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OUR FRIENDS

SOON after a report that Washington had not blocked supplies of enriched uranium to India, came the revelation in a British daily, later confirmed by reliable sources, that the USA, USSR and Britain had notified the International Atomic Energy Commission in Vienna that materials and equipment likely to help near-nuclear powers would not be supplied. The three, it is said, are determined to make the still reluctant nations to sign the Nuclear Non-Proliferation Treaty. The Treaty is due for revision next year, at a conference in Geneva, and under Article X any party to the Treaty has the right to withdraw from it "if it decides that the extraordinary events, related to the subject matter of the Treaty, have jeopardised the supreme interests of the country". A number of signatory countries might regard the Rajasthan bang of May 18 as such an event; or go ahead with underground tests, saying that Article IV of the Treaty allows the use of nuclear energy for peaceful purposes. The super-powers would not like the weapon of blackmail to be ineffective, though they may think that real nuclear strength with a delivery system is beyond the reach of beggar-nations. But no one can be sure. India has shown that the spectacular, prolonged and stark poverty of the people and a crumbling economy do not deter a government from staging grandiose spectacles, with some of the bigger powers uttering guffaws of approbation. There can be little doubt that Mrs Gandhi will carry on, whatever the cost. Officials of the Indian Atomic Energy Commission do not rule out the possibility of India's going thermonuclear. Her desire for peaceful uses is so profound that it calls for a hydrogen bomb or device.

It will, however, be a wrong interpretation to say that the USSR and USA are so upset over the May 18 event that they are going all out to stall Mrs Gandhi. Mrs Gandhi is a bit of a heroine to both the countries, because of her ability to govern with the help of RAW (Research and Analysis Wing), her massive repression of the railway strike and the continuing savage repression of the "extremists". Her government has an important role to play in the containment of China, and this role is appreciated by both Brezhnev and Kissinger. Kissinger can smile and smile in Peking and still play the game of balance of power. His part in the overthrow of the Allende Government is now public.

The CIA game in Chile will again come handy to New Delhi. The Government and the Congress party will again start blaming the opposition of being foreign agents, knowing full well that the regime is not distateful to the USA, though there may not be loud protestations of Hindi-American Bhai Bhai.

The Americans know that Mrs Gandhi is not innocent, not squeamish and not a moraliser, as Moynihan put it in his letter to Washington. Also, the recent scandals aired in Parliament and outside, involving MPs, Ministers etc have the familiar and reassuring smell of the Nixonian White House. All in all, this Government is okay, even if it goes thermonuclear.

It is also a stable government in the sense that Mrs Gandhi will win all the elections she will fight, whatever the condition of the people. There is no question of the Congress losing an election, as she herself said the other day. About that she is absolutely sure. What pains her is that the Congress cannot match the opposition, as she said, in money power and other resources like cars, trucks etc.! Now is the time for all the good smugglers and profiteers of the country to come to the further aid of the fair lady and the poor, old Congress party. But if they speak of disclosure they will be punished.

Adjourned

It was about 30 minutes to midnight, September 9, when the monsoon session of Parliament was suddenly adjourned sine die to protect the ruling party and the Government headed by Mrs Gandhi from an "unprecedented attack and humiliation in the hands of the Opposition". The Opposition members were deprived of the privilege of moving a no-confidence motion in the House demanding the removal from membership of the Lok Sabha of Mr L. N. Mishra, Union Railway Minister and a prominent figure in the import licences scandal. The motion, raised by the CPI(M) MP, Mr

Jyotirmoy Bosu, was discussed for three days but was not allowed to be tabled on time. The motion was based on the Justice Kapur Commission of Inquiry report on the Bharat Sevak Samaj in connection with the Kosi project. The inquiry report, based on evidence and facts, revealed that Mr Mishra had committed "serious improprieties and malpractices in granting tenders to contractors for the project". The House was adjourned also to prevent Opposition members from discussing the privilege motion raised by Mr Bosu on September 5, seeking to bring to light the activities of Mr Mishra and his associates who are involved in the import licences scandal. That most of the signatures of 21 Congress MPs urging the Commerce Ministry to grant licences to particular parties were forged was brought to the notice of the Speaker sometime in April last. The Government then started taking steps to suppress the matter. The Commerce Minister, Mr D. P. Chatterjee, was caught redhanded by the Speaker in the Lok Sabha for telling things which were wholly untrue, and he was rebuked by him on the floor of the House. It is being alleged that Mrs Gandhi, through Mr Mishra, in the case of these licences, was given Rs 25-30 lakhs and some other Congress MPs got their share of the booty. A sizable number of Congress MPs insisted on a parliamentary probe into the scandal at the beginning. But they withdrew their demand later under pressure and threats from Mrs Gandhi. Even motions on this issue tabled by some of them, admitted by the Speaker and published in the Lok Sabha bulletin, were withdrawn creating history in parliamentary politics. Mrs Gandhi's own newspaper **National Herald** reported recently that she did not approve of any parliamentary probe other than the one conducted by the CBI. The CBI chief, who is due to retire, was granted extension for two years, but not all at a time. At first it will be for one year, and then another. The Opposition rightly charges that the CBI being an official agency, any enquiry conducted into matters concerning governmental felony would not inspire confidence in the context of the agency's shoddy record in dealing with this particular case. As

for the manner the Congress party reacted to "the den of thieves and touts", embellishment in a Hindi weekly, see page 3.

Facts On Food

The Chief Ministers' conference on food policy last Sunday once again saw some gallant efforts of window-dressing the crisis that is lurking on the agricultural front. It is rather difficult to understand whom the leaders are really trying to fool when they say that the food situation would not be very critical. The Union Food and Agriculture Minister, Mr C. Subramaniam, possibly gave out more than what he ought to have when he said: "How can we as a nation reconcile ourselves to the phenomenon of per capita supply of food grains at 12 kg. or even more per month in one part of the country, while supply of even 3 kg. could not be assured in certain other parts?" The Minister was pleading for something that can just not be there—a national outlook on food distribution. In a country where irrigation and hydro-electric projects are held up for years because of dispute over river waters, it is perhaps too idealistic to imagine that the States would sink their differences all of a sudden and share with each other whatever they have got. The food surplus States, dominated as they are by kulaks, know that the Centre would never make bold to force them to fall in line, for whatever comes to the national kitty comes from them. They can thus always get away with whatever they want. But the real issue at present is that already the Government is failing to supply even 3 kg. of food a month in certain areas. And still it is claimed that there is no starvation death in the country.

The rest of the meeting's proceedings was devoted, as usual, to some familiar subjects, like fixing the khariff price for paddy and other cereals. Last year, the Centre seemed to wake up to the "indispensability" of raising the procurement prices of food articles to "ensure a remunerative return" to growers. The procurement prices of all crops were

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consequently raised across the board. But much of the money that is supposed to be spent on paying farmers actually goes to line the pockets of government officials, the big jotedars and the rich peasants. Now the government is again likely to allow another rise in the procurement price though the Agricultural Prices Commission and common-sense warn that it will add to the inflationary pressures.

Clippings

Every night outside the shabby eating houses in Cooch Behar town, hundreds of famished people wait for the leftovers that will be thrown into the refuse bins. These people have flocked to the town from the neighbouring villages in search of food. They move from house to house crying for food. But these people are in a better position than those who have not yet left their villages. In the villages which have not yet been affected by the recent floods (which entitle people to some shelter and relief) the people can do only one thing—wait for death.

