

NEHRU AND PARLIAMENT



SUBHASH C. KASHYAP
Editor

This volume consisting of scholarly articles and reminiscences from Jawaharlal Nehru's distinguished contemporaries fills a gap in the field of Nehru studies. For, Nehru's unique role in building the great institution of Parliament and establishing lofty parliamentary traditions, conventions and procedures has not received as much attention from scholars as it should. The present work provides not only scholarly analyses but also the views and opinions of a number of eminent parliamentarians who had actually worked with him or seen him function in Parliament. Through the studies included in this volume, we are able to obtain valuable insights into the exciting period of recent past, thereby deepening our understanding of Nehru's intimate relationship with Parliament and the pivotal role played by him in building the institutions of representative democracy in India.

The book will be welcomed by all scholars, parliamentarians and others in unravelling the fabric of Indian polity and society.

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Editor

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Secretary-General, Lok Sabha

Lok Sabha Secretariat

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PRIME MINISTER

FOREWORD

Jawaharlal Nehru's name will forever be linked with the history of parliamentary democracy. He could conceive of no other form of Government for free India. Years before Independence he had demanded that the Constitution of new India should be drawn up by a Constituent Assembly. When eventually it did meet, his advocacy of adult franchise and of the executive's answerability to the people was a classic exposition of the essence of democracy. His faith in the right of the people to choose was matched by his belief that the people of India would choose wisely. The reverence in which Jawaharlal Nehru held the authority of Parliament, and the conventions he helped to shape, enabled our democracy to take such deep and sure root.

I am glad that the Lok Sabha Secretariat is publishing this book. I hope it will make all of us better and more conscientious parliamentarians.

A handwritten signature in black ink, which appears to be 'J. Nehru', is located below the foreword text.

New Delhi

May 20, 1986

PREFACE

The purpose of this volume is to attempt to fill a gap in the field of Nehru studies. For, his unique role in building the great institution of Parliament and establishing lofty parliamentary traditions, conventions and procedures had not received due attention from scholars. The present work projects the views and opinions of a number of Nehru's distinguished contemporaries who had actually worked with him or seen him function in Parliament. These found expression at a Seminar on "Nehru and Parliament" organised under the joint auspices of the Bureau of Parliamentary Studies and Training of the Lok Sabha Secretariat and the Indian Parliamentary Group at the Parliament House Annexe, New Delhi on the occasion of the 96th birth anniversary of Pandit Jawaharlal Nehru on November 14, 1985. It was a real treat to listen to distinguished speakers drawn from such diverse fields as politics and administration, academics and journalism. Through reminiscences, academic analyses and studies on Nehru and his intimate relationship with the Parliament, valuable insights were provided thereby deepening our understanding of the pivotal role played by Jawaharlal Nehru in building the institutions of parliamentary democracy in India.

We are most grateful to the Hon'ble Vice-President and Chairman of Rajya Sabha, Shri R. Venkataraman who delivered the illuminating inaugural address which suitably adapted appears as the first paper. Our thanks are due to all the distinguished participants at the Seminar and contributors to this volume who spared their valuable time and energy to record their impressions, experiences and views. Discussed in this volume are the different aspects of the many-sided contributions of Pandit Jawaharlal Nehru to parliamentary democracy in India. As a democratic thinker, he emerges unparalleled. As a framer of our Constitution, he appears most articulate in expounding its philosophy and in giving concrete shape to its democratic content. As a parliamentarian, he obviously shines as the ideal one worthy of emulation.

His conduct in the House, be it during the discussions or Question Hour, his treatment of the Opposition, his attitude to criticism, his respect and regard for the Chair and above all the time and energy he devoted to parliamentary work as highlighted by various contributors here, all bear eloquent testimony to Nehru's greatness as a parliamentarian. The shining examples set forth by him will guide us for years to come.

It is hoped that the volume which has been very ably edited by the Secretary-General of Lok Sabha, Dr. Subhash C. Kashyap would be found useful and informative by all parliamentarians and political thinkers generally and by students of Nehru's thoughts and of our parliamentary institutions in particular.



(BAL RAM JAKHAR)

NEW DELHI;

MAY, 1986

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PART I

INTRODUCTION

Pandit Jawaharlal Nehru was the prime artificer of modern India and of her system of representative parliamentary democracy. His contribution to the evolution of India's political system was unique. It was Nehru who built, brick by brick, the infrastructure and the edifice of the institution called the Parliament of India. He had an abiding faith in the parliamentary system because for him it meant a government by consultation and discussion and, as such a responsible and responsive government.

Himself an erudite scholar and a reputed author, Pandit Nehru inspired many intellectuals and academics. Volumes have been written on him, on his life and works, his Prime Ministership, his foreign policy and more recently, on his active role in Constitution-making.¹ Unfortunately, however, very little research seems to have been undertaken so far on his role in building the great institution of Parliament and establishing lofty parliamentary traditions, conventions and procedures. This subject has, of late, assumed added significance in the context of the current debate on the theme of the alleged "decline" of Parliament and of other parliamentary institutions in the country.

On Parliamentary Polity being the most suitable for India

Long before the freedom from foreign rule became a reality, way back in 1936, Jawaharlal Nehru as President of the Indian National Congress had declared that India's ultimate objective was "the establishment of a democratic state," a sovereign state of India which would promote and foster "full democracy" and usher in an era of "new social and economic order". The dominant urges of the Indian nation, he then observed, were nationalism, freedom and social justice. Throughout his public career, whether as the leader of Indian nationalism or as the Prime Minister of India, he laid stress on the validity of these concepts, for building a modern democratic polity in India.²

The process of nation-formation, Nehru said, could be strengthened by recognising the urges and aspirations of Indian people inhabiting different parts of the country with their rich and diverse culture and linguistic heritage.

¹ Subhash C. Kashyap, *Jawaharlal Nehru and the Constitution*, New Delhi, 1982.

² Address at the Faizpur Congress Session, 27-28 December, 1936.

He extolled the virtues of the concept of what he called unity in diversity, which served as a binding force in Indian society and helped in assimilating different cultural strands into a composite Indian culture. It was in the context of this socio-cultural background—the nature of Indian society and its long history, spread over several millenia—that Nehru tried to visualise and evolve the most appropriate structure of governance for India. He thought that it should be democratic in content and accord primacy to the concepts of social justice and secularism. Regionalism and communalism were clearly enemies of a modern secular nation state wedded to parliamentary policy. He was convinced that parliamentary democratic polity had the greatest potential for building a united and integrated nation from a highly pluralistic society with many divisive pulls of diverse kinds.

India had vanquished British imperialism and won her Independence through national struggles for representative parliamentary institutions. Nehru believed that it was imperative for her to emerge as a powerful and dynamic modern nation state with a parliamentary polity. He was convinced that this system with all its imperfections was the most suited to India's ethos, experience and genius. In his own words :

“To sum up, all our institutions, including the parliamentary institutions, are ultimately the projections of a people's character, thinking and aims. They are strong and lasting in the measure that they are in accordance with the people's character and thinking. Otherwise, they tend to break up.”³

Role in the Evolution of Parliamentary Institutions

The role of Nehru in the conception of the Constituent Assembly and the entire process of Constitution making was most decisive. While the professional task of drafting the provisions of the Constitution was done by Dr. Ambedkar and others, Nehru laid down its fundamental principles and gave it its spirit. Nehru's views are reflected in the discussions and speeches in the Constituent Assembly on various draft articles particularly those relating to Parliament and its role in ensuring social justice and dignity of the individual.⁴ Moving the Objectives Resolution in the Constituent Assembly on 13 December, 1946, which was the fifth day of its first session,

³ Cited in Kashyap, *op. cit.*, pp. 377-78.

⁴ See also Nehru's Message to the first issue of the *Journal of Parliamentary Information*, Vol. I, No. 1, April, 1955.

Nehru had observed : "Whatever system of Government we may establish here must fit in with the temper of our people and be acceptable to them."⁵ In the words of K.K. Shah :

"A grateful nation completely trusted him for placing foundations of democracy on solid rock. He succeeded because he had faith in himself and in the people of India. Parliamentary democracy was the fulcrum round which his entire achievements revolved. He surpassed in height of ideals and broad vision even legendary historical figures. Through parliamentary democracy, he welded us into a nation. He made us strong and self-reliant in our thinking".⁶

Nehru's contribution to building the system of parliamentary democracy transcended the territorial limits of India. He did not establish parliamentary democracy in India alone but influenced its adoption in several other countries that achieved freedom from foreign rule after her. As Dinesh Singh puts it :

"This is a fact which is sometimes over-looked when we limit such a great personality to the boundaries of this country. The pattern that we adopted in this country was a model to be followed by other countries that became independent from colonial rule. Therefore, the credit to Jawaharlal Nehru is not limited to the establishment of parliamentary democracy in India, but the spread of parliamentary democracy in large parts of the world".⁷

Although as an intellectual, Nehru was an internationalist influenced by radical ideologies, as a system-builder he was sensitive to the existing social milieu and felt that the only way to solve our problems was through a parliamentary democratic set up which recognised the legitimate aspirations of various classes and communities and guaranteed to all citizens full freedom and opportunities for economic and social growth irrespective of their caste, creed, religion etc. The vision that Nehru tried to translate into reality through the edifice of the Constitution of India was that of a political system of representative parliamentary democracy where rights of the individual were safeguarded along with guarantees of socio-economic justice for the people at large, where the unity and integrity of the nation were the highest values and where all the political institutions and organs of State—Parliament, Executive and Judiciary—subservied common national ends. Though the critics considered the parliamentary system as being "rather slow-moving" in these dynamic times which required a rapid change from the old to the new, Nehru was confident that ultimately, the system

⁵ *C. A. Deb.*, Vol. I, 13 December, 1946, p. 62.

⁶ See K. K. Shah, in this volume, p. 42, *infra*.

⁷ See Dinesh Singh in this volume, pp. 43-44, *infra*.

which yielded large dividends in the shape of the well-being and advancement of the people, "will probably survive in every country".⁸

The Concept and the Rationale of the Parliamentary System

It is said that man is the centre of the universe. Almost in the same vein, Jawaharlal Nehru declared that the centre of the democratic process was the individual himself. Nehru gave primacy to the individual but argued that the individual was the product of and conditioned by socio-economic organisation in which he lived. The individual and society were inter dependent and not exclusive entities. By accepting such a premise Nehru affirmed his faith in the highest traditions of liberal values. It is interesting to analyse his reasons for accepting democracy as an ideal system of government and a most satisfying way of life. His arguments, simple, elegant, straight-forward as they were, embody some of the foundational philosophical premises of democracy. Also, they displayed his robust common sense and pragmatism. He once observed :

"We have definitely accepted the democratic process. Why have we accepted it ? Well for a variety of reasons. Because we think that in the final analysis it promoted the growth of human being and of society; because as we have said in our Constitution, we attach great value to individual freedom; because we want the creative and the adventurous spirit of man to grow."⁹

Again he said :

Democracy...is a means to an end. What is the end we aim at ? I do not know if everybody will agree with me, but I would say the end is the good life for the individual. What form it should take can be argued about but the good life certainly must imply a certain satisfaction of the essential economic needs which will release him from continuous oppression, and which will give him a chance to develop his creative faculties."¹⁰

Nehru knew only too well that parliamentary democracy was not something which could be created in a country by some magic wand. It had to evolve and grow. It had to be imbibed. It could exist only in a particular kind of milieu and demanded a great deal of investment in the political education of the people. Nehru very well understood this and often took pains to explain to the masses ramifications of international events and of the various forces working within and outside the country. He gave reasons for the Government adopting certain measures and explain to them various points, through his speeches and addresses both

⁸ Nehru's Message to the first issue of the *Journal of Parliamentary Information*, Vol. I, No. 1, April 1955.

⁹ Speaking at the AICC, Indore, 3 January, 1957.

¹⁰ Speaking at a Seminar on Parliamentary Democracy, 25 February, 1956.

inside and outside Parliament. He almost took upon himself the role of an educator of the people. This he thought was necessary specially in the context of the adult franchise which he had himself supported and which was accepted as an act of faith in the Indian masses despite the widespread illiteracy and ignorance and lack of formal or political education. In order to enable the people to exercise their right to vote wisely, Nehru wanted to inform and educate them, to create suitable public opinion in the country to make the people aware of their rights and duties in the democratic process. He also wanted that the programmes and policies of the government were properly debated, understood, evaluated and accepted by them. By doing so, he hoped to evolve a national consensus on major issues so that the people felt motivated and involved in the task of building the nation and safeguarding its freedom and democratic institutions. Arguing that democracy was the best form of government, he asserted that in a democratic polity, individual was offered the fullest opportunity for self-development as well as to do good to society, democracy promoted the virtues of self-discipline and a sense of social responsibility; its methods and objectives were peaceful and it followed the dictum that right means lead to right ends. He said :

“We believe in democracy. Speaking for myself, I believe in it, first of all because I think it is the right means to achieve ends and because it is a peaceful method. Secondly, because it removes the pressures which other forms of Government may impose on the individual. It transforms the discipline which is imposed by authority largely to self-discipline. Self-discipline means that even people who do not agree—the minority—accept solutions because it is better to accept them and then change them, if necessary, by peaceful methods, therefore, democracy means to me an attempt at the solution of problems by peaceful methods. If it is not peaceful, then to my mind, it is not democracy. If I may further elaborate the second reason, democracy gives the individual an opportunity to develop. Such opportunity does not mean anarchy, where every individual does what he likes. A social organization must have some discipline to hold it together. This can either be imposed from outside or be in the nature of self-discipline. Imposition from outside may take the form of one country governing another or of an autocratic or authoritarian form of government. In a proper democracy, discipline is self-imposed. There is no democracy if there is no discipline.”¹¹

¹¹. *Ibid.*

Democracy has the ability to move the masses and to involve them through their free will in the task of development, nation-building and social progress. The government remains responsible to the people and is ever responsive to their wishes and demands. An intimate relationship is forged between government and the people through Parliament. It is a well recognised principle of parliamentary democracy that the Executive is responsible to the popularly elected House of Parliament where decisions are taken through free discussion and exchange of ideas. In Nehru's words: "It is a method of argument, discussion and decision, and of accepting that decision, even though one may not agree with it."¹² Nehru elaborated this point further as follows :

"How far can parliamentary democracy be adapted to meet the new burdens and functions of government satisfactorily, effectively, and in time ? Time is the overriding consideration and that is why the question has arisen whether it is possible to have devolution of authority in parliamentary democracy which ensures that these problems can be dealt with rapidly and effectively. The easiest way to deal with a problem is for an autocrat or dictator to settle it at once, rightly or wrongly. Obviously, that is an approach which is bad for the growth of the people. It does not develop that creative energy, that spirit and that sense of freedom which we consider essential. But remember also that creative energy and a sense of freedom do not develop merely by giving a person the right to vote".¹³

Nehru was convinced that mere political democracy with its right to vote was not enough. It must lead to the establishment of economic democracy.

"Parliamentary government is a democratic conception. It means the gradual widening of the franchise till it becomes adult franchise. It is only in very recent times that any country has had adult franchise. The effects of adult franchise are being felt in full only now. This political change having fully established itself, it has become obvious that a political change by itself is not enough.

From political democracy we advance to the concept of economic democracy. First of all that means working for a

¹². Inaugural Address to Seminar on Parliamentary Democracy, 6 December, 1957.

¹³. Speaking at the Seminar on Parliamentary Democracy, 25 February, 1956.

certain measure of well-being for all, call it Welfare State. Secondly, it means working for a certain measure of equality of opportunity in the economic sphere".¹⁴

Nehru believed that parliamentary democracy was in keeping with our own old traditions as well as suited to meeting the demands of the modern times and the new conditions and surroundings. After all, there were not many countries in the world where it functioned successfully. Fortunately, it could be said without any partiality that the parliamentary system had functioned with a very large measure of success in India "because of the background in our country, and because our people have the spirit of democracy in them".

"We chose this system of parliamentary democracy deliberately; we chose it not only because, to some extent, we had always thought on those lines previously, but because we thought it was in keeping with our own old traditions, not as they were, but adjusted to the new conditions and new surroundings. We chose it also—let us give credit where credit is due—because we approved of its functioning in other countries more especially in United Kingdom".¹⁵

Parliamentary democracy could be dynamic and function with speed given the talents to manage it, but above all, this system "embodied the principle of change and continuity". He said that it was upto those who functioned in this system—Parliament, Members of the two Houses and the numerous others who were part of this system—to increase the pace of change, to make it as fast as they liked, subject to the principle of continuity, because the moment that continuity was broken, people would become rootless and the system of parliamentary democracy would break down. Parliamentary democracy, he added was a delicate plant and it was a measure of our own success that this plant had become sturdier during the years that had gone by since Independence.

As the first Prime Minister of India who was at the helm of affairs for the most crucial seventeen years of the new Republic, it was Jawaharlal Nehru who worked the constitutional mandate of establishing a parliamentary system guaranteeing social, economic and political justice, liberty, equality, dignity of the individual and unity and integrity of the nation. And, the way he worked it, he gave shape, meaning and content to the provisions of the Constitution.

¹⁴. Inaugural Address, Seminar on Parliamentary Democracy, 6, December, 1957.

¹⁵. *L. SDeb.* Vol. I, Part II, 28 March, 1957, cc. 1290-91.

Role in Parliament : Respect for the parliamentary Institution and building healthy practices

As the Leader of the House—Provisional Parliament (1950-1952), First Lok Sabha (1952-1957), Second Lok Sabha (1957-1962) and Third Lok Sabha (1962-1964)—Nehru played the most outstanding role in building our parliamentary institutions and establishing healthy practices and precedents. Free and fair elections to Parliament based on universal adult franchise were the most sacred festival of democracy and for Nehru an article of faith. He showed tremendous respect to the institution of Parliament. This was evident all through his conduct inside and outside the Houses of Parliament. His relations with the Presiding Officers and with members of Parliament were most cordial and admirable. Letters of individual members of Parliament were almost invariably replied to by him personally and most promptly.

Nehru had the fullest faith in Parliament as the Supreme representative institution of the people and the “grand inquest of the nation”. It was through his conscious efforts as well as through his very association with it in the formative years after Independence that the Parliament of India became a true and effective institution of people’s representatives and secured a pre-eminent position in the country’s polity. But, as Vice-President Shri Venkataraman points out Nehru also knew very well that parliamentary democracy was the most difficult system of governance and one of the most exacting applied sciences. It imposed on members of Parliament a formidable obligation. If the members, as a whole, “do not rise up to reach the levels of Nehru, democracy could be a hollow system, a mockery of what it should be”.¹⁶

As a true democrat Nehru promoted frank discussions on subjects of importance in the Houses of Parliament. Nehru did not much relish the excuse of public interest to deny information to Parliament and sometimes intervened to give the information which the concerned Minister may have denied on such grounds. He was willing to share a great deal of information with Parliament even in matters like national defence. He was most anxious to involve Parliament in the evolution, determination and evaluation of national policies. The Science Policy and Industrial Policy resolutions are important examples. He made efforts in the direction of making Parliament appreciate the need for a scientific approach and inculcating among the people a scientific temper. As the Foreign Minister, he made it a point to have discussions on the international situation and for the purpose he would often himself move in the House that the international situation be taken into consideration. The result was that debates in the Indian Parliament attracted wide attention not only in India but in the wide world outside. Foreign affairs debates were eagerly looked forward to. The

¹⁶. See R. Venkataraman in this volume, p. 23, *infra*.

Visitors' Galleries and Diplomatic Galleries were fully packed during all such debates. There were some momentous occasions like the debate on the nationalization of the Suez Canal. Often, the debates helped to ease tense situations, resolve conflicts and highlight India's impact and contributions in the process.

Nehru appreciated informed criticism from all quarters. He listened with great interest to the view-point of the Opposition. It was, he said, fully democratic that the Opposition should criticise the Government's policies, but it would be more helpful if they offered constructive criticism. Even though the Opposition was weak in numbers, Nehru accorded it considerable importance and held the view that "it would not be right for us to appear to be vindictive".¹⁷ He met the Opposition leaders occasionally to exchange ideas on crucial issues. He would make it a point to compliment those who made fine speeches and raised important issues. Also, he would talk to them. His personal relationship with many Opposition members was most cordial and friendly. Glowing tributes have been paid to him for his unfailing courtesy and consideration shown to Opposition members of Parliament. Nehru felt responsible not only to the members of his own party but also to those of the Opposition and in fact to the whole nation. He was conscious of the fact that he was the Prime Minister of the entire country and the leader of the whole House and not merely the leader of the majority party in Parliament.

Under Nehru's stewardship, the rights and privileges of members were duly safe-guarded, and the dignity and prestige of the House maintained. He asserted, "I am jealous of the powers of this House and I should not like anyone to limit those powers".

Once when some members from the Opposition felt that certain remarks made by the then Special Assistant of Nehru (M.O. Mathai) were a contempt of the House and brought a privilege motion, Nehru requested the Speaker to refer the matter to the Committee of Privileges. He said :

"When a considerable section of the House was feeling that something should be done, it is hardly a matter for a majority to over-ride those wishes. . . suggestion to drop this matter would, I think, not be a right one because it almost appears that an attempt was made somehow to hush matters or hide matters. It is not a good thing for such an impression to be created".¹⁸

Nehru believed in the primacy of Parliament in Indian polity and in its supremacy within the field assigned to it by the Constitution. In the

¹⁷. *L.S. Deb.*, 2 May 1963, c. 13408.

¹⁸. *Ibid.*, Vol. XXV, 1959, p. 169.

matter of the role of the judiciary and extent of judicial review Nehru took a very firm stand and said that the courts could not become a third legislative chamber; their role was to interpret the laws made by Parliament and not to themselves lay down the law.

Nehru was meticulous in showing courtesy to Parliament; the very manner of his entry into the House, the graceful bow to the Chair each time he took his seat or left the House, his strict observance of parliamentary etiquette in the best sense of the term, and his readiness to answer even irritating interruptions were exemplary. As Shri R. Venkataraman says, "it was his innate gentleness and his gentleness that made Nehru an ornament to Parliament".¹⁹ He took keen interest in the Question Hour and seldom missed it. He was present during most of the debates on major issues and listened to the members with attention. Several distinguished parliamentarians have remarked how Nehru answered questions with dignity and dexterity, gracefully and effectively. Mrs. Violet Alva once observed that Nehru spoke "with passion but not with malice". Sometimes he denounced wrongs "with the spirit of a rebel but he left no wounds behind". He "could intervene and answer any intricate point and wind up the critical stage of any debate".

Nehru's parliamentary style was distinctly his own. His reasoning was impeccable and his brilliant repartees, wit and humour thrilled the House. He spoke in chaste English or Hindi. The occasion very definitely determined the language he used. His Hindi or Hindustani particularly was something typically his own. A special kind of articulation, often it was like a teacher trying to hammer or explain a point with great dexterity of purpose. He did not hesitate to accept and appreciate valid criticism. On one occasion during the discussion on President's Address, an Opposition leader, Asoka Mehta, described the President's Address as odourless, colourless and generally inane and blamed the Government for it. While replying to the debate, Nehru dealt with that point first and said : "Now Sir, first of all I should like to refer to a criticism which has been made strongly and forcefully by Shri Asoka Mehta about the President's Address being odourless, colourless and generally inane. As members of the Government, who are responsible for the President's Address that criticism applies to us certainly. I am prepared to say that that criticism is partly justified".²⁰

Nehru would often begin by welcoming "well-deserved criticisms" in Parliament saying that his government could benefit by them. At the same time, he would disarm his critics by observing that beyond that criticism

¹⁹. See R. Venkataraman in this volume, p. 25, *infra*

²⁰. *L. S. Deb.*, Vol. L, 23 February, 1961, p. 1677.

there was a vast amount of agreement on fundamentals, and then he would set out to analyse the areas of agreement. As Shri Uma Shankar Dixit has pointed out, Nehru might have sometimes appeared “impatient and intolerant of criticism, obstruction and indecision, so characteristic of democratic assemblies”. But, in fact, he was at great pains to appreciate criticism. He was so introspective as to go out of the way to see the other man’s point of view. He “tried his best to pick out points from the criticism of the opponents of his stand, and was patient enough to try to rebuild and reshape his own plans and ideas”. Dixitji goes on to say :

“Not unoften, he would effectively intervene to silence an irresponsible speaker or angrily repudiate an ill-founded allegation or demolish a virulent personal attack. During such exchanges he shone out in his intellectual brilliance”.²¹

The veteran parliamentarian Professor N.G. Ranga tells us how Nehru always emphasized the desirability of Ministers welcoming probing parliamentary questions and educative debates. For, he treated Parliament as a “comrade” and as a “necessary aid to Ministers”.²² This ability to accept others’ viewpoint and extract out of them the best elements, to be used for the good of the society, was one of the most remarkable traits of Jawaharlal Nehru’s personality. It is worth recalling how once when Shrimati Rukumani Arundale’s Private Member’s Bill on Prevention of Cruelty to Animals was under consideration, Nehru walked into Parliament and declared that the Government was committed to the principles of the Bill and would bring forward its own legislation on the subject.

Fame, Milton said, is the last infirmity of a noble soul. But, Nehru was allergic to flattery and there were occasions when he felt embarrassed with uncalled for speeches in his praise and left the House.

Nehru laid down some conventions of lasting value by up-holding the Speaker’s position in the House. The Speaker, Nehru believed, held a pivotal position in the House and was a true symbol of the dignity and independence of the House. He was expected to be the guardian of the rights and privileges of the members. Speaking on the occasion of the unveiling of the portrait of late Vithalbhai Patel, he said :

“Now, Sir, specially on behalf of the Government may I say that we would like the distinguished occupant of this Chair now and always to guard the freedom and liberties of the House from every possible danger, even from the danger of an executive incursion.

²¹. See Uma Shankar Dixit in this volume, p.127, *infra*.

²². See N. G. Ranga in this volume, p.135, *infra*.

