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E. M. S. NAMBOODIRIPAD

R. R. KALE MEMORIAL LECTURE, 1968

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THE REPUBLICAN CONSTITUTION IN THE STRUGGLE FOR SOCIALISM

WE ARE PROUD of our Republican Constitution. We consider its adoption by the Constituent Assembly to be a memorable event in the history of our country. That event put an end to the decades of foreign domination as well as several centuries of caste-ridden, conservative, socio-cultural set-up; it inscribed on our banner the inspiring slogans of political liberty, parliamentary democracy, an end to all forms of social inequality, and guarantee of all-round progress.

It is therefore understandable that anybody who shows disrespect to, or decries, our Constitution is not popular among our people. Critics of the Constitution are told: if you see defects and inadequacies in the Constitution, why can you not try to remove them through the processes and methods laid down in the Constitution itself? Why do you decry and show disrespect to that very Constitution which has given you the right to criticize and try to change it? Do you not see that, having adopted a Republican democratic Constitution, our national leadership has gone forward to adopt the programme of establishing a socialist society and to this end evolved the system of planned development of our economy? Is it not therefore the task of those who are interested in further carrying forward the gains secured when the Republican Constitution was adopted by using this very democratic Republican Constitution to make it an instrument of building socialism?

These questions are particularly addressed to those of us who believe in the ideology of Marxism-Leninism. We are supposed to be people who have no faith in the democratic process. Loyalty to the basic tenets of Marxism-Leninism is supposed to be inconsistent with loyalty to the principles and processes of parliamentary democracy. It is therefore with a sense of gratitude that I am taking this opportunity to explain our attitude to the Republican Constitution of India; how we propose to work within its framework in order to bring

about those fundamental socio-economic changes that we are striving to bring about.

Let me, at the very outset, make it clear that Marxism-Leninism does not take a rigid or dogmatic stand on the particular mode of bringing about social transformations. No method is excluded, nor is any laid down as the one and only acceptable method. The only criterion on which Marxism-Leninism bases itself when it selects a particular method for bringing about social transformations is whether it will serve the purpose. If there is more than one method out of which a choice can be made, Marxism-Leninism would consider which will yield results more quickly and less painfully. That was why Marx and Engels, who were of the view that State power will have to be seized through the use of force ("force is the midwife of the new society"), nevertheless thought it necessary to draw attention to the possibility that England with its predominantly working-class population, its growing organization of the working class and with its system of parliamentary democracy might be able to pass over from capitalism to socialism through peaceful means. Several years after this, Lenin, their loyal disciple, who consistently applied their theory of revolution pointed out that, while the possibility of peaceful transformation in England did undoubtedly exist in the days of Marx and Engels, it ceased to exist after the transformation of early ("free") capitalism into monopoly-capitalism. That was again why the Marxists-Leninists of the world did envisage, in 1957 and 1960, the possibility of relatively peaceful transformations in several countries, since imperialism had got weakened on a world-scale and since indigenous capitalism in individual countries was not so powerful as before. These changes in approach to the possibility or otherwise of peaceful transformations show that the so-called "rigidity" of the Marxists on the question of State power is a figment of imagination of some people. The fact of the matter is that, while Marxism-Leninism will not have that pathetic faith in the efficacy of the bourgeois parliamentary democratic system which was characteristic of social democracy, they are not allergic to the system of parliamentary democracy, as their enemies accused them of.

Let me now come to the specific question of the Republican Constitution of India. On a Marxist-Leninist analysis of the circumstances in which that Constitution came to be adopted and the contents of that Constitution, the Communist Party of India (Marxist) came

to the conclusion that its adoption does certainly indicate an advance for our people. Our programme says: "Universal adult franchise and Parliament and State Legislatures can serve as instruments of the people in their struggle for democracy, for defence of their interests. Although a form of class rule of the bourgeoise, India's parliamentary system also embodies an advance for the people. It affords certain opportunities to them to defend their interests, intervene in the affairs of the State to a certain extent and mobilise them to carry forward the struggle for peace, democracy and social progress". (Para. 71)

Our Party is of the view that, so long as this system continues, it is in the interest of the working class and the working people to so utilize the institutions built up on the basis of this Constitution as to further consolidate and strengthen the struggles of the working people for basic social transformations. That is why the very Seventh Congress of the Party which adopted the fundamental programme of the Party, also adopted a resolution on the (then ensuing) 1965 mid-term election in Kerala, which called for such a United Front of the Communists, Socialists and other progressive democratic parties, groups and individuals as "will give the State a stable Government which pursues popular democratic policies". That was again why on the eve of the Fourth General Elections, the Central Committee of the Party in its election manifesto, gave the slogans of "removing the Congress monopoly of power in as many States as possible, improving and increasing the strength of the democratic opposition and above all of the C.P.I. (Marxist) in all the States and at the Centre".