In a Bankura village, visiting the colony of barbers, we (correspondents) found grass seeds being boiled in every hut. Sudhir Pramanik, one of the residents, said this was the only food they could afford now. He said the average daily income of a barber was now Re 1 but rice was being sold at Rs 3.50 a kg. and he had five mouths to feed.

At Pathardih village there is a cluster of about 30 huts belonging to fishermen. It was evident from their faint voice and dazed looks that they were starving. The women said nobody in the colony had had any food for the past few days and pointed to their children. The naked, emaciated, hungry children simply kept looking at us; they did not have even the strength to cry.

About a million people, including tribals, are on the verge of starvation in Santal Parganas district (Bihar), according to a Bihar MLC

"I have never imagined a situation

where I have to helplessly watch the disappointed people defeatedly asking me to send them a tanker of 'deadly poison' instead of water", Mr Desai (Morarji, Congress-O) told reporters in Ahmedabad (Gujarat) after a tour of some of the drought-hit areas.

DCC Chief (Jalpaiguri, West Bengal) says... 400 persons died in Jalpaiguri of starvation.

Mr Promode Das Gupta, the CPI(M) leader, told a Press Conference in Calcutta (on September 16) that at least 500 people had died of starvation.

Moitra (West Bengal PCC President) says: No Information About Starvation Deaths.

Abject poverty drove an entire family of seven members to commit suicide in Thamarda village of East Godavari district (Andhra Pradesh).

Villagers Loot Food Train Near Kharagpur (on September 13).

Tribals Raid Houses Near Bankura, Loot Foodstuffs.

Starvation Stalks Even Middle Class in Bankura.

There are two explanations for (the) poor haul after dehoarding. One is that most of the hoarded rice has been released because of the prevailing high price. Secondly, the news of the dehoarding drive had leaked out because the authorities at Writers' Building had earlier fixed a date and had then decided to postpone it thus giving time for dispersal of stocks.

Numerous allegations of corruption in the distribution of relief were made by the flood-affected people during a visit to Pundibari and Patlakhas (Cooch Bihar) by Dr Fazle Haque (West Bengal Minister of State). When Dr Haque enquired what the Congress volunteers sent to check this practice (of adding fictitious names to the lists of those deserving gratuitous relief), he was told by the camp dwellers: "Before the volunteers came we paid Re 1 each for enrolment. Now we have to pay Rs 2."

Mr Chandrajit Yadav, General Secretary of the All India Congress Committee, said... that the people should be prepared to face hardships for another 20 years.

The Press

Scandal A Day

PATRAKAR

GEORGE Fernandes's relatively little-known Hindi news weekly **Pratipaksha**, must have doubled its print order. This was one of the many advantages that the weekly reaped from its now-famous story on the import licences scandal which eventually resulted in the "most tempestuous and disorderly sitting of the Lok Sabha in the past 22 years".

It was a clear 'back door' attempt on the part of the Opposition for a parliamentary probe into the scandal. Take the timing of the weekly's publication and the privilege issue raised in Parliament. The weekly usually comes out five days in advance, i.e. its issue of September 8 carrying the controversial story should have come out on September 3 and hit the stalls the next day. But the issue was raised in Parliament on September 3. It seems that either the timing of the publication was a little altered or Mr Pilo Mody was provided with a pre-publication copy of the paper. And obviously the weekly appeared to be all prepared for what was in store. It used a banner and pulled down its masthead for the first time during its two years of existence.

The accusation of political motivation behind the privilege motion, levelled by the ruling party was, of course, absurd and hypocritical: 'as if the opposition parties transgress their rights by thinking in political terms and as if Parliament is not a political forum. Didn't the Government's own unremitting opposition to the privilege motion and to the proposal for a parliamentary probe into the scandal, spring from purely political motivation? As Mr N. G. Goray put it: "In a way both sides are politically motivated. Our motive is to expose you; to bring the skeletons out of the cupboard. Your motive is to prevent it".

The **Pratipaksha** story was a clear attack on Parliament in general and the

ruling party and the Prime Minister in particular. Under the banner, "Is it Parliament or a den of thieves and touts?" the story read: "There had never been a dearth of thieves, touts and frauds in India's Parliament. After all, such elements outside must also be represented in Parliament. Till now such members of Parliament had been able to get away unblemished because of certain outmoded concepts of privilege.... Now, however, a big bunch of professional touts have come together in Parliament. They are also professional frauds. These professional frauds chosen under the personal guidance of Indira Gandhi have turned Parliament into something like a brothel". The story stated that the MPs who were claiming that their signatures had been forged were "speaking lies"; the signatures were "manipulated" by Mr L. N. Mishra and the Prime Minister was "the prime source of all corruption".

And yet the Government, instead of getting red in the face as one would normally expect it to, kept its cool, pretending that nothing unusual had happened. Legislators in India, ever jealous of their rights and privileges, have never hesitated to take notice of even minor infractions by newspapers and others. But in this case Parliament was satisfied with adopting a resolution which took notice of the article as a "gross breach of privilege and contempt of the House" but preferred to take no further action.

Seeing that much less contemptuous statements in the past have attracted privileges proceedings, with the consent of the ruling party, the only conclusion can be that partisan interests were allowed to have precedence over principles. Obviously the Government's cynical toler-

ance was the result of a desire not to protect Mr Fernandes but to save its own skin. It was afraid that too many unsavoury facts may be uncovered if it allows the opposition to pursue the privileges issue.

Pratipaksha deserves compliments for at least one thing. If the supersession of Supreme Court judges had opened the judiciary to criticism, this episode had shattered the myth of privileges under which the newspapers were often hauled up even on trifling issues. It is now almost impossible to stop any newspaper from printing anything against any MP or Parliament itself.

In fact, now **Pratipaksha** can rush to the court challenging Parliament for condemning the paper without giving the editor a chance to prove his allegation.

Scoop

Another newsweekly, **Blitz**, was also connected with the episode in a big way. It was this newspaper which had scooped the news of "forged" signatures on March 30. The report did not contain all the facts but said enough to suggest there was something fishy.

After the disclosure, Mr Jyotirmoy Bosu wrote to the Speaker, drawing his attention to the stinking scandal. The later developments have been covered in the press.

Almost the entire press has bitterly criticised the ruling party and supported the opposition demand for a parliamentary probe into the scandal. **The Statesman** spoke of a "continuing cover up" of the scandal; "the alleged forgery was reported as early as March 30 last; but it is not clear when the government began investigating. On August 13 the Commerce Minister said that the CBI was making inquiries. Later the CBI was described as still making a 'quiet and discreet inquiry'..." **The Hindustan Times** agreed that the progress of the CBI inquiry was slow and asked, "could it be possible that it was under instructions from some quarters either to keep off the case after initial 'discreet inquiries' and an interim report or to keep the wraps on the investigation for some undisclosed reason?" Commenting

on the Government's refusal of a parliamentary probe, the **Indian Express** thought: "The ruling party has something to hide for which it is prepared to offend against the rights and dignity of Parliament. Altogether a very evil precedent has been set." **The Times of India** commented: "The stench produced by the scandal has made almost everyone in the country sick except the Government." Parliament is dead concluded **Motherland**.

There was a comic side to the episode as well. We were told by Mr Uma Shanker Dikshit what an efficient press manager he was. To prove his point about the opposition 'conspiracy', Mr Dikshit stated that "no weekly is published five days in advance". When Dr Mathew Kurian interrupted to say that the Minister was ignorant of how magazines were published and that periodicals were published a few days in advance of the date of publication, Mr Dikshit emphasised that it was "never done". To prove his point, he cited his association with several newspapers and magazines.

