating from the state constitutes the very essence of the constitutional state. In one of his most penetrating essays on sovereignty Prof. C. H. Mc Ilwain has made this point with remarkable clarity:

"The bedrock upon which all such modern constitutions rest — all at least which originate in the people — and the only one upon which they must rest consistently is this distinction, in essence identical with Bodin's, between those laws which a government makes and may therefore change, and ones which make the government itself. It is immaterial whether the latter rules be drawn from the law of nature or immemorial customs as in Bodin's days, or be made by the definite act of the people's will, as they usually are now; in any case they must inevitably be superior to the government they create and beyond the reach even of the sovereign organ within it whose authority they define. This is a theory of law not of might, the theory of the *Rechtsstaat*; and it is this theory which has dominated continental thought to the present day and for two generations after Bodin dominated even English thought, the theory of Hooker, Eliot, Twysden, Philip Hunton and Sir Matthew Hale."¹⁶

One only wonders why the learned author excludes the name of John Locke from this august list.

John Locke's philosophy of the state in all its essentials belongs to the second tradition of Western political thought mentioned above. His state is through and through a legal state or what the Germans call a *Rechtsstaat*. He constantly speaks of the "lawful government" (Second Treatise, sec. 197) or the lawful authority. "The King's authority", he says, "being given him only by the law, he cannot empower any one to act against the law, or justify him by his commission in so doing. The commission or command of any magistrate, where he has no authority, being as void and insignificant as that of any private man, the difference between the one and the other being that the magistrate has some authority so far, and to such ends, and the private man has none at all. For, 'tis not the commission but the authority that gives the right of acting; and against the laws there can be no authority".¹⁷ Like John of Salisbury, Locke draws an important distinction between a king and a tyrant. "The one makes the laws the bounds of his power and the good of the public the end of his government; the other makes all give way to his

own will and appetite."¹⁸ "As usurpation is the exercise of power which another hath a right to, so tyranny is the exercise of power beyond right, which nobody can have a right to; and this is making use of the power any one has in his hands, not for the good of those who are under it, but for his own private separate advantage—when the governor, however entitled, makes not the law, but his will, the rule, and his commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion."¹⁹ St. Augustine's celebrated distinction between a political association and a band of robbers finds an exact parallel in an eloquent passage in the First Treatise of Locke where he contrasts lawful princes with pirates and remarks that without legal foundation "crowns and sceptres would become the inheritance only of violence and rapine".²⁰

Law thus occupies a paramount place in Locke's scheme of civil society. To him law is not so much an expression of will as a product of reason. Sometimes he identifies the law of nature with reason itself.²¹ Following a passage in Hooker's Ecclesiastical Polity, law is broadly conceived as "that which prescribes to everything the form and manner and measure of working".²² It is in essential 'conformity' or 'harmony' with the rational nature of man.²³ In spite of some traces of voluntarism in his theory, Locke clings to the rationalist tradition and shows much closer affinity with the juristic ideals of Cumberland, Cudworth, Clarke and Culverwel than with those of Hobbes and Austin. The law of nature is, indeed, an expression of God's will, but according to Locke the will of God is essentially rational; He "himself cannot choose what is not good; the freedom of the Almighty hinders not his being determined by what is best."²⁴ "Natural Law", he observes in one of his early essays on the subject, "does not depend on an unstable and changeable will, but on the eternal order of things", and the principles of morality are as certain and immutable as those of geometry.²⁵ "The nature of good and evil is eternal and certain, and their value cannot be determined either by the public ordinances of men or by any private opinion".²⁶ "The eternal law and nature of things," he continues in the Essay "must not be altered with his (individual's) ill-ordered choice."²⁷ Moreover, the law of nature is not only a moral precept, it is genuine law in the truest sense of the term. It "stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions must, as well as their own and other men's actions, be conformable to the law of nature, i. e. to the will of God, of which that is a declaration, and the fundamental law of nature being the preservation of mankind, no human sanction can be good or valid against it."²⁸ The municipal laws of the state "are only so far right as they are founded in the law of nature, by which they are to be regulated and interpreted".²⁹ The law of nature limits the authority of the government in various ways. "The legislative or supreme authority cannot assume to itself a power to rule by extemporar-

ry decrees, but is bound to dispense justice and decide the right of the subject by promulgated standing laws, and known authorized judges.³⁰ These laws ought to be designed for no other end but the good of the people.³¹ Again, "the supreme power cannot take from any man any part of his property without his consent".³² And lastly, "the legislative cannot transfer the power of making laws to any other hands, for it being but a delegated power from the people, they who have it cannot pass it over to others."³³

The foregoing limitations on what Locke calls the 'supreme power' of the legislature have usually led critics to suppose that "Locke has no clear view of the nature or residence of sovereignty."³⁴ It is the central thesis of the present paper that such limitations far from being incompatible with sovereignty are the *conditio sine qua non* of its very being. For in the illuminating phraseology of Prof. McIlwain "sovereignty is not the greatest might but the highest authority".³⁵ And it is in the very nature of a human authority that it derives its power from a source higher than itself. Within the limits of this higher source—the fundamental law or the basic norm of civil society—this authority is supreme. In relation to all statutory law it is *legibus solutus*. It may also be called absolute in a certain sense. For 'absolute' in the vocabulary of the sixteenth and seventeenth centuries did not necessarily mean 'above law' or despotic.³⁶ In the memorable words of John Locke "even absolute power, where it is necessary, is not arbitrary by being absolute..." 'The Higher Law' limits the competence of the highest authority in the state.

Locke does not characterise the highest authority in the state as 'sovereign' perhaps because of the despotic implications that the term had for some of his predecessors or contemporaries. But to all intents and purposes his meaning is clear. "Political power" he defines as "a right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property" (which to Locke means life, liberty and property) "and of employing the force of the community, in the execution of such laws, and in the defence of commonwealth from foreign injury, and all this only for the public good."³⁸ This power inheres in the legislature. Let us quote an important passage:

"The great end of men's entering into society being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society, the first and fundamental positive law of all commonwealths is the establishing of the legislative power, as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the commonwealth, but sacred and unalterable in the hand where the community have once placed it; nor can any edict of any one else, in what soever form conceived, or by what power soever backed, have the force and obligation of a law which has not its sanction from the legislative which the public has chosen and appointed; for without this the law could not have that which is absolutely necessary to its being a law, the consent of the society, over whom nobody can have a power to make laws but by their own

consent and by authority received from them; and therefore all the obedience, which by the most solemnities any one can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts. Nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust, nor oblige him to any obedience contrary to the laws so enacted or farther than they do allow, it being ridiculous to imagine one can be tied ultimately to obey any power in the society which is not the supreme."³⁹

From an analysis of this passage the following characteristics of sovereignty can be deduced:

First, the supreme or sovereign authority in the state is the legislative.

Second, this authority is inalienable except by an act of the community.

Third, no law enacted by any other power within the state is valid if it is against the authority of this supreme power. In other words, sovereignty is indivisible.

Fourth, the sovereign power is externally independent.

Fifth, behind the sovereign authority stands the majesty of Natural law which limits its competence.

In order to bring out the responsible character of sovereign authority, Locke employs the notion of trusteeship which, according to Maitland, became a parliamentary commonplace in the course of the eighteenth century. "Though in a constitutional commonwealth", says Locke, "standing upon its own basis and acting according to its own nature, that is, acting for the preservation of the community, *there can be but one supreme power*, (italics mine) which is the legislative, to which all the rest are and must be subordinate, yet the legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them.... And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs of anybody, even of their legislators, whenever they shall be so foolish or so wicked as to lay or carry on designs against the liberties and properties of the subject."⁴⁰ Thus the 'legislative' is the trustee of the people who can overthrow it for acting contrary to their trust. It would be erroneous, however, to confuse Locke's reservation of the ultimate power of removing or altering the 'legislative' to the community with the doctrine of popular or political sovereignty. For he insists that the community exercises this power "not as considered under any form of government, because this power of the people can never take place till the government be dissolved",⁴¹ and "in all cases, whilst the government subsists, the legislative is the supreme power."⁴² Although he does attribute some kind of supremacy to the community, as to the 'legislative', he is fully conscious that the meaning of the term in the two cases is radically different and that it should, in its proper signification,

be ascribed only to the highest law-making body in the state. As a matter of fact, the doctrine of popular or national sovereignty is rooted in a fundamental misconception. It equates sovereignty with the highest actual power and since ultimate political power in the modern state rests with the people, it assumes that the people or nation is the real sovereign. But sovereignty is a juristic-normative concept and to use it in a political-factual sense is to abandon oneself to hopeless confusion. No theoretical or practical purpose is served by substituting the fluctuating and indeterminate power of an amorphous entity like the people or the nation for the precise and determinate legal authority of the legislature. There is yet another point to be noted. In Locke's scheme of social organisation community is in no way the final arbiter. If we may adopt Prof. Barker's terminology, we can say that the "ultimate sovereign" in Locke is the law of nature. For "when the community acts, in the last resort, in some rare and great event of oppression, as master of its own fate, it acts in the name, and on behalf, of this final majesty."⁴³

Thus Locke attains on the whole a sound theory of sovereignty which is the single supreme and yet limited legal authority in the state. Had the modern critics of sovereignty during the first quarter of the present century variously known as the pluralists, the pragmatists or the realists, grasped the essence of this theory, much of their criticism would not have been so wide of the mark and, perhaps, they would not have been so enthusiastic to expunge this notion from political science. The main purpose of their attack on sovereignty was to impose moral and constitutional limitations on the power of the state and to vindicate the personality and autonomy of manifold groups and associations which constitute the warp and woof of the texture of modern society. In itself this was a right approach to modern political theory which cannot ignore the existence of what has been called a "multi-group society" and of the constitutional state. But political pluralism was, on the whole, strong in what it affirmed and weak in what it denied. The denial of moral omniscience and actual omnipotence of the state was misconstrued also to imply the rejection of its supreme legal authority in the social order. Such a view, however, was difficult to maintain without adopting the ideal of anarchism which the pluralists did not accept. In the constructive part of their theories, therefore, the leaders of the pragmatic revolt were forced, by the logic of their own arguments, to admit an "ultimate" legal authority in the state, performing functions which, because they secure "common needs", involve a pre-eminence over other social functions.⁴⁴ The jurists like Krabbe and Duguit who were primarily concerned with establishing the supremacy of law over the state, also found it hard to dispense with a single unified authority which was necessary to make the community's sense of right effective and to translate the ideal of social solidarity into actual practice. They denounced the idea of sovereignty because to them it was incompatible with any jurial limitation on the power of the state. It

was, according to the theory which these writers sought to anathematize, "the right of the state to claim obedience for its will as the supreme obligation in society and that without regard to the substance of its will."⁴⁵ But this is only a sovereignty of force, and force, as Royer-Collard observed, only constrains, it does not oblige. On such a view the problem of jural limitation on the state becomes insoluble indeed. Duguit has presented this dilemma with his usual clarity and lucidity: "If the state is by nature a sovereign will, that is to say, a will which commands individuals and is not subordinated to any other will, how can it be in subjection to a rule binding upon it, since by definition there is no other will capable of imposing a rule upon it? If there was a superior jural principle, imposing itself upon the state, the latter would cease to be sovereign and consequently would cease to be the state. There is absolute contradiction between the notion of the sovereign state and the notion of a jural principle superior to the state and limiting its action."⁴⁶ But the state should not be conceived primarily in terms of will. Nor should sovereignty be regarded as the unlimited right to make law by a fiat of will. The state is rather a necessary and legitimate adjusting force co-ordinating the activities of a multiple of groups and individuals and thus creating an integral whole out of divergent and sometimes conflicting interests and purposes. This all-important function can only be discharged if the state is normally endowed with supreme authority for defining, promulgating and effectively enforcing with sanctions the higher imperatives of social justice to which it owes ultimate allegiance. It is in the light of these higher imperatives that interests can be evaluated, conflicts resolved and social cohesion achieved. The postulation of final imperatives or fundamental rules of Right (*droit, recht*) does not invalidate the highest authority of a determinate organ in the state designed to enact specific positive laws (*lois, Gesetze*) adapted to the contingencies of social dynamics. Locke and medieval writers like St. Thomas and William of Occam, who invariably appealed to the law of Nature as the source of political authority, were not in the least inclined to deny the necessity of a supreme coercive power in the state. Reason, indeed, is the ultimate arbiter in human affairs, but reason without will is impotent as will without reason is blind.

But for an uncritical positivistic bias and a temperamental inclination towards an untenable ethical subjectivism or superficial philosophical realism, there seems to be in the juristic theories of Duguit, Krabbe and Laski an essential community of spirit with the political theory of Locke. All of them recognise the existence of juridical norms limiting the competence of political authority. The modern jurists, in spite of their pluralistic order of social reorganization, are ultimately obliged to admit, as we have already noticed, a central coercive agency in the state for the purpose of bringing divergent and conflicting social interests into harmonious correlations. Krabbe's jurisprudence, in the words of a Chinese

critic of political pluralism, "is a legal monism of the most thoroughgoing sort."⁴⁷ And Duguit too does not succeed in completely discarding the notion of sovereignty in his theory of the state. His jurisprudence remains an incongruous juxtaposition of two entirely heterogeneous and conflicting elements, a powerful but non-legal state confronting an impotent but legitimate juridical norm. Once this radical dichotomy between the state and law is admitted, it is only a logical sophistry that can ever really unite them. This is the return of sovereignty with a vengeance. The proper course is to start like Locke with an idea of the state which is normally instinct with the spirit of right. It is born in law and exists for law. What may appear to be the most striking opposition between Locke and Duguit is the latter's emphatic rejection of natural law which is the foundation of Locke's political philosophy. But the opposition is more verbal than substantial. For, couched in a pseudo-positivistic and anti-metaphysical terminology, Duguit's principle of social solidarity is but disguised law of nature. For one thing, solidarity in society is not a datum but a problem. It is not a given fact simply to be accepted but an ideal to be found and realized, a norm or value determined at once by reciprocal wants, social interdependence and rational purposiveness of ideational human beings who "look before and after and pine for what is not". But if it is a pure fact, it is doubtful whether a juridical norm can really be derived from it. The truth of the matter is, as Geny has truly remarked, that "what is lacking in Duguit's work is not so much a metaphysic as much more a full consciousness and frank avowal of his metaphysic."⁴⁸ This has also been recognized by Duguit's most zealous English disciple, H.J. Laski, who finds in the classic doctrine of natural law the only true foundation of a sound political theory.⁴⁹ It is the glory of John Locke that in an age of growing positivism and materialism he held fast to the central doctrine of the antique-medieval political philosophy.

¹ Quoted by C. H. McIlwain *Sovereignty and Real Sovereignty* in "Constitutionalism and the Changing World" (Cambridge, 1939), p. 83.

² C. E. Vaughan, *Studies in the History of Political Philosophy*, (Manchester, 1925), Vol. I, Ch. IV, p. 185.

³ There is a tendency among scholars to believe that the very term 'sovereignty' is absent from Locke's works. This is a sheer mistake. The term occurs in both of the *Treatises of Civil Government*, though it has none of its technical connotations. See first *Treatise*, sections 50, 67, Second *Treatise*, section 61.

⁴ E. Barker, *Principles of Social and Political Theory* (Oxford, Clarendon Press, First Ed. 1951, Reprinted 1952), p. 92.

⁵ Gierke: "Law, which is, in its essence, a body of external standards for the action of free wills, cannot itself be made of the substance of will; for if will is made the standard for wills, the logically inevitable result must always be that will turn itself into power." In *Natural Law and the Theory of Society*, Tran. E. Barker, (Cambridge 1934), p. 224.

⁶ *Introduction to the Study of the Law of the Constitution* (9th Ed., Macmillan and Co., Ltd., London, 1948), pp. 72-74. It must be said to the credit of Prof. Dicey that while he admits the importance of this distinction he, nevertheless, insists that "the two

significations, though intimately connected together, are essentially different and in some part of his work Austin has apparently confused the one sense with the other." p. 74.

⁷ *Study in History and Jurisprudence* (Oxford, 1901), Vol. II, Essay X.

⁸ Prof. Willoughby has rightly stressed the need of avoiding such a confusion. "It seems unfortunate" he says, "that the same term, 'sovereignty' should be applied to two forces so radically different, even though distinguishing adjectives be prefixed. Is it not better to term such extra-legal force simply 'public opinion' or 'General Will' and to limit the word 'Sovereignty' to its purely legal application?" *The Fundamental Concepts of Public Law* (New York, 1924), p. 112.

Prof. Ernest Barker has also inveighed against the tendency to confuse sovereignty with the extra-legal power of the electorate, the nation or the public opinion. Vide his *Principle of Social and Political Theory*, pp. 63-69: "It is true that the sovereignty of of Law-making body is limited: indeed it is doubly limited — legally limited by the need of keeping within the constitution and acting under the constitution; practically limited by the need of keeping in harmony with the opinion of national society and acting in conformity with its general trend. The fact that the constitution is a legal limit on the immediate sovereign makes the constitution super-sovereign, the final sovereign, the ultimate sovereign. But the fact that the public opinion of society is a practical limit on the immediate sovereignty of the law-making body does not make that opinion in any sense sovereign. The term sovereign belongs to the legal sphere, and to that sphere only. The constitution belongs to that sphere, public opinion does not. To vest sovereignty in the public opinion of national society is both illogical and dangerous. It is illogical, because sovereignty does not belong to the social sphere in which opinion moves, but only to the legal sphere in which the state moves and has its being. Again it is dangerous, for the simple reason that it magnifies unduly the nature and scope of sovereignty. . . . If we say that public opinion, and the nation which forms that opinion, is sovereign, we tie ourselves to an undefined and unlimited sovereign, which can do what it will and will do what it can. The pure legal sovereignty of a law-making body which confines itself to adjusting legal issues, by legal methods, in legal subjection to the constitution, and also, at the same time, in some degree of practical subjection to the trend of national opinion — such sovereignty, so confined, is a definite and legal thing." pp. 68-69. Similar views have also been expressed by professors C. H. McIlwain ("Sovereignty" in *Constitutionalism in the changing World*) and John Dickinson [A Working Theory of Sovereignty', *Pol. Sc. Quarterly*, XLII, (1927) & XLIII (1928)].

⁹ Quoted by Duguit in 'Law and the State', *Harvard Law Review*, Vol. 31, 1917-18, p. 107.