While thus considering the adoption of the Republican Constitution as an advance and utilizing its provisions for the further strengthening of the working class and democratic movements in the country, the Party has no illusion that the working class and democratic movements will be permitted to use the parliamentary democratic institutions to such an extent, and for such a length of time, that fundamental social transformations can be carried out through the much-talked-of "Parliamentary path". The experience of all countries which have so far adopted the system of bourgeois parliamentary democracy (including the experience of the working of our own Republican Constitution) makes it clear that the ruling classes allow the luxury of parliamentary democracy only so long as

their own class interests are not threatened. A study of what happened in European countries after the First World War, and what our own Central Congress Government did in those cases where the General Election led to the replacing of Congress by another party or coalition of parties, enabling them to form non-Congress Governments in this or that State, exposes the hollowness of the democratic pretentions of the ruling classes. That is why our Party declared in its Programme:

> "The threat to the Parliamentary system and to democracy comes not from the working people and the parties which represent their interests. The threat comes from the exploiting classes. It is they who undermine the parliamentary system both from within and without by making it an instrument to advance their narrow interests and repress the toiling masses. When the people begin to use parliamentary institutions for advancing their cause, and they fall away from the influence of the reactionary bourgeoisie and landlords, these classes do not hesitate to trample underfoot parliamentary democracy as was done in Kerala in 1959. When their interests demand they do not hesitate to replace parliamentary democracy by military dictatorship. It will be a serious error and a dangerous illusion to imagine that our country is free from all such threats. It is of utmost importance that parliamentary and democratic institutions are defended in the interest of the people against such threats, and that such institutions are skilfully utilised in combination with extra-parliamentary activities".

Let us analyse the structure of power built up as per the provisions of the Constitution. We find that the repository of executive power is the President of India who not only exercises power "either directly or through officers subordinate to him in accordance with this Constitution" (Art. 53(1); "The supreme command of the Defence Forces of the Union shall (also) be vested with the President" (Art. 53(2). The executive power to be exercised by him has, of course, been technically restricted to the field of the 'Union'; the corresponding power in the States is vested in the Governors (Art. 154). In reality, however, the Governor is a nominee of the President and holds office during the pleasure of the President (Art. 155 and 156(1)). The President is also the authority who appoints the Judges of the High Court of every State (Art. 217). Another important instrument of administrative power (the Public Service Commission

of the State which makes appointments for all the top and middle posts of State Services) is also appointed by the Governor (Art. 316). Such highly-centralized power vested in the President of the Union and his creatures in the States can very well be so used as to subvert parliamentary democracy behind a facade of "Constitutionalism". This, as is well known, was what happened in several neighbouring countries. That it has not happened in India does not mean that it will not happen here. It only means that the political system in our country has not reached the stage of crisis reached elsewhere.

It is, of course, true that the executive power is to be exercised by the President of the Union and by the Governors of States only in their capacities as Constitutional heads of States. The President of the Union shall exercise his functions only with the aid and advice of the Council of Ministers (Art. 74(1); the Governors of States also likewise exercise their functions with the aid and advice of his Council of Ministers (Art. 163). The Union and State Councils of Ministers in their turn do under the established convention of parliamentary democracy, hold office only so long as they have the confidence of the Parliament and the State Legislatures respectively. The Constitution, however, provides that they hold office during the "pleasure of the President and Governor respectively (Articles 75(2) and 164(1)." Neither the President nor the Governor is, under normal circumstances, expected to have his "pleasure" in a way different from the fact of the Council of Ministers having the confidence of the Parliament and State Legislature respectively. But in abnormal times, when the political system has reached a stage of crisis, there can very well be a conflict between the "pleasure" of the Constitutional head and the confidence of the Parliament or the State Legislature respectively.

Although vested with extensive despotic powers, it may be said, the President is elected, the electoral college consisting of elected members of both Houses of Parliament and the elected members of the Legislative Assemblies of the State (Art. 54). He is also liable under certain conditions to be impeached for violation of the Constitution by either of the Houses of Parliament (Art. 61). This right of the Parliament to punish the President, however, can be negated because, unlike in several other countries having the parliamentary democratic system, our members of Parliament have no immunity

from arrest and detention. Whenever there is a political crisis—and it is only in times when there are crises that the Constitution breaks down—sufficient number of members of Parliament can be put behind the bars. That this is not a figment of the imagination but can very well become a reality can be seen from two facts. Firstly, several members of Parliament were detained without trial under the Defence of India Rules in 1962-63 and 1964-65. Secondly, 29 members of the State Legislature elected in Kerala in the 1965 mid-term election, belonging to the Party that came out as the biggest single party, were detained and this fact was used by the Governor of that State to report to the President that no party is in a position to form a Government; this led to the dissolution of the Legislature even before the elected members took their oath of office. If this could be done to a sufficient number of members of a State Legislature in a time of crisis for this particular State, how can it be assumed that it will not happen at the Centre when the Centre itself is faced with a similar crisis?