There is always that danger even from a National Government—that it may choose to ride roughshod over the opinions of a minority, and it is there that the Speaker comes in to protect each single member, or each single group from any such unjust activity by a dominant group or a dominant Government”.²³

He went on to say :

“..... the position of the Speaker is not an individual’s position or an honour done to an individual. The Speaker represents the House. He represents the dignity of the House, the freedom of the House and because the House represents the nation, in a peculiar way, the Speaker becomes the symbol of the nation’s freedom and liberty. Therefore, it is right that that should be an honoured position, a free position and should be occupied always by men of outstanding ability and impartiality”.²⁴

Once when Speaker Mavalankar wanted to see Prime Minister in his office, Nehru emphatically pointed out that it was he who would go to the Speaker’s Chamber and not the other way round. The incident speaks volumes of Nehru’s greatness, humility, adherence to parliamentary conventions and respect for parliamentary institutions. Shri S.L. Shakhder, the former Secretary-General of Lok Sabha, who alongwith Shri M.N. Kaul had watched closely Panditji functioning in Parliament and can be taken as an authority on Nehru’s relationship with the democratic institution, reveals the delicate balance of the intimate relationship between the incumbents of the two vital parliamentary institutions, viz., the Prime Minister and the Speaker in the formative years of the country after Independence. In Shri Shakhder’s words :

“Preserving the dignity of the House and enhancing its authority was the wont of Prime Minister Nehru. He showed it in little actions that form today permanent precedents for others to follow and thereby strengthen the foundation of an eternal system. He was fully conscious that the Speaker, being the spokesman of the House, should be as respected as the House itself. So it was that, whenever he had to discuss anything with Speaker, he would come to his Chamber after making an appointment, and also, when the Speaker expressed a desire to see him, Nehru would come to his Chamber. I know that even when parliamentary delegations led by Speaker had to visit countries abroad, he would come to the Speaker’s Chamber and address them there. By so doing, he not only respected and enhanced the position of the

²³. *C. A. (Leg.) Deb.*, Vol. III, 8 March, 1948, p. 1743.

²⁴. *Ibid.*

Speaker, but also enhanced his own dignity and authority. Lesser men felt humbled".²⁵

Nehru appreciated first and foremost the qualities of fairness and impartiality in the Speaker. He observed: "The Speaker has to abstain from active participation in all controversial topics in politics. The essence of the matter is that a Speaker has to place himself in the position of a judge. He is not to become a partisan so as to avoid unconscious bias for or against a particular view and thus inspire confidence in all sections of the House about his integrity and impartiality."²⁶

Nehru never wanted the Speaker to toe the ruling party line or to show any favours to the ruling party while giving his rulings in the House. He supported the Speaker fully in any matter concerning the rules and procedures. In one of his admirable addresses to the House when the office of the Presiding Officer was under attack, Nehru said :

"We are concerned with our honour, we are concerned with the honour of the person who holds up the dignity and prestige of the Parliament. I do not say that it is not possible at all to raise a motion against the Speaker. Of course, the Constitution has provided it. The point is not the legal right but the propriety, the desirability of doing it."

Thus, Nehru led the way in emphasising the need to preserve the dignity of the House. Nehru's approach and attitude to Parliament were largely responsible for the growth of healthy parliamentary traditions in the first decade and half of Parliament in independent India (1950—1964). In the words of Dr. S. Gopal, the biographer of Nehru :

"Building on the familiarization with politics brought about by the national movement, Nehru defied conventional wisdom and introduced adult suffrage. Much as he disliked the sordid rivalry implicit in elections to legislative assemblies, Nehru gave life and zest to the campaigns; and, between elections, he nurtured the prestige and vitality of Parliament. He took seriously his duties as leader of the Lok Sabha and of the Congress Party in Parliament, sat regularly through the question hour and all important debates, treated the presiding officers of the two Houses with extreme deference, sustained the excitement of debate with a skilful use of irony and repartee, and built up parliamentary activity as an important sector in the public life of the country. The tone of his own speeches in Parliament was very different from

²⁵. See S. L. Shakhder in this volume, pp.163-164, *infra*.

²⁶. G. S. Pathak, "Presiding Officer" in S. S. Bhalerao (ed). "*The Second Chamber*", The Rajya Sabha Secretariat, 1977, p. 168.

that which he adopted while addressing public meetings. There was no suggestion of loose-lipped demagoguery. He still sometimes rambled but sought to argue rather than teach, to deal with the points raised by critics, to associate the highest legislature in the country with deliberation on policy and to destroy any tendency to reduce it, in Max Weber's phrase, to 'routinized impotence'. By transferring some of his personal command to the institution of Parliament, he helped the parliamentary system take root."²⁷

Nehru laid great stress on the principle of the accountability of administration to Parliament. When a No-Confidence Motion was brought before the House by the Opposition during the Fifth Session of the Third Lok Sabha, Nehru welcomed it. Replying to the discussion on it, he said: "Personally I have welcomed this motion and this debate and I have almost felt that it would be a good thing if we have periodical examination of this kind."²⁸ He added that "a government in a democratic society is a reflection of the will of the people and it should continue to be a reflection of this will all the time".²⁹

Conscious of the problems faced by parliaments everywhere, Nehru had recommended certain parliamentary reforms. Parliament for Nehru, was relevant only as a dynamic institution ever adjusting its functions and procedures to the changing needs of the times. In Nehru's words: "In a period of dynamic change, the institution of Parliament has to function with speed".³⁰ Also, if democracy and freedom are to endure and representative institutions made impregnable, it is essential to restore to Parliament and its members their traditional esteem and honour in the affections of the people. It is a tribute to the foresight and sage prudence of Nehru that as early as in the fifties he stressed the desirability of considering the establishment of a system of large subject-based or Ministry/Department oriented parliamentary committees to deal with legislation in depth—something which is now being talked about a great deal in the context of making Parliament more relevant and its functioning more effective. He was candid enough to admit that the "problems of government have grown so enormously that sometimes one begins to doubt whether normal parliamentary procedures are adequate to deal with them."

²⁷. S. Gopal, *Jawaharlal Nehru—A Biography*, (New Delhi, 1979), Vol. II, p. 304.

²⁸. *L. S. Deb.*, Vol. XIX, 22 August, 1963, c. 2192.

²⁹. *Journal of Parliamentary Information*, Vol. X, 1964, p. 11.

³⁰. Seminar on Parliamentary Democracy, 6 December cited in Kashyap, *op. cit.*, p. 381.

Parliamentary democracy, he felt was inevitably going in the direction of economic democracy and whatever forms it might take, "only in the measure that it solves the economic problems does it succeed even in the political field. If the economic problems are not solved then the political structure tends to weaken and crack up."

Nehru believed that the parliamentary form of Government was more likely to bridge the "hiatus between desires and their fulfilment" than the other forms which lead to "some measure of authoritarianism". The parliamentary system with all its failings, had "the virtue that it can fit in with the changing pattern of life".³¹

Nehru's ideas on parliamentary procedures and devices were closely linked to what he thought about Administration's accountability to Parliament. He had strong views about the desirability of discussing certain things in the House but was always willing to abide by the wisdom of the House. In April 1948, speaking on the Motion for Adjournment on the failure of Government to check incitement to violence by Kasim Razvi, leader of the Razakars of Hyderabad, he regretted that notice of that Adjournment Motion had found its way to the Press and said :

"I think that any discussion on a speech like this, that is to say, a speech that has been reported in the public Press—for us to discuss a speech as well as other connected matters would hardly be in consonance with the dignity of this House, however good or bad that speech may be Normally speaking, such questions cannot be easily discussed on the floor of this House. Some particular policy—broad policy—might be discussed, but such matters are not normally discussed at all when the Government is engaged not exactly in negotiations, but in dealing with that particular matter initially".³²

Nehru gave ample indication of his flexible approach in the matter of discussing important measures, and also the working of various Ministries. He welcomed the fullest consideration, deliberation and discussion but disliked delaying tactics. During the course of a statement on Legislative Business and certain other matters in the Constituent Assembly in 1949, he explained his approach thus :

"What I mean is this that any important measure in this House should be fully considered; any measure which gives rise to differences of opinion, on which there is considerable strength of opinion must

³¹. Cited in Kashyap, *op. cit.*, pp. 376-77 and 382-83.

³² C. A. (*Leg.*) *Deb.*, Vol. VI(II), 9 April, 1949.

be considered fully and full time should be given but when a tactic is adopted which is not of consideration but of pure and absolute delay, that is improper".³³

Speaking on the Business of the House less than two years later, he told Parliament : "We would gladly give any number of days but within the limited number of days available giving one day to each Ministry would mean taking away something meant for something else".³⁴

In respect of maintenance of decorum and orderly behaviour in the House, Nehru expected members to behave and appealed to them to do nothing which would lower the dignity of the House. There were occasions of disorderly conduct, but he met them with firmness. Once when a member was under suspicion of having indulged in conduct unbecoming of a member of Parliament, Nehru lost no time in moving a motion for the appointment of a parliamentary committee to look into the matter even through the member concerned belonged to Nehru's own party. The Committee eventually recommended the expulsion of the member from the House.

Nehru reacted more strongly on a subsequent occasion in Lok Sabha about 13 years later. It related to a disorderly conduct by some members while the President was addressing a joint sitting of the two Houses on 18 February, 1963. The Committee set up to go into the conduct of these members, had recommended that they should be reprimanded. Replying to the discussion on the Committee's Report, Nehru said :

"The sole question before us is—it is a highly important one and vital one what rules and conventions we should establish for the carrying on of the work of this Parliament with dignity and effectiveness. . . It was for the first time that it happened, and if that was allowed to continue without any strong expression of opinion of this House or Parliament, it would have been a bad day for our democratic institutions and Parliament especially. This Parliament is supposed not only to act correctly but lay down certain principles and conventions of decorous behaviour.

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I would submit to you, Sir, and to the House, that the least we can do is to accept this and thereby give an indication to this House, to the country and to other Assemblies in India that we shall adhere strongly to the behaviour that is expected of such a high Assembly as Parliament and other representative bodies in India. We have

³³. *C. A. (Leg.) Deb.*, Vol. VI(II), 28 November, 1949. p. 4.

³⁴. *Parly. Deb.*, Vol. X(II), 31 March, 1951, c. 5567.

to set an example to that, and if we are weakened in this it will be a bad day for Parliament and for our future work. I submit therefore that the resolution moved by the Deputy Speaker should be accepted by us without much argument.”³⁵

It was through such firm stands that Nehru laid the foundations of the Parliament of the largest democracy on earth and made it a potent instrument of nation-building, social engineering, economic reconstruction and national integration.

The Legacy and the Conclusion

The driving force behind Nehru's contributions towards the building up of a parliamentary system was a profound democratic spirit, which found expression not only in the setting up of parliamentary institutions but also in providing the right atmosphere for the flourishing of such institutions. Once, when he was asked as to what his legacy to India would be, Nehru replied : ‘Hopefully, it is four hundred million people capable of governing themselves’. The parliamentary system and its institutions that we have today evolving through the changing times are indeed an integral part of this great legacy left behind by Nehru.

Looking back, we are today even more inspired by the great democratic ideals which Nehru stood and strove for. The Parliament and its healthy conventions and traditions, evolved during his life-time, and which have become essential and permanent features of our democratic polity, owe greatly to the persistent efforts of Pandit Jawaharlal Nehru to make parliamentary democracy strong and resilient for ever in our country. Nehru's vision of developing Parliament as a symbol of the nation's will has become a reality. We all know how meticulous Nehru himself was in the observance of these norms and conventions and that too, to the last breath of his life. As his biographer Dr. Sarvepalli Gopal recounts, “Even during his last months, though patently stricken, he missed no session and in order, as he said, to preserve the decorum of the House, struggled to his feet every time he had to answer a question or make an intervention despite repeated suggestions from the Speaker and every section of the House that he speak sitting.” What is it if not the surge of a democratic spirit stretching beyond all physical limitations ? When the very architect of our democracy so meticulously observes the expected norms and values, that itself becomes an education for the people and their representatives. No wonder, when we think of dignity and decorum in the House, as a natural corollary, Nehru comes to our mind. And, no doubt succeeding generations will salute this man as the father of parliamentary democracy in India as of so much else.

—Subhash C. Kashyap

³⁵. *L.S. Deb.*, Vol. XV, 19 March, 1963, pp. 4770-71.

PART II

NEHRU AND REPRESENTATIVE BODIES IN INDIA

—R. Venkataraman

A little over twenty one years ago, Jawaharlal Nehru left us in deep desolation. But he has left for us a priceless legacy of his thoughts and writings which continue to live with us and inspire us. If ever there was in recent times one who left foot prints on the sands of time, it was indisputably Nehru. He dominated the post-war world scene as an outstanding visionary, humanist, thinker, writer, statesman and internationalist without a peer in his time.

As our Prime Minister, he was a one-man institution, combining in himself not only the qualities of leadership but also of self-appraisal and self-assessment. He had the unique ability to detach himself from scene, look at it from afar and assess its success or failure. One will recall the self portrait he drew of himself in the *National Herald*.

Nehru was a democrat *par excellence*, a compassionate judge to others but a critic of his own actions if he found them wanting in one respect or the other.

As a parliamentarian, Nehru in many ways was unique among our leaders. He could hear a contrary view with patience, see the merit, if any, in a criticism and re-adjust and revise his views where necessary.

These are the hall-marks of a true democrat, a true parliamentarian, a true statesman, who intuitively perceived the problems of growth and development, of modernisation and progress, from the angle of the large majority of people. Always receptive to new ideas, he would listen sympathetically to the humblest of the humble in India and elsewhere. Nehru's image, sharply etched in our minds, as clear as when he lived with us, is that of a lovable, composite personality, whose thoughts and deeds were actuated by the highest values of life. His humanism, embracing the brotherhood of man and his artistic, scientific and modern outlook, placed him high among the world's leaders of his era. Indeed, there were a few, who, through their

lives, exemplified like Nehru the qualities of rationalism, sensitiveness, intellectual inquisitiveness and breadth of vision. A friendly adversary devoid of rancour or malice, of pettiness and deception, he kept an open mind on the problems of the day. Not surprisingly, he stood out as one of the greatest parliamentarians in free India.

As we all know, Nehru was a revolutionary in approach to life. He detested faddism, fossilized wisdom and dogmas, unsupported by reason. But he always welcomed the cut-and-thrust of arguments, redefining, refining and reforming new ideas in the process. Many a time, he discerned new facets of an emerging situation through others' eyes. His integrity and honesty, rectitude and wisdom, his instinctive realisation of people's needs, made him an immensely popular leader. Fastidious and disciplined, he accepted parliamentary code of etiquette and behaviour graciously and implicitly.

I have attempted to sketch with bold strokes a map of the Nehru vision, personality and mental landscape as an introduction to the theme of the seminar and would dwell on Nehru's thinking in regard to representative bodies in India.

Before our independence, Nehru felt that the representative bodies under dyarchy which the British gave were debating societies. He along with Rajaji and Sardar Patel was not enamoured of Council entry. He then respected the informal "Parliaments of the people" which he attended day after day in the villages, small towns and metropolitan cities of India. He had an instinctive regard for the voice of the people. He listened to it. He heeded its cautionary notes. He was led by the people as much as he led them. He believed in what might best be called grassroot, local bodies, which were intimately in touch with the people.

After India became independent, he constituted our Parliament as the authentic voice of the people. At one stroke, he gave franchise to all people of India even when his several colleagues had doubts about the sudden introduction of adult franchise to the large mass of uneducated people in the country. Nehru encouraged frank, free and uninhibited expression of opinions and views. He might disagree with what another speaker would say but he defended the other's right to say. I underline Nehru's democratic temper because occasionally we are impatient with contrary opinion, and do not weigh dispassionately the ideas and suggestions of others nor try to evolve a consensus on an issue of a national or international significance. I emphasise this aspect because I feel that Parliament should be a free forum to articulate the voice of the people. It has to be a dynamic institution, deriving strength from a discussion of every conceivable point of view

and reaching a consensus out of the diversity of approach. It would indeed be a sad world, if everyone agreed with everyone else.

Our country has been enriched by debates and discourses throughout our history. In the most sacred realm of man's relations with God, Universe and Nature, we have held a wide spectrum of views. This has enabled us to see the whole truth as well as segments of truth. In ideal conditions, Parliamentary democracy should imply a ceaseless search for truth in politics, the quest for solutions to current problems, and the emergence of collective wisdom. In a famous speech in Lok Sabha on March 28, 1957, Nehru spoke at length on parliamentary democracy, analysing with rare candour and insight, the merits and hazards of democracy. He said :

“We have gone through, during these five years, a tremendous amount of work. The speeches have covered I do not know how many millions of pages; questions have also been asked, and altogether a vast quantity of paper has been consumed. Yet, the historian of the future will probably not pay too much attention to the number of speeches or the hours which the speeches have taken or to the number of questions, but rather to the deeper things that go towards the making of a nation. Here we have the sovereign authority of India, responsible for the country's governance. Surely, there can be no higher responsibility or greater privilege than to be a member of this sovereign body, which is responsible for the fate of the vast number of human beings who live in this country. All of us, if not always, at any rate from time to time, to some extent, had always thought on those lines previously, but because we thought it was in keeping with our own old traditions, not the old traditions as they were, but adjusted to the new conditions and new surroundings.”

But Nehru knew that it is the most difficult system of governance. It imposes on members of parliament an obligation which is formidable. I should like to underline the fact that parliamentary democracy is one of the most exacting applied sciences. If you as a whole do not rise up to reach the levels of Nehru, democracy could be a hollow system, a mockery of what it should be.

Nehru defined the many virtues that parliamentary democracy demands of its practitioners. In Nehru's words :—

“Parliamentary democracy demands many virtues. It demands, of course, ability. It demands a certain devotion to work. But it demands also a large measure of co-operation, of self-discipline,

of restraint... . Parliamentary democracy is not something which can be created in a country by some magic wand. We know very well that there are not many countries in the world where it functions successfully. I think it may be said without any partiality that it has functioned with a very large measure of success in this country. Why ? Not so much because we, the Members of this House, are exemplars of wisdom, but, I think, because of the background in our country, and because our people have the spirit of democracy in them."

Nehru respected Parliament and wanted that it should be made an effective instrument for democracy in India. He used to attend Question Hour regularly even on days when his Ministry was not involved in the day's interpellations. He used to watch young members struggling to put their questions, with sympathy and encouragement. He wanted the Ministers to be fully informed of their charge and frowned upon Ministers trying to evade answers. During his presence in the House, Ministers were afraid of asking for notice unless the question was totally unrelated to the subject. He also used to join in the laughter with others when delicate humour came out of a question or an answer.

Nehru used to hear the debates in his room through the microphone. Whenever there was any interesting debate or some hot exchanges, he would quietly walk into the House and without disturbing the proceedings take his seat in the back bench and watch the proceedings. Whenever policy had to be stated or clarifications to be offered, Nehru intervened in the debate and raised the level of discussions. He was particularly appreciative of the young members' efforts and even when they made mistakes, he gave them an indulgent smile. On all important debates, Panditji himself used to choose the speakers on his side and he would even brief them on the party line.

Nehru was a strange mixture of patience and impatience. When senior leaders of the Opposition like the late Syama Prasad Mookerjee used to taunt him in the most elegant parliamentary language, Nehru used to wait for his turn to give a stinging reply. At the same time, he was impatient with mediocrity and with reactionary views. Once he burst out in Parliament against one of his own party members saying he was parading obscurantism and mediaevalism as nationalism. Some of the brightest gems of literature spilled from him when people tried to pass off mediaevalism for nationalism.

In the party meetings, Panditji used to give fullest scope for expression of views by the members. On several occasions, members used to insist on their right to speak and Nehru would just sink in his chair allowing the

members to have their say. He seldom interfered in the inner-party democracy and encouraged the competitive spirit amongst members. Even though his party had an absolute majority in the House and he himself personally enjoyed the greatest confidence of the people, he never used his strength either to steam-roll the Opposition or to beat down any divergence of opinion in the party.

His personal style during sessions of Parliament is now legendary. Not only regular but impeccably punctual in attending Parliament, Nehru was a model parliamentarian. In Nehru's deference to the Chair, the first Speaker of the Lok Sabha, Shri G. V. Mavalankar could not have found a more exemplary paradigm and, yet, even for Nehru the Speaker's bell would ring. No one was beyond Parliament's prerogative. That was Nehru's contribution. Of his courtesy to members of Parliament in the opposition, those members themselves were most vividly aware. It will be recalled that the first no-confidence motion to be tabled against the Central Government was during Nehru's tenure. Acharya Kripalani's resolution was foredoomed to failure by the arithmetic of seats, but Nehru was not the one to make light of it. He sat patiently through attack after attack and then, before division, answered the charges with every respect to his erstwhile fellow-warrior-in-arms, the Acharya, and to other Opposition leaders.

Reference was often made to the 'brute' majority enjoyed by Nehru in Parliament. Well, Nehru could not have helped the numbers that the Indian electorate gave him. But strength in the seats which his party held, never affected his equipoise. Nehru was not the one to have courted any of the brutish implications of a majority. In fact, in another rare tribute paid to him by an Opposition Leader, Prof. Hiren Mukerjee, Nehru was described as a "gentle colossus". It was his innate gentleness and his gentlemanliness that made Nehru an ornament to Parliament.

Nehru's adherence to the doctrine of '*panchsheel*', in foreign affairs is well-known. I would like to refer to another set of five doctrines which Nehru gave to India. His approach to India's destiny was based on five tenets : (1) Parliamentary Democracy; (2) Planned Development; (3) Secularism; (4) The Scientific Temper; and (5) Socialism. Nehru dedicated himself unsparingly to these great ideals.

May Nehru's inspiring association with Indian democracy and parliamentary system continue to inspire us and the succeeding generations of parliamentarians.

NEHRU : AN IDEAL PARLIAMENTARIAN

—*Bal Ram Jakhar*

Pandit Jawaharlal Nehru belongs to that rare brand of eminent parliamentarians who were in the forefront of India's freedom struggle and whose outstanding contributions won independence for this country. Essentially, a democrat to the core, Nehruji during the formative years after independence consciously and constantly endeavoured to build up our Parliament as a sovereign representative institution of our people. To him, Parliament epitomised the will of our people and was a golden means to further the people's cause. All through his years in power, when he was the Prime Minister of India, he ensured an environment of total freedom so vitally needed for the flourishing of a parliamentary form of government. The processes that he established are so well-entrenched in our country that they can never be reversed. If our democratic system remains resilient and strong, credit for this goes in a large measure to Pandit Jawaharlal Nehru.

To Panditji, parliamentary government was essentially a government run on debates and discussions and that is what parliamentary democracy is. As he once said, parliamentary democracy is a hard core of agreement surrounded by so many individual differences, but that is the beauty of it. It was only natural then that he always took the drive and initiative to promote meaningful discussions on all subjects of importance. And in the process, he was able to lay down a healthy tradition so that members of Parliament with different political affiliations and views could have adequate opportunities to deliberate upon and even influence matters of national policy. He wanted the members to be ever conscious of their Parliamentary duties and responsibilities. He himself was an ideal parliamentarian. His interest in parliamentary work was legendary. I find hardly any Prime Minister in the world who might have spent more time on the benches of the parliament than Nehruji. Even in his relations with the Opposition, one could discern a remarkable degree of tolerance, warmth and regard. Perhaps, he might have at times got irritated by many a points of order raised by the Opposition, for quite often such points of order tended to slow down the pace of parliamentary business but many such interruptions brought out the best of Nehru

and enabled him to show his parliamentary skill in blowing into pieces the arguments of his opponents. However, all said and done Nehruji was courteous to the members of the Opposition and, in fact, he even encouraged them to come out with constructive criticism of his government. No doubt, he was building up rich parliamentary conventions from which we all draw inspiration.

Nehruji was one who held the institution of Parliament in the highest esteem. He would never allow any of its rights to be curtailed. He always strived to lend dignity and decorum to the House. He considered the Speaker as a true symbol of the dignity and independence of the House as well as custodian of the rights and privileges of its members. Just as he expected the Speaker to protect the rights and privileges of the members, so he also expected the members to behave in a manner that would never impair the dignity and honour of the Speaker's office or jeopardise his dignity. He was next to none in his respect for the Chair. I recollect an incident that occurred once in the Rajya Sabha during the Question Hour. Dr. Radhakrishnan was the Chairman then. A certain member from behind the treasury benches had put a question. As the Minister was answering this, Nehruji moved away from his seat and was having a word with another Minister sitting in the front bench. The great philosopher-teacher that he was, Dr. Radhakrishnan was quick to query, "Mr. Prime Minister, what is that you are doing.?" In a split second, Nehruji sprang back to his seat and like a school boy in utter humility to his teacher said, "Mr. Chairman, I am sorry, I shall not do it again". Can there be any greater parliamentarian anywhere in the world who could have so spontaneously showed such childlike innocence? One gets inspired, one feels moved by such humility and greatness. During the last days of his life, Nehru was a fragile man because he had suffered a stroke. While taking the floor he would not sit and inspite of repeated requests by the Speaker and other members : "Panditji, please don't get up" he would still stand up and reply, because he had the inherent greatness of a great parliamentarian. He had his ideas about how to be a good parliamentarian, how to pay respect to the House and to the Speaker.

The life of Pandit Nehru is so illuminating and inspiring. He was a colossus of a man, not one man but he was a cavalcade of men. He had so many facets to his personality. He walked not alone as one person but as a historian, a philosopher, a democrat, a sportsman, a peasant, a lover of people and a lover of children. A man who can love children is the best of persons because he loves the best in human society and in human nature.

Today the parliamentary system is under attack or under duress. There are dangers looming ahead. Once when Nehru was asked as to what he would like to leave as his legacy to the nation, he said that hopefully 400

million people of this country will have the guts to govern themselves and that is the foremost task that we are facing today. We have got that strain in our blood and in our mind from times immemorial and that has been evidenced by events. I think we in India had founded the democratic institutions, in the shape of city states and we did it honourably and very well. Even the kings or Emperors who had been great in their times, tried to do their best for the common people. That was the tradition. They were supposed to be guardians not overlords and today, I think it is due to Pandit Nehru's influence and the work which he did for us and the very solid foundations that he had laid, that today we are having a democratic society, a very laudable system inspite of the stresses and the strains which we are facing today. These stresses and strains are not peculiar only to India but I think it is an infection which has spread in the world today. You see all around the world and you find stresses and strains, you find that violence is taking place. There is coercion in place of dialogue and consensus and there is brute force in place of persuasion. This conflagration is engulfing the whole world. How many democracies are there in the world ? There are only ten per cent of people in the world who can speak with freedom, act with freedom, think with freedom and write with freedom. But what sort of freedom should we have ? How can a democracy, a popular and secular democracy co-exist with communalism ? It is impossible to put two swords into one shield. We have to think aloud about this. Should freedom be given to people to preach hatred and give vent to it in the papers also ? Are we trying to create a diabolic Satan ? Are we trying to create a Frankenstein that will just devour us up ? It is high time that we ponder over what is happening in India during the last three or four years. These minor ailments later take the shape of a gangrene. So it is better that we prepare ourselves beforehand because prevention is always better than cure. Democracy is a very fragile tree. If you care for it, it blooms; it gives you shade, shelter and rich dividend in the shape of luscious fruits. But once, it is not nurtured, it just withers away. Had Pandit Nehru been alive today, he would have been shocked at the way things are taking shape in some of the State Legislative Assemblies. It is high time that we thought about them. We must think of the basic roots of democracy. What is happening in some of the State Legislative Assemblies can infect Parliament also. After all, the members of the Houses are the chosen representatives of the people and if they behave in a particular manner which is abhorrent or nauseating that cuts short the very concept of our democratic Constitution or the democratic way of life. How are we going to face it ? Are we going to tell our people that here we are who frame laws and yet we ourselves can violate them or we, who are custodians of this basic concept of the Constitution, can try to break it ourselves. How far is it going to help us ? These are the burning questions of the time.