¹⁰ This is not to say that there is no intrinsic difference between Rousseau's and Hobbe's conceptions of will. On Hobbe's theory, will is characterised by arbitrariness, while Rousseau's general will is inherently reasonable and has, ex hypothesi, the common good of the community in view. Rousseau was, in fact, grasping after a principle of prime importance for political theory. What he wanted to say is that political authority is not a capricious power; it has a rational purpose behind it. It aims at the promotion of the real and permanent interest of society as a whole and is governed by certain fundamental moral ideals. The Government which does not strive to live up to this standard forfeits its right to rule. But it was most unfortunate that he expressed this essentially sound idea through the medium of the ambiguous terminology of general will (of which it has been said that if it is general it is not will, and if it is will it cannot be general) which, notwithstanding its alleged rationality and qualitative uniqueness, in practice, became identified, even in Rousseau's hands, with the sheer will of the unorganised majority. In spite of itself, the doctrine of general will often tends to glide into a cult of power or an idealization of the tyranny of the group. Cf. Barker, *Op. Cit.*, pp. 194-203. Prof. Barker thinks that "the general will is almost of

the nature of a will-o'-the-wisp. The truth which that term is designed to express may be stated more simply in other terms."

¹¹ Rousseau's political theory has been subjected to most diverse and conflicting interpretations. Besides the above organismic-idealistic construction, there is also an individualistic — liberal exposition of his teachings. In fact, taken literally his thought is enmeshed in a maze of contradictions. Attempts have recently been made to reconcile these contradictions and to establish a basic unity of purpose in Rousseau's philosophy. See, for example, E.H. Wright, *The Meaning of Rousseau* (London, Oxford University Press, 1929), Alfred Cobban, *Rousseau and the Modern State* (London, Allen and Unwin, 1934) and Ernest Cassirer, *The Question of Jean-Jacques Rousseau*, trans. and ed. by Peter Gay (New York, Columbia University Press, 1934). In placing Rousseau together with the idealists I have followed such eminent authorities as C. E. Vaughan: *The Writings of Jean Jacques Rousseau*, Cambridge University Press, 1915), Ernest Barker (*Introduction of Social Contract*, Geoffrey Cumberlege, Oxford University Press, 1946) and George H. Sabine (*A History of Political Theory*, London, George G. Harrap & Co. Ltd., 1937).

¹² Duguit, *op. cit.*, p. 124.

¹³ See the remarkably lucid and profound introduction by Profs. G. H. Sabine and W. J. Shepard to their authorized translation of Krabe's *'The Modern Idea of the State'* (D. Appleton and Co., New York, London, 1927) p. XLVI. The influence of this important work on some aspects of this paper will be evident to every careful reader.

¹⁴ Quoted by Aquinas, vide *Aquinas: Selected Political Writings* by A. P. D. entreves, (Basil Blackwell, Oxford, 1948), p. 121. Cf. Stammer, "All positive law is an attempt at just law".

¹⁵ Barker, *Principles of Social and Political Theory*, p. 94.

¹⁶ *A Fragment on Sovereignty op. cit.*, p. 55.

¹⁷ *Second Treatise of Civil Government*, Sec. 206.

¹⁸ *Ibid*, Sec. 200.

¹⁹ *Ibid*, Sec. 199.

²⁰ *First Treatise*, sec. 81.

²¹ *Second Treatise*, sec. Aristotle likewise defined law as "Reason free from all passion" vide *The Politics of Aristotle* by Ernest Barker (Oxford, Clarendon Press, 1948), p. 146.

²² *Essays on the law of Nature*: Trans. and Ed. by W. Von London, (Oxford, Clarendon Press, 1954), Essay I, p. 117.

²³ *Ibid*, Essay I, p. III.

²⁴ *Essay Concerning Human understanding*: Ed. Fraser, (Oxford, Clarendon Press, 1894), 11, 21, 50, p. 347.

²⁵ Leyden (Ed.) *op. cit.*, Essay VII, p. 199.

²⁶ *Ibid*, Essay, I, p. 121.

²⁷ *Essay Concerning Human Understanding*, ii, xxi, 57.

²⁸ *Second Treatise*, sec. 135.

²⁹ *Ibid*, sec. 12.

³⁰ *Ibid*, sec. 136.

³¹ *Ibid*, sec. 142.

³² *Ibid*, sec. 38.

³³ *Ibid*, sec. 141.

³⁴ See Barker — Introduction to *'Social Contract'*, (World's classics, Geoffrey Cumberlege, Oxford University Press, 1946), — among others.

³⁵ "Sovereignty" in *Constitutionalism and the Changing World*.

³⁶ See C. H. McIlwain, "The Influence of Unchanging Names for Changing Institutions" in the *Interpretations of Modern Legal Philosophies: Essays in Honour of Roscoe Pound*, (New York, Oxford University Press, 1947), p. 487.

³⁷ *Second Treatise*, sec. 139.

³⁸ *Ibid*, sec. 3.

³⁹ *Second Treatise*, sec. 134.

⁴⁰ *Second Treatise*, sec. 149.

⁴¹ *Ibid*, sec. 149.

⁴² *Ibid*, sec. 150.

⁴³ Barker — Introduction to '*Social Contract*', p. XXXIII.

⁴⁴ Laski, for instance, held this view. Vide Coker: *Recent Political Thought*, (Appleton — Century — Crofts, Inc. New York, London, 1934), pp. 514-15.

⁴⁵ Laski: M. Duguit's Conception of the State in *Modern Theories in Law*, Ed. by Prof. Jennings, p. 55. (London, Oxford University Press, 1933).

⁴⁶ Duguit, *op. cit.*, p. 7.

⁴⁷ K. C. Hsiao, *Political Pluralism* (London, 1927) p. 28.

⁴⁸ Quoted by Roscoe Pound in his essay 'Fifty years of Jurisprudence' in *Harvard Law Review*, (Vol. 51, 1937-38, p. 470).

⁴⁹ 'M. Duguit's Conception of the State' in *Modern Theories of Law*.

SOCIAL CHANGE IN INDIA

By

DEVENDRA PAL VERMA

It is rather too ambitious an attempt to write within the compass of a few pages, enormous changes that are being brought about in the social life of a people, who in number stand only second in the world, who live in a vast country, who have a greatly diversified ways of life, and who under the spell of a great leadership are engaged in building a future for themselves and for their progeny. The very idea of reducing in a few thousand words, what is being done by millions and at a satisfactory pace, is queer. Nonetheless, a sociological appraisal, not in the spirit of self-glorification, but with a view to an objective assessment of what has been achieved and what is in the process of achievement, is desirable. Statistics, social surveys, population censuses, numerous commission's reports, all these have poured out a wealth of facts which are both interesting and instructive and reveal the changing climate of Indian Society. Really it is an exciting age for India's present generation which is acting as spear-head and piercing the hitherto dark, gloomy and listless surroundings. A mass of humanity tied fastly to old moorings, has certainly begun to loosen them and has learnt to move ahead. Still there are quite a few, those with "good-old days" notions who exhibit their nostalgia for change. Well, such people are not the peculiar monopoly of India; they are found everywhere. The initial opposition to change is a common human weakness. Locke was right when he said: "New opinions are always suspected and usually opposed without any other reason, but because they are not already common." However, the social wheel in India has started its new circle; it is a result of the changing pattern of our economic life. From a back-ward agricultural people, we are moving to be one of the advanced, industrialised countries. What happened in Europe and America more than 100 years ago — that so famous a term, Industrial revolution — we are engineering it now. The age of industry, science and technology, not only will change our productive system, it will have its impacts on our thinking, our behaviour, our customs, in fact on our entire social fabric. This impact we are daily increasing by feeling. The purpose of the following few pages is nothing but an attempt to understand as to how far have we moved with the new current, as also to point out where we remain adamantly static. India is certainly at the cross-roads and it is an exhilarating experience to know, see and participate in

something that is out to change the destiny of nearly 400 million people. And so on to the first point.

In spite of the repeated draughts visiting various parts of India, floods and other natural calamities, our population has maintained a steady and rather disconcerting rise. In 1947, the birth-rate per thousand of population was 26.4; in 1956 it had gone up to 27.4. Death rate during the same period has declined. The comparative figures are 19.5 and 11.4 respectively. Infant mortality per thousand live births in 1947 was 146; in 1956, it had come down to 108 and in areas where services for children are better developed the infant mortality figure is 96 per thousand live births. The decline in death rate and infant mortality is certainly welcome. But steps taken to check the growth of population are half-hearted measures. The incidence of "improvident maternity" is the highest in India. It is 42.8; whereas in U. S. A. it is 19.2, in U. K. 14.3, in France 19.7, only Japan approximating India with 33.9.

Early or child marriage is not effectively checked despite the law being there; it is fairly common with backward and illiterate people. Family planning is confined to the upper and the middle classes only. Even among these, enormous number of people have objection to it on religious grounds. The vast multitude still believe in the old dictum "Children are God's gift and they bring their own luck." This is a commonplace amongst villagers who constitute India's bulk. Family planning devices are costly and those who are entrusted with the task are not cooperative. A bold step only can save the situation; otherwise about 10 million more mouths every two years and that too when there are about 947 females per thousand male population. Widow marriage too, though good in itself, has further accentuated the problem of population rise. To me it appears that the Joint-family system is one of the important causes that has contributed to the vantage and reckless growth of the populace.

Even though we are keenly aware of the magnitude of the problem, efforts that are being made lack sense of urgency; Voluntary agencies lack the spirit to meet the situation. A family planning exhibition at New Delhi only does not create the climate in the country for limiting the size of the family. Perhaps it has not yet been realised that increasing population is our problem number one. All other problem flow from it.

Those who are born need a roof over their heads. Housing in India, with all the limited resources, cannot keep pace with the multiplying populace. The problem is acute in our urban areas, particularly due to industrialisation and the resultant migration of the people from villages to the cities. In some of our big cities, slums in industrial areas are our greatest shame. It is an ordinary thing to find about 8-9 persons herded together in dark, dingy and small rooms. In villages too the comparative

figure is more than 5. Progress here under the circumstances is bound to be slow. But things are certainly moving. Law has made incumbent upon the industrialists and planters to provide accommodation to the workers and labourers. House-building advances or loans are being granted to Government servants and under the Low Income Group Housing Scheme, those people who hardly could ever have imagined to own their own houses, are seeing the fulfilment of their dreams. Under the Subsidized Industrial Housing Scheme and the Low Income Group Housing Scheme, more than 31 crores of rupees were disbursed till the end of Oct., 1958. For industrial workers till the end of August, 1958 the number of houses completed aggregate to about 77,000. The total amount to be spent during the 2nd Plan period, on housing is Rs. 84 crores.

In spite of the post-independent interest in education, only 16.61 per cent of the people in India are literates. These are the figures for 1955-56. The expenditure on education in 1951-52 was 124.56 crores; in 1956-57 it was 202.24 crores of rupees, and there is no doubt that it is steadily rising. Percentage of children of age-group 6-11 under instruction in 1955-56 was 51.0. The target for the same for 1960-61 is 62.7. Figures of the age group 11-14 and 14-17 are 18.2 and 22.5 and 8.4 and 11.7 respectively for the same periods. Beginning with the primary schools to the Universities the number of institutions imparting all types of education, have multiplied. Annually, approximately 10,000 students are going abroad to various countries for higher studies in sciences, technology and other subjects. The University Grants Commission was constituted in 1953 and given an autonomous statutory status, by an Act of Parliament in 1956. Under the very able chairmanship of Shri C. D. Deshmukh, the Commission is doing its very best in the field of higher education.

Statistics perhaps are usually encouraging. But statistics do not reveal the whole story. With all that is being done, not much has been achieved. We have admitted it that the ideal laid down in the directive principles of State Policy in our constitution of imparting free and compulsory education to all children between the age group 6-14 within ten years of the commencement of the constitution, cannot be realised. Admitted, our resources do not permit it. Hence the shortfall in the achievement of the target. This shortfall is not very distressing. What distresses us most is the lack of clarity on the parts of the authorities and so also the society as a whole, about the sound system of education particularly at the lower levels. Much is being made about the inherent soundness of the basic system of education to suit India's genius. Whatever may be the degree of that soundness, it certainly is not suited to the demands of the society which is moving towards "heavy industrialisation". Gandhiji's basic education was directly related to the type of social and economic order that he wanted to build. We have forsaken

ment plans was accepted and the Lok Sabha passed a resolution to that effect on March 31, 1956. It recommended the formulation of a programme to bring about nation wide prohibition speedily and effectively. Various steps are in force to realise this goal. Critics have pointed out the failure of government's prohibition policy as well as the loss of revenue on that score. It is true that prohibition is not a hundred per cent success in those areas where it is enforced. But if vigilant action is maintained it will not be idle to hope for success. It is not so much a question of enforcement of this policy; it is a mighty problem of reforming human character. The effort is well worth making. Similar other welfare steps regarding prevention of immoral traffic in women and girls, prohibition of beggary, have been taken. The revival of Gram Panchayats in the villages as units of Self-Government is bound to have profound influence in the socio-economic lives of village folk. All this was followed by the social legislations of far-reaching consequences, enacted by the Parliament, redeeming the women from the age-old position of inferiority. New modes of marriage have been provided, the right to divorce granted; she gets a share, in the property and now comes a bill seeking to ban dowry the curse of our marriage customs. With all this change, caste, class and regional differences still perpetuated and are eating into our vitals. Even educated people are not prepared to come out of their "caste-shells". Inter-caste marriages should be encouraged. The Government of India award many honours, and prizes for achievement in various fields. Inter-caste and inter-regional marriages would lead to greater unity and social harmony in the country. Some encouragement may be given to those young men and women, who by such matrimonial alliances further this aim.

The joint family system is cracking and is perhaps not suited to meet the challenge of the new time. Its break up will bring to an end a huge array of superfluous joint family squabbles, rivalries and quarrels which generally lead to litigations. Under the changed circumstances a family comprising of man, wife and their children only can live and lead a socially happy life. In these families there is more of understanding between the husband and the wife on the one hand and more of love between the parents and their children, with an effort on the part of parents to understand the attitude of the children from the psychological point of view. The traditional method of punishing them physically for their mischiefs is being replaced by the method of persuasion and reasoning. This change is being confined to the educated families only. It is welcome sight to find children reading magazines and short-stories being published in increasing number for them. The children of the middle-class strata in urban areas are evincing keen interest in games such as cricket and it is usual to see scores of school going children listening to running radio commentaries on test matches and playing the game with all the improvised kit. At the same time they exhibit some unusual knowledge of the films, film-stars and film-songs, keeping pace, so to say, with their counterparts in

Europe and America. In many homes these interest and hobbies of the children have become a major bond of union between the parent and their children.

Life to the vast majority of Indians, is merely a cycle of routine duties and functions with hardly any opportunity for change. That privilege is the monopoly of the upper strata of the society only. Its they who have means at their disposal for holidaying at hill-resorts and beauty-spots or the country. The working and middle class persons in urban areas manage to recreate themselves by visiting cinemas or some games and sports. Cinema undoubtedly is the major source of recreation and this industry of ours is the third in the world for producing motion pictures. Statistics show the increasing circulation of newspapers than at any time before the Independence. Some of the states e.g. the Punjab, have taken the welcome step of opening libraries at district headquarters; these are sufficiently well-equipped libraries and increasing number of people are evincing interest in books and magazines. Religions' hold on our society is still very strong, communal fanaticism may be waning but equally dangerous factor are discernible on our socio-political surface. Passions in the name of religion can still be roused; but a fair percentage of the younger educated class is adopting a progressive outlook on all our problems. When tensions are absent attendance at religious congregations tends to fall off. Religion's hold in the rural areas is marked as is natural. It is an imperative necessity that the outlook of our rural folk on life changes. They are embedded in orthodoxy and superstitious ways of living rather too deeply. If our far-reaching economic changes are not making the proper headway in the villages it is because of this sharp lag.

Equality of opportunity has been guaranteed by the Supreme Law of the land. It is coupled with increasing opportunities of education. In the pre-independent India higher education — both pure and professional, was almost the monopoly of the children of the higher classes — big businessmen, industrialists, high civil servants, lawyers, doctors, Engineers, Directors and so on. This monopoly is not broken. But the government's generous aid to the children of backward areas backward and scheduled classes has brought within their grasp opportunities for higher education and many have entered the portals of all types of academic and professional institutions. They, in matter of public employment, get preferential treatment. During the British days 'high-posts' were given to youngmen, keeping in view their parents' social and economic status. I do not say that such influences are altogether now eliminated. My submission is that today a person's social status is directly interlinked with his position in the administrative, professional or economic set up. What social repercussion will follow it is very difficult and rather early to visualize. It may lead to some major social shake up in the future.

There was happy synchronisation of the post-independent-era and the welfare state. The welfare state in India is a two way process. It is a process of levelling down and levelling up. Given the peace, the pace of the change will gain momentum. The possibilities of class conflict does never arise in societies which get to move, for the move is to obliterate altogether and not to perpetuate the class-distinctions. The society of tomorrow in India will be a middle-class society and what a colossal and economic change it would be.

ROLE OF PUBLIC SERVICE COMMISSIONS IN INDIA

By

A. R. TYAGI

I

The credit for giving birth to the concept of Civil Service Commission as the sinew of the modern Civil Service system goes to Sir Charles Trevelyan who, in his celebrated report,¹ recommended the establishment of an autonomous, semi-judicial body, called the Civil Service Commission. But when in pursuance of this recommendation, an Order-in-Council was issued on May 21, 1855 it went no farther than establishing, under the Treasury Department, a body of three Commissioners with the sole purpose of conducting tests for "the Young Men who may from Time to Time be proposed to be appointed to junior Situations in any of Her Civil Establishment". Even the Order-in-Council of June 4, 1870, which greatly extended the powers of the Commission over recruitment, fell far short of raising it to the status of an autonomous central personnel agency. This was probably due to the fact that "from 1800 the Civil Service was effectively organised on the basis of systematic training, pay graduated by responsibility, regular promotion, and provision for an adequate pension on retirement",² and the Treasury Department had gradually built itself up as a central expert personnel agency in the Government.