Crucial to the discussion of the democratic character of the Republican Constitution, the guarantees that it provides for the peaceful transition from a socio-economic system based on landlord-capitalistic exploitation to a socialist system, is the way in which our political system is enveloped by a growing crisis. That such a crisis is, in fact, developing will not be denied by any one at least after the Fourth General Elections. The crisis had, in reality, started developing as early as in 1952. In three States, the Congress was reduced to a minority in the respective State Legislatures in 1952. The Central Government and the Party that led it, however, used the institutions of the Rajpramukh and the Governor in those States to prevent the formation of non-Congress Governments. That situation was changed slightly in favour of the Congress in subsequent years. But still the Congress could not prevent the formation of a non-Congress Government in Kerala in 1957. Here again, the executive power vested in the President was used in order to dismiss that non-Congress Government. It was only after the third General Elections that the Congress could form its own Government not only at the Centre but in all the States. This, however, was followed by the Fourth General Elections, when there was a veritable landslide against the Congress. Once again, therefore, the party in power at the Centre used its authority to get as many non-Congress Govern-

ments dismissed as possible. The method adopted for this in West Bengal was denounced by such an august body as the All-India Speakers' conference, presided over by the Speaker of the Lok Sabha.

Seen against this background, the growing crisis of confidence in the leadership of the Central Government, the unconcealed intrigues resorted to by various groups within the ruling party, raise the ominous question : what will happen to the Centre if and when a group of Congress M.P.s defects to the Opposition as happened in Haryana, Uttar Pradesh and Madhya Pradesh in March and April 1967? Again, supposing that in the 5th General Elections the Congress is reduced to a minority in Parliament, is it unimaginable that what was done in 1952, in 1957-59 and 1967-68 in those States where the Congress was reduced to a minority in the Legislature will not be done at the Centre? If that happens to the Centre, will that be very far from a full-fledged military dictatorship?

If we are to have a proper understanding of the essence of the crisis, the political aspects of which were briefly outlined above, we should go a little deeper into the socio-economic factors leading to this crisis. For, only a superficial observer of the political scene in our country can look upon these manifestations of the political crisis as passing phenomena. Any objective, truthful study of the situation will reveal that the political crisis is a manifestation of the deep gulf that separates the expectations of the people when the country attained Independence and their experience of what actually happened in the post-independent years. The Preamble to the Constitution which gave expression to the solemn resolve of the Constitution-framers to secure to all Indian citizens "(a) justice, social, economic and political; (b) liberty of thought, expression, belief, faith and worship; (c) equality of status and opportunity" is an expression of the expectations with which the people welcomed the Republican Constitution of India. The Fundamental Rights embodied in Part III and the Directive Principles of State Policy laid down in Part IV of the Constitution also give expression to these expectations of the people. These are undoubtedly noble declarations. They inspire every Indian citizen with the idea that he or she belongs to a country which is determined to take its place among the most advanced, freedom-loving and democratic countries in the world.

As opposed to this, however, is the living experience of the people. Every one of the fundamental rights inscribed on the banner of the

Republic is violated—except of course the right to property. Not the property of the small and medium-size cultivator or artisan who is steadly being pauperised, and thrown into the ranks of the unemployed and employment-seeking millions. It is the right to property of the big land-lords and of the growing sections of monopoly capitalists that is protected and in protecting which the Government attacks the mass of the working people. The result is that the people are getting rapidly disillusioned and are therefore losing faith in the Congress and its declaration of building a new India on the foundations of democratic socialism. It is this loss of faith in the Congress that is reflected in the waning prestige and power of the Congress—a process which cannot be reversed, but will, on the other hand, grow from year to year unless the basic policies are changed.

Nobody disputes the wide gulf between the expectations with which the people greeted the attainment of Independence in 1947 and their subsequent experience. It is recognized even by the leaders of the ruling Party who blame it on the fact that the correct policies laid down by them have not been properly implemented. Opposition parties, on the other hand, point out that the policies themselves are wrong. Among the Opposition parties themselves, there are two schools of thought; one, which may be called Left Opposition, is of opinion that the policies are calculated to serve the interests of landlords and capitalists and opposed to the interests of the working people, and the other, which may be called the Right Opposition, thinks that the ruling Party is adopting policies which are too radical, too socialistic and doctrinaire. Both sections of the Opposition, however, plead for a radical change of policies. According to them, change of policies is the only way in which the growing discontent of the people can be removed and the country march along the path of progress.