Nehru, was the epitome, the personification of a parliamentarian. He was the finest human being whom we can call a democrat. There might have been a Lincoln in America, but here was one whom we saw with our own eyes. He has left an immortal imprint and we still feel his presence.

The members of Parliament, academicians, professors, writers and journalists should take note of it. They have a responsibility to the people of India, and to Parliament. We should discharge our responsibility. We talk only about rights, and not about the responsibility which has been put on our shoulders. We should do that also. We should realize what is happening in the country and think about it in the light of Nehru's life, his teachings, writings and other works. We should pay our tribute to him, not only with lips and words, but also through concrete, solid work.

ARCHITECT OF PARLIAMENTARY DEMOCRACY IN INDIA

—*Harekrushna Mahtab*

Usually democracy was all along meaning parliamentary democracy. But since this term began to be used by dictatorships a distinction is made between parliamentary democracy and other democracies. Parliamentary democracy means sovereignty in the hands of the people irrespective of caste, creed and social and economic status. In this system the people are entitled to hold more than one opinion and judgment about various matters but majority opinion prevails. This liberty of the people is not allowed in other democracies. So far as India is concerned since the beginning of rise of nationalism in the last quarter of the nineteenth century, the system of parliamentary democracy, as has been working in U.K., has been the cherished goal of nationalists. But the concept was confined only to the English educated elite of the society; the system was unprecedented in Indian history. Throughout centuries people were accustomed to monarchical system in which common man had no *locus standi* in the matter of government of the country. This was suited to the Indian society which is divided in many ways, particularly due to the caste system. There was no political unity also at any time in the long history of the country. It is wrongly held that it was the British who brought about the political unity of India. In fact the British Government could not enforce one system of administration and law in the whole of India. Besides the two main divisions, namely the princely India and the British India, there were different laws in different regions to suit the foreign rule which rested on divisions for its continuance. It is only in independent India that one system of administration and law has been enforced throughout the country. Because of this historical reason it was not an easy matter to introduce a system in which the people irrespective of caste, creed and status would participate and provide an administration to the country as a whole. This was the problem which India faced immediately after independence.

Along with the struggle for freedom, Gandhiji was making broad hints about the future government of free India. His basic theory was that all people should participate in the administration either directly or indirectly. He held the view that democracy should begin at the village level where direct elections should be held and thereafter the representatives of the villages should elect their representatives to the central and provincial legislatures. This suggestion was merely a skeleton of *swaraj* in India. But Gandhiji did not live long to provide a full picture of his idea of *swaraj*. But the essence of this scheme was adult franchise in which the entire population would participate. This point was discussed thread-bare in the Constituent Assembly. There was an opinion held by many responsible leaders that in the present state of education of the masses adult franchise should not be introduced. It was held that for some years restricted franchise should continue till the masses are sufficiently educated. But this opinion was opposed by Gandhiji as he had all along full faith in the innate common sense of the masses. Jawaharlalji vigorously pleaded that it was adult franchise alone which would not allow power and pelf to influence the administration one way or the other. He carried the day and remained to conduct the experiment successfully for seventeen years. Since India has become by now accustomed to adult franchise, it will be difficult for the youths to imagine how risky this experiment was. Even the advanced countries took centuries to introduce adult franchise. Even now the tribal population has no franchise right in countries like USA and Australia. But India all at once introduced adult franchise irrespective of any distinction and made it a success. It was due to Jawaharlalji's faith in it and his able leadership.

Ever since the struggle for *swaraj* started in 1921 by Mahatma Gandhi, the opinion in the western countries was unanimous that in the Indian conditions democratic *Swaraj* was not possible. To this criticism, Mahatma Gandhi's sharp reply was that the westerners did not know how brothers could live together in one and the same family whereas the Indian society was based upon the joint family system. Joint family was a democratic institution indeed. If that democratic spirit could be extended to the nation as a whole then *swaraj* in India would be more effective than the democracies in western countries. Gandhiji said even after independence that wishful thinking in the western countries was that the Indian Constitution would not work in the existing condition of the Indian society. But after two or three general elections, when the Constitution was proved a great success the critics attributed this to the chrismatic leadership of Jawaharlalji and nobody knew what would happen after him. The usual question was 'what after Nehru ?' Even after Nehru when the Constitution worked satisfactorily eye-brows were raised when emergency was promulgated in

1975. Then again when in general elections Congress was routed the Indian Constitution was conclusively proved to be a success. If a historical analysis is made of the progress of the Indian Constitution it will be clearly seen that the foundation of the parliamentary democracy in India was firmly laid by Pandit Nehru who himself was a firm believer in parliamentary democracy. His life was also built in that way.

Democracy in administration must depend on democracy in the party which runs the administration. It is for this reason Jawaharlalji was particular to see that Congress party remained a democratic institution. As long as he was alive he saw to it that the Congress party would work in a democratic way. When he fell ill in 1964 the Congress in those days converted itself into a so-called syndicate. Since then Congress party ceased to be as democratic as it was during Nehru's time.

In this connection, it may be noted that Jawaharlalji was as firm in his faith in parliamentary democracy as also in socialism. It is he who initiated the novel experiment of bringing about socialism in parliamentary democracy which is really unprecedented in the entire world. Because of conflict in mind between socialism and parliamentary democracy Jawaharlal was unjustly accused of schizophrenia by some critics. But the fact is he did not allow the programme of socialism to interfere in any way with the practice of parliamentary democracy. Socialism requires imposition of certain programme upon the people without their consent as necessary. Jawaharlalji was against any kind of imposition. He wanted socialism with the consent of the people. That is why this programme of socialism did not make any headway in India. From my experience of working with him in several capacities, I cite only two instances how democracy was prevailing over socialism in Jawaharlalji's mind.

As a Minister in charge of Industries in his Cabinet I submitted a note suggesting some changes of law and even of Constitution to give effect to the socialistic programme. He appreciated it and asked the Cabinet Secretary to circulate the note to the members of the Cabinet. There was strong opposition from some Cabinet colleagues. Jawaharlalji advised me to wait patiently till people were sufficiently educated. Another instance was about an amendment of the Congress Constitution. I pointed out that there was nothing in the Congress Constitution to bind the members to socialism, although there were provisions for prohibition, cottage and village industries, social reform such as removal of untouchability etc. I was asked to make suggestion. I simply suggested that the qualification in this regard prescribed for membership of the Labour Party in England might be incorporated in the Congress Constitution with some modification. There the constitution provides none having unearned income shall be a member

of the Labour Party. I suggested that in an agricultural country, it would be difficult to previously define unearned income. Therefore, it might be provided that none having an income of more than five thousand rupees a year or such amount as would be agreed to would be a member of the Congress. Jawaharlalji kept this suggestion for some time and then told me that it was not possible to have the suggested amendment of the Constitution passed by the All India Congress Committee. In fact he was right. I mention this to show how democrat Jawaharlal was prevailing over socialist Jawaharlal. Even today the wrong notion of bringing about socialism in parliamentary democracy is still continuing.

In his days the Congress Party in Parliament was an effective institution. Jawaharlalji used to give due weight to the decisions of this body. As Secretary-General of the Party for one year, I was given full scope to organise the party to formulate opinion and suggestions for government even though some time they were not accepted by government. On one occasion Jawaharlalji as Prime Minister went to the length of abiding by the decision of the Party to retire Shri Krishna Menon from the Cabinet after the Chinese debacle.

During his time the allegation of issuing directives to the Governors and State Governments was unthinkable. I vouch for it having been Chief Minister of Orissa for two terms and Governor of Bombay for two years. But things have changed according to circumstances. But whatever changes might take place here and there the framework of parliamentary democracy will remain firm in India because of the foundation laid by Jawaharlalji who believed no other system could succeed in the Indian society.

NEHRU AND PARLIAMENTARY DEMOCRACY : SOME THOUGHTS

—*R.R. Diwakar*

Pandit Jawaharlal Nehru was the Prime Minister of India for seventeen years right from the beginning of democratic functioning of the Parliament of India (1947-64). During the same period he was also the President of the Congress organisation for some years. The Congress Party was then the ruling party with a very substantial majority.

The credit for moulding the functioning of parliamentary democracy in India and creating some healthy conventions goes to Nehru. This reflects his genuine love for democracy in which the will of the people is supposed to be supreme—much more so, since the Indian Constitution has accepted the principle of adult franchise for practically all elections.

It was all the more creditable in the case of Nehru to have promoted real democratic norms since by birth, breeding and temper he was somewhat of an aristocrat. He loved as well as admired certain aspects of totalitarian Soviet Russia also. But his long and brilliant career as a Congress leader and his having been a close follower of Gandhi during the struggle for the freedom of India (1921-47) had succeeded in making him a thorough democrat. His love and ardent desire for the freedom of India made him a passionate advocate for complete independence even as early as 1926 when others were playing with the idea of dominion status. His advocacy for the rights of the people and those especially of the peasants and labour outran even the normal Congress objectives and in the Congress sessions at Karachi in 1931, he got a resolution passed in their favour which could be called a Bill of Rights.

When the freedom or near-freedom of India loomed within the range of possibility, Nehru began to insist and finally succeeded in having a Constituent Assembly for drawing a Constitution for Free India. Parliamentary democracy for Independent India followed almost logically as the longish association of India with U.K. and the familiarity with their institutions

persuaded the members of the Constituent Assembly to accept parliamentary democracy for India.

It is true that Gandhi who was looked upon by Nehru as his leader, had strong feelings against the functioning of the British Parliament. He had expressed them as early as 1909 in his '*Hind Swaraj*'. Even as late as 1946, Gandhi stood by what he had expressed in '*Hind Swraj*'. He had his own views about elections and was for direct elections only at the village level, other elections being indirect. But Gandhi too agreed to parliamentary democracy in India in order to go along with Nehru and other Congress leaders. It could be said to be one of his compromises with his own followers.

Nehru's respect for the Parliament, his belief in joint responsibility of the cabinet, his genuinely courteous behaviour with his colleagues and every member of Parliament, his meticulous approach towards procedures were really a lesson for other members; his relationship with the President, inspite of some sharp differences sometimes, was exemplary. Apart from his equal behaviour with Cabinet Ministers, he was equally mindful of State Ministers and their position *vis-a-vis* others.

Once as a Minister of State in-charge of Information and Broadcasting, I pointed out to Nehru that what went on in Cabinet meetings was known to State Ministers only through newspapers' columns as the State Ministers were not supplied with papers. He appreciated the point immediately and saw to it that we were not strangers to the papers.

Nehru's speeches in Parliament, though sometimes lengthy, were often instructive, informative and on occasions inspiring. He always upheld the dignity of his colleagues on the floor of the House and without injury to the reputation of the respective Ministers, Nehru often helped them out of difficulty on occasions.

Today unfortunately there has been much deterioration for which no one can be held responsible. But it is with nostalgia that persons like me recall those glorious days of Nehru as Prime Minister, as Leader in Parliament as well as outside and as one who not only laid the foundation of a great democracy, but also showed the way how to do it.

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PARLIAMENTARY DEMOCRACY : RIGHT MEANS TO ACHIEVE ENDS

—K.K. Shah

The concept of democracy is based on the voter being the master. Those elected by the voters must develop a psychology of looking upon voters as their master and serve them as master.

Democracy means 'government of the people, by the people and for the people'. Nehru had to make up his mind which form of government will make it 'government of the people, by the people and for the people'. There is another system which is known as presidential system of government and the system of government that we follow is parliamentary system of government. Presidential system does not combine both executive and legislative powers. The President is an executive head and the two Houses pass laws. In a parliamentary system of government, both executive and legislative powers are combined in the government. Therefore it can rightly be said as 'government of and by the people' and there is no other system which can translate the real description of democracy except a parliamentary system of democracy.

In the past democracy had been taken chiefly to mean political democracy roughly represented by the idea of every person having one vote. Panditji felt that a vote by itself did not mean very much to a person who is down and out and starving. Such a person will be more interested in food to eat than in a vote. Therefore political democracy by itself is not enough except that it may be used to obtain a gradually increasing measure of economic democracy. The good things of life must become available to more and more people and gross inequalities must be removed, he always pleaded. He therefore very often used to tell us "why have you come to Parliament ? How far have you improved the lot of the people?" One day on the floor of the House he said "By having a Parliamentary system of democracy, we have done a lot of things. But there are many things to be done and the most important thing to be done is to provide at least drinking water facilities in every village". Then he said : "Look at the representatives of the far-

mers who are sitting in this House. 80% of the members of the House will be the representatives of the villagers. What time has been allotted to the solution of problems of the villagers on the floor of the Houses?" He was conscious of it because he said "unless you satisfy the people the parliamentary system of government may have to be abandoned".

He believed in democracy because it is the right means to achieve ends and because it is a peaceful method. Secondly because it removes the pressures which other forms of government may impose on the individual. It transforms the discipline which is imposed by authority largely to self-discipline which means that even people who do not agree, namely, the minority accept solutions because it is better to accept them than to have conflict. It is better to accept them and then change them if necessary by peaceful methods. Therefore democracy means to be an attempt at the solution of problems by peaceful methods. If it is not peaceful then to his mind it was not democracy. Democracy gives an individual opportunity to develop.

Nehru said that democracy is a means to an end which means good life for an individual. Good life should mean certain satisfaction of the essential economic needs of a person which will release him from continuous oppression and which will give him a chance to develop his creative faculties. Parliamentary democracy is a growth of the last 150 or 200 years. We must remember that even in England the franchise was strictly limited till recently. Even now in advanced countries women who form half the population do not have the vote. It is only in the last thirty years or so that adult franchise has come into being in a number of countries. This period is not long enough really to tell us what the ultimate effects of the universal franchise are likely to be in solving problems. Nehru firmly believed that problems could be solved not by the Government structure being good but by the quality of human beings, their education and their character. The machine can at best make it easier for those qualities to develop and remove any elements which suppress growth.

Parliamentary government is a democratic conception. It means gradual widening of the franchise till it becomes adult franchise. It is only in very recent times that any country had adult franchise. The effects of adult franchise are being felt in full only now. It has become obvious that a political change by itself is not enough, Nehru averred. From political democracy we advance to the concept of economic democracy, call it a welfare state. It must work for a certain measure of equality of opportunity in the economic sphere. Every country whether it is communist, non-communist, or anti-communist is going that way, he felt as a pragmatic statesman. We can hardly have political democracy without mass education. In India we have taken a huge jump to hundred per cent political democracy without the

wherewithals to supply the demands which a politically conscious electorate makes. That is the crux of the problem in all the Asian countries. All over political life is really concerned with how rapidly we can bridge this hiatus between desires and their fulfilment. India's Second Five Year Plan was an attempt to bridge the hiatus, according to him. We have to think merely not in some academic way of the form of Government which we should have but in terms of a political structure which will fulfil the demands made on it. If the political structure cannot do so, it means it has become out of date and may have to go. We worked on this assumption.

The world moves more and more towards centralisation for the whole process of scientific advance has tended towards centralisation but we have to see that this centralisation does not limit, reduce or kill liberty, he cautioned. The biggest problem of the age is to resolve the problem of centralisation and national freedom. On the political plane it becomes more and more obvious that while countries, small or big, wish to retain hundred per cent national independence, they can hardly continue to do so, in the present context of the world. I have little doubt, he said in my mind that some kind of a world order will have to arise but I hope it will not be the kind which takes away from the attributes of national freedom and individual freedom. I do not know he argued whether ultimately the parliamentary structure answers this question or not. But I should imagine he pleaded that the parliamentary form of Government is more likely to do so than the other forms which lead to some measure of authoritarianism. But we have to realise that no authoritarian government can be absolutely dictatorial except for a brief period. In the long run it has to reckon with public opinion. That is why he respected faithfully public opinion. Nevertheless centralisation means a restriction of liberties. To have both centralisation and decentralisation is therefore the problem of the age which he tried to solve with pragmatism. In India during the last generation we have been powerfully impressed by Gandhiji's idea of decentralisation. Seeing the dangers of too much centralisation of power he advocated decentralisation whether it was political power or economic power. Where society becomes more and more complex, the official apparatus grows tremendously. Bureaucracy grows. Bureaucracy means a trained person doing a job. But as trained persons fit into a huge machine, they become clogs and lose initiative and purpose. That is how he felt. Any system of government which tends to become passive and static is bad. The parliamentary system of government with all its failings has the virtue that it can fit in with the changing pattern of life. That is why he could make it a success. Speaking about the Commission of Inquiry into the affairs of Life Insurance Corporation of India on February 19, 1958 he lamented the loss of services of an able and distinguished Finance Minister but he said : "whatever the penalties we or others have paid or may suffer this inquiry has demonstrated to India and to the world, the democra-

tion way in which we function. It has established the dignity and majesty of this Parliament and of the procedures we follow in maintaining high standards in public life and administration. This is a great gain. That is an example to be remembered by all of us." That is his legacy to his countrymen.

Parliamentary democracy demands closest co-operation between the two Houses. Nehru always said that there can be no constitutional differences between the two Houses because the final authority is the Constitution. The Constitution treats the two Houses equally except in certain financial matters which are to be the sole purview of the House of the People. In regard to what these are, the Speaker is the final authority e.g. Speaker's authority is final in declaring that a Bill is a Money Bill.

It is the measure in which the Constitution reflects not only the thinking but the character of the people that will make for its successful working, he always asserted.

The problems of government have grown so enormously that some times one begins to doubt whether normal parliamentary procedures are adequate to deal with them. He said that he remembered reading discussions about this growing difficulty in the British Parliament thirty years ago. They were not finding time to deal with those problems in detail and suggestions had been made from time to time for powers to be transferred to large committees of parliament which could deal with legislation in detail and finalise it once the principle had been laid down by parliament. Members of Parliament get a vast number of papers to study which they can hardly read. The business of government and the business of parliament become more and more complicated and it becomes a little doubtful how far parliamentary democracy can carry on its work and solve the problems, he wondered. Some kind of a division of authority may become necessary. Otherwise problems might remain unsolved and unsolved problems are dangerous, he pleaded.

Functions normally related to private individuals or to private enterprise are now performed by government. The old idea of government used to be a police State not in a bad sense.

Parliamentary democracy demands many virtues. It demands ability and devotion to work. It also demands a large measure of co-operation of self-discipline, of restraint. Moreover the quality of people who are represented on the floor of the House is very important therefore, Nehru always advocated : let them (members) work first in the local self-government, let them go to Assemblies and then come to Parliament so that they come here with rich experience. Parliamentary democracy is not something which can be created in a country by some magic wand. There are not

many countries in the world where it functions successfully. It may be said without any partiality that it has functioned with a very large measure of success in this country because our people have the spirit of democracy in them according to Panditji. In a parliamentary democracy there have always to be balancing of change and continuity he firmly believed. If there is change only and no continuity that means uprooting and no country and no people can survive for long if they are uprooted from the soil which has given them birth and nurtured them.

It is the duty of members of Parliament and numerous others who are part of this system to increase the pace of change, to make it as fast as they like, subject to the principle of continuity. That was Nehru's constant advice. If continuity is broken we become rootless and the system of parliamentary democracy breaks down. Parliamentary democracy is a delicate plant and it is a measure of our own success that this plant has become sturdier during these last few years according to Panditji. We have faced difficult and great problems and solved many of them but many remain to be solved. If there are no problems that is a sign of death. It is a sign of growth of this nation that not only do we solve problems, but we create new problems to solve. That was his creed. We have to remember how stable, how deep are the foundations of this democracy. Ultimately it is on the strength and depth of those roots that we shall prosper on strength character and capacity for service and not by the number of laws we pass, not by our external activities. Parliamentary democracy naturally involves peaceful methods of action, peaceful acceptance of decisions taken and attempts to change them through peaceful ways again he always advised.

We prize the parliamentary form of government because it is peaceful method of dealing with problems. It is a method of argument, discussion and decision, even though one may not agree with it. But there should not be an unnecessary and unwarranted discussion. A reference may be made to an anecdote. There was a very clever judge. A bishop was giving evidence. The bishop appeared before the Court. Whenever he replied he used to pass his fingers through his beard. The judge was waiting for an opportunity to snub him. The judge felt that the bishop was trying to show his importance. He got the opportunity and said "Mr. Bishop, if your conscience is as long as your beard, you will not take time to answer the question." The bishop was a cleverer man. He said "My Lord, if conscience is to be measured by the length of the beard, you have no conscience because you have no beard". In a court what matters is not the length of the beard but justice. In the same way, in the discussion that takes place in the House, what matters is whether every word that you say on the floor of the House serves the cause of the people. If it does not serve the cause

of the people, then you are wasting the time of the House and you are not fair to yourself.

Nehru used to tell us, "If you don't tolerate people's views, if you do not tolerate criticisms, then parliamentary system cannot function." Therefore he tolerated criticism in the House which was sometimes very scathing. He sometimes used to say when he could not bear unjustified criticisms:

“हम आह भी भरते हैं, तो हो जाते हैं बदनाम,
वो करल भी करते हैं, तो चर्चा नहीं होती ।”

But at the same time, he was of the opinion that those who criticise must also remember that they must follow ultimately the majority opinion." He put it in a very nice way:

“क्या इसलिए तकदीर ने चुनवाए थे तिनके
बन, जाए नशेमेन, तो कोई आग लगा दे ।”

However, the minority in a parliamentary government has very important part to play, he said. A majority which ignores the minority is not working in true spirit of parliamentary democracy.

In a democratic system of government, Pandit Jawaharlal Nehru used to say that there are no secrets. Whereas in the other systems of government, there are secrets. So, you are working against a great weakness in a democracy because there are no secrets. But this weakness has to be made up by collective wisdom and unless collective wisdom is provided in parliament, it will be difficult to sustain parliamentary system of government.

Having approved of parliamentary democracy as the right approach we have to see how to temper it and how to fit it in, so that it can answer the major questions of the age. Sometimes it is said parliamentary democracy is inevitably combined with a system of private enterprise. Private enterprise may be good or bad but I do not see he said, what parliamentary democracy has to do with private enterprise. I do not see any connection between the two except the connection of past habit and past thinking he argued. In fact the argument about socialism, private enterprise and public sector, important as they are, have tended to become less and less valid. There is no country in the world where some middle way between the extremes has not been found. There is no conflict between socialism and parliamentary democracy as asserted by Panditji. In fact, I would venture to say, he said, that there is going to be an increasing degree of conflict between the idea of parliamentary government and full fledged private enterprise.

A grateful nation completely trusted him for placing foundations of democracy on solid rock. He succeeded because he had faith in himself and in people of India. Parliamentary democracy was the fulcrum round which his entire achievements revolved. He surpassed in height of ideals and broad vision even legendary historical figures. Through parliamentary democracy, he welded us into a nation. He made us strong and self reliant in our thinking. To this great man who nursed parliamentary democracy in difficult times, grateful generations will look to for inspiration and courage for all times to come. As time passes, his gigantic contribution will unfold its varied dimensions and point the way in difficult times. Let us follow him faithfully and crown his efforts with glorious majesty.

AUTHOR AND GUIDE OF PARLIAMENTARY DEMOCRACY IN INDIA

—*Dinesh Singh*

It has been said that Jawaharlal Nehru was the author of parliamentary democracy in India, and he guided parliamentary democracy in a manner in which it has taken deep roots in this country. There is no doubt that had it not been for Jawaharlal Nehru, we may not have adopted this pattern of parliamentary democracy. Under the guidance of Mahatma Gandhi Nehru felt that in this country, an effective Government could be only that which is elected by the people, and, therefore, a system had to be introduced in which the people would have the right to elect a Government. By experience they found that perhaps the parliamentary system was the best through which an elected Government could be formed and that it would remain in power while it commanded the majority in Parliament, and thus it commanded the majority in the country. If at any stage, it failed to command the majority—it moved away from the aspirations and hopes of the people—it could be thrown out through a peaceful democratic process. And we have seen in our country such a thing happening. Governments elected by the people remained in power while they commanded the confidence of the people. When they failed, there was no difficulty in throwing them out. On this occasion, therefore, we must pay our tribute to this great man who after Mahatma Gandhi continued to guide this country towards the goals and objectives which were inherent in the struggle for independence. However, I feel, there is one lacuna, and it is my hope that I would be able to highlight this.

Jawaharlal Nehru did not only establish democracy in this country, he influenced establishment of parliamentary democracy in all the countries that became independent after India. This is a fact which is sometimes overlooked when we limit such a great personality to the boundaries of this country. The pattern that we adopted in this country was a model to be followed by other countries that became independent from colonial rule. Therefore, the credit to Jawaharlal Nehru is not limited to the establishment

of parliamentary democracy in India, but the spread of parliamentary democracy in large parts of the world.

The association of India with the Commonwealth despite India becoming a Republic is another example of the continuation of this democratic system on an international plane. Today, we see Commonwealth diversified as it is in terms of people, language, political system, their hopes and aspirations, and still it functions as an organization for exchange of views and perhaps guides many countries into adopting certain views, certain policies, certain programmes which emerge, not as a dictation, not as a compulsion, but as a consensus that is formed. Therefore, I would like to mention that Jawaharlal Nehru played a much bigger role in establishing democratic norms in many parts of the world.

More important than establishing these norms has been the maintenance of these norms. We have seen that parliamentary democracies established in a large number of countries have crumbled under pressure and have been replaced by some form of authoritarian rule. The credit in a large measure, goes to Jawaharlal Nehru for the fact that we have in this country been able to retain democratic functioning despite the diversity in language and climate, diversity in expectations of people living in different parts of the country, particularly diversity in their incomes, in their economic make-up.

Democracy is not merely based on individual dissent, although it is also basic, but it is based on powerful opposition, opposition which can go to the people, opposition which can influence people. A great role that Jawaharlal Nehru played was in encouraging institutional opposition, not merely personal opposition. Having had the privilege to be with him in Parliament and to have worked with him, I noticed how keenly he encourage opposition parties, how he agreed to devote more time to them in Parliament. Despite their small number in Parliament, a lot of time was given to them so that they could have a forum to express themselves.

One other great achievement of Jawaharlal Nehru was that he did not allow frustration to build up to wreck a system which was good for the country. Every opposition idea found an expression and its consideration by those in authority so that it did not reach a flash point where frustration would have exploded, where frustration would have given vent to violence. It is to Jawaharlal Nehru's credit that the time he devoted to opposition and the encouragement he gave to the growth of institutional opposition, prevented any kind of violent explosion of frustration.