While Trevelyan is entitled to the credit of giving birth to the concept of a Civil Service Commission, that of getting it established as an independent, semi-judicial central personnel agency goes to the National Civil Service League of the United States of America. It was mainly through the organised efforts of this League that the Pendleton Act was passed in 1883. This Act made provision for all those structural safeguards which made Commission an independent authority and clothed it with controlling powers in personnel matters, thereby making it the watch-dog of the merit principle in the civil service. With its vast administrative and semi-judicial powers, the U. S. Civil Service Commission performs not only the policing functions in the Federal Personnel Administration, but has also been playing a more positive and dynamic role in her personnel management. It is engaged in such activities as devising more accurate and dependable methods of examination, carrying out position-classification and job-evaluation programmes, working out more effective schemes of morale building and working in general as a store-house of information regarding the theory and practice of personnel management.

In India, however, the establishment of the Civil Service Commission was not the result of a movement for a merit Civil Service, but that of Indianization of the superior Civil Service. The Montague-Chelmsford Report had recommended for the recruitment of thirty-three per cent of the posts in the Indian Civil Service in India, and in sequence to this, Section 96 (c) of the Government of India Act, 1919 provided for the establishment in India of a Public Service Commission which would discharge in regard to recruitment and control of public service in India such functions as might be assigned to it by the rules to be made by the Secretary of State for India. Probably the Government was still unconvinced of the feasibility of appointing such a commission. So, instead of framing rules for the appointment of a Public Service Commission, it appointed in June 1923 a Royal Commission under the Chairmanship of Viscount Lee to inquire into the conditions of superior Civil Service in India. The recommendations made by this Commission regarding the constitution of a Public Service Commission form the basis of all future developments in this institution and hence deserve a closer examination at the outset of this discussion. These recommendations were :

- (i) The Public Service Commission contemplated by the Government of India Act, 1919, should be constituted without further delay. It should be an all-India body and should consist of five Commissioners of the highest public standing, detached as far as practicable from political associations and possessing, in case of, at least, two amongst them, high judicial or legal qualifications.
- (ii) The functions of the Commission should fall, at the outset, into two categories, (a) recruitment, and (b) certain functions of a quasi-judicial character in connection with the disciplinary control and protection of the Services.
- (iii) As regards (a), it should be charged with the duty of recruitment for all-India Services, as the agent of the Secretary of State for India, and of recruitment for the Central Services (and if a Local Government should so desire, for the Provincial Services) as the agent of the Secretary of State, the Government of India or the Local Government, as the case may be. The Commission should also be the final authority for determining, in consultation with the Secretary of State, the Government of India or the Local Government, as the case may be, the standards of qualification and the method of examination for the Civil Services so far as recruitment in India is concerned.
- (iv) As regards (b), appeals to the Governor-General-in-Council by an aggrieved officers against such orders of Local Governments as are declared by the Governor-General to be appealable, should be referred to the Commission, which should report its findings

to the Governor-General-in-Council and its recommendations as to action, without prejudice to the right of appeal of the aggrieved officer, to the Secretary of State, provided the Commission certify his case as a fit case for such appeal... ..

- (v) Apart from the determination of standards of qualifications and methods of examination, the Commission would not be ordinarily concerned with the Provincial Services. Its knowledge and experience would merely be placed at the disposal of the Local Governments, if desired. The Chairmen of the Provincial Selection Boards would constitute the link between the Commission and the Local Governments.

When a Public Commission came, at last, to be constituted in 1926, a member of the Home Civil Service of U. K.³ was appointed its Chairman and majority of the other members came from the Indian Civil Service. It was, thus, an officials' body directly under the Government of India and the Secretary of State. Its only administrative function was that of conducting competitive examinations for the Indianised quota of the superior Civil Services. In all other matters, it functioned merely as a consultation machinery in the Government of India. From 1926 to 1937, it functioned more or less as an adjunct of the Home Department of the Government of India. But even in that position of subordination, the Commission grew sensitive to its right as a custodian of the merit principle in the civil services and accordingly, was critical of the arbitrary attitude of the Government in matters of recruitment, promotion and discipline.⁴ The first two Chairmen were members of the British Civil Service and they did their best in establishing British Civil Service standards in India.

The Government of India Act, 1935, gave India a larger measure of autonomy and increased the proportion of Indians in higher Civil Services. As a result of this, the Public Service Commission also advanced in status and prestige. Its constitution and functions were laid down in the Act itself. This ensured the Commission a certain degree of independence from the Executive. The number of Indian members was increased. The number of official members was fixed at one half of its total strength and the term of office of the members was fixed at six years. Although the determination of the conditions of service of the members was still left with the Governor-General, yet the position of the Federal Public Service Commission, as it now began to be called, was far superior to that of its predecessor. Another advance made under the 1935 Act was the establishment of Public Service Commissions in each Province on exactly the same principles on which the Federal Commission had been constituted.⁵ Thus, for the first time, all civil posts in the country were brought under the purview of the Public Service Commissions, except, of course, those which were still filled in by the Secretary of State in England. But the Act imposed one serious limitation upon the powers of the Commission, namely, that the Governor-General or the Governor,

as the case might be, could take a post or a category of posts out of the purview of the Public Service Commission. This provision, which has been persisting on to this day, is a serious flaw in the body structure of our Service Commissions which has hampered the growth of normal healthy relations between them and the Government and has crippled their full development as autonomous, but integral, part of the public personnel administrative machinery of the country.

Apart from this statutory limitation, the political factors in existence during the post-1935-Act era have affected the course of development of our Public Service Commissions. This was the period when Indians' distrust in British rule had reached a very high pitch and when Indians, in every walk of public life, had been striving to increase the sphere of national self-rule by limiting that of the British imperialism. So like other public bodies, Public Service Commission became just another instrument of constitutional action through which the British imperialistic influence could be circumscribed and the national influence increased. Thus every post taken out of the purview of the Commission and every rejection of its advice by the Government was interpreted by the Indian Press and the people as an imperialistic vandalism against Indian interest. Under such conditions the Commissions could not develop a normal emotional and intellectual life. They gave more importance to the exclusion of a post from their purview or to the rejection of their advice by the Government than to the principles involved in those exclusions and rejections. Their annual reports look more like charge-sheets against the Government rather than as periodical review of their working. The Government, on their part stiffened their attitude towards the Commissions and began to take them as just another necessary evil to be tolerated somehow; with the result that they would never take them into their confidence in matters of personnel policy, but would consult them only when it was unavoidable.

Added to these was the usual rivalry that develops between the Government and the Service Commission in the normal course of their activities, when the Commission, in order to protect merit in public services, has to fight against nepotism and favouritism, so commonly practised in party governments.

It was in this atmosphere of mistrust and rivalry that our public Service Commissions functioned from 1937 to 1947. The result was that, for the most part of their activities, they worked in isolation from the Government. The Government would seldom take it into its confidence while formulating its personnel policy, but would consult it only when it was obligatory. The Commission, on its part, would have nothing to do with the administrative problems of the Government, but would sit as a high court, from time to time, to pass structures upon the Government's misdoing in regard to those matter which had to be referred to it under the Statute. Under such conditions, the Commissions could play no other role but of 'policing'. Its approach to personnel problems remained

mainly negative and its relations with the Government anything but cooperative.

II

This was the legacy which Public Service Commissions of independent India inherited. But has independence brought about any change in their role? Now, so far as their organisation is concerned, the Constitution has removed all those limitations from which they suffered formerly. They are now organised according to three main principles, viz., (i) their independence from the Executive; (ii) within the Commission the viewpoints of the civil servants and the public men to be balanced; and (iii) Commission is the custodian of merit in the Civil Service, while management of public personnel remains entirely the responsibility of the Government.

(I) PRINCIPLE OF INDEPENDENCE

Independence of the Commission is necessary for its functioning effectively as the protector of the merit system from nepotism and favouritism likely to be practised by the party government in order to serve their party or personnel ends. The constitution lays down the following provisions for safeguarding the independence of the Public Service Commissions:

1. The Chairman and members of the Commission are appointed by the President or the Governor, as the case may be, for a period of six years with overlapping tenures of service.
2. The number of the members and the terms of their service are fixed by the President or the Governor. But their salaries and emoluments cannot be changed to their disadvantage during their tenure of office. Further, all the expenditure incurred in payment of the salaries and emolument of the members and staff of the Commission and on its upkeep is charged on the Consolidated Fund of the country which means that it is not subject to the vote of the Parliament or the State Legislature, as the case may be.
3. The tenure of office of the Chairmen and members of the Commission has been made secure for six years. Any of them can be removed from office before the expiry of his term by an order of the President or the Governor, as the case may be, only under the following circumstances:
 - (a) on the ground of misbehaviour after the Supreme Court, on reference being made to it by the President, has on enquiry held in accordance with the procedure prescribed in that behalf under Art. 145 of the Constitution, reported that the Chairman or such other member, as the case may be, ought on any of such ground to be removed. Or pending enquiry into such a case by the Supreme Court, the President may

suspend from office the Chairman or member of the Commission until he has passed orders on receipt of the report of the Supreme Court on such reference.

- (b) if a member or Chairman is adjudged as insolvent, or
- (c) if he engages during his term of office in paid employment outside the duties of his office, or
- (d) if he is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

In case of State Public Service Commissions, the Governor exercises the right of removal and the High Court holds the enquiry.

4. In order to avoid even the suspicion that the promise or prospect of future employment under the Government might operate or be used to influence the judgment of the members of the Commission, the Constitution debar the retired members from further employment under the Central or State Government. The only exception to this rule is that a member on retirement may be appointed Chairman of the same or of any other Commission and a Chairman of a State Public Service Commission may be appointed member or Chairman of the Union Public Service Commission.
5. In order to ensure to the Commissions the services of persons of mature age and long experience, the age of retirement has been fixed at sixty years for the members of the State Commission and at sixty-five for those of the Union Service Commission. This provision and the previous one make it almost certain that only persons in their fifties and sixties will be appointed to the Commissions. It also makes it possible for the Union Public Service Commission to avail of the services of such members of the State Service Commissions who have made their mark there more eminently.

These provisions have sufficiently strengthened the position of the Public Service Commissions. But in actual practice the system has been seen to suffer from certain loopholes. The Constitution has failed to prescribe any qualifications for, and mode of selection of, the members of the Commissions. Governments have equally failed to follow any uniform rules in these matters, with the result that many appointments to these august bodies smack of political considerations and consequently, the prestige of, and respect for, these Commissions, specially of the States', is not high in the public eyes. This fact has deprived the system of several advantages which might have accrued to it because of the existence of the above-noted constitutional safeguards.

Independence of the Public Service Commissions is not an end in itself. It is merely a means to an end, the end being the securing of the

services of a competent, honest and fearless body of public spirited persons which may guard the merit system in public service and may render other expert help in the formulation of personnel policy by the Government. For this, it is necessary that the candidates for the membership of the Commissions should possess broad qualifications of a personal and professional type. Amongst others, they must possess the following qualifications:—

- (a) *Integrity and Vision.* The reputation of the candidates for honesty and fair-dealing should be above reproach. Members of high intelligence and capacity, but enjoying questionable reputation in public life will cause more harm to the status and reputation of the Commission than incompetent members. Like the Judiciary, Public Service Commission is a pillar upon which the edifice of democracy stands. If people lose confidence in the impartiality and independence of these two institutions, then democracy would have only scarce chance of survival. It is, therefore, necessary for the effectiveness of the Commissions that persons who are appointed to them should command confidence and respect in the public. Such members would be an asset to the Commissions, as they will be able not only to maintain the independence of the body whose members they are but also to enhance its reputation and prestige. And it is the latter factor which matters more for sustaining the spirit of democracy and building up public morale in the country.
- (b) *Administrative Ability.* Another equally important quality needed in the members of the Commissions is the unquestioned capacity to command the confidence of the departmental heads, personnel officers and Ministers of the Government. They should have a reputation for high administrative ability amongst persons who are directly concerned with administration. Here, as in the first case, what is important is not merely the possession of an administrative capacity, but also the reputation for having such a capacity. The members of the Commission actually have fewer opportunities of taking part in the personnel management operations. But their reputation for having such capacity alone will command for them the respect and confidence of the officials and ministers. Several tugs of war between the Commissions and the Government, that go on so often in the States, occur mainly due to the lack of high reputation of the members of the Commissions for administrative capacity. Government does not value their opinion very much, while they, on their part, are sensitive about their rights. Hence the conflict. There are instances when a Minister appoints a supporter as a

member or Chairman of the Commission who, later on, becomes a bitter critic of the Government. Such a situation develops due to clash of purposes. The Minister expects the member to secure him the Commission's support for every governmental policy, while the member finds himself in a position to safeguard the Commission's independence.

- (c) *Knowledge of Personnel Management.* It would be of added benefit to the Commission if its members have the specific training and experience in public personnel administration. This, of course, is not of primary importance, as knowledge and skills have to be provided by the career staff of the Commission. But to enable the Commission to play a positive and dynamic role in personnel administration, it is necessary that at least some of its members are very well-versed in the personnel philosophy and have a deep experience in the art of personnel administration of the country.

Now, our Constitution makes provision only for the last-mentioned qualification. It lays down that, as nearly as may be, one-half of the members of the Commission should be persons, who, on the date of their respective appointments, have held office for at least ten years under the Government. The Government has not only adhered to this principle but has so far given more weight to the official element in the Commission. At present, the Chairman and four out of the seven members of the Union Commission are ex-civil servants. But no provision has been made for other qualifications and Government don't seem bound to provide for those qualifications. A large number of the appointments is made on political and personal grounds and in many cases, appointees represent a poor quotient of the moral and intellectual number.

In view of the importance of these qualifications in securing the independence and efficiency of the Public Service Commissions, we plead for a provision for qualification and for a specific procedure of selection of the members to be made either in the Constitution or in a statute of the Parliament. As duties of the Commission are partly of judicial and partly of administrative character, selection of the other half of its members should be made from amongst distinguished members of the Bar, retired judges, eminent educationists and from other social spheres of the public life. While there should be no legal bar for any class of public men, persons in active political life should as a convention be excluded from membership of the Commissions. An ad hoc body presided over by the Chief Justice of India should draw up a panel of names for such appointment. While in case of State Commissions, the right of appointment should remain with Government, it should be provided in case of State Commissions, that at least one-half of the total number of members should at all times be drawn from persons belonging to other States. Whenever possible, Joint-Commissions of two or more States should be constituted.

With the coming into existence of Zonal Councils, it may be more practicable to have Zonal Public Service Commissions in place of State Commissions. Constitution of Commissions for two or more States jointly will go a long way in checking political interference in Commission affairs and will increase the prestige and status of the Commissions. It will also check narrow communal and caste considerations from entering into selections for public appointments.

(II) SERVICE PRINCIPLE

The second principle upon which our public service Commission are constituted is the weighted representation to civil servants in the Commissions. As already noted, the constitution provides that the president and the Governors will see to this in their respective spheres that at least one-half of the members of the Commission have been in the ranks of civil servants for at least ten years. The purpose is to bring to the commissions the services of persons who have first-hand knowledge and personal experience of the public, personnel system of the country. The independent status of the commission and the emphasis on its regulatory function in personnel matters naturally tend to create friction between the Government and the commission. If the commission begins to put too much weight upon its regulatory function, which is only a negative function, then it is sure to develop into a stumbling block in the path of progress of personnel management programmes. But the presence of servicemen, having personal experience of carrying on personnel management programmes, on the Commission will enable it to view all personnel problems in right perspective and to perform a more positive and dynamic role in personnel management of the country.

But bureaucracy is always the supporter of status quo and hence the personnel administration of a progressive welfare state cannot be left into the hands of this class. It is, therefore, necessary that the influence of the bureaucrats must be counterbalanced by that of a progressive class. Hence the other half of the members of the Commission must be drawn from the social and educational spheres of the national life. And a harmony should be built up between these two halves. In no case should they function as two entities, but as one — a combination of philosophy and practice, idealism and pragmatism, and conservatism and progressivism.

(III) CONTROLLING FUNCTION

The third principle on which the powers and functions of the public Service Commissions have been based is that management of all affairs, including that of public services, is solely the concern of the Executive, while the Commission has merely a policy-making role in this regard. This is quite logical in a parliamentary democracy where all governmental affairs are united in the hands of the Ministry which is drawn from the majority party in the parliament. The public service, being the chief tool of public policy, is left entirely under the charge of the Ministry. But at the same time,

it is necessary that equality of opportunity in public offices is ensured to every citizen and that personnel management is free from nepotism and favouritism. The Public Service Commission is the agency to ensure this.

In the first place, recruitment to all civil posts is made through an open competitive examination, to conduct which is entirely the responsibility of the commission. Of course, provision has been made for dealing with emergency cases and for cases where consultation with an outside body is inappropriate or impracticable. To meet such emergencies, the Governments are free to make regulations excluding certain cases or types of cases from the purview of the Commissions. But in order to ensure that the Government does not abuse this power, but uses it only in genuine emergencies, it has been further laid down that the Government will place such regulations on the table of the Legislature, as early as possible, whose judgment will be final in the matter.

But in spite of this safeguard, this power has more often been abused by the Government, more especially at the State level. There are cases on record where the Government recommended a candidate to the Commission for appointment. The Commission, instead of certifying that candidate for appointment, advertised the post and the Government, in consequence, withdrew the post from the purview of the Commission. There is certainly no justification for the exclusion of such posts as Manager of a Government Press, Special Officer of Education and Superintendent in a regional office, from the purview of the Commission. It are such cases which usually become an apple of discord between the Government and the Commissions. Here it may be suggested that the Constitution might, without impairing the final discretion of the Executive, provide that it must follow certain principles to be formulated in consultation with the Public Service Commission in making such exceptions and exclusions.

But withdrawal of a case from the purview of the Commission is an extreme step which Governments would take only as a last resort. There are subtler ways which they follow in cajoling Public Service Commissions to recommend their candidates for appointment. There can be no documentary evidence to prove such cases. But Commissions are very often found issuing corrigendum to their earlier advertisements and interested persons tell us that the previous advertisement did not suit the qualifications of the candidate whom the Government has in view. Rumours are sometimes heard that a particular candidate had himself drafted the advertisement notice for the post to which he has been recently selected by the Commission. It is really amusing to read in the advertisements that sometimes the period of previous experience required accurately tallies with the actual experience of the favoured candidate.

The question arises as to why the constitutional safeguards are ineffective. Is the Legislature ineffective or is it itself a party to such mal-practices? Probably both the assumptions have some truth. In

most of the State Legislatures, Congress possesses an overwhelming majority against which opposition parties are impotent. And strict party discipline does not allow the Congress legislators to defy the directives of the Ministerial group of their party. Of course, Ministers themselves are shrewd enough to placate the vociferous members of their own party or group.