Another worthy Minister, Mr H. R. Gohkale, informed Parliament that "**Pratipaksha** appeared probably for the first time for this purpose"!

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Kerala

Hallucinations Of The Parliamentary Left

K. VIJAYKUMAR

MR Namboodiripad has begun seeing things. This time a leftward shift in the Rightist Kerala Congress. Appropriately enough, the Organisation Congress President, another ardent wooer of the Kerala Congress, came out with the comment: The Kerala Congress has not moved to the Left; it is EMS who has moved to the Right. And there the matter would have rested, proving that even dead horses speak, but for Mr Namboodiripad's call for a 'liberation struggle' to overthrow the Achutha Menon Ministry. He defined this struggle as something entirely different from all earlier struggles against the Ministry. While the latter were struggles centred on particular demands, the new struggle, as is implied by its appellation, would be an all-out attempt to overthrow the present Government. Mr Namboodiripad said that the problems besetting the people of Kerala could no longer be solved by micro-struggles. The solution lay in a mid-term election, and if the Achutha Menon Ministry was not prepared to resign and go, then the people would have to force them out of office; therefore, the necessity for a 'liberation struggle'—a struggle by the broad masses, taking multifarious forms, and led by the Opposition parties. Having rid himself of this new thesis, which in Marxist terminology would have been called revolutionary phrase-mongering, the noble warrior left the stage uttering dire forebodings.

But his choice of words was disastrous, and it allowed Mr A. K. Antony, the youngest Turk of them all, to make capital out of his adversary's call for insurrection. He labelled Mr Namboodiripad's 'liberation struggle' as a variant of the 1959 Liberation Struggle led by the communal bodies and the Church against the first Communist

Ministry. Going further, Mr Antony said that the new liberation struggle too was going to be the creation of another unholy alliance—between the Rightist Kerala Congress and the seemingly Left CPM; and as a rider he added that the Congress would not remain idle if such a threat to the Ministry arose. Thus the challenge was accepted, and the whole exercise seemed to have strange similarities to the classical dance-drama of Kerala—the Kathakali. Everything was there: the cymbals and the drums, the movement and the tension, and more than all that the presence and evidence of ritualistic drama.

'Common Programme'

Scene Three saw Mr Namboodiripad expatiate on the subtle differences between a liberation struggle of the 1959 vintage, and a liberation struggle à la EMS. Whilst this was his public utterance, in private conversations his party leaders denied the term 'liberation struggle': they said that words were put into his mouth and that the whole affair was a fabrication by the bourgeois press. Anyway the mischief was done, and the next part of his discourse, which was concerned with the Left and Democratic Front, was no fabrication. The Front, EMS said, would be formed on the basis of a common programme; a statement which has far-reaching implications and which most commentators have failed to note. By reducing the question of who should be in the Front and who should be out of it to a question of unity on a certain programme, EMS was, on the one hand, playing the same game which Mr Achutha Menon has been playing so astutely for so long. Considering the marked Leftist tendencies in the State,

any programme would contain all the necessary hotchpotch associated with our parliamentary Left. As a matter of fact, the difficulty would be in deciding what is to be left out of such a programme rather than what is to be put in it! On the other hand, talking only in terms of a programme Mr Namboodiripad was behaving in a most un-Marxian way by pushing class-analysis to the background. The end-result would be just what the doctor ordered: the quickest way to power on the back of an opportunist alliance for a party which has no alternative before it! Thus, there was a leftward shift in the Kerala Congress, the necessity for a 'liberation struggle' to overthrow the Achutha Menon Ministry, and the possibility of forming, on the basis of a common programme, a Left and Democratic Front to step into its place. Mr Namboodiripad could hardly have been clearer than this: it was an overture to the Kerala Congress.

The Kerala Congress is historically the first post-independence breakaway group from the Indian National Congress, which later turned into a full-fledged party. A child of sin born out of scandals, bickerings, and group-fights within the Congress, it represents the interests of the landowning classes, mainly concentrated in the Kottayam and Alleppey districts. The membership of this party is mainly made up of Christian and Nair landlords, rich peasants, small-holders, and to a certain extent those sections of the agricultural workers who have strong leanings towards the Church. The Church, in fact, plays a strong role in the functioning of this party, as was made very clear during the recent struggle over limiting the powers of the private colleges' governing bodies, the majority of which

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are run by the Christian churches. The Kerala Congress has, from the positions of a Rightist party, consistently opposed the ruling front on wide-ranging issues such as the University Bill and the Agricultural Workers' Bill. With regard to the food problem facing the people of Kerala, the Kerala Congress has, on the one hand demanded more allotments from the Centre, and on the other hand has agitated for higher procurement prices. While being rather uncomfortable and tight-lipped about the second aspect, the CPM has hailed the first aspect of this dualistic approach as a manifestation of the Kerala Congress's anti-Centre policy! In reality, this is a calculated policy of the landlord class controlling the Kerala Congress. In a chronically food-deficit State more allotments would not mean abundant supply and lower price. In other words, their anti-Centre posture would not hamper their economic base; and coupled with higher procurement prices it would be a case of having the cake and eating it too. As for the other issues like the University Bill and the Agricultural Workers' Bill the CPM has welcomed them in general but with strong reservations as to their usefulness in fulfilling their objectives. Thus, on issues the two parties speak in different voices, and the only thing that they can agree on is the overthrow of the ruling front which to the CPM appears as its immediate enemy on the Right, while to the Kerala Congress it is its immediate enemy on the Left. This identity of interests, nebulous as it is, brings these two parties together on a common platform of 'struggle' which as both parties claim, is not an electoral alliance but which could or could not grow into one. The point to be noted is that neither of them has so far denied the possibility of an electoral alliance.

Calculated Naivete

In fact, the CPM, bound as it is by what it would now feel as the dampening hand of Marxism, is busy trying to reconcile ideology with electoral aspirations; and in this it has been helped by the exit of Mr E. John Jacob and two MLAs from the Kerala Congress. They were at loggerheads with the Kerala

Congress leadership over the latter's overt flirtation with the CPM. Mr E. John Jacob is a prominent landlord and Communist-baiter from Kuttanad which has seen some of the bloodiest class wars in the history of Kerala. With his exit the CPM leadership has begun to speak of the Kerala Congress as a party of rich peasants and small landholders. Apparently the landlords were rather thinly distributed in the Kerala Congress so as to cease to exist with the exit of Mr E. John Jacob and the other two MLAs! One can forgive innocence; one can forgive idiocy; but calculated naivete is detestable: it is a sign of degeneration, the primrose path to destruction. And caught within the limitations of parliamentary leftism, that magnificent wedding of the two irreconcilables of parliamentary and extra-parliamentary methods, this conservative Communist Party has no method of survival except to win elections and share out the loaves and fishes of office between its middle-class and lower-middle class followers, and thereby perpetuate its existence. With this end in view alliances are entered into, various 'fronts' are conjured up, ideology is whittled down to suit the demands of the situations, and hey, presto! you are in power! Power which is soothing; power which is strengthening, and power with which the Right CPI and others are pretty well satisfied now so as not to wish a shake-up. A reluctant Right CPI and Kerala RSP means desperation in the CPM camp, because the mathematics of the situation demands a coalition to contest and win; and if they do not bite, then the next best catch is the Kerala Congress. A prospect which tends to become more fascinating when one has been away from power for so long. Like a drug it becomes an addiction which when denied takes on the shape of a vital medicine—a shot in the arm. It is then that one begins the dizzying descent into the shadowy world of hallucination. It is then that one begins seeing things.