Since India consists of multi-lingual and multi-religious population, with large economic disparities, the only way progress could be achieved

was to have the widest possible participation in the running of the country. Although the Government was elected on the basis of parties and it was the majority party that formed the government, it was essential that it should listen and respond to other view points. If the Government became unresponsive to others' views, then there would be a clash and the working consensus would be destroyed. Therefore, his whole effort was to make Parliament a forum where views would be expressed, where Government's policies would be allowed to be influenced. Not many people appreciate that Parliament is not merely a debating society, particularly in developing countries, but also that opposition parties and people in opposition come to Parliament with great hopes and expectations of influencing Government's policies.

If the Prime Minister does not attend Parliament or does not take it seriously and if Parliament is not responsive to the views of the Opposition it ceases to be a forum which will influence decisions. Therefore, Jawaharlal Nehru spent long hours in Parliament. I remember the debates on Foreign Affairs, when he would sit the whole day in the House. When I was his Deputy, he would come to me to say that he would go and have something to eat and he would ask me to sit in the House and take notes. And within 15 to 20 minutes time, he would be back. Those who were there at that time would recall how long hours were devoted by Jawaharlal Nehru for Parliament and just not merely for the Question Hour, as has been referred to by some of the speakers. He also used to come in the afternoon, in the evening and many a time unexpectedly. One had a feeling that he was always there so that Parliament remained an institution which would influence and guide, and not merely be an organisation where one would come and say something and it would not be listened to.

Nehru's policy on socialism and secularism was based on the same principle. For him socialism was not merely some kind of a dogmatic socialism. Some people refer to scientific socialism but I have never understood the scientific part of socialism. Socialism is an instrument to give equal opportunities to all, to distribute wealth in such a manner that there is no undue accumulation in the hands of small groups or individuals. I do not know the scientific aspect of it. But, in purely human terms, it is an instrument which gives hope to people that they can better their lives by furthering a certain democratic, institutional parliamentary process instead of having to break the system. Therefore, his whole attention to socialism was an effort to see that there was distribution of wealth in a manner in which people had confidence in the system and had a feeling that all of them had a stake in their country.

This is also reflected in his concept of secularism. Secularism did not mean that people should cease to have religious beliefs. Secularism

to him meant that all people in this country, despite their religious beliefs would feel a sense of equality and that they would be equal citizens.

The whole concept of parliamentary democracy to Jawaharlal Nehru was a participative democracy, a democracy in which all would feel equal, all would feel safe and all would get justice. That is why there was an emphasis on women's participation. We felt that if half of the population was denied the opportunity to guide the nation, it would not be full representation and therefore, he went out of his way to give seats to women in his own party and encouraged them to take up other responsible positions so that there would be a total participation in the affairs of the country. And that is why the question of reservation also came. We felt that a section of the community which was deprived over the centuries should have an opportunity to participate in the highest forums of the country to give expression to its views.

Nehru was a leader who moved people, not merely in this country, but in large parts of the world towards an organised and institutionalised democratic system which would meet the aspirations of all the people.

THE FATHER OF PARLIAMENTARY DEMOCRACY IN INDIA

—R.R. Morarka

Pandit Jawaharlal Nehru has been immortalised in the annals of history as a democrat with a vision and action. He is rightly described as the father of parliamentary democracy in India. When one sees debris of democratic institutions from Egypt to Indonesia, India's success with democracy inspite of all inadequacies, is indeed remarkable. There is no doubt that Nehru's leadership has provided the anchorage for stabilising democracy in India and has, in fact, given it new dimensions.

As a rational thinker and a humanist, with abiding faith in freedom and human values, his ideas of democracy had been evolving with time and experience. This evolution falls in three distinct stages during the span of his life time.

Born in an aristocratic family, Nehru had the advantage of education in Harrow and Cambridge. He was thus exposed to the western way of life at his most impressionable age. He developed a liking for the western values in every aspect of life as also for the achievements of western democracy which he could see at first hand in England. He used to describe himself "as a queer mixture of the East and the West" and admitted that his "thoughts and approach to life, was more akin to western than eastern." His father, Pandit Motilal Nehru, steeped as he was in the principles of British Constitutional law, pre-supposed parliamentary democracy as the *sine qua non* of any good government. While studying law in England, Nehru's thinking was also developed on the same lines. He admitted that he was a typical bourgeois brought up in bourgeois surroundings with all the prejudices that this training had given him.

Though in his student days, he was greatly charmed by the functioning of the western democracies, he felt disillusioned when these democracies were put to test during the twenties and the thirties. He saw the old style democracies crumbling before the totalitarian forces and their failure to deliver the goods, particularly during the period of the Great Depression.

He could see that under the garb of democracy, these countries were adopting undemocratic procedures and concentrating power in the Executive government and all this, to maintain the status quo for the benefit of the vested interests. Law and order which was supposed to be the refuge of the weak and the oppressed, had sometimes become a weapon of oppression wielded by the tyrannical State. Law and order usually meant only for the preservation of the vested interests of the ruling class. There was little or no concern for the rights of individuals outside the ruling class. He could see that as long as an apparently democratic procedure serves the purposes of the possessing classes, they would often use it to their advantage to protect their own interests. When this comes in their way and challenges these special privileges and interests, then they discard democracy and take to methods of dictatorship. Panditji's frequent criticism of the Western type of political democracy was 'that beyond a superficial and unreal equality of every man possessing one vote, it had not protected the poor man from economic exploitation'. Nehru describes the conflict between capitalism and democracy in the following words :

"The conflict between capitalism and democracy is inherent and continuous; it is often hidden by misleading propaganda and by the outward forms of democracy, such as parliaments, and the sops that the owning classes throw to the other classes to keep them more or less contented. A time comes when there are no more sops left to be thrown, and then the conflict between the two groups comes to a head, for now, the struggle is for the real thing, economic power in the State. When that stage comes all the supporters of capitalism, who had played with different parties, band themselves together to face the danger to their vested interests."

Decline of British Parliament

The British way of doing things had always been at variance from that seen in other European countries. In the old days, House of Commons exercised power directly, with the members having a good say in the running of the government. There also, the erosion in the importance of a member was very much apparent even in the 1930s. Instead of members having a good say in every matter, power resided with the Cabinet which decided every big question and the House of Commons was reduced to the position of saying only "yes" or "no" to it. Though the House can bring about the fall of the government by saying "no", such a drastic step was never taken, as such an exercise would bring in its wake, lot of trouble and a general election.

Even a change of government was brought about by Prime Minister Ramsay MacDonald by hobnobbing with Opposition Parties and depending upon their support, the old Cabinet swiftly disappeared and a new one was announced in the newspapers, and the pity of it was that some of the old Cabinet members learnt about the change of government from these newspaper reports. Nehru felt that this was an extraordinary and most undemocratic procedure and virtually amounted to dictatorship. Harold Laski has very aptly described the vast powers exercised by the executive in the following words:

“Our government has become an executive dictatorship tempered by fear of parliamentary revolt.”

Panditji's real faith in democratic values was demonstrated by the way he reacted to Fascism and Nazism, not only by his pronouncements, but also by his actions. The Japanese aggression in China moved him deeply and he sent a doctor's team to help the Chinese to treat their wounded. Italy's rape of Abyssinia had sickened him and the fall of the Republican Spain after a struggle full of heroic endurance had been a matter of great sorrow for him.

After the death of his wife in March 1936, Nehru stayed with his daughter at Montreux in Switzerland for a few days before returning to India. As he was to have to stop-over at Rome on his return journey, he received a pressing invitation to meet Signor Mussolini. Mussolini tried all the tricks of the trade to have a meeting with Panditji to boost up his image, but Panditji very politely though firmly, declined the interview. Two years thereafter, in the summer before signing of the Munich Pact, he was invited on behalf of the Nazi Government to visit Germany to see things for himself. He declined the invitation and instead, went to Czechoslovakia, where democracy was in danger.

It will be significant to know that many of Britain's leading statesmen who spoke harshly of the Fascist Duce, changed their tune when in later years, Italy became a belligerent nation, and referred to him tenderly and also about his admirable qualities and praised his regime and the methods adopted by him. Even before the signing of the Munich Pact, Panditji met some of the members of the British Cabinet and other prominent politicians of England and ventured to express his anti-Fascist and anti-Nazi views before them. He found that his views were no longer welcome to them. He found in them not only a fear of Hitler but a sneaking admiration for him. There was a lurking hope that Hitler could stop the flow of Communist ideas to the West.

It is indeed a matter of shame that during the war against Fascism and Nazism, democrats like Panditji had to spend most of their time behind

the bars and those who used to bow to Hitler and Mussolini and also approved the Japanese aggression in China pretended to hold aloft the banner of freedom and democracy and anti-Fascism.

A study of Marx and Lenin produced a powerful effect on the mind of Nehru and helped him to see history and current affairs in a new light. The political achievements of Soviet Union also impressed him. He had no doubt in his mind that the Soviet revolution had advanced human society and had lit a bright flame which could not be smothered. But, he was too much of an individualist and believer in personal freedom to accept the Soviet regimentation.

The third phase of evolution of Panditji's ideas of democracy was after gaining independence and experience gained from running the administration. There was a deeper probing of the meaning, scope, difficulties and validity of the democratic structure of the state. The distinctive contribution of Nehru to political philosophy is in the application of democratic ideas to Indian conditions—to a land whose foremost problems were, raising the standard of living of the masses, increasing production and to strike a balance between the public and the private sectors—to develop a mixed economy. The doctrine of democratic socialism originated in an industrial society, had to be adapted to the requirements of an agricultural economy where the demand for greater equality in the distribution of land was the predominant factor. His greatness lies in the adaptation of democratic ideas to Indian situation.

Definition of Democracy

From a careful study of his pronouncements made at different stages of his life, we can notice the emergence of four important aspects of the word "democracy".

First and foremost, democracy meant 'individual freedom' shaped in the context of social responsibility. He felt that though the modern trend towards centralization was inevitable, the democratic state must somehow see that it does not engulf individual freedom.

Secondly, democracy meant 'representative government' where the sovereignty had to be exercised through elected representatives functioning on the principle of democratic rule with the healthy existence of responsible political parties and leaders of calibre.

Thirdly, according to him, democracy should bring about 'economic and social equality' for which he visualised a secular state, devoid of class and caste distinctions. Ushering in of economic and social equality implied a change in the existing economic and social conditions. This may result

in the deprivation of the existing rights as also some curtailment of freedom. This, he felt, was inevitable, to bring about economic and social equality without which a true democratic state cannot be established.

Fourthly, he felt that democracy cannot run without self-discipline on the part of the individual and society. Under this self-discipline of the community, he visualised tolerance of different points of view, peaceful methods of resolving differences and allowing the majority view to prevail.

Nehru has defined democracy in terms of certain governmental institutions and principles, popular sovereignty through representatives, elections by adult franchise, majority rule, responsible political parties and leadership. Although agreeing that popular sovereignty is an essential ingredient of parliamentary democracy, Nehru also put forward that this is becoming a farce as more and more power has become concentrated in the hands of the cabinet. At the present time, the individual members have very little say in the decisions which are reached. "As the executive branch continues to arrogate to itself increasing powers, parliament is getting more and more out of touch with important activities of the state." "The system of administration in the modern state is so complex and technical that inevitably, certain decisions must be left to the judgment of the experts. A democratically elected parliament finds it almost impossible to deal with these questions."

Constitution of India

Pandit Nehru was of the firm view that the Constitution of India should be framed by the people of India. He strongly advocated that "fundamentally, the people of India should decide the Constitution of India." He said that while the detailed provisions of the Constitution may be left to the lawyers, the basic structure must provide that power, responsibility and the ultimate sovereignty, rest with the people. With this objective, he had always demanded that a Constituent Assembly elected by adult suffrage (both men and women) should be set-up. But this aspiration of Panditji was fulfilled only in part. The Constituent Assembly was formed but not on the basis of adult franchise but through limited and indirect election by the State legislatures.

He considered it essential for the development of democracy, the inclusion of the static principles embodied in the Fundamental Rights and the dynamic concept of the Directive Principles of our Constitution. Occasions may arise when the dynamic movement and the static concept may not quite fit in with each other, where solutions have to be found in evolving a working balance of the two principles. Nehru believed that a living Constitution must be growing, must be adaptable, must be flexible and also must be changeable.

Democracy—Peaceful method for achieving all ends

Nehru felt strongly that the democratic form of government provided a peaceful method of achieving all ends which may from time to time, be thought desirable by the community. Participating in the First All India Seminar on Parliamentary democracy in 1956, he said:

“Democracy means to me, an attempt of the solution of the problems by peaceful methods. If it is not peaceful, then, to my mind, it is not democracy.... Democracy gives the individual an opportunity to develop. Such opportunity does not mean anarchy, where every individual does what he likes. A social organisation must have some disciplines to hold it together... In a proper democracy, discipline is self-imposed. There is no democracy if there is no discipline”.

He further said:

“Democracy, as a speaker just now said, is a means to an end.... I do not know if everybody will agree with me, but I would say that the end is the good life for the individual... In the past, democracy has been taken chiefly to mean political democracy, roughly represented by the idea of every person having a vote. It is obvious that a vote by itself does not mean very much to a person who is down and starving.... Therefore, political democracy by itself is not enough except that it may be used to obtain a gradually increasing measure of economic democracy. The good things of life must become available to more and more people and gross inequalities must be removed.”

In a circular to the Presidents of Pradesh Committees of the Party, Panditji stated in August 1954:

“The very essence of a democratic state is its functioning in an atmosphere of peace. Problems, however difficult, are solved by peaceful methods—by discussion, negotiation, conciliation and persuasion. A decision once taken is accepted even by those who may not like it... If this basic conception of democracy is not accepted, then democracy cannot function.”

Democracy, according to Panditji, meant

“tolerance not merely of those who agree with us, but also of those who did not agree with us.”

This amounted to “willingness to recognize the existence of differing points of view but also to allow the strongest view to prevail, according to the established procedures.”

Political democracy without economic and social democracy meaningless

For the fulfilment of democracy, as also from human considerations, he felt that it was incumbent on all of us to raise up those people who are much low in the social and economic scale and to usher in every possible opportunity for their growth and progress.

Speaking at Bangalore in February 1962, Panditji reiterated the same point of view:

‘The right of voting is good and useful but it is precious little good if it is accompanied by hunger and starvation. Therefore, the proper way is to have full democracy in the sense of not only political democracy but economic democracy. It should give an opportunity to large numbers of people to profit by the democratic method and to have more or less equal chances to progress. Political democracy should inevitably lead up to economic democracy. Even in countries which are supposed to be highly capitalistic, the tendency to economic democracy is obvious. The tendency, in other words, is towards some form of socialism. The Scandinavian countries, possibly, the most advanced countries of Europe, have socialist democracy.’

According to Panditji, “the essence of democracy was to take the vast masses of people into confidence and produce a sensation in them that they are partners in a vast undertaking of running a nation, partners in the government, partners in industry.”

Democracy best known political system

At the A.I.C.C. session held at Indore in 1957 Panditji had elaborate on what he meant by ‘democratic process’:

“We have definitely accepted the democratic process. Why have we accepted it? Well, for a variety of reasons. Because we think that in the final analysis, it promotes the growth of human beings and of society; because as we have said in our Constitution, we attach great value to individual freedom; because we want the creative and adventurous spirit of man to grow. It is not enough for us merely to produce the material goods of the world. We do want high standards of living, but not at the cost of man’s creative spirit, his creative energy, his spirit of adventure, not at the cost of all those fine things of life which have ennobled man throughout the ages. Democracy is not merely a question of elections.”

Speaking in Lok Sabha on March 28, 1957, Panditji further elaborated on the advantages of parliamentary government adopted in our country:

“We chose this system of parliamentary democracy deliberately. We chose it not only because to some extent, we had always thought on those lines previously, but because we thought it was in keeping with our own traditions, not the old traditions and new surroundings.... The system of parliamentary democracy embodies principles of change and continuity. And it is up to those who function in this system, members of the House and the numerous others who are part of this system, to increase the pace of change, to make it as fast as they like, subject to the principle of continuity. If continuity is broken, we become rootless and the system of parliamentary democracy breaks down. Parliamentary democracy is a delicate plant and it is a measure of our own success that this plant had become sturdier during these last few years.”

According to Panditji,

“Intellectual freedom is an important factor certainly but the future will show its worth. We have deliberately chosen a democratic set up and we feel that it is good for our people and for our country in the ultimate analysis.”

Nehru revealed that most of the problems of democracy could not be overcome by any fixed formula without striking a correct balance between contradictory views. The static fundamental rights and dynamic directive principles of state policy may often come into conflict. The answer lies in striking a balance.

Parliamentary majority not always right

Although the idea of majority rule is essential for the proper functioning of democracy, Nehru emphasised in the House of the People on February 18, 1953 that there was no mysterious wisdom to be found in the device of majority rule:

“With all my admiration and love for democracy, I am not prepared to accept the statement that the largest number of people are always right.”

The above statement was made in the context of the communal problem which led him to veer round to the view that the “democratic principle of majority rule, important as it was, would have to be balanced by other considerations. Definite constitutional guarantees would have to be extended for the protection of the cultural and religious rights of minorities.”

Civil Liberties

Consistently with the great importance he attached to the individual freedom, he realised the vital importance of civil liberties for the successful functioning of a free and democratic government. He firmly held the view that a government which had to rely on Criminal Law Amendment Act and similar laws to suppress the press and literature, to ban hundreds of organisations, to keep people in prison without trial and so many other things, was a government that had ceased to have even a shadow of justification for its existence.

After gaining more practical experience in running the Government he had to dilute his view and modify his stand regarding unfettered enjoyment of civil liberties. In a speech touching on this point, he had said :

“I want to make it perfectly clear that it still remains our conception of civil liberty that we should allow the fullest freedom to people of all groups to preach their doctrines, provided there are no incitements to violence. It just does not matter whether we agree with that doctrine or not; if it does not lead to violence, we shall allow it to be preached. But if it does, if it is meant to lead to violence or sabotage, then it will not be allowed and if it is necessary to limit civil liberty for that purpose, civil liberty will be limited. There is no other way.”

Nehru valued very much the freedom of the press as an essential attribute of the democratic process. If left to himself, he would surely opt for “a completely free press with all the dangers involved in the wrong use of that freedom rather than a suppressed or regulated press.”

According to Panditji's definition of democracy, freedom of press was not only important but an essential attribute of the democratic process. Democracy is essentially a scheme of values and moral standards in life. Whether one is democratic or not, depends on how one thinks about and reacts to different situations.

Panditji was conscious of the fact that the processes of democratic elections brought down the standards, the quality and the integrity of the men who were elected and the parliamentary experiment gradually deteriorated. He had expressed his disappointment that modern democracy encouraged the wrong type of political leaders, though attempts to choose the right leaders by any method other than democratic failed miserably. In the existing circumstances, he expected that “the democratic state must take the risk of even choosing wrong people by the right method and hope for the best.”

Importance of strong opposition

Nehru was fully alive to the importance of a strong opposition for the proper functioning of the parliamentary democracy. According to him, the formation of separate parties either with some ideological difference or placing greater emphasis on certain matters is a natural development and that in a democratic set up it is desirable that every opportunity should be given for the development of ideas and the education of public about them. He believed that without criticism, the people and the government become complacent. The whole parliamentary system of government is based on such criticism.

The free press is also based on criticism. It would be a bad thing for democracy, according to him, if the press is not free and people were not allowed to speak and criticise the government fully and on the open.

Party solidarity against individual freedom

Though Panditji, initially, was for allowing full individual freedom to party members, this view underwent a change from his practical experience of running the government. He found that the only way to function in a democracy was through strictly disciplined parties. Elaborating on this point, he said in Madras in 1951:

“Suppose our parliament at Delhi had 500 chosen men of integrity and ability, each thinking according to his own lights, the results would be that while they would be the chosen of the nation in regard to ability, nothing will be done by the parliament because all the 500 will pull in 500 different directions.”

Expressing his firm conviction that only disciplined political parties would be in a position to represent the masses, he said :

“Individuals, however able, do not represent or are not in touch with the people, while an organized party, by the mere fact of its functioning as a party, is in contact with large masses of people whom it guides, whose thinking it influences and which, in turn, is affected by the people’s wishes.”

Judiciary

Panditji’s concept of the right of property was not in consonance with the prevailing Western democratic thought. He honestly believed and repeatedly expressed that “outright expropriation of land could not be considered wrong as there was no moral right attached to property.” He could not however persuade public opinion to wholeheartedly support him regarding his policies on land reforms.

He deprecated the tendency of the judiciary to function as a kind of third chamber, often undoing the efforts of the legislature in matters of social reform. He stated in the Constituent Assembly on September 10 1949 that :

“ultimately the fact remains that the legislature must be supreme and must not be interfered with by the courts of law in measures of social reform.”

However, he probably over-emphasised the role of the legislature and failed to appreciate fully the long range value of the judiciary in the protection of the individual rights.

The ultimate aim of Panditji was the establishment of a classless society, based on co-operative effort with equal opportunities to all, to be realised by following peaceful methods in a democratic way. Democratic functioning with its complicated procedure took a longer time but this could not be avoided as things are built on a firm foundation, bestowing due consideration to the individual. He believed that democracy must stem from the grass roots and therefore desired involvement of people from the bottom in the political and economic affairs of the country. He could see that too much centralisation of planning would divorce planning from the people. He therefore planned decentralisation of economic power through the system of Panchayati Raj. The Balwantrai Mehta Committee was appointed to examine and recommend the mechanics of the Panchayati Raj system. Panditji's encouragement resulted in setting up of three-tier Panchayati Raj system consisting of Gram Panchayat, the Panchayat Samities and the Zila Parishad which were given specific responsibilities of implementation of certain programmes under the State Plans. Though Panditji's dream of taking planning to the people through the three tier system of Panchayati Raj and thereby take the democratic ideas to the grass roots has not been fully materialised, there is no doubt that as a visionary he could see the dangers of too much centralised planning and wanted to decentralise the economic power through these institutional instruments of Panchayati Raj.

The greatest contribution to political philosophy made by Nehru lies in the fact that while trying to shape the western political theories to suit Indian conditions, he had tried to bring a synthesis between two divergent ideas, i.e. democracy which is based on decentralisation of power and planning which is essentially a communist concept. Planning necessarily involves centralisation of authority with a tendency to encroach on the democratic process. Panditji made the democratic process quite meaningful by accepting planning without compromising democratic

principles. The doctrine of socialism which had originated in industrialized societies was tailor-made to suit the Indian conditions by popularising the planning process to bring all-round progress to all sections of the people within the shortest possible time.

There is no doubt that Panditji was a true democrat in spirit and action. He established conventions and traditions which, if followed, will tend to put our parliamentary democracy on a sound and durable basis. He respected the will of the people as represented by the will of Parliament. There were many occasions when he did not force his views on the Parliament or even his own party members when he found that it will impair the democratic principle. The most outstanding examples were the relieving of Krishna Menon and K.D. Malaviya, two of his confidants and favourites from his Cabinet when he found that Parliament had lost confidence in them. He did not allow his personal liking or prestige to come in the way of the will of the majority. In another matter, when Shri Morarji Desai took an adamant attitude in refusing to call the Attorney General to the Parliament even when the whole House wanted to have him for guidance, Panditji intervened and compelled Morarjibhai to respond to the wish of Parliament. He believed in the collective responsibility of the Cabinet and did not allow his personality to be imposed on his colleagues.

Dr. Radhakrishnan has described the great contribution made by Panditji for the successful working of democracy in the following words :

“Nehru is essentially a democrat. In his way of thinking there is no place for intolerance, racial or social condescension or national aggressiveness. Even when he acquiesces in policies, that are not quite consistent with the spirit of democracy, he does so with the utmost reluctance. In an infant democracy like ours, he is anxious that we should not set up wrong precedents.”

Nehru was a master builder, one of the few architects in the delicate and uncommon art of nation building. But he was not an isolated creation. He was ‘the product of half a century of freedom struggle and moulded by men like Gandhiji. He tried to achieve in the span of a few decades what other nations had achieved in centuries; to modernise a feudal society, industrialise with modern technology an essentially agricultural country and to popularise the growth of democratic form of Government particularly suited to the Indian conditions. Three passions guided him—passion for freedom, passion for democracy and passion for modernisation.

NEHRU AND PARLIAMENTARY DEMOCRACY

—*Renuka Ray*

It is well known that Jawaharlal Nehru had an enduring faith in parliamentary democracy. Looking back to the days of the struggle for freedom in India, we can see that throughout successive sessions of the Indian National Congress our leaders reiterated their belief in having a truly democratic set up in the country, once India was independent.

To understand Nehru's approach we have to remember that he laid the greatest emphasis on the freedom of the individual – which according to his thinking meant equal opportunity for every individual in all spheres. It was not the 19th century concept of individual freedom and democracy in which he believed. His belief in democracy was in relation to furthering all round development in all spheres of national life and all sections of society, and encompassed political, economic and social equality. Here it should be remembered that this approach was close to Gandhiji's own concept of *swaraj* the content of which was not only political, but also economic and social freedom.

Nehru's perspective of this concept became apparent throughout the years of the freedom struggle, and was expressed in several resolutions adopted by the Congress on various occasions. For instance, the resolution on fundamental rights and economic programme drafted by Jawaharlal Nehru and adopted in the Karachi session in 1931, contains the major features of what was much later embodied in the preamble to the Constitution of the Sovereign Democratic Republic of India. This enshrined Jawaharlal Nehru's conception in his own words, clearly expressing the ideas of enlightened India as well as that of the masses to whom Nehru was very close. It may be emphasised here that Nehru was a rationalist, who inherently believed that the human mind could not be fettered by any dogmatic approaches. His ideals as well as actions show that he believed in very high ethical and moral standards. He also

believed in what may be called 'the religion of humanity' which is perhaps a spiritual concept, though very far removed from any religious dogmas and narrow creeds. As explained by Nehru in the AICC Economic Review of 1958, "in any aspect of our programme we have always to remember the basic approach of peaceful means, and perhaps we might also keep in view the old Vedantic ideals or the life force which is the inner base of everything that exists."

When the Government of India Act of 1935 was enacted and a measure of provincial autonomy with restricted franchise was granted, the Congress was deeply disappointed and at first decided to boycott the provincial assemblies. It was however felt that it would be useful for the Congress to enter the legislatures as it would be a means through which the representatives of the people could voice their grievances to the world outside. Nehru was initially opposed to the Act but he was ultimately prevailed upon when assurances were given by the government that provinces would be granted full responsible government and the Governor would function largely as constitutional head of the province. He finally persuaded Gandhiji to allow the experiment on provincial autonomy to be taken up by the Congress, particularly because he felt that some initial experience on legislative functioning would be of great help when the country ultimately attained independence. Also in the Constituent Assembly which framed the Indian Constitution, the 1935 Act was given some consideration and some of its procedures were adopted by the new Constitution.