In the second place, Public Service Commissions have also been given a hand in the internal management of personnel. But there are serious limitations to their right in this sphere. Firstly, their function, in this regard, is merely advisory. The initiative as well as the final discretion lies with the Government which is obliged merely to consult the Commission in personnel management matters. It is not obliged to follow its advice because that would have shattered the principle of unity of Command. Management of the personnel is essentially a line function and hence its responsibility must remain with the line agency. But in order to ensure fairplay and justice, and to promote merit in public Service, Government has to seek the advice of the Commission before taking decision in the matter. And in order to further ensure that the advice of the Commission is not lightly brushed aside by the Government, the Constitution also provides that the Commission shall submit annually a report on its working, that such report shall be laid before the Legislature and that in so laying it, the Government shall give an explanation in regard to all cases in which the advice of the Public Service Commission was not accepted. Thus the Government must satisfy the Legislature that the advice of the Commission was overlooked only due to certain justifiable reasons.

In this matter, the record of the Union Government is quite encouraging. In 1950-51 there were six cases in which the advice of the Commission was not accepted; in 1951-52 and 1952-53 there were two cases in each year. In 1953-54 such cases were four, but during 1954-55 there was only one such case. And since then, there has been no case wherein the Commission's advice was not accepted by the Government.⁷ But reports of the State Public Service Commissions are not so encouraging. Non-acceptance of the Commission's advice without sufficiently justifiable cause is a standing point of discord between the State Governments and the Public Service Commissions. In the Panjab, for example, there are about a dozen such cases every year. And what is more surprising is the fact that the Legislature does not take any serious note of this discrepancy.

Another limitation upon the powers of our Commission is that their advice is sought only in the following matters:—

- (a) the methods of recruitment and principles to be followed in making appointments to and promotions and transfers within the Public Services,

- (b) on the suitability of the candidates for such appointments, promotions and transfers,
- (c) on disciplinary matters affecting public servants including memorials or petitions relating to such matters,
- (d) claims of public servants for costs of legal proceedings instituted against them and claims for injury pensions, and
- (e) to advise the Government on any matter referred to them by it.

There are many other matters of equal importance in personnel administration which have been excluded from the purview of the Commission, for example, public service training programmes, pay structures, working conditions and work standards, public service standards, administrative morale and public employee welfare etc. The bringing in of these activities within the purview of such an expert and high-statured body as the Public Service Commission, would strengthen the merit system in the public service and would help in building up efficiency and creative energy in administration. To take up only one example, training has so far remained a badly neglected part of our personnel administration. No doubt, certain Departments at the centre maintain some Training Schools for giving initial training to their newly-recruited staff at the higher level. But, by and large, the Government at the Centre as well as in the States, have hardly any concerted training policy. Whatever they have are only sporadic programmes concentrated mostly at the higher levels of public services. Now, the need of a sound and well-planned system of public service training cannot be minimised in a State which has been striving to transform itself from an autocratic, colonial, police-state to a democratic welfare one. The old standards and outlook have to be quickly changed and a new administrative leadership has to be built up. Our public servants need develop a broad vision, a democratic outlook, a stronger motivation for creative work and a higher capacity to lead and inspire. Above all these, high standards of integrity and efficiency, unstinted devotion to duty and an unfailing patriotism are qualities greatly needed in our public services. For building up all these, we have to devise not only sound training programmes but have also to base the pay structures, hours and conditions of work, leave and other privilege rules, promotion and discipline systems on sound and scientific footing. In all these matters, public Service Commissions must play an active role. They are not only a body of experts to deal with these problems objectively and disinterestedly, but their high status and prestige would provide to these problems a higher plinth and dignity and acceptability to the policies formulated. The Government of India is planning to establish National Academy of Civil Services wherein fresh recruits to different public services shall get a joint training. It is only meet that such an institution is taken away from the ken of a Government

Department and is placed under the supervision and guidance of the Union Public Service Commission.

III

THE IMPENDING ROLE

But our Public Service Commissions have not been functioning with sufficient zeal and imagination within even this limited compass. Their independent and high position and their expertise and experience are sufficient to enable them to play a more positive and creative role in our personnel management than they have so far played. To take up the example of recruitment — which happens to be their main administrative function — they have so far played only the part of politics eliminators and of “keeping the rascals out,” but have hardly contributed anything by way of discovering new methods of securing a competent body of public servants. Their recruiting procedure is cumbersome and slow-moving and their outlook is inflexible and unimaginative.⁸ So long as the state activities were mainly of office routine, this outlook on the part of our Commissions worked well. But in the present context, the state has been catering to all the fundamental needs of the citizens, for which it needs lakhs of public servants having diverse types of expertise and experience, such a negative roll ill-suits them. Changed conditions necessitate changed policies. The very fundamentals of our recruitment policy have to be modified and new techniques and procedures need to be developed. Of course, the superiority of the general administratorship system, based on recruitment of fresh university graduates having had liberal education, remains unimpaired. But adjustments have to be made in the existing system to provide for expertise and technical experience. Moreover, even liberal education has to be moulded to suit the requirements of our present technological civilization. In all these matters, Public service Commissions have to play the leading role. A positive approach in this regard implies the adoption of practices and procedures for attracting applicants which emphasise the quality rather than quantity. It would require, on their part, an emphasis on an aggressive search for the best qualified candidates through concentration on the most promising potential sources of supply and on the pre-test culling of obviously unfit applicants. This would also require a closer and more harmonious relationship between the Commission and the operating agencies. The Commission should certainly take more pains to understand to exact requirements, both in quality and quantity but more in quality, of the operating agencies and then make more positive and far-reaching efforts to attract able men and women to man the higher technical posts in our economic and welfare administration.

Similarly, with regard to other personnel management activities, like promotion, transfer, discipline etc., the Public Service Commissions have so far played only a restrictive and controlling role. They have not yet assumed

the broad responsibility of active leadership. In the present context of our democratic welfare administration, it is not enough for our Commissions to function merely as the watchdogs of the established civil service standards but to assume a dynamic role of an expert staff agency on all matters of personnel management. It must build within itself a storehouse of all personnel management ideas and practices and should assist the Government in the formulation of personnel policies and procedures. It should, more specially, assist the Government in devising, and if possible even administering, schemes of public employees' welfare and of management employee coordination and cooperation. The Government of India has recently appointed Welfare Officers to look after the welfare of the employees. But the system has not been functioning successfully, because the Welfare Officers also happen to be the administrative officers of the employees whose welfare they are required to look after, with the result that the employees hesitate to carry their domestic and other problems to the officers, because they fear that such disclosures might prejudice the mind of the officer who might make unfavourable entries in their service records. But if Welfare Officers function under the supervision of the Service Commission, they would be able to win the confidence of the employees. This will have a salutary effect upon the morale of the public servants.

Similarly, Public Service Commissions can contribute a lot in building up morale in the public services, if they operate schemes of incentive awards. Such a system was adopted in the United States of America in 1954, and according to the U. S. Civil Service Commission report of 1956, it has brought about tangible benefits to the Government of a tune of \$ 102,099,120 and has helped in the promotion of initiative and efficiency in the Public Service Commissions should undertake independent studies of the working conditions, surroundings and circumstances of Government employees and ascertain their effect upon their efficiency and integrity, and then suggest to the Government modifications in their personnel policies and practices.

Lastly, there is also the need, in this country, of a popular and unofficial agency which may function as a forum of discussion of the problems and policies of personnel management and the role of the Public Service Commissions in them. An Annual Conference of Public Service Commissions may serve this purpose⁹, but only to a limited extent. Probably, an all-India Council of Personnel Administration, consisting of representatives of the Public Service Commissions and officials representing the personnel directors in the Central and State governments would best serve this purpose. It will be a permanent semi-official body of eminent persons in the field of personnel administration, hence its deliberations and opinions will have a profound effect upon the policies and activities of the government as well as the Public Service Commission.

¹ Northcote, *Trevelyan Report*, 1854.

² W. J. M. Mackenzie, *Central Administration in Britain*, p. 6.

³ Sir Ross Barker.

⁴ Sir Ross Barker, who had recently retired from the Chairmanship of the Commission, submitted to the Simon Commission a memorandum in which he deplored the position of the body over which he presided. The powers which the Government possessed over recruitment were, he felt, a bar to the right and proper discharge of its duties by the Commission. It was not left to the Commission to decide as to whether recruitment to certain offices should be made by competitive examination or by both. When again, it was decided that appointment to some offices should be made by competitive examination, the Commission could not determine on its own authority the preliminary qualifications of the candidates. He cites an instance when the Commission was put in an awkward position. The Commission was once compelled to examine a number of candidates who, owing to the low educational qualification which had been accepted contrary to the Commission's advice, had not the remotest chance of success.

He complained that the Government did not allow the Commission authority even in such matters as the fixing of subjects for the competitive examination and the conduct of examinations. He wrote that on one occasion the Government of India objected to a syllabus which the Commission had unanimously adopted in respect of an examinations not only after consulting everybody in India who might have any say on the subject and nothing was known of the basis of which the Government of India formed their views.

Sir Barker also complained that many recommendations of the Commission were not given by the Government the consideration they deserved. *Report of the Simon Commission*, Vol. 15, p. 192.

⁵ Prior to that, the position was that a commission could be established in a Province through a legislative enactment. But only Madras and Panjab passed such legislation (in 1929), and even then there could be no Public Service Commission in the case of Panjab, because of financial stringency.

⁶ Although a report in the working of the P. S. Commission is usually laid before the Legislative, yet the Legislative do not discuss them regularly. The UPSC urged in its Fifth Report upon the Government the desirability of some statutory safeguards being prescribed by Parliament against the non-acceptance of the commission's advice by the Government. In the absence of such safeguards, it insisted on a regular discussion of its regrets on the floor of the legislature.

⁷ But the U.P.S.C. in its Fourth Report pointed out that even though their advice was not accepted in only a few cases, the Government "have taken unduly long time to implement the Commission's advice. Such an attitude on the part of Ministers and/or Departments very often results in the Commission's position being made highly embarrassing." p. 4.

⁸ According to Dr. Paul H. Appleby, "present practices imposed on Home Affairs and Public Service Commission have made for pettiness, unimaginativeness; inflexibility and a tempo in which a calendar has more relevance than a clock." *Re-examination of India's System*, 1956, p. 24.

⁹ Two such conferences have already been held.

O AND M IN THE GOVERNMENT OF INDIA

By

S. P. AIYAR

THE GROWTH OF THE IDEA

The Organization and Methods Division in India was the direct result of the complexities of post-war administration. The work of government had increased and there was a growing awareness of the needs for a rationalization of procedures with a view to increased efficiency. It is somewhat difficult to indicate the first mention of O & M. One finds it scattered in several documents of the post-war period. At the request of the Administrative Enquiry (Karve) committee, which brought out its report in 1948, the firm known as IBCON Ltd., made inquiries into the procedures then existing in the General Department of the Bombay Secretariat. Its aim was to discover by analysis of work-load and the movement of files, whether the work was done well and to explore the possibilities of setting up an O & M unit. In their report IBCON suggested the desirability of such a department and indicated the precise sphere of its responsibilities.¹ The Karve committee, however, rejected the suggestion, although it recognized the need for improved methods. They observed: "We however feel that both on account of cost and the paucity of trained personnel it will be some time before such an organization is set up. In the meantime we recommend that the assistant secretaries of all departments should form a committee for handling the O & M. work of the Secretariat."² In 1949, Mr. N. Gopalaswami Ayyangar in his Report on 'Reorganization of the Machinery of Government' made a plea for the creation of an O & M Division at the Centre. He wrote: "The problems which face Government are not static they are likely to change more rapidly than in the past, and corresponding changes will have to be made in organization and methods of administration."³

India's first Five Year Plan shows how acutely conscious its framers were of the importance of sound administration for the realization of the plan-targets. It devoted an entire section to administration wherein the urgency of O & M is emphasized. So long as the volume of government's business was small it was possible to continue the traditional methods of transacting business. On the threshold of an era of national planning the country required a re-examination of organization and methods in administration. It became necessary to set up an O & M Division in the central Government which would work in close co-operation with the personnel sections in the different ministries.

The framers of the Plan went a step further and recommended the extension of O & M to the States and suggested that the Centre should undertake the responsibility for training O & M personnel. They indicated briefly the problems with which O & M would have to deal and among these it mentioned the need for simplifying office procedures, the elimination of delays, improving the system of maintaining records, the study of the movement of files, increased delegation at appropriate levels, etc.⁴

The case for O & M so ably built up by the framers of the Five Year Plan was further reinforced by the recommendation of Paul Appleby who, at the instance of the Government of India reported on the country's administrative system in the beginning of 1953. He was concerned primarily with the location of the O & M unit. In England and in the United States, O & M is associated with the agency of financial control — the Treasury and the Bureau of the Budget. But Appleby thought that in India, the Ministry of Home Affairs could possibly be made responsible for O & M work. He indicated that the Cabinet Secretariat might be considered as an alternative. Two arguments, he stated, were usually brought forward against the Ministry of Finance: (a) It was so preoccupied with the details of economy that it was incapable of viewing it in the larger context of effective administration. (b) It was already overburdened. However, Appleby thought that responsibility for O & M would be one of the best ways of elevating the approach to financial review. Further, no Minister, he argued, need be overburdened, if only he organizes in terms of work-load. He concluded:—"on the whole, the general strength and scope of the Ministry of Finance would rather point to locating the 'O & M' office in it, with a Consulting Committee, the members of which outside of Finance would have individual and personal responsibility for giving continuing consideration to such matters. Such a Committee would include some one specially selected from Home Affairs and might well include one from External Affairs, where knowledge of practices in other countries might be most certainly found. A Committee of three would be preferable to a larger one."⁵

The Appleby Report launched a controversy on the question of location. Mr. Gopalaswami Ayyangar in his Report cited earlier, had made a plea for the location of O & M. in the Ministry of Home Affairs. Historical reasons he argued, had led to the extension of the British Treasury's functions, beyond matters purely financial. India ought not to set up the O & M Division in the Finance Ministry, in an uncritical imitation of the British practice. Many of the functions of the Treasury are carried out in India by the Ministry of Home Affairs — a fact which led Mr. Gopalaswami Ayyangar to urge that it was the right place for having the O & M unit.

In 1954 when the O & M Division was being set up, it was preceded by a bitter controversy between the Ministries of Finance and Home

Affairs. Each had arguments of its own and each had authorities to quote in its own favour.⁷ This controversy delayed the creation of the O & M Division. It was ultimately decided to locate it in neither of these ministries but in the Cabinet Secretariat — possibly a measure of the intensity of the controversy. But today, it would appear that the Cabinet Secretariat is the most appropriate place for the O & M Division. It is an important co-ordinating agency and smooths out matters before they reach the Cabinet. It is a convenient place wherefrom O & M work in the various ministries can be co-ordinated, if not directed. It is to be hoped that the Ministry of Finance has forgiven the Cabinet Secretariat for “usurping” what it once considered its rightful jurisdiction. From the working of O & M during the last five years, however, it is clear that the O & M Division is dependent on the Finance Ministry for matters like increase of O & M Staff etc. The O & M Division can only recommend the demand for additional staff for O & M work, coming from the ministries. On the whole it tries to ‘carry on’ with the existing staff which certainly is very meagre. At the second meeting of O & M officers held on May, 18, 1954, it was decided: “For the present, it is important that O & M officers should personally attend to O & M work as far as possible and the assistance of a separate Branch officer should not be asked for at this stage. However, all demands for assistance in the form of ‘section officer’ or ‘Assistant to the O & M officer’ will be supported by O & M Division. Finance (Establishment Division) is being requested to ask Expenditure Divisions to sanction all reasonable requests in this context.”⁸ It is difficult not to catch in the undertones of this paragraph the nature of the financial dependence of the O & M Division. The O & M Division depends for its existence on a ministry whose organization and methods it seeks to rationalise. This is a structural defect in the organization of O & M work in India.

STRUCTURE OF O AND M

The O & M Division is simple in organization. There is a Director who also functions as the Establishment officer to the Government of India and as Joint Secretary in the Ministry of Home Affairs. He is helped by an officer designated as “Assistant-to-the-Director”. In 1955 the post of a Deputy Director was created. His primary function is to pay informal visits to the ministries to see how far the existing procedures are being followed. It is his duty to offer advice on matters of detail, on the spot, in the sections and help the O & M in different ways. The work of O & M is carried out through O & M units (Cells) set up in various ministries and Departments. An O & M officer in a unit is of the grade of Deputy Secretary and it is thought that his position would serve to give to O & M work both authority and dignity. It is feared that if he is of a lower rank he might fail to impress. Having an O & M officer of the rank of Deputy Secretary has a distinct advantage. He can make his presence

felt. However, it is quite possible that his suggestions would be followed not so much because his subordinates see the rationale of those suggestions as from the fact that they come from a superior officer. O & M cannot make significant progress unless the superiority of the methods it suggests, is demonstrated in a practical way, to those who are called upon to adopt them. Initially there were 47 such officers — 29 drawn from the administrative ministries and departments and 18 from the Expenditure Divisions of the Finance Ministry. By the close of 1957-58 the O & M cells had increased to 60. In 1957 an Officer on Special Duty was appointed to investigate special problems which need detailed examination owing to their complexity. One of the first things taken up by this official was a study of the difficulties encountered in meeting the requirements of the different ministries in respect of printing.

THE O & M APPROACH

The O & M Division has outlined its plan of action in its Report for 1954-55. Its aim are:

- (a) To make all concerned conscious of the prevailing inefficiency and of the need and scope for improvement.
- (b) To discover facts relating to despatch of work and to see what is actually wrong and where, to diagnose the causes for delay and see what factors come in the way of achieving quality in work.
- (c) To devise and apply proper remedies.

Even at the start O & M officers were encouraged to devote their attention to the factors affecting speed and efficiency in their units. They were to work in close collaboration with other O & M officers and under the guidance of the Director of O & M who is in constant touch with them. Meetings of O & M officials are held periodically — less frequently now than before.