There are, at the same time, some—our Party is one of them—who hold the view that neither the inadequate implementation of accepted policies (conceded by the ruling Party), nor the incorrect policies (pointed out by the Opposition) fully explain the divergence between the people's early expectations and their subsequent experience. According to us, this is inherent in the very State structure built up under the Constitution. Even the most radical reversal of the policies—the adoption of the most progressive, anti-imperialist, anti-feudal and anti-monopoly policies—would not help the solution

of the problem unless it is accompanied by a fundamental recasting of the State structure built under the Constitution. As a matter of fact, the very process of laying down and implementing radical progressive policies would be thwarted by the various checks built into the framework of the Constitution. Recall the fate of the various land reform measures which the Congress Governments had to push through the various Legislatures. These are not radical, not to speak of revolutionary, measures. They fall far short of even the measures introduced by the American Occupation Regime in Japan. Yet, within a year of the coming into force of our Constitution, Parliament had to amend a section of Article 31 in order to give protection to certain land reform legislations (Art. 31 A.). This amendment had to be followed by other amendments to the Constitution, all of which were calculated to facilitate the implementation of various agrarian reform legislations. This process has at last reached a stage when the legality and constitutionality of this process of amending Part III of the Constitution in order to facilitate progressive legislation has been questioned; the well-known majority judgement of the Supreme Court, headed by former Chief Justice Subha Rao, rejects the right of Parliament to get such amending legislations pushed through. If this is the fate of legislative measures which can in no way be considered radical or revolutionary, it is obvious that the radical policies advocated by the Parties of the Left Opposition would meet with still more serious obstacles built into the Constitution.

Compare, for instance, Part III and Part IV of the Constitution: The former deals with Fundamental Rights while the latter relates to what are called Directive Principles of State policy. It is in the latter that the essentials of what is known as the concept of Welfare State are spelt out. One article included in that Part commits the State to "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 the national life" (Art. 38). Still another Article directs the State to see that "the ownership and control of the material resources of the community are so distributed as best to subserve the common good" (Art. 39(b); that "the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment" (Art. 39(c); there is equal pay for equal work for both men and women" (Art. 39(d), and so on. Among the

other rights of the people, the State has been directed to "make effective provision" for "securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement" (Art. 41); "just and humane conditions of work and for maternity relief" (Art. 42); "a living wage, conditions of work ensuring a decent standard of life and full enjoyment and leisure and social and cultural opportunities" (Art. 43) and so on. These undoubtedly express the hopes and expectations with which our people greeted the new Independent India. Before laying down these Directive Principles of State policy, however, the Constitution-makers make it clear that "the provisions contained in this Part shall not be enforceable by any court" (Art. 37). They have thus been reduced to noble declarations, with no sanction behind them.

As opposed to this is Part III on Fundamental Rights which are enforceable by the Judiciary. Art. 32 lays down the procedure for moving the Supreme Court and the court examining the cases of violation of fundamental rights. It is very significant that the most crucial right embodied in this part of the Constitution is the Right to Property. It was in relation to this that several cases came before the Supreme Court which gave its judgment against the very moderate social reform measures introduced by the Congress Government. It is again in relation to this that the well-known Subba Rao judgment came to the conclusion that even Parliament has no right to so alter the Fundamental Rights provisions in the Constitution as to take away the Right to Property. It is obvious that, so long as this provision continues to remain in the Constitution, the court will strike down each and every radical legislation. It is also obvious that, so long as the Subba Rao judgment is in force, Parliament will be powerless to make amendments to the Constitution in order to meet this difficult situation.

Right to property, of course, is not the only provision contained in Part III of the Constitution. There are other rights like the right to equality before law, right against discrimination on grounds of religion, race, caste, sex or place of birth; right to equality of opportunity in matters of public employment and so on. They are supposed to be enforceable by courts of law. But we know very well that, while the Constitution solemnly declares that every citizen of India is equal before another citizen, inequality between the rich and the poor is steadily increasing. This growing inequality cannot

be prevented even by the Supreme Court, though this right is (on paper) enforceable by courts of law. As for the right against discrimination on grounds of religion, it is enough to point out how the militant organizations preaching hatred for non-Hindu religious communities, particularly the Muslims, have become a serious threat. Although the seriousness of this threat is recognized even by the Home Minister of the Union Government, he seems to be powerless to stop the growing attacks on the religious minorities. Here again, minorities who are victims of militant communal organizations of the majority community are helpless; the courts which are supposed to enforce this right are also powerless. Without making a more detailed analysis of all other Fundamental Rights, which are sacred and rather important for the common people, it may be pointed out that the most fundamental of the Fundamental Rights—the right to personal freedom—has been subjected to the most serious and shameless violations. The operation of the Defence of India Rules framed in the wake of the border conflict with China has become the subject matter of serious criticism by all sections of the democratic public opinion in the country. The Supreme Court itself, in one of its judgments, cast doubts on the legality and constitutionality of certain provisions of the D. I. R. and held back its judgment only on the ground that the very Emergency-declaration made by the President took such measures away from the purview of the Court. In other words, the very Supreme Court which through a majority judgment banned Parliament from legislating against the Right to Property seemed powerless against the Government's attack on the fundamental right of personal liberty. Would it be unpatriotic on our part under these circumstances to conclude that the net result of the provisions in Part III and Part IV, and the way in which they are interpreted by the Courts and enforced by the executive, make it clear that every other Fundamental Right is to be subordinated to the Right to Property, while the essentials of a Welfare State are reduced to mere declarations of pious intentions.