Confucius And Confucianism

THE Chinese people in their present mass movement to criticise Lin Biao and Confucius are giving the Western China 'experts' another shock, though this time the experts are much more cautious in reporting than during the Cultural Revolution, when they used phrases like 'social chaos' and 'economic collapse'. In a different sense, however, this shock is deeper and more puzzling. They ask why Lin Biao and Confucius are linked together? Why cannot dead Lin Biao be left alone, and why should Confucius be attacked, when the whole civilised world has regarded Confucianism as the philosophy responsible for China's unique culture and civilisation, the only unbroken one in the world?

Up to Liberation in 1949, an enormous mass of books on China by Chinese, Japanese and Western scholars centred on Confucian philosophy and ethics and their social and political results. The translation of Confucian classics into Western languages has had lasting influence on Western thought and institutions, for instance French rationalism and the British Civil Service examination system. Indeed, in the minds of many Western scholars Confucian teaching is the most rational, natural, human, and commonsense, closely resembling (in some of its most reactionary elements) the influential philosophical traditions of Plato and Aristotle. But not all admirers were genuinely scholarly in their admiration. Many were using ideas such as the spirit of obedience, doctrine of the mean, filial piety and the attitude of looking-backward, as useful ideological weapons for subjugating the Chinese people. When the Japanese imperialists invaded China they energetically preached reverence for Confucius as the theoretical basis for their 'East Asia Co-prosperity Sphere'.

Chinese scholars throughout history have spent most of their lives studying and re-studying, annotating and re-annotating Confucian classics, and were very proud of their heritage as the high-

est culture in the world. This is in accordance with one of the most important concepts of Confucius, 'study well to become an official'. Those with wealth and leisure were able to study for years until they passed a series of Imperial examinations and became officials amassing wealth and holding power. They wrote the dynastic histories; they interpreted philosophical meanings to the Emperors, and acted as their political advisers; they maintained the bureaucracy ruling and oppressing the people. These were the 'scholar-gentry officials' who were tools of the rulers from dynasty to dynasty. Thus for 24 centuries Confucian doctrines have been the theoretical basis for the unity and continuity of China and her culture. The Chinese people have a very deep sentiment of being one nation and one people, witness the fact that the 'overseas Chinese' though citizens of other nations, some hostile to People's China, are called 'Chinese' and most of them feel 'Chinese'.

What is Confucianism, so powerful and so lasting? To answer this question, it is necessary to state briefly the historical antecedents and setting of the period of Confucius, who lived from 551-479 B.C.

Hsia Dynasty 21st to 16th century B.C.
Shang Dynasty 16th to 1066 B.C.

Chou Dynasty 1066 B.C. to 256 B.C.

Spring and Autumn

period 722 B.C. to 481 B.C.

Warring States 403 B.C. to 221 B.C.

The dominant political structure of the Chou Dynasty was fiefdom, with hereditary rulers and a slave-owning aristocracy. Together with this social structure there arose an enormous and complex code of 'rites' which governed the states, their rulers, their rights, duties and privileges, from the highest to the lowest in the Imperial and states' hierarchy. The 'Chou Rites' were regarded as unalterable principles like those which govern and regulate the movements of the heavenly bodies. The political and social structure and their regulating rites, as well as some cosmological concepts, had been handed down from earlier dynasties, especially the Shang, but the Chou dynasty elaborated and perfected them.

Confucius was born and bred in one of the aristocratic families and never questioned the nature of this society, but fully supported it. In fact, he developed it by formulating theories on various aspects of the nature of man and of the outside world. Towards the end of the Spring and Autumn period the slave-owning class declined, there was growing unrest which led to uprisings by the slaves. By the beginning of the time of the Warring States there was a more advanced mode of production, giving rise to economic progress and a new social class. Men of this emerging class took possession of land and naturally sought to gain political power at the expense of the slave-owning class. In Confucius' eyes, such deeds were violations of the sacred Chou Rites and created social chaos.

Indeed, both the Spring and Autumn and the Warring States were periods of tremendous turmoil, but they were also ages of great cultural blossoming, the age of many scholars and the Hundred Schools of Thought. Members of the elite, the intelligentsia, wrote, debated, travelled to propagate their theories in order to get a hearing from the states' rulers and, if successful, get employment. Confucius was only one of them and not even one of the earliest. What made Confucianism so important 'in history' was his conservatism, which always supported the status quo, and his over-riding emphasis on the study of the classics as the road to official position. China, uniquely, came to be governed by literati who were ever ready to modify theories to please the rulers, to secure their own positions and power.

"Harmonious Whole"

Cosmology: heaven, earth and man were one unified and harmonious whole, preordained by heavenly principles. Celestial movements, terrestrial seasons and phenomena, human relations, were all related, one manifesting another, unalterable and eternal. However, in his perfect cosmological scheme, Confucius and later Mencius, a student of his grandson, divided human beings into two main classes, the superior and the inferior; the former were knowledgeable and wise, the latter stupid, and

this also was unalterable. A few quotations suffice to show this class division:

One who does not know the mandate of heaven cannot be a superior man. One who does not know the rites cannot stand up as a man.

The superior man fears heaven, important people and the words of sages; the inferior man does not understand the mandate of heaven, is disrespectful towards important people and insults the words of sages.

The superior man thinks of virtue; the inferior man thinks about the soil; the superior man is diligent in governing (the state); the inferior man exerts his physical strength.

Those who work with their minds govern; those who work with their hands are governed.

Women and inferior people are hard to nurture; they are hard to get along with; they get out of hand when befriended, and resent it when kept at a distance.

Later Confucians, especially Tung Chung-shu in the second century B.C., formulated more codes of conduct for women, such as 'Three obediences and four virtues'. There was a popular saying: 'Having married a cock she must follow the cock; having married a dog she must follow the dog; having married a carrying pole she must carry it for life'. Hence the not uncommon practice that if a man should die before marriage, his fiancée (even though they had never seen each other) had to go into his home, go through the marriage ceremony and be a widow for the rest of her life. As Chairman Mao wrote, the Chinese people had three ropes round their necks, but women had four; political authority, clan authority, religious authority, male authority. These authorities embodied the whole feudal and patriarchal ideology and social system. This is why during the Tai-Ping Rebellion women played a big role in anti-Confucian activities. In the 4th May Movement, women and 'schoolgirls' paraded the streets, carried banners, and shouted 'Down with the Confucian shop!'

To 'all questions' Confucius gave different answers, to suit the questioner.

When students asked how to govern a state and rule the people, he said that the essential requisite was to revive and adopt the principles and practices, laws and regulations, music and sacrificial ceremonies of kings in ancient dynasties, such as the calendars and seasonal observances of the Hsia period, the chariots which distinguished rank and status in Shang times, and the costumes of the Chou dynasty. This may be summed up as the revival and practice of the Chou Rites. He opposed the rising class of landowners and violently hated the slave uprisings. Devoting his whole attention to 'Restrain oneself and return to the Rites', he was opposing the trend of development and trying to turn history backwards.

This was found to have been a main aim of Lin Piao. He inscribed as his principal motto:

Restrain oneself and return to the Rites; of all things this is the most important.

Thus once again Confucianism was being used as an ideological weapon in an attempt to overthrow the revolutionary regime and return to an order in which a bourgeois exploiting class would dominate.