In 1937 an article was written by Jawaharlal Nehru and published under the *nom de plume* of "Chanakya" in *The modern Review*. In this article he said of himself, "Jawaharlal is certainly not a fascist either by conviction or by temperament. . . . yet he has all the makings of a dictator". In this context, it may be recalled that Jawaharlal Nehru had been criticised severely for not having implemented his own avowed socialistic ideas, as for example in relation to land reforms as also other socialistic measures. It was this tendency of introspection, and the subjective fear that he might become an autocrat, which is responsible for Nehru's hesitation and vacillation in many of these matters. He lost his temper easily but he always tried to make amends. It was this quality which turned out to be his great weakness. In Parliament not only those in opposition but even partymen and women knew that the best chance of winning their point, when he was opposed to it, would be to make him lose his temper so that he would try to accommodate them. This happened even in the Congress Party itself. Sometimes members who were vociferous gave an impression that they were in the majority and so he tried to accommodate them. This happened particularly in regard to his

forward looking policies from the implementation of which he was sometimes deterred as he felt that he must not be undemocratic. Actually, majority of the members of the party were his supporters and had he insisted they would have voted with him.

I was one of those fortunate people who had been in the Constituent Assembly and the Parliament in Nehru's times and so worked closely with him, although I actually came to know him much earlier through Gandhiji. I would like to refer to the incident when Shri V.K. Krishna Menon left the cabinet. I remember how sad Panditji really was because he had a great belief that Krishna Menon was one of the cleverest men in India and the world, but he bowed to the decision of the majority in the Executive Committee and the Congress Party in Parliament. In those days, a majority of us in the Executive Committee and in the Congress Party in Parliament could not brook the idea that any portion of the country should be lost after the 'Chinese invasion'; people felt it could have been avoided. But whatever be the reason, he immediately gave in on this point much against his own desire.

In the Constituent Assembly many of us in the Congress party in Parliament were very disappointed when Article 31 —(thank God, it is no longer there in the Constitution, as it has been dropped more recently) came to be included in the Constitution. At that time how disappointed we were when Panditji gave in to what he considered the majority opinion of the Constituent Assembly. Personally some of us felt that he was too humble about it because he submitted to the lawyers' opinion. That was one occasion when he gave in and there also are other times when he did so. Some people said, "Why is the tiller of the soil not yet been made the owner of the land" ? But he hesitated to do this because of his respect for some the members of the Parliament and he did not try to ride rough-shod over their opinion.

Where Nehru remained firm as in foreign policy matters, he was never deflected from his purpose. He was thus able to follow his own bent and basic approach. His non-aligned policy of peaceful co-existence has paid rich dividends and is now recognised by the Third World as the only way. Even those who were his detractors from the developed world have now veered round and recognised that this is the best way for humanity to avoid its own annihilation. The Constitutions of many countries, particularly the Western democracies such as U.S.A., U.K., France and the Scandinavian countries, were studied and discussed in detail by the Constituent Assembly. All through its debates, Nehru felt that for India the Parliamentary form of democracy was the best suited. He also agreed with Gandhiji that the old Panchayat system of village democracy in India was actually the base on which parliamentary democracy should flourish.

In the composition of the Constituent Assembly itself, both Gandhiji and Pandit Nehru very strongly felt that although the Congress was there with a large majority and its representation through the legislatures was necessarily overwhelming in number, it was essential that experts including lawyers, social reformers, economists, etc., who held different points of view should also find a place amongst the constitution makers. Thus, the Drafting Committee of the Constituent Assembly consisted of lawyers and other experts many of whom held views opposed to that of the Congress Party, Dr. Ambedkar who was opposed to the Congress line of thinking on many matters, was made the Chairman of the Committee because Nehru and others of his outlook wanted that all streams of national thought, as also talented persons who were experts in their line, should have a fair opportunity in the framing of the Constitution of independent India.

Nehru's deep belief in parliamentary democracy is seen in the manner in which he laid its foundation in India. Nehru did not just enunciate theories, but always tried to give practical shape, to his democratic principles. It is significant that he never took any steps against those who criticised him, however, unjustly. Even books against Nehru were not sought to be suppressed in India, as for instance Karaka's book *Nehru: the Lotus Eater from Kashmir*, which gave an absolutely distorted version of Nehru. As leader of the House Nehru gave the opposition their proper place. Within the Lok Sabha Chamber, he would some-times cross the floor of the House to speak to the opposition members and would even sit with them. He believed that democracy could not be a living force unless the party in power and the opposition worked together to uphold the constitution. Nehru's belief in the freedom of the press as one of the safeguards of democracy was carried out to the fullest extent. He set the trend through which freedom of the press flourished in India and in normal times its in pack has been in no way less than in any western democracy which boasts of its free press. Jawaharlal Nehru did not relish the press barons and owners who tried to control the Press. He wanted the Editor to have full independence.

Believing in the inherent good sense of the masses, Nehru and the members of the Constituent Assembly had advocated adult suffrage as the pillar of democracy. And the manner in which the people of India have conducted themselves at the polls after independence has been remarkable. From my own experience of a rural constituency I can say that it has been a revelation how strong was the affirmation of faith of the rural people including women in their right to vote. Sixty per cent of rural women in India voted in the first general elections in independent India. This compares very favourably with the voting pattern in the United Kingdom during their General Election in 1924, when as a student of London School of Economics I joined to canvass for some of our professors who stood for parliament.

We did some house to house visiting, and we were profoundly disappointed when we found how apathetic was the typical London housewife, who did not even want to spare the time to go out to vote. What an irony of fate that the hard-earned right to vote won for the women of England through the struggle of the suffragate movement by facing even imprisonment and violence should matter so little the mass of women voters in England at that time. In contrast, in successive general elections in India, Indian women in cities as well as in rural areas had flocked in large numbers to cast their vote which they valued as a priceless possession, with the faith that this would enable them to have their grievances rectified. It was Nehru's tours amongst the masses during which he endeavoured to teach them that the vote was a price-less treasure that had aroused their interest.

Nehru always gave women their due and wanted them to participate and share equally in every sphere of life. We were sent to several conferences as delegates. Hansa Mehta went as a delegate to the Human Rights Commission. After me, Sucheta Kripalani and Laxmi Menon followed as delegates to the U.N. In all fields Nehru was always very anxious that women should be able to prove that they were not the weaker sex and they lived upto his expectations. As Gandhiji had decreed, Jawaharlal Nehru ensured that women were given opportunities to come to the forefront and put their views before the country as equal citizens.

Our campaign through the years for the removal of the legal disabilities of women in social laws brought about equality in the laws of inheritance and marriage etc., for the Hindus. Due to Panditji's firm support and the inclusion in the first election manifesto of equal rights for men and women and equal position for women in the social laws of Hindus was brought about. Both in the preamble and the Chapter on Fundamental Rights of the Constitution men and women have equal rights and status but unfortunately the Uniform Civil Code of social laws in the chapter on Directive Principles of State Policy through which all communities of men and women could have equal rights has not yet been implemented. As far as legal status of women is concerned the only lacuna is that the laws of Muslims and Christians have not yet become equal for men and women.

It must be emphasised that the high standards set up by the Election Commission, from its very start is one, of which we can be justly proud in India. All Elections conducted during Nehru's life time were entirely faire and free. Afterwards riggings and other forms of corruption influenced by the prevailing patterns in some western democracies, gradually crept in. Even today the Election Commission in India retains its high and objective standard, and makes every effort to oversee that the elections are fair and free. The general lowering of ethical standards in the country has naturally had its impact on

the electoral system to some extent, but even now these standards are not at any lower a level than those operating in the U.S.A. and some other democratic countries. It goes to Nehru's credit that he was actually responsible for the fact that the largest democracy in the world has a standard of which we can be proud. There is no doubt that many loopholes and errors crept in, which have to be corrected and there some of the suggestions of the Election Commission are of great value. But I am strongly of the opinion that the Westminster model of parliamentary democracy as adopted to India's requirements by Nehru is the best suited to our needs. A tradition on these lines is being built-up.

It is interesting to note that the first Speaker of the Central Assembly under British Rule, Vithalbhai Patel upheld the dignity of the Office of the Speaker by following May's *Parliamentary Practice* and indeed compelled the British Government in the Central Assembly to recognise the independent position of the Speaker which was no mean achievement during colonial times. Shri Mavalankar, the first Speaker during the days of the Provisional Parliament of Independent India as later of the Lok Sabha firmly kept up the dignity and independence of the Lok Sabha. There were many times when Pandit Nehru felt impatient with him. But Nehru respected the Chair and the rulings,—for he had an inherent belief that Parliament must be supreme, and that the procedure followed by the Speaker after the Westminster model, must be retained and adapted to Indian conditions. Although he had a vast majority behind him in the Constituent Assembly and even later in the Lok Sabha and Rajya Sabha, he was always, as we have already seen, on the alert lest he became autocratic. He gave full weight to the supremacy of parliament, and the independence of the Speaker or the presiding officer. Thus he helped to build the independence of the Indian parliamentary system. After our own independence, we saw the phenomenon of several nations including India's neighbours who after throwing off their colonial yoke, did not care to nurture and adhere to the parliamentary system; many of them came under autocratic regimes, and dictatorships, which are still functioning.

I must say there is a great deal of discussion these days about the Parliamentary versus Presidential system of government. I will not go into details here. Suffice it to say that Nehru's belief in parliamentary democracy remained undiminished whatever be some of the merits of the presidential system. He had taken up the parliamentary system as best suited to India's needs. In spite of the difficulties that face a nation emerging from the worst effect of colonial rule, in a country such as ours, steeped in poverty and its attendant evils, it was largely due to the manner in which Jawaharlal Nehru functioned within the parliamentary framework that democratic traditions could find a stable base in modern India. When Nehru died, the

Parliament of India, comprising two Houses—Lok Sabha and Rajya Sabha—had attained a stature of which India could be justly proud.

If we have to restore democracy again to the level that it had reached in Independent India, a decade after it started functioning there are two or three reforms which are urgently required, otherwise the democratic framework of the Union of India would itself be jeopardised. At the foremost, the most glaring defect in the system was the defection from one party to another both before and after elections. This had assumed such shocking proportions that it almost made a mockery of our democratic functioning. For some time there was a great deal of discussion about an amendment the Representation of the People's Act to stop defections. One of the notable accomplishments of our young and energetic Prime Minister, Shri Rajiv Gandhi is that defections after being elected on a party ticket, from that party to a different party, without seeking a fresh verdict from the electorate, are now prohibited by law by the passing of the Constitution (Fifty-second Amendment) Act, 1985. This is a legislative measure of extreme importance which Nehru wanted to enact in his lifetime.

Again, the Administrative Reforms Commission had proposed in detail the setting up of the "Lokpal" on the lines on the "Ombudsman". The Lokpal Bill, 1985 which seeks to provide for the appointment of a Lokpal to enquire into allegation of corruption against Union Ministers and for matters connected therewith has been introduced in Lok Sabha and later referred to a Joint Committee of the two houses of Parliament. This would go a long way to establish a healthy tradition by way of elimination of corrupt practices. Again the Election Commission has proposed measures through which the excessive funds—including those from dubious sources—being channelled for uncontrolled expenditure for election purposes are curbed and a check is placed on funds raised by political parties. This is the only way we can eliminate the corruption that has entered the body politic, and restore basic standards of parliamentary democracy, so that it can function effectively as Nehru desired.

I recall that on May 27, 1964 both Houses of Parliament were summoned, a most unusual procedure at that time of the year after the Budget Session was over. It had been originally called at Nehru's behest as a constitutional amendment which required a 2/3rd majority had been lost in the last session and he wanted to get it through. Afterwards it seemed as if Pandit Nehru had some premonition of his death, and Parliament which was very dear to him was convened to bid him goodbye. From all parts of the country we arrived and as I entered the Notice Office of the Lok Sabha, we were informed that Nehruji was seriously ill. As I entered Teen Murti House where he lay battling for his life—even before any doctor from Bombay or Calcutta

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arrived—this beloved leader who had played so significant a part in building the framework of our national democratic structure, had gone.

While no doubt there are many things left undone in implementing progressive measures, which an autocrat with determination could have expedited easily, it was Nehru's love for fostering parliamentary democracy in India, that made him cautious to eschew any taint of an autocratic touch. Yet in the final analysis, we must surely acknowledge that Nehru was able to bring about an awakening, and an awareness of their democratic rights and the right to equality of opportunity, even among the illiterate, but not uneducated, masses of the Indian people. Despite fierce Opposing forces, Pandit Nehru did set in motion the progressive social trends and technological advances for building the future of a country, such as ours, which has the objective of equality of opportunity for all sections of society.

NEHRU'S VISION OF PARLIAMENTARY DEMOCRACY

—A.N. Das

Jawaharlal Nehru, who played a historic role in the fight for the country's freedom, was the principal architect of Independent India. As Mahatma Gandhi's political heir and chosen tribune of the nation, it devolved on Jawaharlal Nehru to shape the destiny of the newly liberated country. The unrivalled leadership and unquestioned allegiance of the people that Nehru commanded gave him virtually the powers of a dictator to decide about political and social goal of India, as he liked and wanted. Nehru had his own ideas and conviction of what free India should be, what it should aim at, and accordingly moulded its course. The past heritage and traditions of India, and more particularly, Nehru's own training and temperament inevitably led him to choose democratic means and a democratic way of life for the Indian polity. Nehru will live in history for all time for restoring India to her pristine glory and for establishing the biggest democracy in the world.

With Nehru at the helm of the State there could be no other path for India to follow, but the path of political democracy. He deliberately opted for parliamentary democracy and a parliamentary form of government, in which Parliament would be supreme. He gave new content and meaning to parliamentary democracy through a Constitution for the country, the cornerstone of which was universal adult franchise. For the first time in India franchise became a matter of birth right for all adults—men and women—without any distinction of sex, caste, creed or religion. Aristocracy of birth, wealth or education no longer counted for being registered as a voter. The equality and dignity of all human beings was at once recognised in free India by the conferment of adult franchise as an inalienable right. The entire people, including the dumb millions and the down-trodden, overnight got a new charter of human rights. They became their own masters and were conscious that they were the king makers. Equality of opportunity was assured to all, and the fruits of freedom were to be shared by all. That was the grand ideal for which Nehru worked and lived.

Nehru's faith in parliamentary democracy flowed from his vision of political democracy. Through his efforts, the country has a democratic constitution, which enshrined as one of its laudable objectives "equality of status and opportunity; justice, social, economic and political; and dignity of the individual, and unity of the nation". Thus nationalism, socialism and secularism constituted the main pillars of the edifice of democracy that Nehru sought to build. In whatever Nehru did or thought, democracy was the dominant idea. His socialism was democratic socialism, and his planning was also democratic planning. His concept of socialism did not conform to the type of socialism prevalent in the socialist countries. In India he wanted to have a socialist pattern of society in keeping with the country's democratic framework. For India's rapid economic development Nehru introduced planning, but his planned economy was not modelled after the Soviet Union or other socialist countries. A planned economy under a democratic political system was a new experiment. His concept of planned economy was a kind of mixed economy, which comprised both public sector and private sector.

In transforming political democracy into economic democracy, Nehru was faced with a reverse problem in comparison to the West. Nehru used to say that in the West industrial revolution had preceded political revolution. In India we had political revolution first, and the essential task was to bring about an industrial and economic revolution. What Nehru meant by that was that the political freedom we had achieved was to be translated into economic freedom. Planned economy was the instrument Nehru employed for the realisation of his philosophy of political democracy. Nehru was essentially a man of the modern age imbued with a deep scientific spirit. He had a dual task before him of boosting up the country's economy and of modernising the country and pushing it forward from the bullock cart age to the jet age and the space age. He had to do this within the parameters of a democratic form of government.

Acharaya J.B. Kripalani while paying a rich tribute to Nehru's memory in Parliament stated : "He (Nehru) wanted to bring about in India an industrial revolution after the industrial revolution of the West. This was a stupendous task. It was a harder task than the fight for national liberation. Such a social transformation has been attempted in history throughout the world by methods that are cruel, arbitrary and ruthless. But he wanted to bring about this transformation by non-violence and through democratic ways."

Nehru firmly laid down democratic means for India and he ever stood for democratic processes. His contributions to the development of parliamentary democracy and parliamentary institutions have no parallel in

history. He lent majestic dignity and authority to Parliament. Professor N.G. Ranga, then Leader of the Swatantra Party, in his homage to Nehru after his death said in Parliament "during the long period of seventeen years of Prime Ministership he continued to remain a democrat and helped us develop democratic processes in this country".

Shri S.N. Dwivedy, Leader of the Praja Socialist Party said on that occasion that Nehru had great respect for parliamentary institutions, and being a believer in democracy he established certain traditions.

The Marxist Leader, Shri A.K. Gopalan mirrored the great void created by the death of Nehru when he said "it is difficult to conceive of this House without Jawaharlal. It was a pleasure," he added, "to see Nehru enter the Lok Sabha. He would go to his seat with elegance. He would show the utmost respect to the Chair. He was the first to rush to the House when the quorum bell rang, provided he was in the precincts of Parliament. While in his seat he used to follow the discussions carefully, though some times he appeared to be engrossed in his file work. His answers to questions were considered and full of information. He was always eager to give the fullest information, and many a time supplemented the answers given by other Ministers, if he thought that the information was not adequate. He possessed detailed information about the whole administration and was never hesitant to share it with Parliament. Jawaharlal kept certain standards and has left many wholesome traditions in democracy. It would be difficult to find a greater democrat than Jawaharlal. He could listen to criticism of his own self with patience and tolerance and could reply without rancour."

Professor Hiren Mukerjee, the Communist Leader declared: "Nehru's magnificent role in the fight for our freedom when he was the idol of India's youth, his unique grip on world perspectives which made him realise the link between our fight and the fight of oppressed peoples in Asia and Africa and elsewhere, his dedication to secularism and democracy and people's well-being, which drew him strongly towards socialism, economic planning and world peace—all these and more is a matter of record, an open book which his life was."

Nehru, who had stood out of legislatures even after the enactment of the Government of India Act, 1935 when the Congress permitted its members to enter the legislatures and even to form ministries in the provinces, made his mark as a parliamentarian of rare gift and ability the moment he entered the Central Legislature to head the Interim Government in 1946. He took to parliamentary life like a duck to water and showed an amazing aptitude for parliamentary norms, procedures and conventions. It was a wonder to many with longer experience of legislatures how a newcomer could so quickly adapt

himself to parliamentary ways. Dewan Chaman Lall, one of the foremost Congress parliamentarians, who had seen at work both Motilal Nehru, a Leader of the Swaraj Party, and Jawaharlal Nehru as Leader of the Congress Party, once remarked that Motilal was the greatest parliamentarian he had known, but the son was even greater parliamentarian greater than any he had known during his long years of parliamentary life. Jawaharlal Nehru used to speak in the House extempore, and he rarely delivered a written speech except when the importance of the occasion so demanded. He was a great writer, but he was equally a great parliamentary orator. On all big occasions his speeches were superb performances. Who can forget the moving speech he delivered in the Constituent Assembly while sponsoring the Objectives Resolution. His broadcast after the assassination of Mahatma Gandhi would be ringing in many ears even today.

Parliamentary democracy in India was enriched by the high standards and the noble examples Nehru had set. With a massive majority in Parliament and the halo of national hero, Nehru indeed possessed a giant's strength. But he had the sensitivity and democratic instinct not to use that strength as a giant. Just imagine the majority that he mustered in the first three Lok Sabhas after India gained independence and the sovereign republican constitution was promulgated. In the 1952 election to the Lok Sabha, the Congress Party captured 362 seats out of 489, which constituted a three-fourths majority of the total elected membership. In the 1957 election the Congress Party won 371 seats out of 494 elected seats, which gave it a little more than three-fourths majority. Again in the 1962 election the Congress Party secured 361 seats, or a little less than three-fourths majority. Yet Nehru's democratic spirit never allowed him to crush the small Opposition with the weight of his sledge-hammer majority. The Opposition was not only numerically weak, but the ideological differences among them were considerable. They were not a united force.

The acid test of Nehru's democratic outlook in relation to the functioning of parliamentary democracy was his attitude to the Opposition and the treatment he accorded to the Opposition. Nehru sincerely believed that "the parliamentary system of work requires not only a stout Opposition, not only forcible expression of opinions and views, but an essential basis of cooperation between the opposition and the government; not in regard to any particular matter, but the whole basis of approach is after all a cooperative basis. In so far as we succeed in doing that, we succeed in laying the foundations of parliamentary work firmly." Nehru had laid that foundation of parliamentary democracy and its working truly and well.

The thinness of the Opposition did not render its voice ineffective in any way, thanks to the democratic values cherished and inculcated by Nehru.

When the first Lok Sabha was elected, the Prime Minister is believed to have advised the higher echelon of the administration that although the numerical strength of the Opposition was not large, their criticisms of government policies should be given due weight, and an attempt should be made to meet their points of criticisms, and remedial steps taken wherever called for.

Not only Nehru followed ideal democratic norms in the functioning of Parliament, but he was equally democratic in the working of his Cabinet. Nehru enjoyed the reputation that as Prime Minister he did not interfere in the functioning of any ministry since all important issues came up before the cabinet for decision. If ever any need or occasion arose for his advice or guidance, he would just speak to the Minister concerned. Even in conducting the cabinet meetings he would not give an impression that he was advocating any particular line or opinion, so that the cabinet could arrive at a free decision.

Nehru placed parliamentary democracy in India on a high pedestal, where Parliament was not only the forum of supreme authority, but where freedom of speech and free discussion was real, without any rigid party whips or directives. During the formative years of development of parliamentary institutions, members of Parliament, whether belonging to this side or that side, had equal freedom of criticising government policies and actions. Many Congress Party members spoke as freely in criticism of government, as if they belonged to the Opposition parties. There was no organised Opposition at that time, and it appeared that the responsibility of providing sinews and strength to the Opposition rested on the ruling party.

The Congress Party was occupant of the treasury benches, and they also partly played the role of the Opposition in the debates. This was a unique feature of the working of parliamentary democracy under the stewardship of Nehru.

Nehru's spirit of extreme tolerance and generosity was evident even during the period of the Interim Government. It was not an easy task for Nehru to conduct the House and run the administration in the then prevailing situation. The country was not yet free. Nehru was no doubt the leader of the government as holding the number one position among the Viceroy's Executive Councillors. He was to be treated as the virtual Prime Minister. But the fact remained that he had to deal with an alien authority at the top and with divergent political elements and political leaders in the Government and the House. The Muslim League representatives in the Interim Government and in the Central Legislative Assembly behaved like the King's Party. It speaks a volume of the quality of leadership and democratic spirit that Nehru displayed in carrying on the business of the House and the Government. His conciliatory attitude and democratic

approach was of immense help to tide over the difficulties of the transition period. But for the broad-mindedness and liberalism of Nehru, the Interim Government would never have included the Muslim League representatives. After the League had initially refused to join the Interim Government, if Nehru filled the entire Muslim quota with Congress and other nationalist Muslim leaders, and declined to make room subsequently for the entry of Muslim League nominees, perhaps the course of India's post-war history would have been different.

To return to the topic of how Nehru developed parliamentary democracy in free India and how he was tolerant to the Opposition and to his critics in Parliament. Nehru was often sharply attacked by the Opposition for his Pakistan policies, particularly in regard to ill treatment of minorities in East Pakistan. On one occasion Pandit Lakshmi Kanta Maitra, a member of the Congress Party expressing his anguish about a speech of Nehru on the exodus of minorities from East Pakistan under most distressful conditions remarked in the Lok Sabha: "As I was listening to the Prime Minister I was wondering whether it was the voice of Pandit Jawaharlal Nehru or of Liaquat Ali Khan, the Prime Minister of Pakistan." Even such a caustic observation coming from a member of his own party was taken with quiet grace by Nehru.

To the Opposition, Nehru was even more tolerant and considerate. Professor Hiren Mukherjee in the course of his first major speech in the Lok Sabha on the President's address in May 1952 recalling Nehru's part during the freedom movement as the champion of agrarian cause and the lot of peasants in drought-hit Rayalasila even after India gained Independence, stated that the Prime Minister had lost his place in history for the lure of a tinsel portfolio. That was a tragedy. It was not merely a personal tragedy. It was a tragedy for the whole nation.

The Prime Minister far from taking any offence at this charge turned the table neatly on the Communist leader by saying that it was a matter of little consequence what happened to him in history. It was a matter of little consequence ultimately what happened to any individual present here in history. But it is a matter of very large consequence what happens to India and to her millions of people.

The plant of parliamentary democracy was carefully nurtured by Nehru so that free discussions and healthy criticisms could have full scope without generating any ill feeling. Nehru was a picture of dignity and would not be provoked to cast any personal reflections against his opponent even in the midst of heated or exciting debates. Once he entered into a sharp passage-at-arms with Dr. Syama Prasad Mookerjee, Leader of the *Jana Sangh* Group. None of the two stalwarts was to be outdone by the other

in the exchange of retorts and repartees. There was a grim silence as the attacks and counter-attacks took a sharper tone. A sense of awe gripped the members on both sides. The Speaker, Shri G.V. Mavalankar sat motionless in his Chair and was not interfering with or trying to stop either Dr. Mookerjee or the Prime Minister. The whole House was waiting with baited breath as to when and how it would end. The fiery exchanges went on for about ten minutes. At last Pandit Govind Malavya from the Congress benches stood up and asked the Chair how long the wordy duel would continue. Nehru at once took the hint and calmed down saying: I was testing the capacity of Dr. Mookerjee.

Nehru would never harbour any feeling of bitterness or rancour after the debate was over, however, stormy it might be. On one occasion Shri Atal Behari Vajpayee, Leader of the Jana Sangh fired a heavy broadside against the treasury benches and was unsparing in his attack. After the day's proceedings were over in the House, Nehru chanced to meet Mr. Vajpayee at a reception in Rashtrapati Bhavan. The Prime Minister greeted Shri Vajpayee with a smile on his face saying "Aaj to Apne Bahut Jabardust Hamla Kiya". That was Nehru. Only a leader of his grace and magnanimity could take such severe attacks in a true parliamentary spirit.