Those who want to bring about radical socio-economic transformations through the "constitutional path" are thus faced with two difficulties. Firstly, if they happen to win a majority in the State Legislature (as has happened in a few cases), the power of the Centre is used against them. The use of this power may go to the extent of dismissal of the elected Ministry (as happened in Kerala

in 1959 or in West Bengal in 1967). It may also happen that, if the elected Ministry is not so crudely dismissed, the radical measures it seeks to pilot through the Legislature are blocked (as happened in Kerala for the agrarian reform and educational bills in 1958-59). Or, it may also take the form of rejecting the legitimate demands of the State Government for food, financial assistance, an adequate share of industrial and other developments, etc. Secondly, if the forces standing for radical socio-economic transformations are able to win a majority in Parliament and to form a radical Government at the Centre, they cannot carry out their programmes of radical changes in property relations unless and until the Constitution itself is amended in important directions. This will not be easy, but will be a protracted and difficult process. Technically it is difficult since an amendment to the Constitution requires that it is "passed in each House of Parliament by a majority of the total membership of that House and by a majority of not less than two-thirds of members of that House present and voting" (Art. 368). Politically too, it involves a serious conflict between the champions of those social transformations and their opponents. The latter, as is well known, are extremely powerful and have under their control all the media of publicity and propaganda through which they can confuse the people. They are also masters of the money purse which they can extensively utilize in order to mobilize considerable sections of the population against the attempted social transformations. It is therefore inevitable that clashes and conflicts take place among the people who are rallied behind the two camps—the champions and opponents of these social transformations. It is unrealistic to think that, in such a situation of growing conflict between the two camps of the people, the Parliamentary democratic system will be preserved intact and not be subverted, as has happened in several other countries.

This, however, is not the only way in which the Constitution may break down. An equally serious threat to the smooth working of the Constitution emanates from the steadily deteriorating relation between the Centre and the States. It is just enough to mention the names of Kashmir, Nagaland, Mizoland, the Hill peoples of Assam, the Hindi and non-Hindi conflict and the insistent demand of all the States (including Congress-governed States) for greater power and greater share of the economic development of the country. Every one of them is an explosive issue, some of which have, in fact, already

reached the stage of veritable explosion. The longer the time taken to find a solution for any of these problems, the more complicated it becomes. On the other hand, every solution that is offered adds a new complexity to the problem which it did not have so far. Those who are trying to find solutions therefore have reached a veritable dead end.

The reason for this, according to our Party, is the totally unrealistic premise on which the Federal State structure has been built into the Constitution—the premise that a "strong and powerful Centre" is necessary for the preservation of the unity of the country. The division of functions between the Federal Centre and the federating units has been so arranged that the essence of State power rests with the Centre, the States being vested with only outside manifestations of power. The entire field of economic development and planning; control over currency, finance, prices and so on; the most elastic and expanding sources of revenue—all these are left to the Centre. This arms the Centre with adequate power to lay down the economic and financial law for the States. Even in the management of those subjects which have been formally allocated to the States, the Centre is in a position to make the States sub-serve its dictates in the name of all-India "co-ordination", using for the purpose the absolute financial dependence of the States on the Centre. The Civil Services of the States—the agency through which the State Governments have to carry on the administration—are also controlled by the Centre which has built up a new edition of the old "steel frame" of the British rulers. While the Constitution itself had vested the Federal Centre with extensive powers, the eighteen years of its working has made further inroads into the powers of the States. In the face of this ever-expanding power of the Centre, the States have been put to the necessity of fighting for greater powers. This conflict between the aspirations of the States and the reality of the central power is leading to as big a conflict as the social conflicts between the rich and poor, referred to above.

In order to have a proper understanding of this phenomenon, it is necessary to go into the history of how the federal idea got gradually evolved. The birth of the federal idea should be seen against the background of the movement for the formation of linguistic States which had almost half a century of history before the Constituent Assembly started its work of framing the Constitution. As soon as

the anti-imperialist freedom movement came under Mahatma Gandhi's leadership and penetrated into the rural masses, formation of liguistic States became one of the key slogans of freedom fighters. This was a clear indication of the fact that the "unity of India" for which the freedom movement was fighting cannot be divorced from the "diversity of the various linguistic cultural groups" that inhabit the country. Neither the military power wielded by the Emperors of Ancient India nor the colonial engine of oppression perfected by the British, which are supposed to have "united" India, can be used in a free and democratic India. Indian unity today can be maintained only if the leaders of the united India allow full freedom of development to every linguistic-cultural group, reserving for themselves only such minimum powers as are absolutely necessary in the common interest of the entire people. This is the essence of the federal idea.