True to his teaching that to study well was to acquire official positions, Confucius and some students travelled far and wide, from one feudal state to another, trying to gain a hearing from their princes, to convince them of his theories of government. He never succeeded, except for one short period as head of the Justice Department in his own state of Lu, in the southern half of modern Shantung Province.

The Legalist School of Thought was the most important of the Hundred Schools of Thought. The Legalists spoke for the interests of the newly emerging landowning class. Some of them were eminent Confucian scholars, such as Hsun Ching, of the third century B.C., but they clearly saw the nature of the time, the historical trend. Their powerful writings refuted Confucian doctrines and advocated the abolition of the hereditary clan system of the slave-owning aristocracy, because, they argued, it divided the country and weakened the central authority; the Chou Imperial Government had declin-

ed to so weak a position that it was like that of a small feudal state. They demanded a unified China, governed by one law.

There was one state which Confucius despised and never visited, but which particularly attracted his students who had become Legalists. This was the State of Chin with its capital near modern Sian in Shensi Province, in the north-west. About 350 B.C. its ruler Hsiao Kung, took into service a Legalist, named Shang Ying, from the State of Wei, and immediately put into effect measures of reform. In consequence Chin became very strong and absorbed many of the other states. By 221 B.C. Prince Cheng in the 26th year of his reign had conquered the six remaining feudal states, unifying all China, and declared himself the first universal Emperor (Chin Shih Huang Ti). Putting the Legalist theories into practice, Emperor Chin established a strong central government, unified the Chinese (Han) writing, made many highways through the provinces for imperial communication, abolished the fief system, divided the country into administrative prefectures and counties which, with minor variations, have lasted to this day, and appointed their governors from the central government. China owes one of the greatest debts of gratitude to Emperor Chin and the Legalists for the fact that during the second half of the 19th century the military might of eight imperialist powers failed to cut up China as they did Africa. Yet throughout history the Confucians perpetuated the view that the Chin Emperor was a tyrant because he had many Confucian classics burned and put to death several hundreds of Confucians who opposed his rule.

Throughout history these two schools debated with each other; their polemics never ceased. The list of writers is a long one, but mention must be made of the greatest revolutionary, Lu Hsun (1881-1936). His 'Confucius of today' exposed the reactionary influence of Confucius in Chinese history. Peasant uprisings in all dynasties right down to the war of liberation fought against Confucian ideas and cruel practices. Some of them burned Confucian classics

and tablets: 'The most holy teacher', 'The example of teachers for tens of thousands of generations to come'. They demanded 'equality between the high and low', 'equalise the rich and the poor', 'a fair share of land'. These were direct counter-attacks against the negligence and oppression of the dynasties maintained by Confucian doctrines and scholar-bureaucrats.

Many people vaguely influenced by the writings of Sinologists may well ask about the famous Confucian ideas of benevolence, righteousness, virtue, loyalty and forbearance and the doctrine of the mean. They may insist that these are good qualities which should not be criticised. If the sufferings of 85 per cent of the Chinese people before 1949, which were justified by Confucianism, are not evidence enough, it is simple to quote, from the 'Analects', what Confucius' pupils recorded of his sayings and deeds. One example must suffice: within seven days of taking office in his own state of Lu, Confucius had the leader of the opposition to him killed, in spite of state laws, advice and strong opposition to his decision. This was his 'benevolence'.

Against Confucius and Lin

The present campaign to criticise Confucius and Lin Piao is not an academic exercise, nor is it just a movement to unmask Lin as an individual. It is a continuation of the class struggle of the Cultural Revolution in a new form, a campaign in ideological education. Four main objectives can be seen: (1) to raise the class consciousness of millions of Chinese people; (2) to enable them to see for themselves the dangerous elements of Confucian thought; (3) to encourage the masses to study further in order to see where in their own lives, work and experience Confucian ideas threaten socialist consolidation and advance; (4) to use their initiative to create a stronger socialist material base and ideological superstructure.

While rectification campaigns and movements to advance socialist consciousness through education have gone on throughout the history of the Chinese Communist Party, and especially

since the foundation of the People's Republic in 1949, the present campaign has involved China's millions in a more far-reaching and profound way than ever before. The earlier years of the Cultural Revolution aroused mass enthusiasm and participation and brought about extensive changes in political and mass organisations. But it is harder to change human thought and conduct than to move mountains and this transformation is far from complete.

Lin Piao, a follower of Confucian thought, believed in rule by the elite and despised the rank-and-file. As far back as 1930 Mao Tse-tung wrote "A Single Spark Can Start a Prairie Fire" as a criticism of those, including Lin Piao, who were pessimistic about the possibilities of a people's victory. Much later, before the Ninth Congress in 1969, Lin Piao and Chen Po-ta drafted a report emphasizing the role of the 'productive forces', meaning the professionals, negating the role of the masses. This draft which was in contradiction to the mass line of the Cultural Revolution, was turned down by the Central Committee of the Party.

In private life Lin Piao exposed his bourgeois ideology. For example, he displayed on his walls scrolls of Confucian sayings. This was not mere artistic fancy, but accorded with the centuries-old Confucian thinking described above. Traditionally these sayings were sacred, were expressions of determination, warning, encouragement to rule with 'benevolence'. His use of the scrolls does not prove him a traitor or a double-dealer, but is a pointer to his ideology. Christians have but to consider the significance of Christian symbols and objects of Christian art: for many they have a deep spiritual meaning.

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SEPTEMBER 21 1974

But if he wanted to achieve power, he had to establish a popular basis, exhibiting himself as a protagonist of the 'left'. In 1959 he brought about drastic changes in the army to restore the revolutionary image and traditions which were being eroded as Soviet models were followed. Later, he devised, then waved, the Little Red Book and exaggeratedly adulated Mao. He called for efforts to 'drag out the handful in the army' in line with the call to 'drag out the handful of Party persons in authority in the Party' and his prestige grew as Mao's 'close comrade-in-arms and successor'.

It was also essential for him to have a carefully devised plan which would be known in detail by followers in near and distant places; a mere palace coup at the centre could not achieve a seizure of power. Lin Piao therefore had a plan, copies of which have been found, known as 'Outline Project 571'. In Chinese these numbers read 'wu chi yi', which also means 'armed uprising'. Details have not been released but facts known to the Chinese people prove that he planned to seize power and assassinate Mao Tse-tung.

The present campaign seeks to enable the people as a whole to see 'why' Lin acted as he did, so that in future other Lins cannot threaten socialist society either by guile or by coup.

Since 1949 every mass movement, denounced by enemies at home and abroad, has resulted in a leap forward in economic construction and growth of socialist consciousness and determination. The present movement will free the people from the oldest, deepest and most pernicious ideological fetter. The world will have to open its eyes to a greater leap forward at the conclusion of this movement.

(From **Broadsheet**, London).

Artists Of West Bengal—XIII

SANDIP SARKAR

Ramkinkar Baiz

Biographical Notes: 1905—Born in Bankura. 1925—Came to Kala Bhavan, Santiniketan, to study under Nandalal Bose. 1928—Diploma in Fine Arts from Visva Bharati University. 1928-68—Taught sculpture in Kala Bhavan. **Exhibitions:** 1942 New Delhi. 1960-1972, Calcutta. Earlier his works were exhibited regularly in annual shows organised by Abanindranath Tagore's Society of Oriental Art, Calcutta, and later in important all-India exhibitions. 1950 and 1951 Realities Nouvelles, Paris and Asian Art Exhibition, Tokyo. Nominated Artist Member of Lalit Kala Akademi, Realities Nouvelles, Paris, and the Indian Sculpture Association, Bombay. Represented in the Permanent Collection of the National Gallery of Modern Art, New Delhi. Executed the Jaksha and; Jakshi in front of the Reserve Bank of India, New Delhi. Bibliography: Ramkinkar, Lalit Kala Akademi, in Contemporary Indian Art Series, New Delhi, 1961.