There seems to be a basic assumption in the O & M work in India, to the effect that the real defects in administration are due not so much to the organization as to the failure to work the existing methods. Thus the First Annual Report suggests that “On the whole, the failure lay not so much in the existing organization and procedures but in the failure on the part of all concerned to work the existing system as it was meant to be worked.” Strange to say, this conclusion was arrived at not by an examination of a ministry as a whole but by an inspection of each section separately to “see whether the existing procedure was being followed with intelligence and diligence and where the defects in speed and quality of work lay”.⁹

In a circular to O & M officers indicating the programme of O & M the Director emphasized this approach and suggested that O & M officials should indicate new and better means of doing work “without any radical change in the existing organization and procedure”.¹⁰ In May 1957, the Director laid stress on the importance of going slow with O & M work. The O & M Division has always been acutely conscious, he pointed out, of

the importance of not making revolutionary changes. The need for caution in the existing conditions of India can hardly be overemphasized. But it is curious that the O & M Division has taken it for granted that all is well with the existing organization and procedures. One is also perplexed at this assumption because in India one constantly bears the view expressed that the existing procedures are a legacy of British days, unhelpful in a rapidly developing country.

FEATURES OF O & M WORK

At the outset, the O & M Division evolved a control-mechanism which it claims has proved remarkably effective and simple to operate. There is a control chart indicating the number of primary receipts that have to be dealt with in a month. (The primary receipt is an original, new, unit of work either arising from within or coming from other ministries.) The chart indicates the number of receipts carried over as arrears from the previous month, the number of receipts disposed of over periods of time varying from one week to four weeks and finally the number of primary receipts remaining to be disposed. Statements are also prepared indicating weekly arrears and of cases which are not dealt with for over a month." "Items of work are also classified in order of importance:

- (a) Primaries requiring careful examination (PX)
- (b) Primaries other than PX. ('P')
- (c) Those which are subsidiary ('S').

It is claimed that the Control Chart indicates the speed of disposal in the ministries. The O & M Division is aware that this system cannot provide any yardstick for comparison as between ministries because of great variations arising from strength of personnel, quantity of works, conditions of work, nature of work and other allied factors. The Control Chart however, would justify itself if it provided particular ministries with a mechanism through which they could gauge at least their own rate of efficiency. This would be possible only if the statements are honestly prepared and efficiently supervised. The units provide copies of these statements to the O & M Division. From the Consolidated Statements of the O & M Division, the Control Chart would appear to have brought about an administrative revolution in most ministries. But here, as everywhere else, statistics can be very misleading. When we are told that 80 per cent of the primaries are disposed off in a ministry one is likely to recall Appleby's statement that India ranks among the dozen or so of the most advanced Governments of the world.¹² However, this is no indication as to the character of the primaries dealt with. It is quite possible that the remaining 20% could contain items of work all significant and urgent. One of the officials told the present writer that he was not quite sure that the statements sent out from the sections are accurate and emphatically denied that the Charts were of any use to him personally. At the joint meeting of O & M officers of the Administrative Ministries and the

Ministry of Finance held on November 9, 1959, it was pointed out that there were reasons to believe that the monthly statement of pending cases were not regularly prepared or scrutinised everywhere.¹³ From the O & M reports we learn that the Division attaches great importance to this 'control' mechanism and charts are displayed in the Secretaries' rooms. The purpose of this is to inculcate an efficiency consciousness among the staff. If the charts are not accurate those responsible for providing the figures would certainly be aware of the fact. In such a situation one wonders what purpose the Charts serve, unless it be to impress all those not connected with the O & M drive.

DELAY IN WORK-EXECUTION: O & M'S MAIN PREOCCUPATION

In India, red-tapism and government are so closely associated that it is but natural for the O & M Division to be deeply preoccupied with the causes for delay. A good part of the study of Public Administration in India is concerned with the aetiology of red-tapism. In this context the importance which the O & M Division attaches to proper procedures is quite understandable. Case-studies prepared by O & M officers have revealed a bewildering variety of causes for delay in the execution of work. The Senior Secretaries Committee have suggested remedies.¹⁴

SPECIAL REORGANIZATION UNIT

In 1952 a "Special Reorganization Unit" had been established for the purpose of reviewing the staff requirements of ministries and to recommend changes calculated to ensure efficiency and economy. In consultation with the O & M Director and with the approval of the ministries of Finance and Home Affairs this unit has been reorganised. It has been decided to adopt the technique of work-study for investigation which normally comprises:

- (a) A study of the organizational set up, delegations, span of control etc.
- (b) Analysis of operations.
- (c) A programme of work simplification and standardization, where possible.
- (d) Evolution of standards of performance and hence staff-requirements.

The Special Reorganization Unit is also expected to help in securing closer participation of the Ministries/Departments/Organization, — both in the formation of methods of work for investigation as well as in the conduct of actual investigation. The unit maintains a small Research Bureau. The O & M Division is closely associated with its studies and investigations.¹⁵ Further, O & M officers have been asked to make detailed analytical studies of cases picked up at random from the various sections with a view to discovering whether they were unnecessary movement of papers, whether the notes recorded were repetitive, suggesting if possible, a quicker method of disposal and finally with a view to noting whether

the procedures had been followed. The O & M Division claims that this has created a sense of urgency and shaken complacency.¹⁶

STANDING GUARD FILES

It has been found that part of the delay is due to the time taken in locating and putting up precedents. The O & M Division has suggested that for each subject dealt with in a section "Standing Guard File" containing a record of the principles and policy followed in the past, together with the model of the forms used etc., should be maintained. Section officers have been asked to prepare a list of "type-subjects" so as to make the "Standing Guard File" system feasible.

OTHER ASPECTS OF O & M WORK IN INDIA

From time to time the O & M Division has made various suggestions for quick disposal of work and brought about changes to this end. A few of these may be mentioned here briefly, if only to indicate the nature of the problems that engage its attention.

DELEGATION

The organization and working of the Government of India is a study in the evils of non-delegation. Critics of Indian Administration like Appleby have repeatedly drawn attention to the 'top-heavy' character of system. Conscious of this fact, the O & M Division has suggested the need for giving more powers to section officers. In most ministries, the section officers is compelled to submit to the Under-Secretary many matters which he can deal with himself. This defect is due as much to the attitude of officers as to defective organization. When, at the first O & M meeting the Director suggested that section officers should be given wider powers, there was considerable resistance. Initially, this suggestion was made only to those ministries which were prepared to 'take the risk' involved in this delegation. It soon became obvious that this experiment in delegation had not led to any calamitous result. Other ministries consequently followed suit. "This is the first step taken in the process of lowering the decision taking level which today is too high everywhere."¹⁷ One should not however immediately infer from this that a great change has taken place. Delegation or the lack of it, is so closely linked up with the psychology of those concerned that a mere suggestion in the right direction, by itself cannot achieve much. From the Third Annual Report (1956-57) it is evident that the evil of non-delegation still persists. We learn that there is a strong tendency on the part of Branch Officers and Deputy-Secretaries to send cases up indiscriminately for higher orders. This is due in large part, to a reluctance on the part of these officials to undertake responsibility. The O & M Division has repeatedly pointed out that cases requiring consideration at the level of the Joint Secretary, Secretary, need not pass through both the Under-Secretary and the Deputy-Secretary. It has suggested the possibility of "level-

jumping" in appropriate cases. In the Ministry of Home Affairs it has been agreed that steps should be taken to ensure that matters requiring the attention of the Joint-Secretary/Secretary should pass through either the Under Secretary or Deputy Secretary, but not through both. The Ministry has considered the various ways by which this "level-jumping can be achieved and its conclusions have been brought to the notice of secretaries in other ministries. The Ministries of Community Development, Finance (Expenditure), Natural Resources and Scientific Research, Iron and Steel, Law and the Union Public Service Commission have wholly or in part accepted the conclusions arrived at in the Ministry of Home affairs.¹⁸

INSPECTIONS

In the drive for greater efficiency O & M officers were asked to inspect sections of their own choice to see how far the existing procedures were being followed, to detect causes for delay and inefficiency and to spread efficiency-consciousness among the staff. Whether these inspections have any effect on the sections concerned we know not because the O & M Report only tells us that they made the O & M officers themselves acutely aware of the extent of inefficiency and the need to combat it.¹⁹ However, one positive result has been a system of regular inspections. There is now a round-the-year programme of annual and quarterly inspections. The annual inspections are generally carried out by the Deputy Secretary in charge while the quarterly inspections are left to the Branch officers. O & M officials do not directly undertake responsibility in this matter but they are expected to associate themselves with the inspections. The ministries report annually regarding these to the O & M Divisions. The O & M Division's consolidated statement of inspections looks very impressive. In 1956-57, the total number of inspections (annual and quarterly) in the Ministry of Home Affairs alone was 160. There were 85 in the Ministry of Agriculture and 59 in the Ministry of External Affairs.²⁰ The Deputy Director of the O & M Division who is responsible for visiting ministries and departments for the purpose of random sample checks carried out inspections in some 203 sections during one single year — 1956-57. One would like to know the actual effect of these operations. Inspections, like everything else, can be over-done and there is always the possibility of their relapsing into routine check which hardly anyone takes seriously. One hopes that this is not happening in the work of the O & M Division. Its Reports tell us practically nothing in this direction. Perhaps some research scholar will some day throw more light on this aspect of O & M work.

NEED FOR PERSONAL DISCUSSION

There is at present inadequate contact between officers of the Administrative Ministries and those of the Ministry of Finance. Files travel to and fro needlessly. Noting and counternoting is resorted to regardless of

the urgency of the matter. To promote more useful contact between these officials the following steps have been taken :

- (a) Administrative Ministries have been asked to make it possible for their officers and those of Finance to sit in adjoining rooms.
- (b) It is urged that proposals involving financial implications should be discussed with the Financial officers personally, before detailed formulation so that they have an opportunity of pointing out the financial aspects of the proposals.
- (c) The proposals accepted in principles are then to be worked out jointly by the administrative and finance officers so as to obviate separate examination by the latter.²¹

Steps have also been taken to eliminate unnecessary and dilatory correspondence with the U. P. S. C. Ministries have been instructed to the effect that before letters are sent to the Secretary of the Commission, an officer of the ministry of a rank not lower than that of Deputy Secretary should first discuss the matter with him informally. The Chairman and staff of the Commission, we gather, have assured the fullest co-operation in this matter. It is hoped that this procedure will reduce to some extent delay in work disposal.

PUBLICATIONS

The publications of the O & M Division have been extremely useful for carrying out its work. Through these the Division has laid the foundation for sound O & M work in the future. The Ministries were handicapped in the exercise of delegated powers by the fact that in many cases they just did not know what powers — administrative and financial — they possessed. These were scattered in different documents like the General Finance Rules, Civil Service Regulations, Book of Financial Powers, General Provident Fund Rules, Treasury Rules, etc. The O & M Division has made a significant contribution by bringing together in one document all the financial and cognate powers enjoyed by the ministries.²² It has also published a Directory of the Government of India showing among other things, the names, addresses and telephone numbers together with matters dealt with by them, of all officials of and above the rank of Deputy Secretary. The object of this publication has been to facilitate personal discussion. Similarly it has published a Handbook for Establishment Officers and revised the Manual of Office Procedure incorporating change adopted during discussions at O & M meetings. Undoubtedly, this latter publication should be of immense value to officers carrying out inspections which now seem to have become a regular feature. A much needed publication is the central inventory of Black-listed firms. Formerly each ministry had its own list leading to several anomalies — a firm black-listed by one ministry would be approved by another. The central list has also led to a standardized code for black-listing firms.

THE DESCRIPTIVE MEMOIRS

In the early stages the O & M Division planned the publication of 'Descriptive Memoirs' providing information on the working of the various ministries. At first they appeared annually. Later their publication became a triennial affair. Ultimately they were discontinued on the plea that the Indian Institute of Public Administration was bringing out the "Organization of the Government of India" and that the Descriptive Memoirs would thereby become superfluous. The real reason for discontinuing the memoirs seems to have been the difficulty of ensuring the supply in time of relevant information from the ministries themselves seem to have felt that the amount of time and labour involved in supplying material was not commensurate with the utility of the Memoirs, so far as they were concerned. The "Organization of the Government of India" is undoubtedly a useful volume but it only reveals the anatomy of the Government of India. There is still an acute need for a periodical Government publication honestly describing the working of the various ministries. Students of Public Administration would be grateful to the O & M Division if it reconsiders the case for the Descriptive Memoirs and brings them out in a form that would make them available for research purposes. O & M cannot function in a vacuum nor can it be purely a government affairs. The research that can be carried out in the Universities and in the Institutes of Public Administration can be of immense value to the O & M Division and through it to the ministries. It is generally said that the work that is now done in the Universities is 'academic' and theoretical. It is bound to remain so until the O & M Division makes available to them, literature useful for research. From this point of view a publication like the Descriptive Memoirs would be invaluable.

ESTIMATE OF O & M IN INDIA

It is yet too early to estimate precisely the work of the O & M Division. In Government circles one hears diametrically opposite opinions expressed. Those connected with the O & M work generally claim that O & M has justified itself and that in many spheres there is marked improvement. On the other hand those not connected with O & M are equally emphatic in their uncompromising denunciation. It is evident however that O & M has not earned the respect that it should have. But it cannot earn that respect until it brings about radical changes in at least some spheres. Unfortunately the whole emphasis has been on procedures and no attention has been paid to organization. It would hardly be an exaggeration to say that O & M in India is all 'M' and no 'O'. Mere emphasis on methods and preoccupation at times with superficialities has led the O & M Division to devious paths. It has been lured into irrelevancies like the discussion of the uniform of class IV personnel — on the suggestion of the Ministry of Law! One gathers from the O & M reports that it works under limitations which

it has, for the most part accepted. We have seen earlier that it is pitifully dependent on the Ministry of Finance whose procedures it seeks to rationalise. In a period of planning it is necessary to ensure that there are no impediments to the actual execution of the development schemes. Towards the close of 1953 it became clear that some of the funds earmarked for particular items would lapse because of unsatisfactory progress in the implementation of the schemes. The O & M Division seem to have come to the conclusion on the basis of its studies that the fault lay with the ministries themselves and not in the existing financial procedures. Never the less the progress of the plans would sooner or later call for a complete re-examination of financial procedures. The O & M Division is unlikely to contribute effectively to this end unless it is independent of the Finance Ministry. Again the assumption that O & M must find its way through the "administrative jungle" on soft slippers without being noticed or alternatively that O & M officers must work with studied courtesy and make their suggestions as amiably as possible will not take the O & M Division very far. There is also the danger of the O & M Division itself being drawn down to the low level of efficiency now prevailing everywhere in Government. The danger is imminent in India where old habits have hardened and red-tapism has seeped into all levels of Government. The O & M reports constantly speak of the importance of creating O & M consciousness. There is no way of discovering the extent of its influence in this direction. For a moment there would be ruffle, O & M meetings would be held, study groups would be formed, suggestions would be made. The enthusiasm can fast cool down and at the depths of the organization the traditional ways of doing things might continue. Control charts by themselves cannot lead to efficiency unless the quality of the men who do the work is attended to with some imagination. For some time now it has been realised that the quality of the clerical staff is far from being satisfactory. Much remains to be done in the matter of recruitment and training. At present the existing methods are haphazard and half-hearted. In India, as in Britain until very recently, it is assumed that the best way to learn office work is to get down to doing things in the Department straightway. One learns by doing. The result of this system has been that new entrants soon catch up with the 'temper' of the organization — inefficient methods and unimaginative attitudes get encrusted. O & M cannot by itself bring about significant change in the efficiency of government work or even inculcate an awareness of its need. At present there is no system of efficiency audit and there is no way of even finding out whether the suggestions made by the O & M Division have actually been accepted and the actual results. The O & M reports by themselves do not indicate the effect of O & M suggestions. It is necessary to evolve a system of review in this direction. O & M work is also tied up with other problems like training and recruitment, staff morale etc. At present in India there is insufficient

awareness of these problems. Nor can it be said that the problem of studying 'methods' is the sole responsibility of O & M. The Estimates Committee's Reports from time to time bring to the notice of Parliament, cases of mismanagement and inefficiency. From one point of view they indicate areas in which the O & M Division can work. There is an insufficient understanding of the close relationship that exists between the work of the O & M Division and that of the Estimates Committee. The O & M Division could consider the possibility of setting up a small bureau of research concerned mainly with the study of the reports of the Estimates Committee. Perhaps the Estimates Committee itself could enlighten us on several aspects of O & M work and the working of the O & M Division. Co-ordination between the work of the Division and that of the Estimates Committee is today vitally necessary.

In India we are today passing through times when both the speed and the quality of our work is linked up with the possibilities of democracy. At a time when the rate of progress in India's plans is being constantly compared with that in China, the importance of O & M work can hardly be over-emphasized. It is time that the Government of India turns its attention to serious study of the possibilities of reorganizing the work of the O & M Division with a view to making it financially independent and administratively effective.

¹ *Administrative Enquiry Committee's Report Appendix E.*

² *Ibid*, Para 131.

³ *Ibid*, p. 35.

⁴ *First Five Year Plan*, pp. 122-123.

⁵ *Appleby Report*, pp. 62-64.

⁶ *Report*, pp. 63-64.

⁷ See S. B. Bapat: "O & M in the Government of India" *Indian Journal of Public Administration*, Jan-March 1955.

⁸ *Outline Programme and Circulars etc.*, Cabinet Secretariat, 1954-55, p. 17.

⁹ "First Annual Report, 1954-55, p. 2.

¹⁰ *Outline Programme and Circulars*, Cabinet Secretariat, 1954-55, pp. 2-3.

¹¹ See Appendices A & B.

¹² *Public Administration in India — Report of a Survey*, P. 8.

¹³ *Summary of Conclusions reached at meetings of O & M Officers etc.*, 1955-56, Cabinet Secretariat, page 24.

¹⁴ *Outline Programme and Circulars*, 1954-55, Cabinet Secretariat, pp. 38-41.

¹⁵ *Third Annual Report of the O & M Division*, pp. 21-22.

¹⁶ *First Annual Report of the O & M Division*, pp. 2-3, 1954-55.

¹⁷ *First Annual Report of the O & M Division*, 1954-55, page 4.

¹⁸ *Third Annual Report*, 1956-57, pp. 15-17.

¹⁹ *First Annual Report*, 1954-55, p. 2.

²⁰ *Third Annual Report*, 1956-57, Appendix 1.

²¹ *First Annual Report*, 1954-55, pages 4-5.

²² *Financial and Cognate Powers Delegated to Ministers and Heads of Depts.*

APPENDIX A ABSTRACT OF CONTROL CHART

Name of Section..... Month.....