However, discussion on this question in pre-Independence years assumed a distorted form, since it was mixed up with the problem of Hindu-Muslim relations. The spokesmen of the two major religious communities became the champions of the unitary and federal structures. It was in the course of an attempted agreement between the two communities (the Lucknow Pact of 1916, the All-Party Conference in the years preceding the 1935 Constitution and in the discussions before the 1947 Transfer of Power) that the leaders of National Congress accepted the federal idea. They therefore had serious reservations on it, considering their acceptance of the Federal idea as nothing more than a compromise. They therefore took advantage of the first available opportunity—the partition of India which removed the Muslim League from the scene—to bring back as big a part of the unitary concept as they could. This was how, in framing the Constitution, they subscribed to the federal principle in words, but made the federal Centre so powerful that the State structure as a whole is hardly distinguishable from a unitary one.

Light on this is thrown by the manner in which the problem of Kashmir has been dealt with by the Central leaders. In the days of the most acute conflict on the Kashmir issue—in the immediate post-Independence years—, it was agreed that Kashmir would accede to the Indian Union only in relation to Defence, Foreign Affairs and Communications. In relation to every other subject, the State of Jammu and Kashmir was recognized as fully sovereign. Gradually,

however, the autonomy of the State was subjected to increasing encroachments leading ultimately to the present situation where the State is almost as much part of India as any other State. This, however, has resulted in the most acute and continuing conflict between the Centre and the State. The series of arrests and releases to which the former Prime Minister of the State, Sheikh Abdulla, has been subjected and the deadlock that has now been reached after his latest release from prison, indicate the depth and seriousness of tne crisis of Centre-State relations in so far as it affects this State.

This one example, together with the developing situation in Nagaland, Mizoland and the Assam Hills shows that the unity of India including these areas cannot be preserved except on the basis of the voluntary consent of the people concerned. The use of the over-riding powers vested in the Centre will further antagonize the people of these areas. If this continues for some time, it will be impossible to resist their demand for a complete separation from India.

Hindi-non-Hindi controversy and the general demand of all the States for greater powers and greater financial resources have, of course, not reached such an advanced stage of political crisis. There are, however, sufficient indications to show that they too will develop along these lines if they are not dealt with in a statesmanlike manner and with vision. The essential prerequisite for such a statesmanlike approach is the recognition that India is a country inhabited by peoples with different linguistic-cultural affinities. Any effort at forging the 'unity' of the country without taking account of the "diversity" of its peoples will lead to disintegration and chaos. It is this fact that is underlined by the anti-Hindi explosion of 1965—an explosion which virtually nullified Art. 340 of the Constitution on the Official Language. Even after 15 years, (the period laid down under Sec. 2 of that Article). English continues to be used for all the official purposes of the Union and it may continue indefinitely. Centre-State conflicts on economic and financial issues too have led to agitations and movements drawing hundreds of thousands of people, sometimes ranging the people of one State against that of another, and sometimes rallying them against the Centre. It is a question of time for all these problems to come up in as acute a form as that of Kashmir, Nagaland, etc., unless, of course, the problem is tackled with sufficient forethought and insight into the real forces working behind these movements.

From this angle too, it is clear, the State structure built as per the provisions of the Constitution requires thorough overhauling. It is not proposed here to spell out in detail how this overhauling is to be done. What is possible and necessary is only to emphasize that the concept of a Federal State with "a strong Centre" having over-riding powers on the autonomy of the States has been tried and found wanting. Continuance of such a structure is bound to break the Constitution under the heavy load of tensions which it has heaped on it.

This discussion may now be summed up by restating the attitude of our Party to the Republican Constitution of India.

(a) We look upon the framing of the Constitution as a historical landmark in the sense that it has given the working people and their political representatives new opportunities for organizing themselves and perfecting their weapons of struggle for a new socialist system. The victories gained by them by way of not only reducing the Congress strength in the country as a whole, but also forming non-Congress Governments on occasions in a few States, are a guarantee that the defence of the Parliamentary system is in the interests of the working people.

(b) It would, however, be a dangerous illusion to think that this system is so perfect that it can be used in order to transform the present socio-economic system of exploitation into a socialistic system through the mere use of constitutional means. The danger of this system being subverted by the vested interests is very real. Even if that danger is averted and the political representatives of the working people do get a majority in the Central Parliament the Constitution as has been framed and is being worked now should be thoroughly overhauled if it is to be used for bringing about social transformations.