The Interview

I have met Ramkinkar a few times very briefly and even in these encounters what has struck me is the sincerity, the deep understanding of people and a combination of naivete and wisdom that even illiterate villagers have. There is something in his eyes, in his strong boned figure, thick wrists with powerful hands which emanates friendliness. He might suddenly laugh or sing some song with his not too musical voice, which makes people come out of their protective shells and behave naturally. One might not agree with all that he says. It does not even matter what he says or even how he says it, but what matters is his attitude towards life and people. His idealistic theories of art do not appeal to me at all. He said, is there any meaning in the blossoming of the flower or the rustling of the winds for instance,

so why look for meaning in art? It does not matter what it is but what it has become. All art is meaningless, or maybe, the only meaning you get out of it is 'ananda'—joy. Even a picture of the Bengal Famine of 1943 might make you sad, but this sadness is akin to joy. What seemed strange to me was that he did not know that his work spoke differently to us from his articulated aesthetic theories which sound very much like Abanindranath's. He possibly knows it intuitively but does not formulate it in language.

Ramkinkar does not belong to the upper castes or the Westernised elites that the British created. He was adopted into this culture, nurtured on it, but never really of it. Colonial culture did not elude him but he eluded it. This is the reason for his current under-rating in Bombay and Delhi. Yet, on the other hand, he did not assimilate folk or classical Indian art just for being earmarked an Indian. He is relevant because he is true to the life around him and this, below the breadline living of the common people has not vanished in spite of several five-year plans.

Let him speak for himself: I was born in Jugipara, Bankura, in 1905. My mother and father were poor. From my childhood all around me I saw craftsmen—the carpenter, the dollmaker, the potter, the image-maker. I learnt a lot from watching them. My father used to buy cheap prints of gods and goddesses. From very early age I used to paint these pictures. Particularly I liked painting the Radha Krishna with the Om done as a snake around them. I made my own colours. At home I studied up to matriculation. I used to paint signboards, backdrops for the theatre and whatever struck me. Once Ramananda Chatterjee, the then famous editor of *Modern Review*, saw my work and wrote to me to come to Santiniketan to study under Nandalal Bose. That was in 1925. Nandababu liked my paintings. I was supposed to stay for two or three years but you see Santiniketan became my home. As I told you, my family did not have the money to make it possible for me to stay here. Jagadananda Ray got me to do some illustrations for his book about animals. I got one hun-

dred rupees for this. Meanwhile some of my original works were sold in an exhibition organised by the Society of Oriental Art.

Then after Binayak Rao Mosheji left, Benode Behary Mokherjee and I got his job. Mosheji used to get Rs 75 per month, another Rs 25 was added to this and divided equally between us. You cannot imagine what Santiniketan was like in those days. There were only simple huts. Water was drawn from wells. The intellectual climate was congenial. Famous scholars came from all over the world. Artists and musicians came to meet Tagore. Once Allauddin Khan came here. After one of his concerts the Poet called me and said, 'I order you to "behead" him'. This I did to the great satisfaction of the poet and the musician. Just before I came here Stella Kramrisch gave a series of lectures about modern movements in European art. Students learnt about post-impressionism, cubism, dadaism and what have you. It was a time when few people outside Santiniketan knew about these things. Tagore secured books on art for the library and there were lots of prints and illustrations.

Tagore told us to do whatever we fancied and to let students explore their talents with the minimum of guidance from us. He would say, work hard—in Europe and America many experiments are being carried out. Similarly you must also build roads on unknown terrain. This Benodebehari and I did. Nandalalbabu did not always like what we did, but he would never discourage us or interfere. When we worked he came and saw what we did, discussed and discoursed with us, sometimes even suggesting minor modifications. Then there was Abanindranath who was a sort of loving grandfather to us. He could be critical, but if any other person criticised us in his presence, he would pounce on him.

It was getting dark and Ramkinkar wistfully remembered many incidents. Provash Sen was with me. This was not the type of interview I was after. Sen took the cue and began to ask questions from my questionnaire. Ramkinkar wore a torn lungi, vest and had on worn—the poverty in spite of the strong aroma

of country liquor. He was all smiles and oblivious to the squalor. It was not pathetic as he towered over it.

He mused: the world is shrinking every day. National cultures are crossing international boundaries. Ideas and ideals are cross-fertilising cultures. Inevitably we are moving towards a world culture. Yet I believe that cultures will meet, interact, change, renew themselves and yet will keep their distinctive qualities.

You see the West has overwhelmed us. When the period of initial shock is over, we will find that we can ourselves put our house in order. This will happen in the field of art also.

Something must be done to change the pathetic state of affairs in art education. A student must learn the alphabets before he spells words or starts to read. He cannot jump to abstract art without proper preparation. Drawing, anatomy, structure, composition etc. are all important. It is important for him to know about his heritage before doing a comparative study of other people's traditions. Before he visits the art galleries of Europe and America he must visit places of artistic interest in his own country. He must be taught to appreciate and evaluate this in the light of modernity. And one must go to the village craftsman and learn how he does his work and how he views the world.

We walked away from his thatched cottage and I felt a sadness that here was a great man who was left alone with no one to care for him. But I knew he had no use for self-pity.

(To be concluded)

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Detention Conditions In West Bengal Jails

(Prepared by the Research Department of Amnesty International on the basis of newspaper reports and individual statements made to Amnesty International).

Numbers: Amnesty estimates that at the moment between 15,000 and 20,00 prisoners are being held in West Bengal for their alleged involvement in extremist left-wing political activities. Last year the West Bengal Home Minister stated in the State Assembly that the total number of "prisoners arrested for being Naxalites was 17,787" ("Ananda Bazar Patrika", 17 March 1973). On 1 January this year, the "Statesman" reported that 2,000 are held under the Defence of India Rules (DIR) and the Maintenance of Internal Security Act (MISA). According to this report, more than 17,800 are, in addition, held as "Under Trial" prisoners, but the majority have now been detained for two or more years without trial. Some of them have been so detained for nearly five years. On their release, prisoners held under preventive detention laws are often reported to be rearrested either under different clauses of the same laws or charged with specific criminal offences. Thus, although the Supreme Court of India ruled on 19 April 1973 that the special detention powers under Article 17A of the MISA (extending the period of preventive detention to 21 months) were illegal, and ordered the release of 1,760 prisoners who had been detained under this provision, nearly all of these prisoners remained in detention, either under different sections of the same act or on criminal charges.

Apart from being held under preventive detention laws, prisoners are also detained on a variety of serious criminal charges, but often released before actually having been tried. Such was the case, for example, with Dr Gholam Yazdani, physician and former member of the United Front Government of Bengal, arrested in 1971. He was released in December 1973 without having been

tried. Prisoners tried and not found guilty on one charge are often immediately rearrested on different charges. Thus, it was reported to Amnesty that Karun Mukerjee, Gour Banerjee and Nag, all Naxalite suspects, had been arrested in 1970-71 and were since detained charged with murder and illegally carrying arms and explosives. In October 1973 the Calcutta magistrate pronounced a verdict of not-guilty on their case, but the prisoners were rearrested within the court premises and taken into police custody on charges of robbery. After their release, prisoners, even if cleared of all charges brought against them, are often put under "restrictions" i.e. have to report regularly to the police, whereas according to a number of statements made to Amnesty, restrictions are being imposed on their movements and political activities.

