

THE EMERGENCY

With the acceptance by the Government of India of Communist China's unilateral cease-fire and the situation on the frontier returning to pre-offensive days, leaders of the Swatantra Party have made statements suggesting withdrawal by the Government of the National Emergency.

Writing under the heading "Not short or long but permanent" in regard to the Chinese threat across the border, Rajaji said that the hot war had suddenly ended by an unilateral decision of China. "We are now on the business of long term security and defence. The kind of steps for meeting the emergency of the hot war between China and India which were then taken have no longer any relevancy. An armistice has come into being. We must now see what has to be done to meet the continuing Chinese menace which is not only big but also permanent."

Rajaji added: "We should not prolong the laws of emergency but restore normal laws that secure adequate power for the government of the day and at the same time protect the rights of citizens. Emergency laws should have a termination. It would be absurd and anarchic to maintain extraordinary powers for Government through a period of admittedly permanent conditions. Otherwise, it would mean that owing to the permanent neighbourhood of a powerful communist expansionist nation, we too definitely give up democracy and adopt a different type of political life and governance, such as prevail in totalitarian countries. It would be a silent conquest for communists and a defeat of democracy. The emergency laws should therefore go now, fundamental rights and democracy fully restored and firm alliances with democracies abroad negotiated for the permanent defence of India."

Addressing a press conference in Lucknow on December 27, Mr. M. R. Masani asked for the withdrawal of the Proclamation of Emergency in the country now that the Government had accepted the Chinese cease-fire proposals and "we had moved from the phase of active hostility to that of armistice."

Mr. Masani added that on the Prime Minister's own admission the dangerous expansionism of the Chinese could last for years. Democracy might be liquidated meanwhile, he warned.

He elucidated the point by saying that only that part of the proclamation which related to the curtailment of civil liberties should be withdrawn, while those which are necessary for rearming the country and removing its military unpreparedness may remain.

Referring to the arrest of three patriotic young men

in Delhi, Mr. Masani affirmed that this was a case of misuse of the emergency powers by the Government.

THE DEBATE IN PARLIAMENT

In the December issue of the Newsletter we had reported exhaustively the debate in Parliament on Chinese aggression and the Defence of India Regulations and Bill. Two more speeches by Maharani Gayatri Devi during the China debate and by Shri Anandchand of Bilaspur on the Defence of India Bill in the Lok Sabha and Rajya Sabha are reported in Annexure A and B respectively.

Seldom has a Parliamentary session been fraught with more significance for the country, perhaps even for the course of history, than the session recently concluded.

In the concluding debate in the Lok Sabha on December 10, notice of a Substitute Motion was tabled by members of the Swatantra Party. It referred to the motion by Shri Nehru regarding the border situation resulting from invasion of India by China, and emphasised that the country was pulsating with a spirit of sacrifice and patriotic fervour, ready to meet the Chinese challenge but said that the Government had failed to give the expected lead. The Government should make the nation and the nations of the world fully conscious of the fact that the cease-fire proposal of the Chinese was treacherous and sought to leave the aggressor on Indian soil. It prevented India from fortifying and guarding strategic passes and places. It also left various strategic mountain passes leading into NEFA, Uttar Pradesh, Punjab and Chusai in the hands of the invaders, apart from an airfield and forty three check-posts in the Ladakh region. The substitute motion urged that:

1. There should be no negotiations till the Chinese withdrew to the actual customary, traditional and lawful boundary;
2. The resolution passed unanimously by the House on November 14, 1962 should be upheld. Rapid arming and garrisoning of the country should take place and the Chinese notified that, if they failed to withdraw completely, India would be compelled to launch an offensive to retake her territories;
3. The Government should refer the Chinese Aggression to the U.N.
4. India should break off diplomatic relations with China;
5. India should seek massive military aid from

friendly nations as it was a fight of democracy against communism;

6. The Government should make every endeavour to establish viable political relations with Pakistan and Nepal;
7. The Dalai Lama should be allowed to act freely on the political plane.

Two speeches in the Lok Sabha by Prof. N. G. Ranga and Mr. P. K. Deo during the debate on the Cease fire have been reported in Annexure A.

Angry words were exchanged between the Prime Minister and the members of the Opposition in the Lok Sabha after the initiation of the debate on Chinese proposals on December 10. No new or significant point was made by the Prime Minister in the course of his reply to the debate and the back benches heatedly interrupted all the time. During one such fiery exchange, Prof. Ranga was heard to exclaim: "He should have been dismissed long ago. He has failed us so many times."