(c) An equally or more serious danger to the system emanates from the totally incorrect handling of the problems of Centre-State relations which have already led to serious crises in some parts of the country and which may well expand themselves into other parts. The struggle against these incorrect policies of the ruling Party, and for national integration on the basis of the well-known slogan "unity in diversity", is therefore an inseparable part of the struggle for the preservation of the Parliamentary democratic system.

(d) The threat to the Parliamentary system emanating from the reactionaries can be fought back if and so long as the system

continues and the political representatives of the working people use it skilfully. Adult suffrage, declaration of Fundamental Rights and Directive Principles of State policy; legislative forums and the Judiciary—all these can, to a limited extent be used in order to mobilize increasing sections of the people, against the reactionary attempts at the subversion of the Parliamentary system.

It is on the basis of such an approach to the Constitution that our Party has placed before the people a programme of overhauling the State structure from top to bottom. That programme is as follows :

(1) The sovereignty of the people. The supreme power in the State must be vested entirely in the people's representatives who will be selected by the people on the basis of proportional representation and be subject to recall at any time upon a demand by the majority of the electorate.

(2) Universal, equal and direct suffrage for all male and female citizens of India who have attained the age of 18 years, in all elections to Parliament, State legislatures and to local Government bodies. Secret ballot, the right of any voter to be elected to any representative institution.

(3) Widest autonomy for the various States comprising the Indian Federation.

(4) Completion of the process of reorganization of States on linguistic basis. All States shall have equal powers.

(5) There shall be no Governors for the States appointed from above. Nor shall there be the so-called Upper Houses. At the Centre there shall be two Houses, the House of People and the House of States. Both shall have equal powers and equal number of members. The House of States shall have also equal representation from all the States in the Indian Union. The President shall act in accordance with decisions of both the Houses and shall have no other powers.

(6) The tribal areas or the areas where population is specific in composition and is distinguished by specific social and cultural conditions will have regional autonomy with regional Government within the State concerned and shall receive full assistance for their development, or have full autonomy.

(7) In the field of local administration, a wide network of local bodies from the village upward, directly elected by the people, and invested with real powers and responsibility. Adequate finances shall be ensured to the local bodies.

(8) All administrative services shall be under the direct control of the respective States or local authorities.

(9) Introduction of democratic changes in the administration of justice. The judiciary will be completely independent of the executive. The appointment of judges will be subject to approval by Parliament, legislatures or appropriate peoples's organs at different levels;

——Right of all persons to sue any official in a court of law ;

——Free legal aid and advice will be provided for the needy in order to make legal redress easily available for all.

(10) The people's democratic Government will infuse the members of the armed forces with the spirit of patriotism and democracy. It will ensure them good living-standards and conditions of service, maximum possible opportunities for cultural life, as well as the education and well-being of their children.

(11) The introduction of graded tax in industry, agriculture and trade; and maximum relief in taxation for workers, peasants and artisans. Profits shall be controlled.

(12) All our institutions must be infused with the spirit of democracy, of respect for and reliance on the people as well as confidence in their determination to build a democratic society free from bureaucracy and injustice.

The people's democratic Government will, therefore, extend democratic forms of initiative and control over every aspect of national life. A key role in this will be played by the trade unions, peasant and agricultural labour associations and other organizations of the working people. The Government will take steps to make the legislative and executive machinery of the country continuously responsive to the democratic wishes of the people and will ensure that masses and their organizations are drawn into active participation in the administration and work of the State. Bureaucratization shall be eliminated. Wide disparities in salaries and incomes are to be abolished.

(13) Inviolability of person and domicile; no detention without trial, unhampered freedom of conscience, religious belief and worship, speech, press, assembly, strike and combination, freedom of movement and occupation.

(14) Equal rights for all citizens irrespective of religion, caste, sex, race or nationality, equal pay for equal work irrespective of sex.

(15) Removal of social disabilities from which women suffer,

equal rights with men in such matters as inheritance of property, enforcement of marriage and divorce laws, admission to professions and services.

(16) Abolition of social oppression of one caste by another, untouchability to be punished by law. Special facilities for the scheduled castes, tribes and other backward communities shall be provided in the matter of services and other social and educational amenities.

(17) Separation of the State from all religious institutions ; the secular character of the State will be guaranteed. Interference by religious institutions in the affairs of the State and the political life of the country shall be prohibited;

Religious minorities shall be given protection against discrimination.