Prison Conditions: Many jails are grossly overcrowded; at the moment Alipore Special Jail, Presidency Jail in Calcutta and Jamshedpur Jail in Bihar are among the prisons containing more than the official capacity. This has made it difficult for the prisoners to obtain certain essential facilities. Accounts from ex-prisoners received by Amnesty indicate that hygiene conditions in most jails are bad. According to a recent report, in Calcutta Presidency Jail, only one watertap is available for 150-200 prisoners, and in the dry season it is often difficult to obtain drinking water for the inmates. In Alipore Special Jail, there is only one watertap for 700 prisoners. In some other jails, prisoners reportedly have to take drinking water from ponds where other prisoners bathe and wash their clothes. Under Trial prisoners are kept in wards of 80-100 inmates which are dark and airless, prisoners are locked up from 5:30 in the evening until 6:00 a.m. without any sanitary facilities. In the morning, prisoners are allowed out for two hours to have meals, wash and use lavatory facilities.

Although Presidency Jail is one of the few prisons with a sick ward, very few prisoners are admitted to the ward. Medical facilities are scarce, and skin diseases particularly scabies, widespread. Amnesty has been told that in some cases, despite recommendations from jail doctors, no permission was given for prisoners to be treated in outside hospitals. Of the cases reported to Amnesty, one was of Ramal Roy Chowdhury, arrested in October 1970, who allegedly had been tortured and whom the jail doctors had recommended for outside treatment, which was never given. The prisoner is said to have died in April 1972 on the day of his "Special Release" from jail. Another prisoner, Azizul Haque, is said to be seriously ill following alleged torture during police interrogation which left him partly paralysed. Despite doctors' recommendations for outside treatment, he remains in jail.

Punishment in Prison: Amnesty has been particularly concerned about the use of bar fetters ("danda-beri" and "Shikliberi") on prisoners regarded as dangerous or as security risks. While such fetters seem to be used in West Bengal jails, reports of this have reached Amnesty also from Bihar, especially. Fifty-one alleged Naxalite prisoners are kept in chains in Hazaribagh Jail, some of them for periods of more than two years. The fetters are kept on day and night, according to the jailer of Hazaribagh Jail, "to avoid further trouble". They consist of an iron ring on each ankle, each of which is attached to an iron bar some 20 inches long, the bar being connected to another one connected to the waist. One of the prisoners recently on hunger strike, Ashim Chatterjee, was chained for a period of two years. It was also reported to Amnesty that the same prisoner had spent two years in solitary confinement. Another case known to Amnesty is that of Shibal (sic) Roy detained in the same jail, who contracted tuberculosis during imprisonment. After having received hospital treatment, he returned to jail and was put in irons again. Prisoners held in this condition in Hazaribagh Jail spend 24 hours locked with four or five in a cell, which they

may only leave to use the lavatory. The use of bar fetters is also reported from other jails: in Calcutta Presidency Jail, prisoners are allegedly kept in fetters for periods of three to six months or even longer. Such treatment is contrary to Rule 33 of the United Nations Standard Minimum Rules for the Treatment of Prisoners—even for those who are convicted.

Torture Allegations: Over the past three years, a number of torture allegations have reached Amnesty from legal sources in Calcutta. According to these reports, torture is frequently applied during police interrogation, both in the Special Police Office (14 Lord Sinha Road, Calcutta), and in the Lal Bazar Police Station in Calcutta. Allegations of torture include severe beatings—to the extent of fractured limbs—prisoners being hung upside down and pins and nails being inserted into their nails and other sensitive organs of the body, including the genitals. In a number of cases the use of modern electric shock methods is reported, and prisoners are also allegedly burned with cigarettes, extinguished on their skin. According to the same reports, appropriate medical treatment was denied to prisoners who had suffered such treatment, which resulted in their being partly paralyzed (as in the case of Azizul Hauge and Megharanjan Sen Gupta, detained in Presidency Jail). In the case of Ramal Roy Chowdhury (mentioned earlier) who died after his release, it was reported that his death was due to inadequate medical treatment following police torture.

Allegations of torture of women have most recently been made in a report by the "Nikhil Banga Mahila Samiti" (All Bengal Women's Association). Members of the Association were detained in May this year, together with some 25 female Naxalite suspects, whom Amnesty estimates now to be detained in Calcutta's Presidency Jail. According to members of the Association, these women were taken to Lal Bazar Police Station one month after their original arrest. When failing to supply the wanted information they were stripped naked, burned with cigarettes on all parts of the body, and in some cases,

iron rulers were inserted into the rectum and vagina. When recovered, these women would, according to this report, be taken to Lal Bazar for the same treatment after 20-22 days.

Although Amnesty has not been able to make an investigation of the majority of these allegations, Amnesty representatives have talked to a small number of ex-prisoners who allege they have been tortured. In at least one case, the Amnesty representative was able to establish that the right hand of an ex-prisoner was paralyzed and could find no reason to question his statement that this was caused by severe beating during police interrogation; this prisoner was a lawyer who had been detained in January 1970 on three criminal charges, and, after he had been acquitted of all the charges, was released in June 1973 on the condition that he report regularly to the police and not engage in political activities.

Jail Incidents: According to official figures which appeared in *The Statesman*, *The Times of India* and the *Jugantar*, 88 prisoners were killed in 12 jail incidents during the period December 1970 to June 1972 in West Bengal and Bihar alone. Unofficial reports from ex-prisoners which have reached Amnesty put the number of prisoners who died in these encounters between prisoners and the jail staff and police at three times that figure. Only in a limited number of these incidents was an official enquiry ordered to take place, e.g. as in the case of the 26 July 1971 Hazaribagh incident in which 16 people died. While no official report on these incidents has ever been published, as far as we know *The Times of India* and *The Statesman* of 4 August 1971 stated that "The Preliminary enquiry held by the Commissioner of the Chotanagpur Division and the Deputy Commissioner for Hazaribagh also shows that the remaining 12 inmates died of injuries caused by convict officers". Regarding the incident at Asansol Jail which took place on 7 August 1971, *The Statesman* also reported: "about Thursday's incident in Asansol Jail, it was learnt that all the nine killed had been beaten to death."

Such reports cast serious doubts on

one common official explanation: that the prisoners were shot while trying to escape from prison.

Legal Aid: While Article 22(i) of the Indian Constitution confers the right to every citizen to be informed as soon as possible about the grounds for his arrest, and the right to consult a lawyer, the main complaint of the Legal Aid Committee in Calcutta—a committee of lawyers whose aim is to extend legal aid to political prisoners—is that members of the Committee are often denied access to their clients in prison. Letters written by prisoners to the Committee have, in a number of cases, not reached their destination; while prisoners, when they have a lawyer, often complain that they cannot meet their counsel in jail and can only see him for the first time when they are actually brought to court. Whereas the work of the Legal Aid Committee in the High Court has been fairly successful, a report from the Committee issued in November 1973 mentions that "The Committee moved 200 bail petitions in different courts in West Bengal (in 135 Under Trial cases and 52 MISA cases). Bail was granted to six Under Trial prisoners and 46 prisoners held under the MISA. Still now, only six prisoners have been released". Like many of the political prisoners in West Bengal, they were rearrested under different charges immediately after their release had been ordered by the Court.