No. of 'primary' receipt requiring disposal			No. of 'primary' receipts disposed of						No. of 'primary' receipts remaining undisposed of			Remarks
Brought forward from previous month.	Received during the month	Total	Within one week.	Between 1 & 2 weeks	Between 2 & 3 weeks	Between 3 & 4 weeks	In more than 4 weeks	Total	'PX'	'P'	Total	

Note.—This abstract will be prepared in duplicate, one copy to be sent to the O & M Unit of the Ministry and the other to be retained by the Section.

Signature of the Section Officer.

APPENDIX B WEEKLY ARREAR STATEMENT.

Name of Section..... Week ending.....

S. No.	Name of dealing Assistant Clerk	No. of receipts cases							Initial of the Assistant dealing clerk
		B/F from previous week	Received during the week	Dealt with during the week	In Hand				
					For 3 days or under	4 to 7 days	Over 7 days		
1	2	3	4	5	6	7	8	9	10

Section Officer.....

UNIVERSAL DECLARATION OF HUMAN RIGHTS — A STUDY

By

SURENDRA CHOPRA

On December 10, 1948, the General Assembly of the United Nations adopted at its Paris session the Declaration of Human Rights. Prior to the inception of the United Nations, International Law did not recognise what are often described as 'Fundamental', inherent *inalienable* or natural rights of man. The struggle for the rights of man was first waged within the states. The democratic Greek city states knew no rights for all men, not even of the full citizens against the State. Even Aristotle recognised slavery.¹ But the Stoics² and Roman Jurists³ basing their arguments on natural law opposed slavery. Hostility to slavery was further intensified by Christian fathers⁴ in medieval ages and by Spaniard Jurists⁵. In India Lord Budha stressed the need of fundamental human freedoms but such freedoms must be followed by certain virtues which an individual should possess. Such freedoms are : (1) Freedom from violence (Ahimsa); (2) Freedom from want (Asteya); (3) Freedom from exploitation (Aparigraha); (4) Freedom from dishonour (Avabhichara); (5) Freedom from early death or disease (Amritatva and Arogya) and (6) Freedom from frustration or despair (Abhaya or Dhrti). To enable him to enjoy these rights, an individual must possess the following virtues: absence of intolerance (Akrodha); knowledge (Vidya) and compassion (Bhutadaya). In the age of Reason declaration of rights was the revolutionary protest on behalf of the individual against an over-rigid system, betraying feudal features.

Rights of man have a history in positive law also. The English settlers, brought their 'rights of Englishmen' with them to North America which laid the cornerstone of the Virginian Declaration of Rights, 1776, and the American Declaration of Independence. Then the Declaration of Rights of Man and the citizen adopted in 1789 by the French National Assembly stimulated the European mind. The ruthless suppression of human personality and blood curdling cruelties of the Fascist and Nazi dictatorships rendered these endeavours more urgent and brought into limelight the problem of safeguarding man's rights.

As regards protection of human rights, multilateral treaties have restricted certain states in their liberty of action with regard to their citizens. The treaty of Berlin 1878 restricted the personal supremacy of Bulgaria, Montenegro, Serbia and Rumania and they were obligated not to impose any kind of religious disability on any of their subjects.

After the First World War the Allied and Associated Powers concluded a treaty with Poland⁶, Czechoslovakia⁷, Rumania⁸, Greece⁹, Austria¹⁰, Bulgaria¹¹, Hungary¹² and Turkey¹³ for humane treatment of the minorities, religious, racial and linguistic.

The relevant clauses in the treaties are almost the same and the states concerned were obliged to protect the right which may be succinctly put as (a) For the inhabitants, protection of life and liberty, and freedom of religion (b) Acquisition of nationality for certain inhabitants (c) For nationals, equality before law (d) Freedom of organisation for religious and educational purposes.

The above-mentioned provisions of the protection of minorities were observed by the states concerned by incorporating them in their fundamental law and undertook that no law regulation or official action shall conflict or interfere with them. Besides, the provision which affected the minorities — religious racial or linguistic — were a matter of international concern and they were guaranteed by the League of Nations. Those provisions could not be altered by the unilateral action of the State concerned but only by the assent of the majority of the League council. In case of violation, any member of the Council could bring to the notice of the Council and the Council could take action which it considered proper. The minorities whose rights were violated could send petitions to the League.

In 1929, the Institute de Droit International adopted a Declaration of International Rights of Man which declared "that the juridical conscience of the civilised world demands the recognition, for the individual, of rights preserved from all infringement on part of the state"¹⁴ and further "that it is the duty of every state to recognise the equal right of every individual to life, liberty and property and to accord to all within its territory the full and entire protection of this right, without distinction as to nationality, sex, race, language or religion"¹⁵.

This declaration reflects American influence. It unequivocally declares the fundamental human rights and imposes on all nations a standard of conduct towards all men, including their own nationals. "It is specifically concerned with the states and rights of those who, like many Russians may be in the unhappy state of being, not merely *heimatlos* but also prescribed by their country of origin."¹⁶ But the declaration could be of no positive legal value. It merely focussed the minds of the peoples and their governments on the desirability of guaranteeing human rights to all men and their nationals without any tangible results. "The institute is a private organisation and its pronouncements accordingly have no validity except the prestige of authorship of its distinguished members, carefully elected from the authorities on International law in Europe, the Americas and Asia, some sixty of whom were in attendance at the Baircliff session."¹⁷

During the Second World War allied Statesmen like Sir Winston Churchill and President F. D. Roosevelt had already expressed their keen desire to see the enthronement of human rights. In a message to the congress in 1941 President Roosevelt outlined four freedoms "Freedom of speech, freedom of worship, freedom from want and fear every where in the world" The Atlantic Charter, the United Nations Declaration and the Dumbarton Oaks proposals contained the aspirations of man for the protection of his rights. The United Nations Charter deals with human rights at seven places and indicates the wide possibilities of the international recognition of human rights. In the preamble to the Charter, the United Nations have expressed their determination "to affirm faith in fundamental human rights" and to promote and encourage, "assist in the realisation," "make recommendations", "promote universal respect and observance" of human rights. Such are the objects of the United Nations. Article 68 enjoined the Economic and Social Council to set up a commission on human rights. The Commission under the chairmanship of Mrs. E. Roosevelt, after three years' hard labour gave shape to the Universal Declaration of Human Rights which contains some fundamental rights which have been considered absolutely essential for man to realise his true self, to satisfy his potential demands of great personality, be they religious, political, social and educational. The Declaration is a document containing 30 articles covering economic, social, cultural and political rights. Some of the most important rights which the UNESCO Committee on philosophical bases of human rights considered fundamental and forming the basis of the Declaration are as follows*:

The right to live. "It is the condition of other rights since it is the minimum human right. It is inseparably involved in the very existence of man"¹⁸. The right to protection of health¹⁹, the right to work at a wage which represents a fair reward for the quantity and quality of work done, provided the wages be always at least sufficient to provide means of subsistence and provided the hours of work be reasonable and leisure adequate."²⁰.

Again, the UNESCO Committee recommended the right to maintenance in involuntary unemployment, old age sickness and all other forms of incapacity"²¹. The right to private property²², right to education to a certain minimum of elementary education²³. The right to information²⁴, freedom of thought and right to free enquiry²⁵, freedom of speech, association, worship and the press.²⁶ Besides the Declaration includes the right to seek and enjoy in other countries asylum from persecution²⁷, right to marry and found a family with free and full consent of intending spouses.²⁸

*The two texts i. e. the draft prepared by the UNESCO Committee on Human Rights and the Declaration of Human Rights show remarkable similarities both of purpose and eagerness.

The Declaration of Human Rights was hailed by eminent statesmen like Mrs. Roosevelt as "the international Magna Carta of all mankind"²⁹. President of the 3rd Session of the general Assembly declared that "it was the first occasion on which the organised community of nations has made a declaration of human rights and fundamental freedoms. That document was backed by the authority of the body of opinion of the United Nations as a whole and millions of people, men, women, children all over the world, many miles from Paris and New York, would turn to it for help, guidance and inspiration."³⁰

It may not be very safe to compare it with Magna Carta but it would certainly shed light on the way man had to tread to achieve happiness. It has given confidence to the peoples of the world whose rights had been denied, it has enkindled a ray of hope in the hearts of the minorities, black races and women to whom rights were denied.

At the time when the declaration was received with acclaim, there was a deep sense of frustration lurking in certain quarters when the declaration was received by a general repudiation of the idea that it imposed upon the nations legal obligations to respect the human rights. The delegates refused to acknowledge the rights proclaimed as a part of the law binding upon their states. The U. S. A. whose representatives were largely instrumental in the speedy adoption of the Declaration, emphatically refused to accept legally binding force of the Document. U. S. A. maintained her attitude throughout the course of the drafting of the Declaration by the Commission on Human Rights. Mrs. Roosevelt declared that "the Declaration should not be in any sense a Legislative document. The General Assembly was not a legislative body... the Declaration would have moral not mandatory force"³¹ The consensus of opinion was in favour of stressing the absence of any element of legal obligation in the declaration.

The delegates attached 'moral force' to the document and were of the opinion that it must be followed by a legally binding instrument³² The British delegates emphatically said that "it was a statement of principle devoid of any obligatory character."³³

But the French and the Belgian representatives were alone to claim legal force for the declaration. Prof. Cassin the French delegate maintained that although the declaration "would not possess coercive legal power, it could be considered as an authoritative interpretation of the charter,"³⁴ but it is "a statement which is in itself objectionable for the reason that the declaration not being a legal instrument can neither add to nor subtract from existing obligations."³⁵ says Prof. Lauterpacht. It is not easy to agree with Professors Cassin and Dehousse (Belgian delegate)* because a proclamation of the type can in no way be legally

*Prof. Cassin was supported by the Belgian representative Prof. Dehousse who concluded that "the document would have an incontestable legal value" A/C3/SR 108.

binding. To be legally binding it requires enforceability; for enforceability it requires mention in the document, viz duties of the states to guarantee rights and it further requires positive power to some organisation to see that the signatories perform their duties to respect the human rights proclaimed by the Declaration. Unless the individual has the right to assert the rights in the courts of law, rights are mere pious ejaculations.

The Declaration may not have legally binding value, it has a persuasive value which is no doubt evident in its influence on many a constitution. Prof. Lauterpacht's prognostication that "a bare declaration of Rights devoid of the characteristics of legal obligation and enforcement would probably constitute a retrogressive event in relation to the charter... No Declaration couched in general terms could illuminate the meaning of those essential human rights and freedoms which have behind them the accumulated weight of the best aspirations of mankind throughout the centuries... The urgent need of mankind is not the recognition and declaration of fundamental human rights but their protection by the International community... (by) lifting the inalienable rights of man from the august but precarious and controversial sphere of the law of nature — of mere declarations to the plane of positive law and of the legal sanction of the international community"³⁶ is wholly acceptable. It is true that it is essential to lift the right of man to the plane of positive law but that does not mean if otherwise it would retard progress or it would constitute a retrogressive event in relation to the charter.

It is true that in spite of such declarations, there exists slavery, there exists racial discrimination and people do not enjoy fundamental human rights. In Arabian countries slavery exists even today. An able-bodied youngman can still be bought and sold at Rs. 2000 and a beautiful young girl can be bought and sold at Rs. 5000 and slaves are cruelly and mercilessly treated who are given food for bare existence. About the lot of women slaves less said the better who exist not only for forced domestic work but for the enjoyment of the master and his friends. In the Union of South Africa all human beings are not treated alike. There is a vast difference between the treatment meted out to the blacks and to the whites. India's chief accusations against South Africa has been that Asiatic Land Tenure Representation Act of 1946 forced the segregation of Indians both for living quarters and for business. Again there was a complaint against South African policy of apartheid for segregating the negroes. Even in the United States which is believed to have more international conscience they have not been able to weed out racial discrimination. In Switzerland women do not enjoy equal rights with men. Women do not enjoy the right to franchise.

But such violations should not blind us to the fact that even the mere recognition and declarations of human rights have influenced many a constitution, and human rights have been incorporated in various constitutions.

The Constituent Assembly of Costa Rica from 15th January to 7th November 1949 amended the Costa Rican constitution. The new Constitution is a positive improvement on the existing provisions regarding human rights. According to the new text, the private premises are inviolable,³⁷ private papers are inviolable,³⁸ equality before law has been guaranteed,³⁹ no person can be arrested without warrant of arrest.⁴⁰ These provisions certainly go a long way in guaranteeing sanctity to the private domicile, private property and private correspondence which is absolutely essential for giving the individuals due dignity.

Again under the new Text, the executive is deprived of certain powers which were previously vested in it, such as the power to grant nationality and set up administrative courts. A court called the Court of Claims against the administration has been set up.⁴¹ This Court exercises jurisdiction to try cases involving state's liability for acts committed in the exercise of statutory powers by the administration. The right to appeal under Habeas Corpus is extended to cover all individual guarantees, under the name of Amparo⁴²; the institution of appellate proceedings is regulated in cases where legislation and executive decrees are challenged as unconstitutional and constitutional authority is conferred on Supreme Electoral Tribunal. The authority of this Tribunal as an entirely autonomous body has been considerably strengthened.

Apart from the rights analysed above the constitution declares "the state shall endeavour to achieve the greater welfare of all the individuals of the country by organising and promotive production and the most appropriate distribution of wealth.⁴³ It endeavours to make social welfare State, by organising and promoting production and by seeing that wealth is very appropriately distributed among the people. The constitution holds out "a promise that work is a right of individual and an obligation towards the society. The State shall endeavour to ensure that everyone has honourable, useful and properly remunerative employment and that employment shall not result in the establishment of conditions which in any way detract from the freedom or dignity of man or reduce his labour to the status of mere commodity."⁴⁴

Again, the Declaration has exerted lot of influence on the Haitian Constitution. The new Constitution was proclaimed on November. 25, 1950. There are certain radical changes, most important of them are viz. The granting of women of political rights, the franchise and eligibility to the public office, recognition of their fitness to perform all functions of public administration and the acceptance of the principle of equality and civil rights, to be carried into effect gradually by means of ordinary legislation.⁴⁵ The removal of disabilities to which naturalised Haitians and their children were formerly subject as compared with native born Haitians so far as the enjoyment of certain civil rights and eligibility to political offices of Deputy, Senator, Secretary of State and

under-Secretary of State are concerned.⁴⁶ And the explicit information of the equality of all Haitians before the law and with regard to the right to hold public office and to participate in the Government without distinction of colour, sex or religion.⁴⁷

Further, guarantee of the right to life and liberty of all persons living on the territory of Haiti without discrimination between nationals and aliens,⁴⁸ extension of the protection and rights accorded to workers for the improvement of their physical, intellectual and moral conditions,⁴⁹ strengthening of the guarantees regarding the rights of property in the case of expropriation in the public interest, by the stipulation that a judicial decision shall be required concerning the deposit of the compensation due.⁵⁰

Above all the constitution makes unequivocal statements regarding equal rights of all to education at all levels, freedom of religion and worship and the encouragement to be given to the institution of marriage.⁵¹

Under the influence of the declaration a study was made of the rights enjoyed by the people in Pakistan. On October 6, 1950 an Interim Report on Fundamental Right of the citizen of Pakistan and on matters relating to minorities⁵² was adopted by the Constituent Assembly of Pakistan and Part II of the report deals with fundamental rights.⁵³ This report and the rights do not seem to be in operation with the seizing of political power by the military leaders.

The new Constitution of EL Salvador⁵⁴ bears a very distinct impression of the influence of the declaration which is potent and undeniable. It is just sufficient to read the text of the declaration and compare it with the constitution of 1950. The influence of the declaration is more traceable on title XI which deals with social rights. Constitutional guarantees are no longer limited to personal rights. Like the Haitian Constitution it also encourages family life and the institution of marriage, the assistance of motherhood, protection of children and the assurance that children will receive a comprehensive, physical, mental and moral education.⁵⁵ Amongst the most far-reaching and progressive reforms of the present constitution is the right to a minimum salary, compensation, medical facilities to workers injured in occupational or functional accident or disability caused by occupational disease. Besides, "a woman worker shall be entitled to be paid leave before and after confinement and to retain her employment."⁵⁶

A constitutional Bill of Rights can certainly do something to protect the unprivileged downtrodden men and women against the few who through wealth prevail upon the majority. In cases of citizens' protest against the legal wrongs and misgovernment and against unemployment or bad health the moral support of the United Nations acts to encourage the citizens in hatred of injustice. The Declaration of Human Rights, therefore, can properly deal with both, the duty of nations to treat their

people justly, and the duty of nations to serve their people to promote health, prosperity and social justice.