To give the reader an idea of the atmosphere that prevailed in the House during the debate we give below an extract from one such exchange that took place between the Prime Minister on one side and Prof. Ranga and Maharani Gayatri Devi on the other with certain remarks made by the Speaker:

"Shri Jawaharlal Nehru: My difficulty is that Prof. Ranga pretends to be an expert about things he knows nothing (interruption) I am sorry.

Smt. Gayatri Devi: If the hon. Prime Minister had known anything about anything, we would not have got into this mess today.

Shri Jawaharlal Nehru: I could not catch what the hon. Member said.

Mr. Speaker: That was nothing very important.

Shri Jawaharlal Nehru: I am sorry, I did not catch what the hon. Member said. It is a patent fact...

Mr. Speaker: What we cannot hear is not important at all.

Shri Hem Barua (Gauhati) (PSP) But we heard it.

Smt. Gayatri Devi: I might repeat it.

The Speaker: The Maharani Sahiba need not worry. Prof. Ranga is strong enough. He can answer... (interruption)

Smt. Gayatri Devi: After all, if the hon. Prime Minister and the Government had a knowledge of all these things, they would not have got us into this mess.

Shri Jawaharlal Nehru: I cannot bandy words with a lady member. (interruption)

Shri Hem Barua: Chivalry

Shri Jawaharlal Nehru: One of the biggest — it is not often said in public but I shall say it — is the future of the relations of the Soviet Union with China. This is a world question in which every Chancery in the world is deeply interested, whether it is in the United States, England, France, Germany, Yugoslavia or any other country.

Shri Ranga: Another dream."

OPPOSITION M.P.s PLEA

A letter to the Leader of the House, signed by Prof. Ranga and other Opposition spokesmen stated that it was much to be regretted that their suggestion that, as long as the Emergency lasted, Parliament should be summoned and be in session for at least a week every month besides the regular sessions was rejected. An informal Parliamentary Committee

should be formed because of the Emergency comprising of Leaders, deputy leaders and a representative of each Opposition group and of the Ruling Party and a few other important leaders of the House, which would be convened frequently, and act as a liaison between the Government and the Parliament if the latter was not in session.

In another letter to Shri Satyanarayan Sinha, Minister of Parliamentary Affairs, Prof. Ranga and other opposition leaders wrote that various M.P.s were keen on visiting the Frontiers which were affected by Chinese aggression. If accommodation and arrangements for a large number of men was problematic, then the areas could be visited by small groups of six to ten. First hand knowledge acquired by these visits would be most useful to the Parliament.

WITHDRAW POSTERS WITH MR. NEHRU'S PICTURE

Speaking at a reception arranged for him by the Andhra Pradesh Legislative Swatantra Party, Prof. N. G. Ranga demanded the withdrawal of posters with Prime Minister Nehru's pictures issued by the Government exhorting the people to support defence efforts. "Mr. Nehru", said Prof. Ranga, "is the Prime Minister but he is not India. Through such posters Mr. Nehru was being approximated with the motherland." Prof. Ranga said that such posters were being issued to exploit the present situation for party interests. He added that this personality cult was unconstitutional and unseemly. "It would be quite another thing if pictures of the President who was also the Commander in Chief, were displayed or better still pictures of our jawans who had died in battle." He also stated that the seriousness of the Chinese challenge required that Mr. Nehru devote his entire energy to being Prime Minister and delegate his other responsibilities to his cabinet colleagues.

Referring to the suspension of the Constitution relating to fundamental rights he said, "though in name we are in a democracy we have invested the government with totalitarian powers. The Government is not national or a coalition government but a party government. Even in the party it is the ruling group. To this government, party and group, we have given away the privilege of fundamental rights. This is a very great sacrifice we have been asked to make in the very beginning of the national emergency and it is the duty of Government to save the people from the clutches of totalitarian and powermad politicians."

ARREST OF THREE PATRIOTS IN DELHI

Writing in *Swarajya* of December 29, Rajaji referred to the arrest of three anti-Communists in Delhi and said:

"On December 15, three young men who are definitely opposed to communists and actively organised work in that direction and are as good patriots as anybody else, Sri N. N. Dutta, Sri Roop Narain and Sri Dharampal, were arrested in exercise of the powers taken under the Defence of India Act. These young men had issued a joint open letter to members of Parliament questioning the correctness

offensive, so to say, of China. The first offensive came with the three-point proposal which was duly rejected by our Government and within 30 hours, of the Prime Minister's pledge to the nation that we will fight to the last, came the second offensive, by which they claim that they will withdraw even behind the 8th September line which has been the suggestion from our Government as the basis for further talk. They say that they will go even behind the 8th September line; that they are prepared to go back to the 7th November, 1959 line, but the attitude and the action of the Chinese have clearly unfolded their intention and their mind.