(Abridged)

Recommendations

Amnesty International submitted certain recommendations to the Prime Minister of India and the Chief Minister of West Bengal in June this year. No reply was received. The recommendations are:

The Government should confine itself to prosecuting only those against whom evidence exists that they have committed offences punishable under the Indian Penal Code.

All prisoners held under criminal charges should either be brought to trial without further delay, or that in the absence of such, prisoners likely to be held for more than three months in prison without trial be instead at least released on bail.

FRONTIER

Amnesty feels that a prosecution policy along these lines, resulting in the release of considerable numbers of prisoners held without trial, would solve to some extent problems created by overcrowding. Amnesty suggests some steps for immediate consideration, guided by the United Nations Standard Minimum Rules for the Treatment of Prisoners (SMR). These are:

On the basis of the principle that all unconvicted prisoners are presumed to be innocent and be treated as such Rule 84(2) of the SMR), no instruments of restraint, such as bar fetters and irons, be used in prison, in accordance with Rule 33 of the SMR. Adequate facilities for accommodation, personal hygiene and food, as well as medical facilities, be supplied to the prisoners in accordance with Rules 10, 11, 12, 20 and 22 of the SMR.

Family visits, reading material and all other conditions applicable to persons held on remand awaiting trial be supplied in accordance with Rules 90 and 92 of the SMR.

Investigations be made into allegations of torture whenever they reach the Government, and all possible steps be taken to prohibit such use in the future, including the punishment of any persons found guilty of such acts.

While seriously disturbed about the various incidents, resulting in the death of prisoners Amnesty urges that an official investigation be made into the nature of these incidents and the resulting deaths of prisoners, and adequate measures be taken to prevent the recurrence of similar excesses in the future.

Finally, prisoners, in accordance with the provisions of Rule 93 of the SMR be allowed to apply for legal aid and to receive visits from their legal advisers, and that such visits be in sight, but not in hearing distance of the police or institutional officer.

RELEVANT RULES OF THE UN SMR: RULE:

10 All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air minimum floor space,

lighting, heating and ventilation.

11 In all places where prisoners are required to live or work.

(a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eye sight.

12 The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

20 (1) Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well-prepared and served.

(2) Drinking water shall be available to every prisoner whenever he needs it

22 (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.

(2) Sick prisoners who require specialist treatment shall be transferred to specialised institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners and there shall be a staff of suitably trained officers.

(3) The services of a qualified dental officer shall be available to every prisoner.

33 Instruments of restraint such as handcuffs, chains, irons and strait-jackets shall never be applied as

a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

(a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;

(b) On medical grounds by direction of the medical officer;

(c) By order of the director if other methods of control fail, in order to prevent the prisoner from injuring himself or others or from damaging property; in such instances, the director shall at once consult the medical officer and report to the higher administrative authority.

82 (2) Unconvicted prisoners are presumed to be innocent and shall be treated as such.

90 An untried prisoner shall be allowed to procure at his own expense or at the expense of a third party such books, newspaper, writing materials and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

92 An untried prisoner shall be allowed to inform immediately his family of his detention and shall be given all reasonable facilities for communicating with his family and friends, and for receiving visits from them subject only to such restrictions and supervision as are necessary in the interests of the administration and justice and of the security and good order of the institution.

93 For the purposes of his defence, an untried prisoner shall be allowed to apply for free legal aid where such aid is available, and to receive visits from his legal adviser with a view to his defence and to prepare and to hand to him confidential instructions. For these purposes he shall if he so desires be supplied with writing material. Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institutional official.

Letters

Sikkim

Your editorial, "Associate State", of September 14, 1974 on Sikkim has really surprised us, for so far no Indian newspaper has really been fair enough to us in analysing the political situation in Sikkim and its impact on the people there as well as on the democracy-loving people all over the world.

The Sikkim Congress in its election manifesto never presented the issue of "Sikkim's participation in the political institutions of India" on a public platform. Thus in clear disregard of the will and feeling of the Sikkimese people, Mr Kazi Lhendup Dorji and a few of his 'yes men' hurriedly took the decision without the proper knowledge of the majority of the Assembly members. Thus on the one hand, it has forcibly violated the constitutional procedure; on the other, it has neglected public opinion and lately, the voice of the people. On what grounds are we coercively given the status of an "Associate State" which is a lesser and even worse status than that of any of the States of India? We have a country with different social, political, ethnic and economic background. Have we no right to exist as a distinct nation? Why are we forcibly annexed when we want to live independently with a cherished love for India in our hearts? Do the leaders consider enemies at home safer than a most friendly neighbour like Sikkim on their border?

The Sikkimese people always shared the feelings and the sentiments of the Indian brothers and sisters. Do we have to relate this policy of aggrandisement to the nuclear blast of May 18? Will it not be an encouragement to the potentially growing military personnel and power of India? India has not only lost good neighbours like Sikkim, Nepal and Bhutan but also compelled its other neighbours like Pakistan, Afghanistan, Bangladesh, Burma, Ceylon and China to harbour feelings of enmity rather than suspicion.

We still hope that the Government of India will not crush the will and feeling of the ignorant people of Sikkim in the name of

democracy and freedom. We the students and youth of Sikkim request the Government of India to hold a referendum before the faith of the democratic people all over the world is shattered forever.

C. L. Sharma
President, Sikkim Students'
Association, Calcutta

'Open Door' Parliament

Congratulations to our MPs for creating benches for Sikkim. Consequently I request them to create more space for others to come in and to be broad-minded if China joins and outnumbers them by an absolute majority. Let our universal hypocrisy be tested.

A. Ahmad
New Delhi

Fire At Cooch Behar

The police, the CRP and other paramilitary forces are active in the town areas. The barrels of their guns are always hot. On August 27, at Cooch Behar they killed a teacher.

What happened next was the protest. It was not arson as described by the Calcutta dailies. It was an upsurge. There were thousands. The outburst of anger was like an explosion. No political party dared to lead them. Exasperated students burnt everything in the citadel of the local administration. They put up barricades on all the road crossings to stop the movement of traffic. All this happened spontaneously. No left party voiced the sentiment of the people. Otherwise it would not have been possible for the two Ministers to lead the funeral procession (where, significantly, the students were absent) with the bewildered left political leaders. The CRP did not come here on their own; they were brought here by these Ministers to repress the popular movement.

The fire was extinguished by the fire brigade. But do they know how to put out the fire in the hearts of the masses?

Ramjan Ali
Cooch Behar

Of Tigers And Men

At present we are mourning the death of a tiger. Poets and story-tellers have made a tiger a very wonderful thing. Some day, I suppose, the mosquitoes too will have their day of days. And it is all very good. But what of man?

Our incomplete education, which is a part of the general social condition, is producing men that are intellectual hodgepodes. Not to speak of others, I myself am ashamed of my half-baked education.

In the prevailing chaos the voices that are mourning the great hunger, the absence of homes for men, cannot be heard.

Rudra Acharya
Calcutta

The Protest

I am really moved by the sense of responsibility shown by the intellectuals of Europe, Canada and America towards the thousands of political suspects rotting in Indian jails. It is a protest of international significance. Surely all of them are not communists, but they are conscious and committed human beings, fully aware of their human existence and ideas. But what about the intellectuals of our country? Some of them pose as radicals, write poems, make films and produce dramas on progressive themes but take prizes from the government with benign smiles; sometimes they express astonishment how non-conformists like them get prizes. Our intellectuals, right or left, want to be appendages of the ruling class.

Arjun Bandyopadhyay
Naihati

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