(18) Right of people to receive instruction in their mother-tongue in educational institutions; the use of the national language of the particular State as the language of administration in all its public and State institutions, as well as its use as the medium of education in the State up to the highest standard; provision for the use of the language of a minority or region where necessary, in addition to the language of the State. Use of Hindi as an all-India language will not be obligatory, but will be encouraged as a means of intercourse between the people of different States. Adherence to the principle of replacing English by the regional languages at the State level and Hindi at the Centre as administrative language. Transition from English to Hindi at the Centre should be simultaneous with that from English to the regional languages in the State; the preparation for this transition, which is being made by the Centre with regard to Hindi, should also be made with all necessary Central assistance in States in regard to regional languages. At the same time, for the transition period, the duration of which should be decided with the consent of the non-Hindi-speaking regions, English should be given the status of an associate administrative language. Equality of all national languages in Parliament and Central administration will be recognized. Members of Parliament will have the right to speak in any national language and simultaneous translation will be provided in all national languages. All acts, Government orders and resolutions will be made available in all national languages. Urdu language and its script will be protected.

Free and compulsory education up to the secondary stage.

(19) Establishment of a wide network of health, medical and maternity services, free of cost, as well as rest homes and recreation centres for the people.

(20) The people's democratic State and Government will undertake the important task of unleashing the creative talents of the people for creating and extending the new progressive people's culture which is anti-imperialist, anti-feudal and democratic in character. Necessary measures to foster, encourage and develop such literature, art and culture as will :

——help each nationality, including the tribal people, to develop their own distinctive way and in unison with the common aspirations of the democratic masses of the country as a whole;

——help the democratic masses in their struggle to improve their living conditions and enrich their life;

——help the people to get rid of caste and communal hatred and prejudices and ideas of subservience or superstitions;

——help all people to develop feelings of brotherhood with the peace-loving peoples of all countries and discourage ideas of racial and national hatred.

(21) The people's democratic Government will take measures to consolidate the unity of India by fostering and promoting mutual cooperation between the constituent States and between the peoples of different States in the economic, political and cultural spheres. It will pay special attention and financial and other assistance to economically backward and weaker States, regions and areas with a view to helping them rapidly overcome their backwardness.

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	Lecturer	Subject	Year
1.	V. G. KALE	*Modern Tendencies in Economic Thought and Policy**	1937
2.	G. S. GHURYE	*The Social Process*†	1938
3.	B. R. AMBEDKAR	*Federation Versus Freedom*†	1939
4.	K. T. SHAH	*The Constituent Assembly**	1940
5.	A. V. THAKKAR	*The Problem of the Aborigines in India*†	1941
6.	V. L. MEHTA	*A Plea for Planning in Co-operation*†	1942
7.	S. G. VAZE	*The Formation of Federations;* Rs. 1.50	1943
8.	JOHN MATHAI	*Economic Policy**	1944
9.	S. R. DESHPANDE	*A Statistical Approach to Vital Economic Problems**	1945
10.	J. V. JOSHI	*India's Sterling Balances**	1946
11.	C. D. DESHMUKH	*Central Banking in India : A Retrospect*†	1948
12.	D. G. KARVE	*Public Administration in Democracy*†	1949
13.	H. L. DEY	*Policy of Protection in India;* Re. 1.00	1950
14.	M. VENKATARANGAIYA	*Competitive and Co-operative Trends in Federalism;* Rs. 1.50	1951
15.	A. D. GORWALA	*The Role of the Administrator : Past, Present and Future;* Rs. 2.00	1952
16.	LAXMANSHASTRI JOSHI	*Indian Nationalism**	1953
17.	W. R. NATU	*Public Administration and Economic Development*†	1954
18.	P. C. MAHALANOBIS	*Some Thoughts on Planning in India**	1955
19.	S. K. MURANJAN	*Reflections on Economic Growth & Progress;* Re. 1.00	1956
20.	B. K. MADAN	*Financing the Second Five-Year Plan;* Re. 1.00	1957
21.	V. K. R. V. RAO	*Some Reflections on the Rate of Saving in a Developing Economy**	1958
22.	K. P. CHATTOPADHYAY	*Some Approaches to Study of Social Change;* Re. 1.00	1959
23.	B. VENKATAPPIAH	*The Role of the Reserve Bank of India in the Development of Credit Institutions;* Re. 1.00	1960
24.	B. N. GANGULI	*Economic Integration : Regional, National and International;* Re. 1.00	1961
25.	A. APPADORAI	*Dilemma in Modern Foreign Policy;* Re. 1.00	1962
26.	H. M. PATEL	*The Defence of India;* Re. 1.00	1963
27.	M. L. DANTWALA	*Agriculture in a Developing Economy — The Indian Experience;* Rs. 1.50	1964
28.	PITAMBER PANT	*Decades of Transition—Opportunities and Tasks**	1965
29.	D. R. GADGIL	*District Development Planning;* Rs. 1.50	1966
30.	S. L. KIRLOSKAR	*Universities and the training of Industrial Business Management;* Re. 1.00	1967

* Not published. † Out of print.

(1) No lecture was delivered in 1947.

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