- ¹ Aristotle, *Politics*, Book 1, Chapters III, IV, V, VI.
- ² Zeno & his followers.
- ³ Polybius, Cicero and Seneca.
- ⁴ St. Paul, St. Ambrose and others.
- ⁵ Vittoria and Suarez.
- ⁶ *Treaty Series* No. 8, June 28, 1919.
- ⁷ *Treaty Series* No. 20 on September 10, 1919.
- ⁸ *Treaty Series* No. 6 on December 9, 1919.
- ⁹ *Treaty Series* No. 13 on August 10, 1920.
- ¹⁰ *Treaty of St. Germain*, Articles 64-69.
- ¹¹ *Treaty of Neuilly*, Articles 49-57.
- ¹² *Treaty of Trianon* Articles 54-60.
- ¹³ *Treaty of Lausanne* Articles 37-45.
- ¹⁴ Preamble to the *Declaration of International Rights of Man*.
- ¹⁵ *Ibid.*, Art. 1.
- ¹⁶ Brown, Phillip Marshall, A. J. I. L. Vol. 24 (1930) p. 127.
- ¹⁷ Finch, George A., A. J. I. L. Vol. 35 (1941) p. 664.
- ¹⁸ Draft prepared by the UNESCO Committee on Human Rights, para 1.
- ¹⁹ *Ibid.* para 2.
- ²⁰ *Ibid.* para 3.
- ²¹ *Ibid.* para 4.
- ²² *Ibid.* para 5.
- ²³ *Ibid.* para 6.
- ²⁴ *Ibid.* para 7.
- ²⁵ *Ibid.* para 8.
- ²⁶ *Ibid.* para 10.
- ²⁷ *Declaration of Human Rights*, Art. 14 (1).
- ²⁸ *Ibid.* Art. 1b.
- ²⁹ Official Records of the third Session of the General Assembly Part I, p. 862.
- ³⁰ *Ibid.* p. 934.
- ³¹ *Summary Record*, E/C. N. 4/SR 48 p. 7.
- ³² The British delegate expressed strongly that 'the commission on human rights should continue its work on the draft covenant and on the measures for implementation of the declaration'. Official records of the General Assembly. Third Session part I, plenary meeting p. 883.
- ³³ A/C3/SR 164 p. 8.
- ³⁴ A/C.3/SR.
- ³⁵ Leuterpacht, H. *Human Rights and International Law* p. 406.
- ³⁶ *The International Protection of Human Rights*, Hague Academy Recueil des Cours Vol. 70 (1947) (1) chap. III, p. 10.
- ³⁷ *The Constitution of Costa Rica*, Art. 23.
- ³⁸ *Ibid.*, Art. 24.
- ³⁹ *Ibid.*, Art. 37.
- ⁴⁰ *Ibid.*, Art. 37.
- ⁴¹ *Ibid.*, Art. 48.
- ⁴² *Ibid.*, Art. 57.
- ⁴³ *Ibid.*, Art. 50.
- ⁴⁴ *Ibid.*, Art. 56. cf. *Soviet Constitution* Art. 118.
- ⁴⁵ *Haitian Constitution* of November 25, 1950. Art. 4.
- ⁴⁶ *Ibid.*, Arts. 9, 31, 41 and 92.
- ⁴⁷ *Ibid.*, Art. 9.
- ⁴⁸ *Ibid.*, Art. 10.
- ⁴⁹ *Ibid.*, Art. 17.
- ⁵⁰ *Ibid.*, Art. 8.
- ⁵¹ *Ibid.*, Art. 20, 21, 22.
- ⁵² *Pakistan Times*, Oct. 7, 1950.
- ⁵³ Interim Report on Fundamental Rights of the citizens of Pakistan and on matters relating to minorities. Art. 1 to 16.
- ⁵⁴ *Constitution of El Salvador* of 1950.
- ⁵⁵ *Ibid.*, Art. 180 and 81.
- ⁵⁶ *Ibid.*, Art. 190.

BOOK REVIEWS

SOCIOLOGICAL PAPERS AND ESSAYS An Asian Sociologist's Testament by Kewal Motwani, Ganesh & Co., Madras, pp. 212, Price Rs. 5'00, 1957.

Dr. Kewal Motwani has studied and written on Sociology for more than two decades and collected his more recent papers and essays as an Asian Sociologist's Testament. The essential significance of his contribution lies in his emphasis of the Indian view of human nature which is far different from the Western psychological and sociological view and which is derived from the Indian overall conception of the Real Self. The dialectic of the empirical and the Real Self, which is so important in Indian philosophy and Yoga, underlies the Indian analysis of human goals, values and institutions. The Indian treatment of the effects of human isolation and withdrawal should, as Dr. Motwani insists, supplement a materialistic sociological approach.

Dr. Motwani has ably traced the impact of modern science and technology on the life and thought of the East. The consequences of social substitution and unsettlement are delineated with insight. There is no doubt that the progress of humanity in the future lies in the reciprocal correction and balance between the social patterns of East and West. Much of the future work of the Indian sociologists will have to be undertaken in this frame of reference. Progress is only possible with inter-disciplinary co-operation in the field of the social sciences. Dr. Motwani has done excellent service to sociology by making a vigorous plea for breaking down compartmentalisation so that "a new social science of synthesis", what he calls a new Dharma Sastra, may evolve.

RADHA KAMAL MUKERJEE

POLITICAL PHILOSOPHY OF MAHATMA GANDHI AND SARVODAYA By Dr. V. P. Varma. Published by Lakshmi Narain Agarwal, Educational Publisher, Agra, pp. 308. Price Rs. 15.

The book presents a comprehensive analysis of Mahatma Gandhi's political philosophy including the concept of Sarvodaya as amplified and interpreted by Binova Bhavé and Jaya Prakash Narain. Its three hundred and odd pages are devoted to a discussion of Gandhi's personality; philosophical, psychological, economic and sociological foundations of his thought; his political theory and its contribution to political thought; place of religion and ethics in his thought; and finally, the foundations and philosophy of Sarvodaya. The author has drawn upon a wide range of sources,

primary and secondary, for his material some idea of which can be had from the references in the footnotes and the select bibliography appended at the end of the book.

The number of books on Mahatma Gandhi and the various aspects of his thought is quite a legion and is growing everyday, but is difficult to find a book of comparable size with this, which gives so much information on the subject. Such a book was badly needed for the college and university students who have to study courses in Gandhian thought at the graduate level. Dr. Varma is to be congratulated for having fulfilled this need.

The approach of Dr. Varma to Gandhian thought is one of appreciation and admiration, but he has not refrained from criticism where he thought it to be called for. He challenges, for instance, Gandhiji's assertion that non-violence is the root of Hinduism (P. 103), and many students of Hindu ethics and culture would agree with him. There are numerous other points of Gandhian ideology which a critical approach would reveal and take into account, and Gandhian thought would shine all the brighter for such criticisms, but perhaps that could not be done in the present book without increasing its size inordinately.

Dr. Varma's treatment of Gandhian thought is comparative. At appropriate points, he has instituted comparisons between the thought of Gandhi and Tolstoy, Thoreau, Rousseau, Bentham, Green and numerous other kindred souls. This places Gandhian thought in its historical context and proper ideological perspective.

The book begins with the sentence 'Mahatma Gandhi was not a systematic thinker in the field of metaphysics and political philosophy.' This is true not only of Mahatma Gandhi but of all those seers and sages whose glimpses of truth were intuitive. It is true of the upnishadic thought, of the thought of Socrates, of Rousseau, and of Mazzini. The potentialities of a system are there, but to realize them, constructive survey and interpretation from a gifted expounder and commentator are required. It is to be hoped that in his future expositions of Gandhian thought Dr. Varma will do his bit in that direction.

On p. 66 footnote 3 the word 'teached' occurs—obviously a printer's devil's substitute for 'taught'.

An index at the end would have added to the utility of the book.

The book is a scholarly publication and reveals considerable study and thinking on the part of the author. It is useful for the students and all those interested in Gandhian thought, and deserves to be widely used.

M. P. SHARMA

DEVELOPMENT AND WORKING OF THE INDIAN CONSTITUTION By Raj Narain Gupta and Dr. Ramesh Narain Mathur, Kitab Mahal, Delhi, pp. 504, price 7.50, 1958.

A large number of books have been published on the Indian Constitution. Perhaps most of the publishers have by now a book on the subject.

But most of the books are of the "Made Easy" variety. Some do deal with the critical aspects of the Constitution. Mostly such criticism is simply mechanical. Only a very few books are comprehensive, scholarly and critical. The book under review belongs to the latter type.

The book is characterised by critical and comparative study. The Indian President is compared with the American President and the French President. Likewise, the Indian Prime Minister is compared with the British Prime Minister. Also, the authors have succeeded in acquainting the reader with the actual working of the Constitution. The chapters on "The Parliament and Work" and "Political Parties in India" and the "Appendix" are indicative of this.

The authors have given apt quotations from the speeches of the framers of the Constitution and from authoritative commentaries. Short bibliography at the end of each chapter will certainly stimulate students to study standard works on the subject. Attempt has been made to combine theory and practice of government. For example, in the chapter on "The Union Council of Ministers" the authors have pointed out the salient features of Cabinet Government and have shown its actual working as well.

Out of 504 pages, 223 have been devoted to the constitutional history of India. So much emphasis on this aspect seems to be unnecessary. For, there seems to be little of scientific "Development of the Indian Constitution," Certainly there are some hang-overs of the British regime. And to show them it is not profitable to detail all that had taken place since the Charter of 1680. But then this has been the common feature of all text-books on the subject. If the book under review follows the usual pattern, it is not its weakness.

This handy and well-written book will surely be much useful to students of the Indian Universities. It contains almost all that an examinee requires to understand the subject. The authors deserve congratulations.

GANESH PRASAD

TRIBAL DEMOGRAPHY IN INDIA By C. B. Mamoria, Kitab Mahal, Allahabad, pp. 151, price Rs. 5/-, 1957.

Dr. C. B. Mamoria's 'Tribal Demography in India' contains a summary of published works on individual tribes of India.

Considering the mass of scattered information available on the tribes of India, only a summary treatment could be possible in the limited space of 143 pages. The author has dealt with the classification of races and tribes in India, their livelihood pattern, standard of living, civil and social conditions and the role of the state in their rehabilitation. In the classification of racial types the author has relied on anthroposcopic data but has ignored anthropometric data such as the cephalic index, nasal index, stature and blood groups data where they are available.

It is surprising that the book contains no illustration at all, not even a distribution map of races and tribes, nor even a photograph of any description!

There are many mis-statements and contradictions in the book, for instance, on page 22 it is mentioned that all Indian tribes in general follow primitive occupations such as gleaning; hunting and gathering of forest produce; they are largely carnivorous of flesh and meat eaters; and they live either naked or seminaked using barks of trees and leaves for clothing. Judging from the existing conditions in Bastar District which is one of the most primitive tribal regions of India, the above statements is not true for the tribes in Bastar who primarily do cultivation, eat cereals and clothe with cotton wear instead of barks or leaves. Nevertheless, on page 56 he says that 90% of tribal people depend on agriculture!

The population data of various tribes is a controversial subject and for that matter the author utilised the different census reports as well as the more realistic estimates of anthropologist, but he gives no idea of population density in tribal areas. On page 28 the author says that the most important tribes of Bastar are Gond, Santhal, Bhil, Oraon, Kond and Munda. This is really not the case, since for example, the Gond are not one tribe but a group of several tribes such as the Muria, Hill Muria, Bison Horn Mara, Parja etc. in Bastar District alone. However, the author has attempted to explain how the tribal population has decreased by absorption into Hinduism, spread of christianity and acculturation, and the role played in this matter by mining, plantation, communication and forest developments.

Pages 35-39 deal with the distribution of tribes. On page 38 he says, "the Gonds form the largest group and occupy what is known as the Gondwanaland and extend southwards in Hyderabad and the adjoining states of Kankar (it should be 'Kanker') and Bastar. The statement is objectionable. Firstly Gonda occupy *Gondwana* and not *Gondwanaland* which includes S. America and S. Africa etc. Secondly the old names, Hyderabad, Kanker state and Baster state should be replaced by Andhra Pradesh and Baster District.

Further, on the same page "the Hill Murias of the *Abhujhmar hills* and the Bison Horn Marias of the *Indravati Valley* should be corrected as "the Hill Murias of the Abhujhmar hills and the Bison-horn Marias of the plateau region south of Indravati valley".

On page 60 while dealing with handicraft, the author says "in M. P. the Maria Gonds are mainly occupied in distilling spirits from the products of the forests". This is not the fact. Distilling of Mahua spirit in the Maria Gond tract is in fact done by people of 'Sondi' and 'Kalar' caste, like the Kalwars all over India. The main handicrafts of the Maria Gonds are really the making of bows, arrows, fishing traps mats and baskets etc.

On page 71 the author says "Kodo, Kutki, Pej (gruel) and vegetables and tendu, leaves of trees, particularly 'pipal' and roots form the diet of

Gonds. They would not spare any animal for the sake of flesh, even snakes and crocodiles would be their favourite dish. "This is rather misleading since rice which is the principal cereal from which Pej (gruel) is prepared is not mentioned here. Secondly, tree leaves do not enter significantly in the diet of the Gonds of Bastar. Thirdly the Gonds of Bastar mainly eat fish, pigs, fowls, ants and rats.

On page 80 one of the main reason for illiteracy among the tribes is mentioned that "the aborigines cannot afford or do not wish to send their children to schools situated far from their villages." In fact the distance of school from home is not the reason. The aboriginals, do not want to divert their children from agricultural work to studies which in their eyes gives no immediate return.

The treatment of civil and social conditions of the tribes (p. 86-115) is quite informative and interesting. The role of the state in the rehabilitation of the tribal people (p. 111-129) is also dealt with although this is the weakest part of the book and needs reorientation.

Lastly the author discusses the solutions for the problem of backwardness of the tribal people. In his opinion the three common solutions are, (i) assimilation, (ii) bringing down tribal people to the plains and (iii) isolation of these people. He advocates that the only practical solution is that the tribal people should keep their cultural individuality and still be integrated in the National democratic setup of the country. The problem is 'How'? He gives no answer. The book abounds in printing mistakes.

S. M. ALI

ECONOMIC ASPECTS OF INDIAN CONSTITUTION, By B. R. Misra, Second Edition, Orient Longmans, pp. 140. Price Rs. 7.00, 1958.

The people of India have given to themselves a very comprehensive written Constitution. It contains several articles pertaining to the economic and financial matters. In order to have a full economic picture as implied in the Constitution it becomes necessary to arrange and interpret the various articles in the Constitution which are scattered about in its pages.

Dr. B. R. Misra has undertaken the task of presenting the economic aspects of the Constitution in this book. On the basis of the relevant articles relating to the Fundamental Rights and the Directive Principles of State policy he has clearly brought out that the economic objective underlying the Constitution is to bring about increased and balanced production, fuller employment and improved distribution of income and wealth.

India has a federal structure of government. As such inter-governmental financial problems have to be encountered. Dr. Misra has taken pains to show the constitutional provisions to solve these problems. A sizeable part of the book is devoted to inter-governmental fiscal relations and the machinery to tackle such problems.

Two chapters in the book deal with financial administration of the Union and the States. They give a comprehensive account of the budgeting procedure and related matters. The role of the Comptroller and Auditor General is emphasized in another chapter.

The author has also briefly indicated the extent to which the economic principles underlying the Constitution are being given effect to by the Finance Commissioner and the Planning Commission.

The book will be useful to the general reader as well as to the students of Economics, Political Science and Law.

M. D. JOSHI.

SOME ASPECTS OF ECONOMIC ADVANCEMENT OF UNDER-DEVELOPED ECONOMIES, By A. N. Agarwala, Kitab Mahal, Allahabad, 1958, pp. iv+124, Price Rs. 3.00; and

PROBLEMS AND PROCESSES OF ECONOMIC PLANNING IN UNDERDEVELOPED ECONOMIES, (with special reference to India), By H. C. Gupta, Kitab Mahal, Allahabad, 1958, pp. viii+iv+vi, 227, Price Rs. 5.00.

In recent years a lively interest has been aroused in problems of growth and development and a large number of books and papers have appeared on the subject. In the beginning of this decade when some of us set about to analyse the problems of development of this country there was hardly any material to go by except one or two reports of the United Nations, a few articles scattered in various journals and, of course, the material relating to Indian economic situation collected by earlier writers, Government agencies and private research institutions. Happily the deficiency has been remedied and there is no dearth of literature now for the student of growth both in the theoretical as well as in the applied field. This does not, however, mean either that we have a fully integrated theory of growth or that the relevant statistical material regarding the behaviour of main economic variables is available. The two books under review seek to throw light on some aspects of the problem. Professor Agarwal's is a collection of 7 essays written at different, but not very distant, points of time. Strictly speaking only three, or perhaps four, of these, viz. the papers on Acceleration of Economic Development of Under-developed Countries; Deficit Financing in Under-developed Countries; A comparative Study of the Recent Economic Progress of India and China; and Cottage Industries in Under-developed Economies are relevant from the point of view of development and growth. The others are only partly, and indirectly, relevant. In the opening chapter Prof. Agarwala suggests a set of measures calculated to help under-developed economies grow faster. His views on "labour absorption" advantage of small scale industries and the use of deficit finance as a tool of mobilization of resources are reasonable and balanced. His account

of the economic development of China is devoid of sentimentalism characteristic of much of the narration of that period. (The paper was written about three years ago — in 1956). His style is lucid. Prof. Agarwala has brought to bear on the problem not only a clear understanding but also a wider approach. His views on the need for development of basic industry and on foreign assistance and man-power organisation are well thought out. He lists the pros and cons of developmental deficit finance and, while stressing the need for deficit finance to fill the savings gap in a developing economy, he points out also the dangers and proposes steps which would minimise the difficulties. He is not one of those who think that only India has to learn from China and says that China may also benefit greatly from our experience. His hope, however, that the Second Five-Year Plan of China would draw the two countries together in regard to the "emerging pattern of their economies" may not come true because of the already very heavy stress in Chinese developmental effort on heavy industrialisation, its comparative neglect of agriculture in general and consumers goods in particular, its stress on cuttings down consumption to step up capital formation, and last of all (though this does not come strictly in the scope of Prof. Agarwala's 'emerging economic pattern') its disregard of social values which we cherish.

Mr. Gupta seeks to analyse both the theoretical as well as practical issues connected with planning and development with reference to India. He prefaces his book by a chapter on Meaning and Growth of the Idea of Planning. He goes on to analyse, next, the weaknesses of the capitalist system which, according to him, make it incompatible with the general well-being of the masses and, therefore, unsuitable for the under-developed countries, and comes to the conclusion that the under-developed countries "shall have" to develop a system of their own and their people "will be required" to propound new theories. In Chapter III Mr. Gupta analyses problems of economic development such as those arising from deficiency of the market, lack of basic facilities—transport and communications etc., large population, shortage of capital, adverse terms of trade and declining capacity to export. He then proceeds to stress the need for a special theory of economic growth applicable to underdeveloped countries and ends up with emphasizing Ragnar Nurkse's idea of utilizing disguised unemployment potential for capital formation with the "variation" (as he puts it) that better techniques may be employed for the production of a few commodities—probably basic goods—the rest of the goods may be produced with comparatively inferior techniques. (The Second Five Year Plan, it may be noted, envisaged step-up in production of consumers goods mostly through small-scale industries which, in general, employ inferior techniques.) The available labour for which there is no compliment of capital may be employed in the creation of capital itself. The rest of the book deals with planning

in India. Mr. Gupta's treatment is interesting. He is conversant with recent literature on the subject and makes use of it. What we look forward to and miss in his book is the "new" and different theory which he says should be propounded and is necessary for underdeveloped regions. He is utilizing the known tools and techniques as well as the concepts which are now common currency. Writers in underdeveloped countries are apt to emphasize that a new technique, a new ideology and a new social set-up is necessary to solve their problems. In their desire to distinguish the problems of growth from those of stability they sometimes overstate the differences. Without going into the discussion here I would only point out two things: (i) A satisfactory theory of growth has not so far emerged even in respect of Western countries. (Mr. Gupta knows it); and (ii) Take Adam Smith's theory of accumulation and division of labour and try to work with it. I am sure it will go a long way in explaining the necessary conditions of economic progress. Ragnar Nurkse's disguised saving potential and Mr. Gupta's varying levels of technology can be very easily fitted into Adam Smith's scheme. The book is, nevertheless, interesting and shows the grasp of the writer. No less interesting and useful is the Foreword to it written by Prof. J. K. Mehta of Allahabad University.