In this connection, I beg to submit that most of us on this side of the House do not subscribe to the stand of our Government regarding the 8th September, 1962 line, because it is contrary to the very pledge we have taken on the floor of this House in a solemn way. By the 8th September line the Chinese will still be in occupation of 14,000 square miles of Indian soil.

Let us examine why these peace proposals came from the Chinese. I would like to analyse in my own way these peace proposals. The Chinese in a short period had marched in such a speed that they must have spread themselves and thinned out and it is very difficult for them to keep the logistic line in this mountainous terrain which will be snowbound very soon and impassable and it will be difficult for them to keep the supply line to their advance post. That might have prompted them to come out with this proposal. Secondly, they selected a time which they thought will synchronise with the highly inflammable situation in the Caribbean. They thought that the United States might get involved with the situation in Cuba and may not be in a position to come to the military aid of this country. But they were completely disillusioned in this regard. I praise the statesmanship of Mr. Krushchev in pulling out the various missile installations in Cuba and the Russian Army from the Caribbean so that a peaceful situation has developed there and it is now possible for the United States to come with all help to this country. They never expected that timely and magnificent response will come from the West in U.S.A. and U.K. for which we are so grateful in this House.

I had the privilege to represent this country in the Commonwealth Parliamentary Conference and I

could say that all the Commonwealth countries have got tremendous goodwill towards India.

All these factors influenced China to come out with this proposal. There is nothing new about it in combining diplomacy with war. If you will read the various writings of Mao Tse Tung, you will find he says: "In military terms our war consists in alternate adoption of the defensive and the offensive". It is the same hot and cold treatment which is used by the communists as the technique of torture to break down the morale of their victims and their resistance power in extracting confession. There is nothing new about that.

Let us examine all the implications of this proposal. Firstly, in the NEFA they do not recognise the Thag La ridge as the MacMohan line. They say the line is further south of the Nam Ka Chu river which they call as Kechilang. If we accept the offer we will have to forego Tawang, Dhola, Longju, Walong, Dhipula and other mountain passes which are of strategic importance to us. In the middle sector we will have to dismantle our defence build up in our border and we will have to withdraw to an area of 2500 square miles including Bara Hoti, Niti and Nana Passes in U.P., Shipki la in the Punjab. It further bars us from re-establishing the 43 checkpoints in the Ladakh region and the Daulet Beg Oldi air field and the Chushul airstrip which we have still held against heavy odds and, against incessant Chinese attacks and heavy casualties. The acceptance of the proposal will have far-reaching military and political repercussions. Militarily it will extricate the Chinese from dangerously exposed positions which are not adequately supported by the line of logistics. Further it will demoralise our forces who are now better equipped. They want that a fighting chance should be given to them so that they can get back their honour. Politically it is a deceptive mirage to lure the Indian people from the high resolve, to counter the splendid solidarity of this country and to dampen the spontaneous upsurge that has been in this country. Further, it will have a very bad effect in the case of our neighbours like Nepal, Bhutan and Sikkim who bank so much on our retaliatory powers.

Taking into consideration all these factors, I beg to submit with all humility that it is a treacherous trap to humiliate us. They want that India should eat humble pie but it is not possible. The entire proposal should forthwith be rejected.

Annexure B

In the Rajya Sabha

SHRI ANANDCHAND

During the debate on the Defence of India Bill

Much has been said about the Chinese invasion, aggression against India, about the various provisions of the Bill to mobilise the home front against the aggressor and various other matters. So far as I am concerned, you would pardon me if I strike a note a little out of keeping, I should say, because looking back at the picture as a whole today, I find myself a little confused.

I would like now to make only two or three submissions about the Defence of India Bill. This Bill

has been wholeheartedly supported in the other House and it has received general support in this House from all parties even from the Communist Party.

One is the question of Fundamental Rights and the other is the misuse of power by State Governments. In the very basis of the scheme of emergency, once the emergency is declared, it is understood that the Fundamental Rights are liable to be curtailed. Under the provisions of article 359 I believe the President has already issued orders curtailing liberties of life and person, so far as articles 21 and 22 are concerned. Now, what I would like to submit is that even in a

country like England during the last war the right of Habeas-corpus was not denied. A person who been taken into custody had the right of Habeas-corpus. On the suspension of articles 21 and 22 so far as that right of a citizen of India goes, to my mind it is a very important point and it needs looking into very closely.