Nehru was extremely courteous to lady members. Once Maharani Gayatri Devi of the Swatantra Party stood up in defence of the Party leader and a wordy exchange followed between her and the Prime Minister. Nehru was very polite in his replies and at the end disarmed her by saying that he could not bandy words with the lady member at length. On another occasion Mrs. Sucheta Kripalani was having an angry exchange with the Prime Minister. Nehru drew the curtain after sometime with a witty remark that the lady member was overcome with emotion.

For the success of parliamentary democracy, Nehru was most anxious to build a relationship of cooperation between the government and the Opposition. On every national and crucial issue he would invariably take the Leaders of the Opposition Parties and Groups into confidence. At the time of his political break with Sheikh Abdullah when the Opposition wanted an inquiry to be instituted into the circumstances of the death of Dr. Syama Prasad Mookerjee under detention in Kashmir, the Prime Minister told them the inside story of Sheikh Abdullah's political stance in favour of an independent Kashmir with encouragement from certain foreign powers.

Nehru was not only tolerant to criticisms, but was responsive too, as far as possible. When the Preventive Detention Act was passed, it was denounced by the Opposition as anti-people. Nehru himself did not feel very happy about the measure, though it was considered by government

as indispensable in the then prevailing situation in the country. Nehru, however, did not allow the enactment to be put on the statute book as a permanent measure. He limited its duration to three years at the time.

The will of the people had an abiding appeal for him. How Nehru reacted to the movement for liberation of Goa is a matter of history. It was at the instance of Dr. Ram Manohar Lohia that in 1946 Indian nationals and Goan patriots joined hands for a non-violent struggle to free Goa from colonial enslavement. The Salazar Government of Portugal let loose a reign of terror to suppress the freedom movement in Goa. The Government of India's efforts to secure peaceful withdrawal of Portuguese rule made no impact on the foreign rulers. In 1954 the Goa liberation movement took a new turn when *satyagrahis* from India started pouring into Goa in batches defying the Government of India's ban. Nehru made it known to Dr. Lohia and other sponsors of the *satyagraha* agitation that he would not be in a position to take any drastic action against the Portuguese Government. But circumstances forced the hands of Nehru. The Portuguese military killed many *satyagrahis* and nationalists in Goa and committed untold barbarities and excesses. The firing on an Indian passenger ship, the firing on Indian fishermen and peaceful border villages of India, the mining of Indian waters, the importation of white African troops, and the violation of Indian territory and coastal waters, proved to be too grave a provocation. Nehru, the man of peace at last took a decision to send troops to liberate Goa from the despotic colonial rule. Parliament was greatly exercised over the Goan issue. The national upsurge could not be ignored by Nehru, particularly when the question of protection of India's sovereign rights and territorial integrity was concerned. The military action in Goa was a historic necessity.

Take again the Krishna Menon affair, which would further illustrate how Nehru would bow to the will of the people and the views expressed in Parliament and by members of Parliament. Following the debacle suffered by India in the Chinese invasion of India in 1962, there was a great uproar in Parliament. There was dismay among members of Parliament. A persistent demand was voiced for removal of Menon from the Defence ministry. It was a very hard decision for the Prime Minister, who highly valued the counsel and advice of Menon and held him in esteem and affection for his keen intellect and knowledge of international affairs. At a meeting of the Congress Parliamentary Party executive held on November 7 the Prime Minister tried to reason with party members against their opposition to the retention of Menon as the Defence Minister. He is believed to have threatened to leave the chair and told the members that if they lacked confidence in Menon they probably had no confidence in the Prime

Minister as well. There was a chorus from the members of 'No, no' against the Defence Minister. They declared that they had the fullest confidence in their leader, Nehru, but they were not prepared to equate Menon with Nehru. They implored the Prime Minister that just as they reposed their complete faith in him, the leader also should have trust in them. The mood and temper of the members was unmistakably clear. In the afternoon meeting of the party on the same day, Nehru announced that Menon had resigned, and he had accepted the resignation.

With all his brilliance, Krishna Menon was a controversial figure and he had his strong likes and dislikes. General Thimayya was one of the finest and ablest Army Chiefs, but his relations with the Defence Minister came to such a pitch that he tendered his resignation. The news leaked out, and it created a great stir among Parliament members. Nehru took General Thimayya to task and made him withdraw his resignation. The Prime Minister firmly upheld the principle that policies were to be laid down and formulated by the political executive and not dictated by generals. In a democratic system the authority of the political government was supreme, and the services were subordinate to it. He explained to members of Parliament that the resignation of the Army Chief was due to temperamental incompatibility between the Defence Minister and General Thimayya, but the matter had been settled.

Being committed to parliamentary form of government, Nehru was ever conscious that the government was wholly answerable to Parliament. He used to keep Parliament fully informed at all times about all important issues and developments concerning the nation and the country. He was the sole author of India's foreign policy, and it was an invariable practice with him to invite full discussion on his foreign policies on a government motion moved by him that the international situation be taken into consideration. He would not keep back from the House any matter or development of interest and concern falling either within the domestic or foreign domain. If ever there was a lapse on this account, it was on the question of Sino-Indian border incidents and border disputes that Nehru failed to keep Parliament apprised of the situation right at the beginning.

When China's surreptitious intrusion into Aksai Chin came to the knowledge of the public, there was a furor in Parliament. Nehru tried to pacify members by saying that the area was arid and barren, and not even a blade of grass grew there. Nehru was, however, keenly aware of the dangers posed by China's aggressive posture. He was apologetic for keeping certain facts about the disturbing border disputes from Parliament initially, and later on furnished full information to the House as the situation

took more and more ominous turn. Chinese incursions into the Indian territory and the western sector first started in 1957. The clearing of the Aksai Chin Road was the first step. In 1959, China questioned the established boundary alignment with India and claimed about 50,000 square miles of Indian territory. Pandit Hriday Nath Kunzru, a veteran parliamentarian, who was always listened to with rapt attention and great respect, in an incisive speech delivered in the Rajya Sabha, was highly critical of the way in which the border problem was dealt with. He expressed his astonishment that China could lay claim to such large areas of Indian territory.

If Nehru had earlier kept Parliament somewhat in the dark, it was probably because the Prime Minister had hoped that with the Chinese Premier, Chou En Lai he would be able to settle the border issues amicably and satisfactorily without raising any public controversy. After the signing of the Tibet agreement in 1954, Nehru had thought that there was no more any border problem left between India and China. He also felt that the *pancsheel* was a guarantee for peaceful relations with China. The euphoria of "Hindi Chini Bhai Bhai" was a manifestation of the newly-forged friendship between the two countries. Nehru felt distressed beyond measure in the background of all these when China suddenly came out with such large territorial claims of India.

Prime Minister Nehru's long letter of September 26, 1959 addressed to Premier Chou En Lai on the Chinese incursions and border incidents is very revealing. Nehru wrote :

"We did not release to the public the information which we had about various border intrusions in our country by the Chinese personnel since 1954, the construction of a road across the Indian territory in Ladakh, the arrest of our personnel in Aksai Chin area in 1958 and their detention. We did not give publicity to this in the hope that peaceful solutions of the disputes could be found by agreement between the two countries without public excitement on both sides. In fact, our failure to do so has now resulted in sharp but legitimate criticism of Government both in Parliament and in the Press in our country. Far from using force, we sought a peaceful settlement of the disputes."

"Despite regrettable happenings on the frontiers of our two countries." Nehru added, "we in India have conducted ourselves with great restraint and moderation. At a number of places your forces assume a threatening attitude. At others they actually came into our territory. Such incidents concerning as they did the integrity of India are very serious, but in our anxiety not to create feelings against your Government we deliberately avoid-

ed giving publicity to them. Questions in Parliament had, however, to be answered and the facts could not be withheld. When the facts thus became known, the reaction both in Parliament and among the public was one of dismay and great resentment. There was criticism of our Government both in Parliament and the Press for our failure to give publicity to these developments at an earlier stage. Under the Indian Constitution, Parliament is supreme and India has also a free Press, and the Government could not restrain public criticism."

From this letter it is crystal clear that Nehru confessed to a sense of guilt in not keeping Parliament duly informed about happenings on the northern border in time. He also categorically declared that under the Indian Constitution Parliament was supreme and the Press also was free.

Nehru with his unshaken faith in parliamentary democracy and parliamentary form of government held the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha in the highest respect, as the Chair symbolised the supreme authority of the House. Nehru was greatly upset and admonished the Opposition when a No Confidence motion was moved in the Lok Sabha against the Speaker G.V. Mavalankar on December 18, 1954.

The No Confidence motion tabled by Sarvashri V. Missir, S.S. More and others read as follows :—

"This House having taken into consideration the conduct of the Speaker of the House as regards giving his consent to adjournment motions, disallowing questions, etc., feels that he has ceased to maintain an impartial attitude necessary to command the confidence of all sections of the House; that in his partisan attitude he disregards the rights of members of the House and makes pronouncements and gives ruling calculated to affect and undermine such rights; that he openly espouses the version of the official spokesman on all controversial matters as against information supplied by other members of Parliament; that all these acts constitute a serious danger to the proper functioning of this House ventillating effectively the felt grievances of the people, and, therefore, resolves that he be removed from this Office."

In the course of the debate on the No Confidence motion, Pandit Thakurdas Bhargava of the Congress Party observed that during the last 130 years in the House of Commons, such a motion has not been tabled even once. Replying to the debate, the Prime Minister characterised the motion as a vicious thing. He told the Opposition that not a single member of the government party was bound by any whip or direction. Let members vote as they like. The issue before the House is not a party issue. It is

a matter for each individual to consider, regardless of party affiliations. It is a matter which affects the high dignity of this House as Parliament. It affects the first citizen of this country, that is the Speaker of the House. What is said about the Speaker comes back on each one of us, who claim to be members of this House. The motion was of course rejected.

If Nehru guarded so zealously the authority, dignity and honour of Parliament, he was equally concerned about the ethics and morality of parliamentary democracy. For Nehru corruption could have no place in the working of parliamentary democracy. The conduct of members or ministers involving corruption, directly or indirectly, in the execution of their duties was regarded by him as a serious breach of privilege. An *ad hoc* committee of the House was appointed by the Provisional Parliament in 1951 to investigate the conduct and activities of a member, H.G. Mudgal in connection with some of his dealings with a business association, which included canvassing support and making propaganda in Parliament in regard to certain problems on behalf of that association in return for alleged financial and other business advantages. The committee held that the conduct of Mudgal was derogatory to the dignity of the House and inconsistent with the standard which Parliament was entitled to expect from its members. The report was considered by the House on a motion moved by the Prime Minister on September 24, 1951. The committee had recommended expulsion of the member from the House. In a resolution, the House accepted the Committee's findings and recommendation, and further deprecated the attempt of the member to circumvent the effects of the motion expelling him from the House by his resignation submitted in the midst of the debate, which constituted a contempt and further aggravated his offence. Mudgal could not escape the punishment nor its consequences.

Any charge of corruption or misconduct against any Minister would at once be investigated and dealt with according to some procedure. Following the disclosure by the Opposition of what were called the Serajuddin papers, the Attorney General was requested by the Prime Minister to examine the papers obtained by the Criminal Investigation Department from the Serajuddin firm and to advise what further action should be taken. After Shri C.K. Daphtari's Report, a fuller inquiry was ordered to be undertaken by Shri S.K. Das, a Supreme Court Judge in regard to the allegations of corruption against Shri K.D. Malaviya, Minister for Oil, Mines and Fuel. Malaviya submitted his resignation as a Union Minister after the inquiry by the Das Commission. The Minister had to go, because his constructive responsibility was attracted by the corruption charge.

Shri S.R. Das, ex-Chief Justice of the Supreme Court was appointed by Nehru to go into various charges levelled against the most powerful Chief

Minister of Punjab, Sardar Pratap Singh Kairon. Similarly, inquiries were instituted against Shri Biju Patnaik and Shri Hare Krushna Mahtab, Chief Ministers of Orissa. Some other Chief Ministers had also to face inquiries. Complaints of corruption, abuse of power or other grave misdemeanour, which *prima facie* called for action, would not go unheeded by Nehru.

"Who after Nehru ?" was a question that used to be often asked both within the country and abroad. Answering this question at one of his press conferences, Nehru stated : "Who am I in a democracy to nominate my successor ?" Nehru left the choice of his successor to the ruling part to Parliament and to the people. A democratic party made a democratic choice and the right choice when the crucial moment came. The stability and the future of the country hinged on the successful resolutions of the issue. The Congress President, K. Kamraj demonstrated to the world how strong was the democratic process that had been set in motion by Nehru and how smoothly the succession problem was settled.

As the founder of the world's biggest parliamentary democracy, Nehru had raised the image of India to the highest pinnacle of glory. India's voice carried great weight in the comity of nations and in the chanceries of the world. India capital city, New Delhi ranked among the top four or five most important capitals of the world directly in line with Washington, Moscow, London and Paris. Nehru was the thought-leader in the post-war era of the Afro-Asian world and the non-aligned world, and he built a bridge between the West and the East. India gained a pre-eminent position in the international world due to Nehru.

The contributions of Nehru to the development of India as a democratic polity were monumental. But it would be unrealistic to expect that each single policy or each single action of Nehru would produce the result he desired, or that he could always be infallible. Some of his policies or decisions were perhaps based on wrong advice and created formidable problems or landed the country into serious difficulties. But, who, in this wide world, is there who never commits any mistakes ? Even Mahatma Gandhi committed "Himalayan blunders". Nehru dreamt of bringing about a millennium in India, and whatever he did had a noble aim and high purpose.

There could be no greater democrat than Nehru, and there would be none more resolute in upholding the high standards and traditions that enriched India's parliamentary democracy. There would be no leader of a ruling party, who would allow its own members to enjoy so much freedom of criticism of government policies. There would be no leader of the House, who with a steam roller majority would not rely on that strength of the majority for carrying the House, or who would show greater consideration and tolerance of the Opposition. It was only Nehru, who could make a unique

institution of Leader of the House. It was Nehru, who made India's parliamentary democracy and object of pride and envy for the entire democratic world. The Parliament of India would probably never be again what it was in the Nehru era. The radiance of Nehru will ever be missed. Nehru had enthused the entire people with his vision of what free India and India's parliamentary democracy should be and should seek to achieve. No wonder the people of India had such implicit faith in him and such unbounded love and affection for him.

In his Will and Testament Nehru recorded on June 21, 1954 :

"I have received so much love and affection from the Indian people that nothing that I can do can repay even a small fraction of it, and indeed there can be no repayment of so precious a thing as affection. Many have been admired, some have been revered, but the affection of all classes of people has come to me in such abundant measures that I have been overwhelmed by it. I can only express the hope that in the remaining years I may live, I shall not be unworthy of my people and their affection."

No, Nehru was never unworthy of the people or their affection. He has left a priceless legacy for the people and the country. Hail Nehru, Hail India, Hail mighty Son of a mighty Mother.

NEHRU AND WORKING OF DEMOCRACY

—Anser Kidwai

An independent sovereign democratic republic was Jawaharlal Nehru's dream much before destiny called upon him to handle the affairs of the States as India's first Prime Minister. Socialism, secularism and democracy were the fulcrum of his political and economic credo for the establishment of an egalitarian society. Nehru was the first of our socialists, yet he believed in the socialist ideal as a form of action, not as a dogma. Thus in his scheme of things, democracy was inter-woven with socialism; for him planning was an economic imperative to lend content and meaning to democracy as a political concept. For, by the time India was to attain nationhood, the old concept of democracy had come to be regarded as an anachronism by the 20th century social and political scientists. Individual freedom as a concept had become part of the great illusion with the rise of capitalism. Thus in the purely modernistic context of which Nehru was doubtless a representative figure, the democratic system for free India could not be an imitation of the existing models in the west.

Nehru was a democrat as well as a socialist and this combination looked strange to many as observer. For him the two roles were not contradictory but complementary to each other. Nehru was thus called upon to work out the new experimentation keeping with the spirit of the times and at the same time in consonance with the genius of Indian renaissance.

The founding fathers of our Constitution had two outstanding models of democracy before them — the Westminster and the American. But India had to adopt her own pattern of democracy without being an imitation or even a mixture of any particular system. This was clear in the tenor of the Nehru speeches and interventions in the formative years. In his Independence Day speech from the ramparts of the Red Fort in 1949, Nehru had this to tell his nation :

“Our Constituent Assembly is busy framing a new Constitution for India and soon we shall adopt a republican form of government.

However, laws and constitutions do not by themselves make a country great. It is the enthusiasm, energy and constant effort of a people that make it a great nation. Men of law lay down constitutions but history is really made by great minds, large hearts and stout arms; by the sweat, tears and toil of a people.”

Both as a visionary and a statesman, Nehru viewed this process in the spirit of what he called the Indian revolution and the country's economic and political imperatives. His thrust had to be rational and yet it was not without its moral overtones :

Let us learn to study our country's problems in the larger perspective of the world and let us not permit the minor questions of the day to overwhelm us. I have faith in India and her great destiny. A country must have military strength but armed power does not by itself constitute a country's real strength. Her real strength lies in the capacity of her people for disciplined work. Only hard work can produce wealth for us and rid us of our poverty. Each one of us, man or woman, young or old, must, therefore toil and work. Rest is not for us. We did not win our freedom so that we might rest afterwards but in order to work harder to hold and strengthen that freedom. There is a great difference between the voluntary labour of a free man for an objective of his choice and the drudgery of a slave. Our labours as free men and women will lay the foundations for a great future and our abour of love for the cause of India and her people will endure; so will the fact that we are building, brick by brick, the great mansion of free India. There is joy in such work and even when we have departed, that work will be there for future generations to see.

Nehru steered clear of many a controversy but at times, had to wage his battles alone. It was Nehru who had to provide, so to say, the colour scheme for the Indian panorama—or for the great mansion of free India. Mahatma Gandhi had fallen to the assassin's bullet within six months of freedom. It fell to Nehru's lot to handle statecraft which he had to do with finesse and tact. It was he who was called upon to lend meaning and where withal to make our parliamentary democracy a success. He had to choose his tools and instruments carefully and as the outstanding giant of the freedom movement while he could share the authority with other. He could not but carry by himself the brunt and responsibility to overcome the hurdles and stumbling blocks in the way.

He had to function within the framework of a society which was overladen with variegated prejudices and predilections of the colonial past.

The success of his experiment would lie in his ability to taking along all sections together through persuasive methods. In this he was cut out to be in line with the all-time greats of history—Ashoka, Akbar and Raja Ram-mohun Roy, as Arnold Toynbee observed candidly in his *magnum opus*.

The path of persuasion was not the easiest path, nor was it the way of least resistance. Nehru was conscious of this as he set himself about the tasks. He had friends and comrades of the freedom movement around him. This was an advantage to a considerable degree but this had its disadvantages too. Sometimes, the Nehru-Patel period (1947–50) is termed as a duumvirate but this is not exactly true. The partition had thrown a long shadow over our thought-processes and in his battle for democracy and secularism, Nehru encountered resistance almost at every step. The right-wingers had a distinct advantage in such a situation but Nehru as the *avant grade* of socialism and secularism knew no compromise on fundamentals. There are occasions when the individual's role becomes decisive in history-making. This is more meaningfully so when the individual is great enough to symbolise the aspirations of the nation as a whole. This was the case with Nehru in the saga of his lonely struggle. Amid the din and dust of these prejudices, petty controversies were projected to stall this gigantic experimentation. Nehru was aware of this when he met stiff opposition from those who termed him a dreamer. But it is the dreamers that make history and inspire the nations to rise and accomplish stupendous tasks. Now when Nehru has made his exit from the scene, it must be said with a fair amount of conviction that it was as a dreamer and architect of modern India that he was able to blaze a new trail illumine the path for the future generations, though not all that he aspired for could be fulfilled.

The democratic institutions that evolved as part of his experiment were the gifts of Nehru to his nation, and much of it came through his power of persuasion. This veered round the flexibility of approach and spirit of accommodation that he displayed in dealing with others, even those who differed from him. These included leaders great in their own way. It is said that Patel was a restraining factor on Nehru's radicalism. Again, this is not the whole truth, for, there were many who wanted Nehru to slow down his pace as there were others who wanted him to speed up his pace. There was the famous case of another titan of the freedom movement, C. Rajagopalchari (CR), a statesman of unparalleled foresight. At one-time his close colleague in the cabinet. 'CR' later launched the Swatantra Party as a conservative counter-weight to "Nehru's Congress". Nehru wanted an opposition party to grow up but he wanted it to be an authentic voice of the opposition. 'CR' was already 80 when he launched the Swatantra Party, an Indian version of the British conservative party in broad terms. Even though he

was the last person to quarrel with his tools, 'CR' never could find the right ones. At the personal level there were no two men who could be so fond of each other and yet trudging completely separate paths and belonging to the two worlds far removed from each other. There could be a slanging match between the two and 'CR' could picture Nehru living "in a palace of mirrors where he would see, whenever he turned, only his own reflections". And Nehru could reply back : "Rajaji is unhappy because someone (Kamraj in this case) who he thinks is an illiterate poor is occupying the chair which he once did and is doing well".

Nehru was neither opposed to nor afraid of dissent and one could take it that he could sometimes enjoy being opposed though he would not encourage it either. If he faced opposition from the right-wingers, there were Congress socialists led by Acharya Narendra Deva who in those days would urge Nehru to hasten this pace. As in the case of 'CR' Jayaprakash Narayan (JP) too intensified his sniping against Nehru. Even Rafi Ahmed Kidwai, who despite his recalcitrant exterior remained a Nehru admirer to the point of hero worship to the last, had become restive and would miss no opportunity to deride the age-old values of honesty and pity as were being spelt out by the "Gandhian set".

Nehru had respect and affection for Maulana Azad but while 'CR' with his caustic incisiveness directed his broadsides against Nehru's policies publicly, Azad's counsels were lofty and private. This gives us an idea of the pressures that Nehru had to resist and face from variegated quarters in varying degrees. But his own strength emanated from the masses who stood by him and with whom he maintained his direct contact—notwithstanding the constraints and demands that onerous responsibilities and high office had imposed on him. There were times when this rapport with the masses would be the only prop he could fall back upon. This was a unique case of interaction that sustained each other through turbulent phases of stresses and strains. There were times when some people thought in terms of a change in nation's stewardship (as was witnessed in the case of the Tandon-Kripalani contest for Congress presidentship or even later with the ouster of Krishna Menon from the cabinet following the Chinese aggression). Looking back, one is bound to dismiss these as an exercise in absurdity. Nehru thought little of his own position and stood firmly by his convictions. And in this he had the solid backing from India's millions who showered affection and love on Nehru as for nobody else. As the most outstanding leader of his age, he could have adopted a take-it or leave-it attitude towards his people. But he could not as a democrat. This was inherent in his character, for, he carried his Harrow and Cambridge stamp lightly and mixed with the peasantry and working classes without the show off of *declassé*.

Nehru was a charismatic personality but he hated populism. While maintaining direct rapport with his people his ceaseless endeavour aimed of fostering the parliamentary institutions. He held the two august Houses in equal respect and was always present at the crucial discussions taking place in the Rajya Sabha or the Lok Sabha. In a sense, he set an example to others to follow without giving an impression of a conscious effort of doing so. Once during a debate on the big bilingual Bombay issue, C.D. Deshmukh came into clash with Nehru in the course of which Nehru described himself as "something more than a Prime Minister", and added amidst cheers "as every other member was" (as participant in the freedom movement). In the course of a rather acrimonious argument with Dr. Syama Prasad Mookerji one-time a cabinet colleague and at the time heading the newly formed Jan Sangh, Nehru hit back hard at the veteran orator but was the first to make amends from his side as tempers cooled. Dr Lohia was a Nehru protege but later turned against him. Lohia came to Parliament for the first time in a by-election in 1963, and when he took the floor, he lashed out at the governmental policies. Those were the closing years of the Nehru era. Yet, Nehru had all the fire and spark at his command but he prefaced his reply to Lohia remarking with a characteristic human touch that "I am seeing Dr. Lohia after a long long time".

Highest tributes have been paid to Nehru during his life time and after his death. But the greatest tribute to Nehru's concept of working of democracy came unintentionally from a comparative lesser known personality, Shri Dahyabhai Patel, son of the late Sardar Patel and Swatantra Party leader in the Rajya Sabha who had poured scorn and ridicule on Nehru's policies in the course of one of his vitriolic speeches in the House, as modern India's "greatest son" lay dying at his Teen Murti residence on that fateful, sombre afternoon of May 27, 1964.

NEHRU AND SECULAR DEMOCRACY

—Frank Anthony

The subject is not only ultra-comprehensive, but, in a way, can span the whole Nehru spectrum, as a democratic leader, humanist, visionary and dedicated secularist.

First Meeting : As a person who has been continuously in the Central Legislature from 1942, except from 1977 to 1979—today I am the seniormost member of the Lok Sabha in the sense of having the longest continuing term of service; inevitably I came into close and constant touch with Jawaharlal Nehru. I met him first in June 1946, shortly after the front-rank leaders had been released from jail. As the sole representative of my community (Anglo-Indian Community) in the Central Legislature, I naturally spoke to him about my community.

Quite frankly, I wondered what his attitude would be at a stage when India seemed on the doorstep of Independence. I remembered reading in one of his books about the arrogance of some Anglo-Indians, which was a justified criticism—something that I myself had occasion to castigate in my book *Britain's Betrayal in India—The Story of the Anglo-Indian Community*. But I found Jawaharlal completely unaffected and ready to listen with sympathy and understanding to what I had to say about the Community's history, which was *sui generis*, its not negligible contribution to the country and my faith that it would make a contribution to Independent India out of all proportion to its size.

With my position in the Central Legislature, I came into increasing contact with Jawaharlal, as Vice-President of the Interim Government. As a matter of fact, I became aware that Jawaharlal Nehru had submitted my name to the Viceroy for inclusion in the first cabinet of Independent India. Sardar Patel gave me the details and how they were disappointed when Viceroy Wavell deliberately excluded me and put in a person without any support from the Cabinet. I was aware about my exclusion by Wavell. As a member

of the Viceroy's National Defence Council, I had been extremely critical of some of Wavell's policies, as the then Commander-in-Chief, especially the differential scales of pay between Indian officers and the so-called British officers born and residents in India.

In October 1946, Jawaharlal appointed me as one of the principal delegates of the first delegation from independent India to the United Nations. It was, if I may say so, a particularly strong team. Apart from myself, the principal delegates were M.C. Chagla, till then Chief Justice of the Bombay High Court, Maharaja Singh, very well known and brother of Rajkumari Amrit Kaur, and Nawab Ali Yavar Jung, who later became our Ambassador to America and the Governor of Bombay, highly educated person and Vice-Chancellor of the Aligarh Muslim University. Mrs. Pandit was the leader of the Delegation.