N. A. KHAN

BIOGRAPHICAL SKETCH

Dr. Nasir Ahmad Khan, M.A., Ph. D., D.Litt. Born 1922. Graduated from Lucknow University where also he received higher training. Appointed Lecturer in Economics at Lucknow University in 1945, and promoted as reader in 1954. Stayed at the University of Chicago, Illinois, U.S.A. as Post-Doctoral Research Fellow in 1956-57. Was on deputation with Planning Commission in 1958-59. Publications: *Problems of Growth of an Underdeveloped Economy - India* (in press) and articles and papers in various journals.

✓ **CHANGING PATTERN OF INDIAN VILLAGES**, with special reference to Community Development, By C. R. Madan, Lucknow University; S. Chand & Co., Delhi, pp. 405, Price Rs. 12. 50, 1959.

The Five-Year Plans of India have ushered in an era of National Planning and Reconstruction. Some literature on the subject has developed as result of the strenuous labour of various committees and reports published by the relevant departments. A comprehensive survey of the Community Development Programmes has, however, been made available by Dr. G. R. Madan of the Department of Sociology and Social Work, University of Lucknow, in his recent work entitled "Changing Pattern of Indian Villages" which is the first treatise of its kind published so far in the country since the inception of these programmes.

Dr. Madan's treatment of the subject shows method, careful study and analysis. He points out the fundamental uniformity of characteristics

of the Indian Rural Community. He traces the origin and development of village communities in India through the ages. He has discussed the factors responsible for the decay and deterioration of village communities during the British Rule owing to the implementation of a rural policy based of *laissez faire*.

The dawn of Independence created hope and faith in the people due to the introduction of Community Projects and National Extension Service programmes. Chapters III to VIII deal with the development of agriculture, land reforms, consolidation of holdings, co-operative farms, reclamation of waste land and soil conservative use of improved seeds, better manure and fertilizers, improvement of agricultural tools and implements, construction of major and minor irrigation projects, development of animal husbandries, transport and communication.

In Chapters IX and X, Dr. Madan focuses on the problems of non-agriculturists in the agricultural community such as farm labour, landless labourers and village artisans. Measures for their rehabilitation and for raising the standard of living have been recommended in the light of the working of similar measures adopted by the Plans.

Dr. Madan with his vast experience in the field of co-operation in India lucidly discusses its present in all its bearings. His chapters on Rural institutions such as the village panchayats, caste panchayats, joint family and the co-operatives, rural education, health and housing marshal such material in a comprehensive manner. The social welfare programmes in rural India have assumed the shape of social education programme for juvenile, adolescent and adults; youth welfare programmes and activities in the sphere of women welfare, welfare of backward classes and tribal welfare.

Dr. Madan has also briefly examined their working. His critical appraisal of the development programmes shows close study, deep insight and intimate understanding which is the gift of a social researcher who has toiled and moiled in the field.

S. CHANDRA

THEORY OF MARKETING IN UNDERDEVELOPED COUNTRIES
By J. N. Chaturvedi, Kitab Mahal, Allahabad, pp. 135, Price Rs. 7.50

Marketing is one of the most important and at the same time the most difficult problem in underdeveloped countries like India. Current economic theories which are applied to the solution of economic problems, however, are related to conditions prevailing in developed economies and hence fail to offer a solution for the difficulties an underdeveloped country has to face.

This is more true of the theory of marketing. In underdeveloped economies the main problem is agricultural marketing, and any theory of marketing for such economies has to take account of conditions entirely different from that obtain in a developed economy.

The author's attempt to develop a theory of marketing in underdeveloped countries is, therefore, commendable. In the present work he has given two definitions of marketing, one applicable to developed and the other to underdeveloped economies. These definitions are based on a lucid and critical analysis and deserve serious consideration.

In the sphere of marketing in underdeveloped countries he has given his own suggestions which are sound.

This work is one which should be on the table of every student of marketing.

K. C. SARKAR

PRINCIPALS OF AGRICULTURAL ECONOMICS. By B. N. Pal, Kitab Mahal, Allahabad, pp. 751, Price Rs. 18.00, 1959.

The book is divided into as many as twenty eight chapters and deals with almost all the problems of Agriculture. The scope of the work is comprehensive. The authors treatment of the subject is simple and lucid. He has not only discussed certain basic issues of Agricultural Economics but has, also, analysed problems of Indian Agriculture most critically. His observations on planning and coordination are sound.

A mass of useful material has been presented in the book. The book cannot, however, be regarded as an original contribution to knowledge in the field it covers. All the same it is a very useful and intelligent compilation.

The book would prove useful as a text book to students of Agricultural Economics.

K. C. SARKAR

ILLUSTRATED INCOME-TAX LAW. By B. D. Nagpal, B. Com., LL B., A. C. A., Kitab Mahal, Allahabad pp. 195. Price Rs. 7.50, 1959.

The book is divided into as many as twenty five chapters dealing with such matters as, short history of income-tax law in India, definition of chargeable income; exempted income; earned income relief; assessment of salaries, interest on securities, income from property, business profits and gains, and incomes from other sources; methods of accounting; depreciation and development rebate; set off and carry forward of losses; computation of total income and tax; assessment procedure; assessments of individuals, Hindu undivided families, firms, companies etc.; super-tax; capital gains tax; refund of tax; wealth tax and expenditure tax.

The author has endeavoured to render a difficult and complicated subject in an easy-to-understand language and has provided illustrations on almost all difficult points. The book is primarily intended for candidates preparing for professional and university examinations and lays no false claim to serving the income-tax practitioner or businessman. Judged from this end in view, the book is fairly exhaustive in its treatment

of income-tax law and practice though it dismisses wealth tax and expenditure tax in a sketchy and cursory manner.

The general layout of the book is, more or less, designed on the pattern of another income-tax book written by a chartered accountant-cum retired university professor. The author hardly makes any contribution to the subject matter, elucidation or style. Those who are acquainted with existing literature on income-tax would find that the author has adopted, paraphrased, plagiarized and even copied paragraphs, passages and even chapters therefrom in his book. As such the book does not cater to any special need of the students.

Changes in income-tax law are so frequent and sometimes so radical that no book can claim to be up-to-date unless its revised edition is brought out at least once a year. This book seems to have been published even prior to the passing of the Finance Act, 1958. In the light of the present-day law, the book is largely obsolete and out of date, particularly as regards its discussions on earned income relief, provident fund, depreciation, development rebate, section 34 and so on. Candidates preparing for forthcoming examinations who depend upon this book would be doing so at their own peril.

R. M. LAL

AN INTRODUCTION TO FOOD ECONOMICS By Gorakh Nath Sinha, Bihar University Publication, pp. 169. Price Rs. 3/-. 1956

India has been a net importer of food and the Foodgrains Enquiry Committee has observed in 1957 that 'it will not be possible for the country either to build necessary reserve stocks or to meet the requirements of the vulnerable groups of the population without substantial imports during next five years'. The economy is characterised by low production and consumption per head of population, great reliance on imports, food being costly for an average consumer and the rate of food resource utilization being slower than the rate of population growth. And it is more disquieting to observe that resource-utilisation in other spheres of the economy did not fill the gap. These characteristic symptoms are visible even in the different regions of the country. The writer has made bold attempt to present specialised methodology of economic investigation and analysis of Food Economics as such, in his efforts to have the correct appraisal of the disequilibrium between food resources and population growth.

The book is based on Food Survey Report of 1946 which recorded the results of the Sample Food Survey operations conducted to ascertain the position of production of foodgrains and their stocks in rural areas of Bihar in the context of the threatened acute scarcity. The book shows some divergence from the original report firstly due to the fact that the analysis is based on more recent statistics, and secondly that the analysis has been widened so as to necessitate the rearrangement of chapters. However the

statistics of the later years incorporated here are not strictly comparable with those of the past due to several reasons, e. g. the modifications in the classification adopted by Supdt. of Agricultural Statistics in order to standardise them on the pattern of the Govt. of India, and that the statistics collected and compiled by Director of Agriculture for season and crop reports have been discontinued since 1948-49.

With the objective of converting the normal deficit into normal surplus and based on Bihar experience the writer has examined the deficit aspect of the food economy, the coverage of the deficit in consumption by certain subsidiary food resources, fluctuations in agricultural production, conservation storage, and marketing aspects of food supply, the method of control and administration of food resources and development of policy for the long term.

While dealing with the Survey the writer has also discussed the growth of agricultural statistics and the conditions and limitations of the Survey. He observes significantly that in an agricultural economy the more primitive the methods of land utilisation are, the greater is the dependence on Nature and the wider the variations in the methods of production and consumption. The study of land utilisation and the production of food resources reveals that Bihar utilises only 0.58 acres of land per head of population while the general average for the country is 0.70 and that for the world is one acre of land per head of population. The distribution of land into various uses is done by the individual who lacks knowledge and enterprise. The cropwise distribution indicates that cereals, pulses and nuts and oils are most important and from 1948-49 to 1951-52 the acreage under these had diminished.

The total resources available for consumption would include the State's production plus imports (which are to the extent of 10 to 11 million maunds of foodgrains per annum) minus the exports from the state. The inelasticity and the primary urgency of this demand for food and the deficiency in this margin tends to make the price soar, to dislocate the entire economy of non-agricultural wage and salary earning population, and to upset the gearing between industrial and agricultural as well as rural and urban economy, thereby affecting the entire population which suffers from such deficit. It is a pointer to the serious lacuna in the economy which creates political and economic problems.

While analysing the consumption units for the state he observes that normal levels of consumption are low and there is underfeeding. The writer specially points out the population growth, the technological backwardness, the labour intensity, all account for the dynamic aspect of the deficit and a shift of the population to industry and commerce as well as drive for intensive farming is necessary for keeping up and improving the standard of consumption, and as population growth is estimated at 1% per annum it is desired to absorb more than 1% population per annum in non-agricultural pursuits to prevent further pressure on land. It looks

that he is just arguing for balanced growth of the economy of the region, i. e. proper distribution of resource between primary, secondary and tertiary industries.

In working out the deficit he has not neglected the consumption aspect. He also suggests that there is no standardisation in consumption in Bihar with its diverse seasonal harvests even for the same locality and the same class the foodstuffs consumed differs from season to season, and even the quantity consumed fluctuates. With all this the estimates of production of cereals and grain are found to fall short of the estimated consumption (less imports) by as much as 38%.

India has transformed into a food importing country in the present century and the writer is concerned with the conversion of the present normal deficit into normal surplus, and in doing so food policy is significant. He has dealt with the evolution of the control and administration of food resource. The food production policy has gradually emerged since 1875 when the Director of Agriculture was appointed in U. P. Dr. Voelcker in 1889 contributed much by making systematic review of the economy and by suggesting the need for scientific research. The policy has ultimately come within the framework of general economic planning in the country.

On the whole it can be said that the approach is original and the treatment is lucid. The book is of immense value to those who really want to have a deeper probe into such vital a problem as that of food. The reader will be convinced of its utility in evolving a realistic pattern of our approach. It has covered significant aspects of study, being based on practical observations and thus it becomes indispensable for the study of food Economics.

Dr. G. L. HAJELA

REVIEW OF THE BOOK 'ELEMENTS OF LIFE INSURANCE' By Prof. O. P. Bajpai M. Com., Assistant Professor of Commerce, University of Gorakhpur, published by Kitab Mahal, Allahabad.

The book is well written. It contains almost all the important topics of Life Insurance in India, particularly after Life Insurance Corporation came into existence. The book is clear and the topics well arranged. It suits the syllabi of B. Com. class as of Indian Universities.

P. D. SAKSENA

HINDI—THE NATIONAL LANGUAGE, By Kanhaiyalal Bherulal Malviya, M. P., Published By Malviya Prakashan, 64 North Avenue, New Delhi, pp. 98.

It has been an unfortunate state of affairs in India specially after her Independence that even such important national decisions, schemes and

programmes as have undoubtedly a great bearing on the unity, strength and progress of our country as a whole, are made subjects of heated political controversies by various parties and persons. These political parties and persons set aside and forget broad national issues and interests in order to achieve their selfish narrow ends or to suit their conveniences. Similar has been the fate of the Official Language issue. The decision regarding the Official Language of India was one of the most important national decisions and it was reached after long deliberations of the representatives of the different regions of this vast country.

The necessity of having one All India medium for administrative, cultural, educational, commercial and similar other purposes was keenly felt in order to maintain the independent status of our country and to keep up the pace of progress in all fields of activity. In fact this was one of the least controversial issue; because, whenever in the near past there was felt a need for an all India medium for communication whether religious, cultural or commercial before British rule Hindi was always, used for this purpose. The history of the movement for a national medium of intercourse reveals that Hindi was invariably suggested and adopted for the purpose by influential personalities of Non-Hindi speaking areas like Kesab Chandra Sen of Bengal, Swami Dayanand Saraswati and Mathatma Gandhi of Gujarat and Vinoba Bhave of Maharashtra. So the provision in the Indian Constitution about Hindi being adopted as national language was the result of the experiments of many centuries and experiences of modern leaders. Now, when time came to execute this national decision, there appears to be heated opposition out of political prejudices. It is to answer such opposition that the book under review has been written.

I feel happy to note that the author of the present book has tried his best to examine coolly and dispassionately the problems and issues raised in connection with the first report of the official Language Commission. It becomes all the more creditable for him to maintain such an attitude when he finds that certain persons who were previously strong advocates of the cause of Hindi as *Lingua Indica* suddenly have changed sides and occupied a prominent place in opposition. The author has attempted to answer charges made by such persons by their own statements and arguments put forward previously. In fact he has avoided, as far as possible, the expression of his own views and sentiments while replying to the charges of the opposition by quoting profusely from the statements and opinions of the authorities whose views are considered to carry weight. As he himself says in the beginning of the book, I am aware of the grave responsibility of answering charges against Hindi. It is due to this reason that I have supported practically every argument by a quotation. I could have answered every argument in my own words, but that might be termed as the logic of the Hindi, Imperialist hence I have taken recourse to printed words of many of the great authors and leaders."

The book is divided into seven chapters with an Appendix in the end giving select opinions of many persons of repute. The first chapter deals with the problems of National Language. He has begun this with a quotation of F. Pincott, M. R. A. S. in 1887 which runs thus: "The Hindi language is the most vigorous form of speech in Northern India and is well adapted by its terseness and flexibility to become a vehicle for the expression of scientific ideas or indeed to serve the purposes of any form of composition in which precision of thought demands accuracy in expression." This is followed by another quotation from Rajendra Lal Mitra's article published in the *Journal of Asiatic Society of Bengal* in 1864 asserting that Hindi is the most important of all vernacular dialects of India and is intelligible as a *Lingua Franca* every where from Peshawar to Assam and from Kashmir to Cape Camorin.

After giving the views of one European and one Indian non-Hindi speaking scholar, he examines the First Official Language Commission Report and the Notes of Dissent from Dr. S. K. Chatterjee and Dr. P. Subbarayan attached to it. Quoting profusely from the views of Dr. S. K. Chatterjee himself and from the views of great persons like Dr. S. Radha Krishnan, Mahatma Gandhi, Maulana Azad and others, the author has refuted the charges of Dr. Chatterjee and others who oppose Hindi as the National Language or official medium. Even in the Report of the Language Commission itself there are views and arguments which remove all doubts raised by many persons later on. Thus the book not only answers charges of the critics and explains the provisions of the Constitution in regard to Official Language and the First Report of the Commission, but it also removes all the doubts and misgivings that might arise in the minds of the general public as a result of false propaganda against Hindi by persons having vested interests. It is particularly interesting to read the replies to the arguments of Shri Rajgopalachari and others.

The book is useful as it has been written in a spirit of cool consideration with an eye on national unity. In his conclusions the author has taken up all the aspects the question of Hindi as the Official Language and has indicated clear lines of procedure without any prejudice. He has made it amply clear that the Hindi movement in essence has stood for the effort to replace the English medium and not to lose the advantage of the knowledge of the English Language and that for this replacement active implementation of decisions and enthusiastic work is necessary.

I may add here by way of a suggestion that a short history of the movement for evolving our national language, in the beginning of this book might have been more useful and would have made it of even greater academic interest. I feel that this book should be read by all persons having interest in the language issue as well as in the deep rooted unity of the Indian nation and its progress.

BHAGIRATH MISHRA

INDIAN ECONOMICS YEAR BOOK, 1959-60, Kitab-Mahal, pp. 266, 1959.

The book contains within a limited space good deal of relevant material about Indian Economics. For the general reader such a book of facts has lot of informative value.

Starting with land and people, it covers a wide range of subjects like Natural Resources, Five Year plans, Agriculture, Co-operation, Community projects, Irrigation and Power. Industries both in the public and private sectors have got their due place. Trade and Transport, Banking and Credit, Insurance, Public Finance and problems of labour welfare have also been briefly discussed.

In a book of this kind, which is primarily meant to be a reference book, one should not expect a detailed analysis of any of these subjects. It would be specially useful for under-graduates and for those who wish to read something of everything under one cover and do not have enough time to consult specialised books on different subjects. For candidates appearing in competitive examinations such a book is always very handy.

For the price of Rs. 3.00 the get-up and printing of the book is quite attractive. However, one very obvious drawback with which it suffers is that it lacks an Index. For easy and quick reference it is a necessity. The utility of the book would be further enhanced if an index is added to it in future editions.

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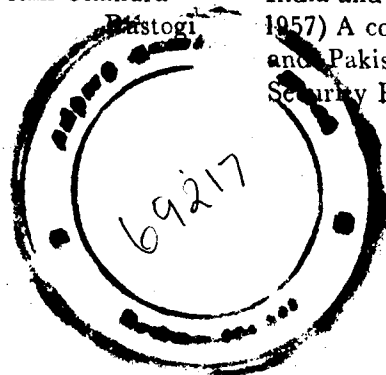
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