My friend from the Communist Party was very vehement about the detention of members of the Communist Party. There were others who said that the Communist Party as such have misbehaved and they have themselves to thank for.

Annexure C

(Extract from a speech delivered by Rajaji on December 23, 1962.)

The present preference to the policy of non-alignment corresponds to discussion of Advaita when we do not practice it, but only debate upon it. The people who defend non-alignment now are more particular about proving that Nehru was right rather than anything else. Before the present disclosure of China's intentions and when we were concerned with the Cold War between the West and Soviet Russia, I was also a non-aligner. The problem now is how to restore a balance of power in Asia against China, not at all whether we should join one side or the other in the cold war between the West and Soviet Russia.

Any talk now about war and war conditions has no meaning after the cease-fire unilaterally declared by China and the silent acceptance of it by our Government, without any attempt to use our military strength for recapturing the places lost to the Chinese.

The talk about the emergency also is wrong. "Emergency" is a correct word when it is a temporary disturbance of peace. But today the menace is permanent and not temporary. The menace arises out of imbalance of power in Asia which must be remedied, not by temporary measures, but must be met by the acquisition of additional power through alliances with foreign nations, who are equally interested with us to contain Communism and to deter ambitious aggression on the part of Communist China.

Pakistan is weaker than India, but it becomes necessary to cultivate and establish friendly relationship with Pakistan if we wish to develop strength against China, to deter her from aggression. We cannot fight on two fronts or even without fighting present sufficient strength on two fronts to deter aggression. We must decide in our minds whether a settlement with Pakistan is a number-one necessity or not. In my opinion, it is number-one necessity in order to be able to stand up to China. If any statesman places friendship with Pakistan as number two and settlement with China as number one, I would totally differ from him. If friendship with Pakistan is absolute number-one necessity, we must educate the public to accept whatever will be agreed upon between the two governments. We must leave the solution to the two governments. Public proposals and public debates on the proposals will provoke further difficulties and prevent any settlement.

We cannot run an armament race against China. We would be financially ruined if we attempted it. We cannot tax our people to produce the finances for

If we think that the Communist Party of India is misbehaving and it is an anti-national Party, we should ban it straightway. There will be then no question of one member of the Party being sent abroad—he is a very hon. Member and I have nothing against him being sent to countries abroad—perhaps to represent the communist point of view to Russia and elsewhere and another member of the Communist Party's upper hierarchy—I refer to a person from Andhra Pradesh, I would not name him, and a Member of this august House—being placed in detention. These two things do not go together.

such an armament race. Nor can we afford to fill the gap by deficit financing. If we undermine the National stamina by over-taxation or by inflation, we shall be weakening ourselves instead of strengthening the Nation. We must therefore depend upon firm alliances and treaties for the defence of India.

Of course, even after such treaties for defence with foreign governments, we shall have to do our best to raise our defence potential and incur the necessary expenditure for it. But that cannot be carried to the point of ruining the country by far too heavy taxation or by further inflation.

The Dharma of government is to govern justly and with care for the welfare of the nation. The Dharma of opposition is to criticise the government justly and with care. Both Government and Opposition should fulfil their respective dharmas. The doctrine of Swadharma applies fully here also. Better one's own Dharma even imperfectly done than another's Dharma well performed.

If government wishes to avoid all public criticism and consider it necessary to take vast powers, it must give up its party character and convert itself into a national government. This has not been done now, and therefore the duty of the opposition must continue to be performed with justice and concern for the public welfare.

If the emergency has changed from its temporary character into a permanent menace and the cease-fire has resulted in a de facto armistice then a new situation has arisen. It is not war or emergency. The government should consider again whether it can go on as a party government or shed its party character. So long as the Congress Party continues to govern without changing its party character, the opposition must continue to maintain democracy by criticism. Democracy and Independence must both be maintained and preserved. Just as in the lying-in-hospital, the doctor should not allow either baby or mother to die and both lives are precious and must be looked after, the opposition must continue to function and fulfil its Dharma. Democracy must be preserved and not sacrificed on account of the enemy's aggression. It would be absurd to keep the Defence of India Act going for all time which would follow if it has to be retained all the time the Chinese menace remains. The menace is permanent.

It is distressing to note that the Prime Minister is not half enough alive to the need for the two things to be done: Settlement with Pakistan and firm treaty of alliance with the Western Powers.

(For Private Circulation)