Constitution Assembly Steering Committee : After I returned to India from the U.S.A., I came into close, almost daily, touch with Jawaharlal as a member of the Steering Committee of the Constituent Assembly. There was much to be done to steer the business of the House. I remember that Jawaharlal played a decisive role in choosing the national anthem and the explanation to the colours of the national flag.

Necessarily, I met Jawaharlal on a number of occasions. Certain of these stand out vividly.

Hindustani : When I met Jawaharlal Nehru I tried to persuade him to accept Gandhiji's preference for Hindustani as the official language. I underlined that I felt that Gandhiji's fear in the matter was that, if the word 'Hindi' was used, some of the language obscurantists would purge it of word that had assumed the commonest currency, because of their Urdu connotations.

I pointed out to Jawaharlal that being from Jabalpur, then in the Central Provinces, Hindi was my second language : actually it was Hindustani garnished with a number of Urdu words that had become the common language. I expressed my fear that there was a great deal of prejudice and extremism prevalent in the Hindi lobby which would lead to coining of all manner of unheard of words that would provoke antagonism to the official language. Jawaharlal said that my fears were unfounded and that there should be no difference in vocabulary usage whether the language was called Hindi or Hindustani.

After that, I remember when I took a parliamentary bulletin and read it to Jawaharlal, I asked him how much he had understood; he said probably a quarter. I told him that I had become almost illiterate in what was the current usage in Hindi on All India Radio.

English : Another occasion, which is memorable, was when I approached Jawaharlal Nehru with my resolution seeking to find a place for English in the language pattern of the country. I had moved a resolution in Parliament, asking for English to be put into the Eighth Schedule of the Constitution that listed about 14 languages. I underlined that English was constitutionally and *de facto* an Indian language. I informed Jawaharlal Nehru that I had got this affirmed by the Supreme Court in a case that I had argued. The Supreme Court ratio was that English was constitutionally an Indian language because it was the mother-tongue of a recognised Indian minority, namely, the Anglo-Indians. The Supreme Court affirmed the judgement that I had secured from the Bombay High Court, when Chief Justice Chagla had observed that English was in many ways more an Indian language than any of the languages in the Eighth Schedule of the Constitution, because it was the language of the Constitution, the language of legislation, the language of the Supreme Court and the language especially in higher education.

Jawaharlal Nehru was under tremendous pressure from the Hindi language lobby. His home-state was the U.P. Many of the narrow-minded language obscurantists worked to the superstition that if English was effaced Hindi would immediately take its place. Jawaharlal had a clear vision; while I believe that privately he agreed with my submission that English should be in the Eighth Schedule, he was reluctant to raise ahornets' nest from the Hindi lobby. On my resolution in Parliament on August 7, 1959, he announced the formula which was later translated into law, making English the alternate/associate language for as long as the non-Hindi speaking people so desire, this formula was hated by the language extremists.

I believe that it was this vision and statesmanship of Jawaharlal that ensured one of the strongest continuing bonds in the country, because, today, English is *de facto* the link language. At any one time 30 million students from the nursery to the university stage are studying through the medium of English. It is the link language between the leaders of thought and action in the country. It is the language of the Supreme Court and the language of legislation. It has saved India from a language war between the north and the south.

Personal Loyalty : Towards the end of November 1947, Jawaharlal Nehru asked me whether I would proceed to Peshawar to defend his good friend Mehr Chand Khanna, the ex-Finance Minister of the North West Frontier Province (N.W.F.P.). No Hindu lawyer and perhaps no lawyer belonging to any other community dared to go to Peshawar. At first I thought Jawaharlal wished to engage me in my professional capacity. When I met him, I quoted what I regarded would be a reasonable fee. He told me, quite frankly, that he was asking me to do this as a personal favour.

When he put it to me in that way, I accepted his request. A special chartered plane was placed at my disposal. The only occupants were myself, B.M. Kaul, an official in the External Affairs who later became our Ambassador to Sweden. When we arrived in Peshawar, we were met by Pakistani officials who drove us to a leading hotel. Mehr Chand Khanna had been locked up on one of the most trumped-up charges: he was charged for possessing, without a licence, a cartridge refiller. For that he was facing a sentence of seven years' rigorous imprisonment.

When I met Governor Cunningham and asked him to intervene to protect a member of a minority community, he expressed his inability to do anything, as Khanna's arrest and impending prosecution were, he admitted frankly, nothing sort of a political vendetta on the part of the Chief Minister, Abdul Qayum Khan.

I had known Qayum Khan for several years, when he and I were both members of the Central Legislature. Qayum Khan was at one time the Deputy Leader of the Congress Party in the Central Legislature; that was before he became a Muslim Leaguer. After chasing him for a couple of days when I met Qayum Khan, at Peshawar, he told me that he had no intention of releasing Khanna, in fact, he intended that Khanna should get the maximum sentence. I told him that this would be counter-productive; India which was much stronger, could send a much larger number of Muslims to jail than he could do with the Hindus. The ultimate result was that Mehr Chand Khanna was released. He was always grateful to me, for as he said I had saved his life. But his release, of which I may have been the immediate instrument, was a tribute to Jawaharlal's sense of loyalty to his friends.

One of Jawaharlal Nehru's greatest qualities was his sense of complete loyalty to his colleagues and friends. Sometimes, I believe, he even allowed them to impose on the blind loyalty that he gave his colleagues. Even in those days in the often turgid atmosphere of politics, personal loyalty usually a rare quality.

Betrayal by a Friend : It was during the 1962 Chinese aggression on India that I had occasion to meet Jawaharlal every day. He had selected about seven or eight members from the Opposition to meet him every day. I used to sit in the Opposition because, although nominated, I was the elected head of the only—All-India organisation of my community, and nominated because of my special representative capacity. Jawaharlal used to brief us every day on the developments in the Chinese invasion. It was not a happy time for him or for us.

One thing that I noticed especially in Jawaharlal was that there seemed to be an expression of near agony on his face. I felt it was not because of

the retreat of our forces but more especially because of the betrayal by Chou En Lai, whom he had come to regard as a friend.

A man without fear : It is impossible to deal in a short article, the many outstanding attributes that went to make up the composite character of Jawaharlal Nehru. I came to regard him as a person who was utterly fearless not only in public life but personally. I remember reading that after he became Prime Minister when he met Churchill, who was never very effusive with regard to India or Indians, the latter paid Jawaharlal the tribute of being a man without fear.

Completely civilised and dedicated Secularist : For me, leader of a small minority, he symbolised what is specially significant in the Indian mosaic-multi-ethnic, multi-religious and multi-lingual. He was a completely civilised person in the best sense of the word. He was able to communicate easily and naturally with persons irrespective of class, creed or community not only in India but abroad. While proud of his moorings and certain basic values in the Indian way of life, he refused to give any credence or weight to pseudo-traditional postures that seek to place emphasis on what is little more than superstition.

As a completely civilised person he realised, instinctively, that in a sub-continental India, because of its bewildering mosaic and diversity of language religion and ways of life, the country could only hold together on what was his conception of secularism—a secularism that places emphasis on quality and equality, irrespective of caste community or language. As Prime Minister, he vivified secular democracy as a living, meaningful basic impulsion that he sought to weave into the national ethos and way of life. He was, in fact, a dedicated secularist.

World Stature : Because of being completely civilised, Jawaharlal could move with ease and confidence with people of other nationalities. He attained a definite world stature. One of his greatest and, in a way, world achievements was his contribution to the founding of the Non-Alignment Movement. In the beginning, this movement was criticised, denigrated and even derided as the action of negativists afraid to take any positive line of action. Jawaharlal was always at pains to refute this criticism. He did not subscribe to John Foster Dulles's doctrine that those who are not with us are against us. He insisted on independence for India and the right of a nation not to act under pressure or tutelage. That original world concept had blossomed with his daughter becoming the Chairperson of NAM, with 101 members. NAM is to my mind the greatest single hope of saving mankind from the horrors of a nuclear holocaust.

Ideal Parliamentarian: In many ways, Jawaharlal was an ideal parliamentarian. He was meticulous in his attendance in the House. He functioned in a milieu where the parliamentary structure was not fractured by numberless so-called groups, many of them nothing more than shavings and sub-shavings, prepared to jump on any dissident even secessionist bandwagon to gain some short-term political advantage. I say this with regret that, today, there has been a precipitate decline in parliamentary standards. In Jawaharlal Nehru's time standards in Parliament were near exemplary, the standards of conduct and decorum were also high. Today, much of that has disappeared. Lung-power has taken the place of study and capacity to debate. Rowdiness has taken the place of dignified but effective protest.

Apart from attending Parliament for many hours, he was also responsive to effective debate. After the Chinese debacle I made an incisive, perhaps scathing, attack on Krishna Menon, the then Defence Minister. Durga Das, Editor of *The Hindustan Times* and the doyen among our journalists, mentioned that I had spoken for the whole House, not only for the Opposition which could not express it in the way I did but also for the Ruling Party members many of whom agreed with what I said but could not say it against one of their Ministers. Shortly afterwards, Krishna Menon resigned.

Another incident is indelibly imprinted in my mind. In a rather incisive speech on defence, I made a reference to certain attributes that have to accompany a successful warring nation. I mentioned that history shows that a successful warring nation has to develop what may seem as certain brutal traits. Jawaharlal was nothing if he was not characterised for his humanism. In his reply to the debate for more than half an hour he castigated me for suggesting that there should be any brutalisation of any part of the Indian people. He showed his unswerving loyalty to humaneness and humanity.

Practical Visionary : Jawaharlal was often referred to as a visionary. It is good for a leader to have visions and ideals and not to be entirely mundane. Yet, in many ways, his was a far-seeing, practical vision. Jawaharlal was mainly responsible for laying the foundation of our industrial base because he believed that it was only with a progressive industrial base that India could lay the foundation for our defence security and could also take itself into the 21st century. He also placed emphasis on science and modern technology, which has enabled India to put a satellite in orbit and, industrially, take its place among the first eight industrial nations of the world.

Tryst with destiny : India, a sub-continent, the largest democracy in the world, representing 1/5th of the human race, has lived through all manners of crisis much greater than those the country is facing today—the crisis of partition, the holocaust of communal massacres, three wars with Pakistan. Today, there is regrettably in certain areas efforts made by certain extremists for secession. But I believe that as long as we have a strong national leadership, committed to the secularist ideal and a united, integrated India, India will keep its tryst with destiny as the dominant nation in South Asia.

Today, Jawaharlal Nehru, the dedicated secularist and the practical visionary, is a shining symbol backoning the country to keep faith with its tryst with destiny, for which he sang a passionately moving torch-song. That torch-song is, today, orchestrated proudly on the national and international scene.

NEHRU AND PARLIAMENTARY DEMOCRACY

—*Bhishma Narain Singh*

Our country won its independence through a people's movement, a freedom struggle under the leadership of Mahatma Gandhi, inspired by high ethical and moral values. Independence did not constitute a sharp break from the immediate past. It was preceded by a remarkably long period of nationalist movement. The core of the freedom struggle which thanks to Gandhiji, a common villager could, understand so well, was non-violence and it underlined the supreme significance of a total peaceful resistance against the might of imperialism and colonialism. The freedom struggle was accompanied by a sustained movement against social injustice, forms of distinction and discrimination on the basis of narrow and outmoded social and religious practices, more particularly against a deeply pervasive form of social abuse like untouchability. After the return of Gandhiji from South Africa and his assumption of the leadership, a deep mass consciousness was built into our freedom struggle and the Indian National Congress became a national organisation of the people working on all issues on the basis of unity and consensus. The Indian National Congress not only became the symbol of the political will and resurgence of the people but also an effective medium of social reforms and emancipation. Both within the Organisation and outside it, the functioning of the Indian National Congress acquired a deeply democratic base which was promoted and strengthened by a leadership committed to egalitarian values in political and social life. The growth of the democratic institutions in India, more particularly of parliamentary democracy as the chosen political system of free India can be understood in the meaningful context of the evolving ethos and ideology marking India's unique freedom struggle.

The contribution of Pandit Jawaharlal Nehru in giving a firm foundation to the democratic ethos of the Congress during the formative period is indeed remarkable. Jawaharlal Nehru understood very deeply the nature of the British colonial rule in India and he was deeply aware of the fascist and anti-democratic ideologies gaining currency throughout Europe after

the First World War. He was clear from the beginning as to what Franco in Spain, Hitler in Germany or Mussolini in Italy stood for and he sought to bring about through his speeches, writings and actions a spirit of democratic resistance within the national movement against these forces undermining human freedom and dignity.

The Lahore session of the Indian National Congress presided over by Pandit Jawaharlal Nehru has great significance. The session not only adopted a resolution on complete independence but also affirmed, mainly under the inspiration of Panditji, a future commitment to democracy and socialism.

The preamble of our Constitution reflects the main points of the Objectives Resolution moved by Jawaharlal Nehru on December 13, 1946 which later formed the core of the Constitution. It is no doubt, as epoch-making and revolutionary as the French 'Declaration of Rights' or the 'Declaration of American Independence'. The events clearly bring out that Pandit Jawaharlal Nehru was not only the prime mover but in many ways the architect of our Constitution. At every step he helped the Congress party to take correct decisions and carried them through the Constituent Assembly. Before independence, Jawaharlal Nehru had always expressed himself in favour of adult suffrage. Parliamentary democracy was for him the best possible form as it provided for governance by consent and consensus, devolution and decentralisation of power through democratic self-government. This ideal became clearly manifest in the adoption of universal adult suffrage and the complete equality of the sexes not only before law but also in the political sphere. The democratic ideal is also embodied in the granting of equal opportunity to men and women in the matter of public employment, treatment of minorities, banning of discrimination between citizens on the ground of religion, race, sex, place of birth; abolishing untouchability or guaranteeing equality before law and equal protection of laws as justiceable rights. The provisions relating to the Fundamental Rights in the Indian Constitution are perhaps more elaborate than those of any other existing written constitution and any person whose fundamental right is impinged has the right to approach the superior court for obtaining constitutional writs for enforcing his fundamental right against the State which includes not only the governments and the legislatures of the Union and States but also local and other authorities who possess subordinate law making or administrative powers. Pandit Jawaharlal Nehru not only took a very close interest in the aspect of the Fundamental Rights as those ensured civil liberties but also in the social and economic aspects of the Constitution and it is well known that Directive Principles of state policy were adopted at his instance to give the Constitution a direction towards social and economic justice.

With Independence the country face a new set of issues; some were unresolved during the nationalist movement, others were germane to the new phase of the nation building process. The task now was to develop a stable political framework and to integrate the enormous diversity of a segmented society within it. The makings of a nation were there, but these needed to be institutionalised into an integrated framework of a State. There were many who thought that mass illiteracy, long foreign domination and a large, mostly illiterate, and unenlightened electorate would inhibit the functioning of the democratic system in a country of this size and complexity. Nehru, the "practical idealist" nursed the system to give it the desired shape, strength and vigour. He gave the emerging nation a firm institutional basis by evolving a framework of consensus and laying down the operational ground rules. His famous call of "tryst with destiny" helped the new Indian nation in achieving a common identity and gave political and economic content to this identity. The parliamentary democracy was the key-stone of this structure.

Jawaharlal Nehru led his party in three general elections and was Prime Minister—India's first—for 17 years and it is now a matter of record that during this formative period, he was able to give form and substance to the working of parliamentary democracy in a manner which has few parallels in the history of the world. He faced innumerable challenges, both external and internal, during this critical period but his faith in the Indian people and in the democratic system remained unshaken at all times. He also set many conventions and precedents which not only helped the healthy working of the democratic system but also clarified our understanding of the inter-relationship or inter-dependence of the different organs in a parliamentary democracy.

Parliamentary democracy depends for its success on a stable party system which can make the federal structure work and take care of the stress and strain of social and political changes in a developing country. At a time when the country was not yet attuned to the experience of a parliamentary democracy and the party system was nowhere near perfection, it would have been tempting to cut short the democratic process in critical areas for the sake of speed and efficiency. But Jawaharlal Nehru was deeply conscious of the finer points of the art of governance in a truly democratic system and of the crucial significance of the Indian experiment in democracy for Asia and the world.

It is a fact that Jawaharlal Nehru's personality and image as a nation and international figure overshadowed others in the party or the government but seldom did he depart from the norms implied in the cabinet system and the parliamentary democracy in the formulation and exposition of government policy, in the relations with the Parliament and in dealing with the opposition.

He was always sensitive to responsible criticism even when it was inconvenient to the government; his presence in the Parliament, lively participation in the debates or discussion or during the question hour were considered exemplary even by political opponents or staunch critics of the government. It is perhaps relevant to recall here his words on an occasion when Nehru was criticised for suggesting a legislation to put a curb on irresponsible writings which had a narrow, communal slant. "Such public debates waken up people and force them to think even though the direction of thought might not always be the right one. Nothing is worse in a democracy than complacency on the part of a government or the people".

Nehru rightly considered parliamentary democracy as a means to an end; the goal being economic democracy for the people or "the good life for the individual". The goals were clear enough but many doubted the means. But Nehru's faith was unshaken. It was a unique experiment, extremely bold and full of courage. The experiment is still continuing and the question is still with us, "How is to devise a form of government which ensures domestic peace, invites popular participation in conditions of freedom and also creates conditions for an assault on intolerable poverty". It led Taya Zinkin to write in 1955, "Nehruism: India's Revolution Without Fear".

NEHRU AND DEMOCRACY

—Tara Ali Baig

“I drew the tides of men into my hands
and wrote my will across the sky in stars”

On September 1, 1979, the *London Economist* wrote: “The biggest democracy the world has ever known is now preparing to hold another General Election Only a minority of mankind has ever won the right to decide its political fate peacefully by a free vote, and of those who hold that right today; nearly half are citizens of India”.

“Even as he died”, states Dr. S. Gopal in the third volume of his sensitive biography of Jawaharlal Nehru, “he gave a salute to Parliament, the bedrock of our democratic system. Achieved against daunting odds, democracy in India — adult suffrage, a sovereign parliament, a free press, an independent judiciary -- is Nehru’s most lasting mounument”.

It must be remembered that the British gave the world notice that parliamentary institutions were wholly unsuited to India. Their officials claimed that our illiteracy, the conglomerate of religions and castes, the authoritarian old social patterns of a Brahmanic power structure and the absence of any tradition that could make a constitutional government work, all led to the conclusion that democracy in India would be a serious mistake.

Nehru, on the other hand, firmly believed that it was perhaps the *only* system that would hold India together. Historian and humanist that he was, Nehru was well aware that the British may have created an illusory “nation” of India, but once that false prop was removed, based on the strict administrative and fiscal controls of the *Raj*, we would be left with 610 princely states added to provinces with no homogeneity whatsoever. His vision in capitalising the freedom movement with a democratic objective, was of extraordinary importance to the country. The form it has taken in India has naturally been determined by the inherent elements of the inherited social

structure. Hence democracy differs from country to country. However, Prof. W.H. Morris Jones in his analysis of Parliament in India in 1957 felt that in ten years since Independence, India's parliamentary democracy had achieved the following :

- (1) Parliament provides channels for ventilation of grievances and for aspirations;
- (2) Serves as a forum for debate on public policy;
- (3) Controls and sustains the executive, so as to encourage initiative without permitting arbitrary actions; and
- (4) Educates public opinion.

Nehru's critics like Pablo Neruda said : "There was something high and mighty about him, something stiff as if he was accustomed to giving orders". And, Hugh Gaitskell was to say "He is a very arrogant man". Yet Nehru himself said, "I believe completely in any government having stout critics and having opposition to face because without criticism people become complacent. The whole parliamentary system of government is based on this criticism".

It is significant that Nehru was present in the House every day that it was in session and took a very active part in debates. In many ways his deep interest in all the proceedings stemmed from the groundwork he had himself created over the years. No one knew better than he that the freedom he and his compatriots had fought for in the British period before independence had to be a freedom with a solid base for the people, and that the complex diversity of this country with all its fissiparous pulls and loyalties must be welded together by a fresh and innovative political system.

True, there were many models they studied, both of administrative as well as ideological systems, and Nehru was attracted to those which served the people, retained a large measure of individual freedom, and could bring about unity of purpose in his motherland. Brought up as an aristocrat, at heart he was very much a democrat and never happier than when he was in the midst of the common people or fighting a cause.

When he was in Europe he became convinced that political freedom was not enough and that a socialist society must be created in India. This conviction was a turning point in the original theory of Dominion Status for India put forward by the early liberal thinkers and led inevitably to a demand for complete independence. This in turn made Nehru clash with Gandhiji and it was but the beginning of other clashes with him, as he felt

there was no alternative for the future of India but to become modern, scientific and industrialized. Everyone knows that Gandhi favoured village administration and trusteeship. Gandhi had an uncanny insight into the inner nature of the common man and his vision was often so accurate, Nehru must have found it exceedingly difficult to run counter to a man for whom he had a genuine reverence. Yet he did.

At times there were moments of deep introspection and he even wrote in *The Modern Review* about himself anonymously; "Man like Jawaharlal, with all their capacity for great and good works, are unsafe in a democracy. He calls himself a socialist and a democrat . . . but every psychologist know that the mind is ultimately a slave to the heart and logic can always be made to fit in with the desires and irrepressible urges of a person. A little twist and Jawaharlal might turn a dictator sweeping aside the paraphernalia of a slow moving democracy!"

Often considered leaning towards communism, Nehru's mind was undoubtedly attracted to a system that could level differences among people, creating a collective strength and solidarity. This was one need. He often quoted Bernard Shaw's analysis of socialism: "The economist's hatred of waste and disorder, the aesthetic's hatred of ugliness and dirt, the lawyer's hatred of injustice, the doctor's hatred of disease." Yet all these were the problems of India and he recognised that it was poverty, not wealth that had to be attacked and abolished. How to do this until people stood on their own feet and were responsible for their own lives? By giving them a voice, democracy could pave the way for other changes. Attracted as he was to socialism, his economic strategy led to a mixed economy. But he invariably rejected communism's methods in favour of a cyclical rather than a dialectical theory of history. He seemed to feel that society must alternate between revolution and consolidation, in keeping, perhaps with Toynbee's theory of challenge and response. Certainly nothing ever remained static, and this was one of the great obstacles he had to face, the sheer static power of India's structural caste society, wedged as it was in set grooves, conditioned thinking and traditional rectitude shored up by religious beliefs that made new thinking, new methods, new concepts a source of fear and insecurity. Nehru was himself an agnostic and in subtle ways, consequently, an iconoclast.

The miracle is his success in bringing about a dynamic change in the country which led to the extraordinary understanding of democratic systems by the electorate. After all, the British Civil Service had been created to serve the British. There was emphasis on law and order and within those confines health, education for the upper classes, railways and urbanisation took place. But there was absolutely no relationship

with the common man beyond revenue collection which had not changed since the days of Sher Shah.

Under the Moghuls, arts, crafts, music, poetry, agriculture and architecture had flourished, but under the British there was rule, but no contact with the people to identify their skills and aspirations with the country's development. In his *Discovery of India*, Nehru taxed the Civil Service for its narrow vision and said that they had no training to function democratically and could not gain the good will and cooperation of the people whom they both feared and despised. It may have been this very factor that made it possible for the Indian National Congress to make such an impact upon the populace, so that for the first time in over two hundred years people felt they had an identity and a homeland that was theirs. The fire lit by the independence struggle was almost a forest fire, since it levelled old attitudes and made way for concepts like socialism and democracy which were acceptable to the people. It was linked inevitably with what had been characterised as freedom from oppression and it was this dramatic development in the country that enabled Nehru to securely plant the seed of democracy in India, much as "jhuming" among the tribals profits by the ash and humus of burnt forests to grow their new crop.

Nehru was to say later that the Indian economy was crippled in those early years by the political and economic stranglehold of the British, and it was the steel framework they had established that had to be broken. He was convinced that democracy in India was wholly incompatible with their systems, and this was proved to be true during the partial democratic experiment between 1937 and 1939 which ended all pretensions of democratic interaction with the British by the introduction of a purely authoritarian regime; a rule of ordinance and decree.

Nehru was to say, "We did not have to go abroad for ideas of religious and cultural toleration; these were inherent in Indian life. In regard to political rights and civil liberties we, (his Congress colleagues) were influenced by the ideas of the French and American Revolutions, as also by the constitutional history of the British Parliament. Socialistic ideas and the influence of the Soviet Revolution came in later to give a powerful economic turn to our thoughts". He was also to write, "The Congress organisation is certainly one of the most democratic organisations that I know of anywhere in the world, both in theory and in practice. Through its tens of thousands of local committees spread out all over the country, it had trained the people in democratic ways and achieved striking success in this".

The democratisation of India was certainly the direct product of Nehru's forceful thinking and his capacity to evolve a blend of East and West which

was accepted and adopted by the people. But democratic evolution has per force to proceed at the pace of the slowest, a factor Nehru himself felt threatened him in earlier years, to make him want to move faster even to the point of dictatorship! Fortunately his intrinsic humanism curbed impatience and he worked unremittingly in the direction of democratically planned collectivism. He felt that villages could be self-governing units within the framework of the larger political framework and if treated as an electoral unit would simplify provincial and all-India elections.

He was to say to B. C. Roy in 1949 that decentralisation was the foundation of parliamentary democracy: "It is not good enough to work for the people, the only way is to work with the people and give them a sense of working for themselves". This launched his community development programmes, and though they have led to other developments of a more widespread nature today, they have often been "captured" by petty political elements and negated by corrupt or indifferent officials and village level workers.

Though Nehru was a strong critic of separate electorates, feeling that the old religious divisions would set the clock back on national unity, he was to say that time would be needed to develop the economic integration needed to bind the country together. He firmly believed that caste differences should be levelled by political franchise. Unfortunately, just the opposite has actually happened. As a supreme rationalist and with such faith in the power of reason, he perhaps did not see that, in his time, the wave of "independence euphoria" was a tidal wave covering the people's deep-seated traditionalism and power groups. Ironically, in course of time they were to use democratic systems to entrench, not eradicate caste, and the growth of the vote banks threw up politicians who had to capitalise on the forces of disunity rather than unity in the scramble to win power.

However, none of this had surfaced then. He took full advantage of the freedom movement to achieve political mobilisation and introduced adult suffrage—a most advanced political concept in a country of 80% illiterates. It was one of his dreams to teach the people to cherish this privilege, which he propagated during his endless tours, and to exercise their decision with responsibility.

Today this has generated the remarkable phenomenon of a still largely illiterate electorate with an uncanny instinct for national preservation. It is almost a subliminal collective capacity to assess the merits of the current political situation and use their voting power with astonishing insight. How this comprehension has reached people in India's remotest regions is

a constant puzzle to the world. Political analysts from abroad are confounded election after election. But it proves conclusively that Nehru's faith in his people was fully justified.

He was once asked what his legacy to India would be, and he replied with telling insight: "Hopefully it is 400 million people capable of governing themselves". He was also to write in 1930 "The fundamental thing in life from which all else springs is the relation of human beings to each other".

At the end of the Nehru Era, the sovereignty of Parliament had been firmly established. In spite of the growing sectarian loyalties impinging on the political scene, even the mounting violence as an answer to the demand for recognition of this group or that State, or the apparent turmoil caused by shifts in the social structure, India has nevertheless achieved a stable constitutional position and proved that the ability or non-ability to read and write has not stood in the way of political literacy. The concept of political rights has struck deep roots. Underneath our surface dissonances there remains a solid ground of national stability. The people know who they are and what they want. They also have a profound understanding of the democratic process.

Michael Brecher in his perceptive biography of Nehru has said, "The Indian experiment in constitutional democracy owes more to him than to anyone else".

There is no doubt that "he drew the tides of men into his hands and wrote his will across the sky in stars".

NEHRU AND PARLIAMENTARY DEMOCRACY

— *Biju Patnaik*

Nehru's early education and training was in England. The White Hall and the Parliament, then centres of the British empire, attracted the young Nehru towards the British liberals and the British form of democracy. Nehru's obsession for the British form of "unwritten Constitution" left its imprint on his mind which held its sway while the Indian Constitution was being framed even after long years.

The proud British empire where the sun never set, withered away and the United Kingdom was the only remnant. We find that over the last 37 years, the basic form of British-India Constitution, good for a small country like Britain has hardly been able to meet the hopes and aspirations of India. With growing linguistic and regional ambitions, India is graduating to a stage where the "Union of India" is steadily moving toward the "United States of India". Scores of constitutional amendments, in bits and pieces, have already taken place over these years. In the face of bludgeoning poverty and unemployment, the constitution and the laws of India have come to such a pass that either the union government and the state governments leave the development of the people down to the panchayats to what is popularly called "local self-government", or the heart-rendering plight of the people below poverty line now at 400 millions, tending to rise beyond 500 millions by the turn of the century along with consequential vast number of educated, middle educated and uneducated young men going unemployed and restive and bitter, is bound to bring about a sea-change in the constitutional concept of this country, either through the genius of wisdom of the people's deputies or through unparalleled violence such as the nation has never witnessed. Never can a constitution which has conferred upon a chosen few all the privilege, patronage and power at the cost of hundreds of millions who do not even have the right to dream of a better life, sustain itself indefinitely and when the time

comes the present Constitution, would go under a surging tide, to be replaced by one where real power to determine their fate must irrevocably vest with the people.

Nehru with his abounding faith in democracy devotedly attempted to develop all the parliamentary institutions. While he lived, he was a practising democrat. He even tried to democratise the nation with a three-tier administration—Union, State and Panchayat. Subsequent to his passing away, the entire system under unimaginative leadership whose only objective was more and more power in their own hands, successfully demolished the true concept of the three-tier administration which could have ushered in the ‘government of the people’. The skeleton is still there but without flesh and blood or any semblance of dynamics; the poor farmer, artisan and the masses are still ruled as of old under the colonial system.

Nehru desired that the Parliament should consist of capable, independent and right thinking men and women who would offer their opinions freely whenever so demanded, without fear or favour. He brought great regard to the parliamentarians by giving respect to the institution of Parliament itself. He always held that the Speaker of either House of Parliament, once elected to the high office must hold scale even between member and member. He despised weakness in any presiding officer when he came to know that such an officer is in the queue for some favours or patronage from the ruling clique.

Nehru deliberately gave great attention to the Opposition in the Parliament because it was weak. When once I asked him that since he has the sweep over the masses of India, he should go beyond the limited democratic scope of being just the Prime Minister of India and extend his personality to establish a viable two-party system in India which would endure, he went into deep thought for quite some time. The Kamaraj Plan, which was drafted by me after being approved by Nehru was read out in the Jaipur Session of the Congress, contained a paragraph, “It is the duty of the Congress Party as the only national party of India to usher in a two-party system with strong foundations without which the democratic conventions and institutions of today are bound to go into decay within foreseeable future.” We have seen how lesser people at the helm of nation’s affairs have played with constitutional norms and conventions—both executive and judicial—for self-serving ends and thus managed to corrupt the entire administration.

Nehru insisted that the Executive must be accountable to the Parliament. Therefore, all the House committees were given due weightage

by the executive and the reports of these committees received due consideration in the Parliament, only because Nehru willed it. I am sure, our present Parliament and the Presiding Officers of the two Houses are aware of the need for greater care being taken by the parliamentary committees and better executive attention given to the findings of such committees.

NEHRU AND DEMOCRACY AT THE GRASSROOTS LEVEL

—*Narain Chand Parashar*

Pandit Jawaharlal Nehru had great love for the people in the small States. But for him Himachal Pradesh would have been swamped by the quagmire in Punjab. We are fortunate that, in spite of the majority decision of the States' Reorganisation Commission, Nehru stood his ground and accepted the argument of Shri Y.S. Parmar and allowed Himachal Pradesh to continue as a separate Union territory. Perhaps this was born out of his instinctive love for the hills. And it is a fact of history that during his own life time, on December 1, 1963, Nagaland a hill state was born as the sixteenth State of the Indian Union, a State which did not have even one million population. And today we have several States in the country which do not have a population of more than one crore or ten millions. Perhaps, more States may be born. There was a certain amount of assertion by the people who were victims of Megalomania that there should be bigger States. These were anti-democratic voices that sprang from academic pursuits, a study of what may be called 'theoretic democracy', some wild cries for having a unitary form of government, some cries for having only four zones/divisions in the country and no room for people who were linguistically less numerous than others. But a man who had the vision of culture rooted in the soil and who had also the larger vision of the international world, Nehru had the right perspective for keeping the identity of small groups as well as for valuing the international dimension in the institutional forms of UNESCO and UN. It is a tribute to his vision of culture that he was the founder-President of the Sahitya Akademi; and the fortunate day for India, the 15th March, 1954, when the National Academy of Letters was inaugurated with Nehru in the Chair, is proof of the fact that he appreciated not only the democracy of numbers, of adult franchise, but also the democracy of letters. He was a great writer apart from being a great leader. While talking of democracy, Nehru did not confine himself to the refinements of democracy within the four

walls of the Lok Sabha or the Rajya Sabha. He wanted every village to taste democracy and the fruits of liberation in India. That is why he thought of the Panchayat Raj and in his love for the Panchayati Raj institutions he was second to none. Everybody is aware of the way article 40 was inserted in the Constitution of India which is the only article referring to the establishment of Panchayats. Nehru saw to it that during his own tenure of office, Panchayati Raj institutions spread far and wide in the country.

It was, of course, a matter of argument in a democracy that a man elected by a few thousands of people should have the temerity to grant leave to a Deputy Commissioner who belongs to the IAS. How far a Chairman of the Zilla Parishad is competent to write the CR of a Deputy Commissioner? Democratic traditions gave respect and identity to a man who was to be a Chairman of the Zilla Parishad or to be a Chairman of the Panchayat Samiti or even the Pradhan of a Gram Panchayat.

Panditji must have rightly concluded that if democracy is to survive the members of the Lok Sabha and Rajya Sabha alone should not be the pillars of it. It must reach the villages also and strike roots there.

It was during Nehru's time that more than 4,000 community development blocs were created and most of these blocs had Panchayat Samitis. Panditji had another dream also. He wanted the cooperative societies to flourish. He wanted to promote the cooperative system in order to liberate the villagers from the clutches of mercantile classes which were sucking the blood of the farmers. Panchayat Raj and Sahkari Samaj, as he called them, were the two pillars that gave strength to the villagers.

I had never had the opportunity of working with Panditji nor did I have the good fortune of joining the Parliament during his time. The first vision of his, that I had, was when he came to Hoshiarpur during his election campaign in December, 1951. We, the school and college students went to listen to him. One tractor passed the way making a lot of noise. Somebody tried to stop the vehicle. Immediately Panditji became angry and told him not to stop the vehicle because it was doing some useful work for the country. He asked, "What are we doing here!" That was the first impression I had of Nehru, of his love for the agriculturists and the respect that he had for them.

The international scene was also a matter of great concern with him. It was not without reason that the General Conference of UNESCO was held in New Delhi in 1956 with Maulana Azad as its Chairman. India was one of the first countries to join UNESCO. We were not even independent when we joined the UNESCO. It was Nehru who saw India rising from the villages becoming a nation and rising high in the comity of nations.

JAWAHARLAL NEHRU : THE DEMOCRAT

—Gopal Singh

We have read and heard a lot about Jawaharlal Nehru, the sophisticated idealist who battled for long for the freedom of his motherland, the only son of a great father rolling in wealth who courted suffering and identified himself with the poorest of the poor; a born democrat who fought many a battle even with Gandhi, his mentor, over socialism; who created order out of the chaos that resulted from the partition of our motherland; who put a backward agricultural country of 500 million people in his day on the industrial map of the world in the face of heavy odds; a supreme patriot who yet was concerned deeply with the world-view of history; who gave a new meaning to secularism in a nation divided grievously by religious animosities, an incorruptible hero of a deprived nation whom neither money nor power could purchase, and who opted for non-alignment as between superpowers then as now keeping the world of the oppressed waiting on their doorsteps for small mercies and thus giving moral dignity and hope to all the poor of the world. . . . And, who always remained a democrat at heart and in action, in spite of the unchallenged power he enjoyed and the total affection and reverence he received from almost all his people.

Humility : All this is known, though appreciated only by the people in accordance with the needs of their personal ambitions and circumstances of the day! No one, however, has been able to deny him a place among the immortals of history. But what is less known about him is his sense of innate humility; his unswerving dedication to democratic and humanistic values; his religious spirit of forgiveness and compassion and appreciation of the other man's point of view; his identification with unpopular causes and his willingness to conciliate and compromise even with the adversary.

What he achieved was indeed great; but what he didn't or couldn't was not because he didn't try, but because he felt strongly along with Gandhi

that the means were as important as the ends, that great ends could not be achieved by small minds nor would stay long if brought about by dishonest tricks, falsehoods, violence, or by hitting below the belt. How rare is the man of authority about whom one can say after he's gone : "He was great and powerful, but more than that he was good".

Exciting : I came to know Jawaharlal Nehru in 1936 as President of the Punjab Students' Federation. We had gone on a 21-day strike in the only Sikh college in the Punjab, at Amritsar, to protest against the pro-British management who had dismissed a few of our nationalist professors and students. We succeeded only partially; the odds were far too many against us, though we won the point of hoisting the tri-colour Congress flag on the college building, which we had made a point of honour with us. What gave a most exciting turn to our careers at that young age was the nearness we developed with the politically tallest in the land. The entire nationalist leadership of the Punjab and the Frontier province rallied to our support by visiting us and imparting some of their patriotic fervour to our young formative minds. But, the most unexpected was the inspiration we received through a message from Jawaharlal Nehru, the beau-ideal of all the young in the land, which electrified the atmosphere as nothing else could.

He said (I am quoting from memory) we should not mind whether we succeeded or not in our struggle immediately, but if our cause was just and we were prepared to sacrifice for it, we were bound to win in the long run. Though considered a fire-brand, he asked us to observe the strictest discipline in our ranks and do nothing which might give a handle to the authorities to weaken our cause or resort to repressive measures.

Also we should do nothing which should cause damage to the property or life of anyone, or leave behind a trail of bitterness and should keep ready for a compromise on honourable terms at all times. "Do not falter in your resolve or submit to repression, but also do not be obstinate before facts," he said in effect (much to our surprise). I wish this message of his, someone would carry to the multifarious agitators of today. How often we confuse our petty political feuds and ambitions with the first principles of life ?

Came the partition of the country. The non-Muslim refugees were pouring from Pakistan in an endless stream with harrowing tales of butchery, rapine and abductions, and severe reprisals against innocent Indian Muslims were being committed. But here was the noble Prime Minister of India visiting all the disturbed areas in Delhi personally, consoling, reprimanding, intervening, separating parties locked in mortal communal duels, in spite of the Partition of this nation on the basis of religion. So far from communalism was he.

We are aware that in spite of their actue differences, it was Jawaharlal Nehru who had offered a seat to Jayaprakash Narayan in the Central Cabinet in 1953, which the latter refused to take and put forth his socialistic 14-point programme, and negotiations for the merger of the PSP in the Congress fell through. But Jawaharlal had convinced the nation of his utter selflessness.

Selflessness : Master Tara Singh, once an honoured colleague of his in our fight for freedom, had taken a different path after and a little before Independence. He led many agitations, one of the worst being in 1959. He was arrested and lodged in the Dharmasala jail.

His younger brother, Professor Niranjana Singh, a well-known nationalist, and once my Professor of Chemistry, asked me to accompany him to Jayaprakash Narayan, the PSP leader, to use his good offices with Jawaharlal Nehru, for his release, as he had fallen seriously ill in jail. "JP is the only one he would listen to," his brother pleaded.

Soothing Touch : I could not understand why ? JP was opposed bitterly to Jawaharlal 'politically though he was on the best of terms personally with him. JP agreed to intervene, and the very next day, Master Tara Singh was released to the surprise of every one! And the plea JP had taken with Jawaharlal was : "Master Tara Singh is one of the tallest of freedom-fighters and one of the truest Opposition leaders. We must keep him alive and well !"

A few months after, Master Tara Singh, true to his style, threatened to go on a fast unto death, because he thought he had been defeated to the office of President of the SGPC through the 'machinations' of the Congress Party, and particularly of Jawaharlal Nehru.

He came to Delhi and announced his resolve. I saw Master Tara Singh (whose permanent critic I was for his communal policies and yet respected him for his sense of honour and integrity) and requested him not to undergo this suffering for a grievance which might turn out to be ill-founded.

At my request, Master Tara Singh wrote a letter to Panditji, setting forth his reasons for going on a fast unto death and (in spite of my persuasion) holding him responsible for his defeat at the Gurdwara polls. I called on Panditji the same evening and explained to him the whole background and requested him to soothe the injured feelings of the old Sikh chief who felt hurt over an imagined grievance.

Panditji hesitated for a while saying : "You know it is impossible to deal with this man. He does not know his mind. He does not stick to his

word.. He invents grievances and promotes communalism in a community known for its nationalist outlook and sacrifices in the cause of the country's freedom. He is hurting their interests more than the nation's." I could not agree with him more, and yet pleaded that an awkward situation he had created had to be averted.

Panditji yielded to my pleas and wrote a soothing letter in reply. When the letter was received by Master Tara Singh, the Press wanted to know its contents, but Masterji would not divulge them, though he announced his decision to abandon his fast as soon as the letter was received.

It became the subject of all sorts of caustic comments and wild conjectures in the Press and the people at large. But when Master Tara Singh showed the letter to me, it took my breath away.

While disowning any responsibility for his defeat and saying that fasts for political reasons were anti-democratic, that he had opposed even Gandhiji's fasts as well, that he was willing to discuss any Sikh grievances Master Tara Singh would like to place before him, Jawaharlal had concluded in the end : "If, however, you still feel I have hurt your feelings by any chance, I ask your forgiveness."

Both I and Master Tara Singh were in tears, the old patriarch saying to me : "For this one sentence, I did not show this letter to the Press. Jawaharlal is so great in his humility that he asks my forgiveness for any hurt he may have caused me. Should I be so mean as to publicise it to the press ?"

Over Sheikh Mohammad Abdullah's incarceration for many years, he was equally unhappy. And, his one last act of grace was his unconditional release and invitation not only to stay with him, but also later to go out to Pakistan as his personal emissary to bring about lasting peace between India and her intractable neighbour! Alas, however, that was not to be, and Sheikh Abdullah was still in Pakistan when Jawaharlal breathed his last ! No one grieved over his loss more than Sheikh Abdullah did.

Only a man of his moral stature and idealistic temper could invite the last imperial Viceroy to become the first Governor General of free India and agree to remain within the Commonwealth after having opposed the idea for about two decades. Within India also he opted for compromise and conciliation between various sections rather than conflict or subjugation.

I know of an incident connected with Hem Barua, PSP member of Parliament from Assam. He came to me one day (as MPs, we were neighbours in the South Avenue apartments) and started crying. I asked him what had hurt him so deeply that he should cry so unabashedly. He

said he had committed a great sacrilege that day. When pressed further he sobbed : "You see, this morning I criticised Panditji in full fury, hitting right and left, on the floor of the House. But when I came out into the lobby, Panditjee followed me and placing his hand around my shoulders asked, 'Hem, how is your book on Assamese literature proceeding?'" I felt the weight of his generosity so much on my soul that I wished the earth would give way and I sink to perdition at that very moment."

Krishna Menon was relieved of his post in the Cabinet late in 1962 under circumstances which we are all familiar with. He felt greatly hurt. He believed he was not to blame. The whole Cabinet had taken decisions which he had carried out.

But never did a word escape his lips even after the demise of his great leader against his person or policies, no matter what the temptation or provocation. Such was the loyalty Nehru evoked from the friends he trusted.

How Panditji brought to the fore illustrious intellectuals like Dr. S. Radhakrishnan, Dr. Zakir Hussain, Sir John Mathai, Dr. B. R. Ambedkar, Dr. C. D. Deshmukh, Sir Gopalaswami Ayyangar, Dr. Tara Chand and many others, who loved to serve him in any capacity is a testimony to his love for intellect and character.

A true democrat, he would bow before the Opposition (though consisting of very weak and insignificant groups) whenever he found the ruling party in the wrong. And several times, he deliberately climbed down in order to keep the face of the Opposition, though he knew the weakness of their case. It was he who in 1937 had written an article (anonymously) entitled "The Rashtrapati" in *The Modern Review* of Calcutta, against himself, and warned the people against his being boosted too much too soon, so that he may not become another Caesar or ride roughshod over the wishes of the people!. Where in history could one find an example as rare as this ?

China had wronged this nation grievously, but he never abandoned support to its cause at the UN or elsewhere. Pakistan often tried to bully and blackmail him, but he remained the most formidable protector of the Muslims in this country and a true friend of the Arab world.

He pulled the womenfolk of this land out of their thralldom of centuries as no one else perhaps could. He used to say, "My main contribution as Prime Minister of India is the liberties and privileges I've brought to the womenfolk of this conservative and male-dominated society the right to property, divorce and public employment."

When we look around and find most of the Third World in turmoil, bidding good-bye both to democracy and modernism, we thank our stars that we were led by Jawaharlal Nehru and later his illustrious daughter and grandson to enjoy the blessings which are denied even more after freedom to the citizens of the developing nations.

I myself enjoyed his friendship in ample measure and the correspondence we had over various public issues is my proudest possession in life. You asked for an interview and the courier was there the very next day at your doorstep to inform you that it had been arranged. And as you sat with him, it appeared you grew up in stature, for he brought out the best (not the worst) in you.

How calm and unruffled he was, how affectionate and delicate in his gestures, how generous to your demands on his time and sense of idealism. He never said 'no' to an intellectual whom he honoured for his intellect and integrity. I never saw him angry, though many stories were current about his short temper. And sometimes his sense of humility was so embarrassingly overwhelming that you wondered if he was a human being or an angel.

There was a whispering campaign during his last few years in office that he was building up his daughter as his successor. But, the world saw that he had done nothing of the kind in spite of the best efforts of some of us to see this happen. It was someone else who succeeded him.

And when later Indira Gandhi came to power, there was no other choice before the nation.

How repugnant to him was flattery became clear to me when after our reverses during the Chinese invasion on us in October 1962, a Rajya Sabha Congress MP from Karnataka leading the debate on foreign affairs in the House tried to preface his speech with fulsome praise for Nehru and his great father. Panditji was brimming over with rage and after about two minutes, asked Dr. Zakir Hussain, the then Chairman of the House, to stop him. "The debate, Sir, is on China, not on me or my family background."

The able Parliamentarian, much humbled and annoyed, sank, as if dead, in his seat. When I rose next to second his motion on behalf of the Congress Party. I spoke on the genesis of the conflict, of the effect of our humiliation on the world opinion (in isolating China), the vindication of our policy of non-alignment (in that the engagement ended only after 10 days and both the USA and the USSR came to our rescue).

It had also made of us a nation, I said, more mindful than ever before of her weak defences and which would henceforth take no nation on trust

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only for its slogans, etc. As I had done my home-task rather well, it wreathed the face of Jawaharlal Nehru with a rare smile of approval, which brought the whole house down with the cheers of my colleagues, led generously by the Prime Minister of India.

Someone had said, "He couldn't achieve more than what he did because he could not take hard decisions, that he took history and the world around him too much to heart, that he was an idealist, almost a saint strayed into politics."

For too many great men are strutting about, clothed in brief authority, for a time, on the stage of life. But history has ultimately honoured only those like him, not the time-serving opportunists, or tyrants who are feared or made use of, when alive, and thrown on the dungheap of history when dead. The earth shook twice the day his earthly remains were consigned to the flames!

And for good reason. Scarcely, as Einstein said of Gandhiji, would the future generations believe that such a one as he ever trod upon this earth. Undoubtedly, he was one of the wisest statesmen and a great man of history, but what will put him on the pedestal for our posterity is that he was, inspite of it, a good eternal man and a true son of Mother India.

NEHRU AS A DEMOCRAT

—*Rasheeduddin Khan*

Jawaharlal Nehru's life was one of those lives which do not end with death. He lived a life so full of vigour and vitality, that death appears false in the backdrop of the impact which he had made on the history of India, and on his contemporary times. Indeed, his death seems to underline the relevance of his message, and the irrelevance of his chronological age. Nehru lives in the heart and consciousness of his compatriots, as he lives in the heart and consciousness of the struggling people in all parts of the world, especially in Asia, Africa, Oceania and Latin America. This immortal character of Jawaharlal Nehru evokes a special appeal in the heart of all of us who are agonizingly conscious of the incomplete process of social transformation of India, and the incomplete process of decolonization and development in the world.

Nehru was not a mere individual. He was a norm. He was a trend. He represented an approach. He merged his life with the life of the millions; and by so fusing his transient life, he was able to live in the life of everyone, because despite his death, year after year as we go back in history, bigger and bigger appears his image as the most relevant democrat that India has produced.

Jawaharlal Nehru in his life and work reflected the 'great synthesis' between the three dominant strands of what may be called the heritage of enlightened man in India. These may be identified as the vedantic vision imbued with a sense of toleration and even respect for the many paths to truth; the composite culture of India incorporating the elegance and ethos of the Indo-Muslim, the passion of the tribal and the cosmopolitanism of the urban cultural streams; and the vibrant propositions of liberty, nationalism, secular polity and democratic socialism that had governed the modernization process of western civilization, and became a vital part of the ideals of the Indian national movement. Jawaharlal had therefore fused within his personality almost as a quest for a more complete 'Indian',

much that was significant and abiding in the ancient, medieval and modern stages of the growth of the continuing Indian civilization. He insisted on inheriting the whole of India, and so indeed he did.

His acute sense of history, his mystic communion with the Indian psyche; his ever-present concern for the relevant, the rational and the progressive, and the incessant longing for the transformation of this traditional society into a modern polity committed him to a life-long mission for the completion of the gigantic socio-economic revolution in India. The tripartite synthesis was reflected so fully in Nehru's mental make-up, writings, pronouncements, political motivations, exertions and policy-decisions, both during the struggle for national independence and later during the formative phase of democratic nation-building, that it is this that singles him out even in the galaxy of the great national leaders as a man who more than others represented more fully and authentically the new enlightened generation of India.

Nehru was free from obscurantism, parochialism and dogmatism of any shape and form. He fought casteism and communalism with the vigour with which he opposed feudal, reactionary and sectarian approaches to politics and social situations. He had an integrated and wholesome perspective of socio-economic change, almost acquiring an ideological overtone.

His commitment to the modernization of India, found expression in his attachment to the six guiding principles of national reconstruction namely, (i) inculcation of rationalism and scientific temper in all aspects of life; (ii) secular outlook in politics; (iii) cosmopolitanism in culture; (iv) concern for the use of modern technology and scientific skills for the development of economy; (v) adaptation of socialist principles to Indian conditions for pursuing the objectives of social justice, cohesive economic growth and progressive policies; and (vi) stabilisation of the foundations of a participatory, federal democracy that could unite and integrate politically the huge sprawling republic comprising many languages, cultures, ethnic groups, religious communities and socio-economic strata. Inspired by these ideals he gave a positive shift and a definite direction to the complex process of building a new India. Indeed herein lies his distinctive contribution as a system-builder.

It is unfair to speak of Nehru as an idealist. It is also unfair to speak of him only as a visionary. In the simple approach to Indian politics, sometimes, they build a dichotomy which is unfair. If you speak of Vallabhbhai Patel as a realist, you speak of Jawaharlal Nehru as an

idealist, If you speak of Mr. X as a person of experience and administrative skill, you speak of Jawaharlal Nehru as a Hamlet, smelling a rose. If any one in the history of India has built a system not only by foresight and insight but also by his own example, it was Jawaharlal Nehru. Jawahar Lal Nehru was the biggest system builder which India has produced in modern times. He was able to build a system partly because he was the biggest consensus builder. Nobody in the history of India was able to build up such a consensus on major issues. I will only mention four major issues of national identity on which Jawaharlal Nehru was able to build national consensus which still holds good and valid (i) participatory democracy working in federal polity; (ii) self reliant, self-generating planned economy attuned to distributive justice; (iii) secular egalitarian society; and (iv) independent foreign policy. These four major aspects on national consensus still remain the only valid framework on which one can cut across party lines.

Nehru's political vitality flowed from his clearer perception of the complexity of the Indian social situation; his capacity to use India's biggest and most widespread political movement, the Congress, as the vehicle of political mobilization and acquisition of power, and his ability to subsume the vibrant strands of the national movement—Gokhale's parliamentarianism, Tilak's vision of the *swaraj* and Gandhi's mass appeal and *swadeshi*, the patriotic fervour of the terrorist and the call of the Marxist revolutionaries for radical socio-economic transformation—into an operational amalgam for democratic reconstruction. In this sense, Nehru represents a trend in Indian politics. He was an eclectic, but not in the pejorative sense of the word, but in the more profound and positive sense of selecting and choosing from different sources and systems and creating out of this endeavour a viable synthesis of the many elements, factors and forces that could coalesce for common ends. He could recognise the validity of the formulation that India is the world's most de-polarized polity, for which polarized politics is no solution. A neat scheme conceived in abstraction is no answer to the questions posed by a complete heterogeneous society steeped in traditions, customs, social norms and tenacious bonds of primordial relationship.

India demanded a new model of growth—a model that should reconcile the 'universal experience' of mankind at similar stage of development with 'specific' situational conditioning and requirements of the Indian people. And in quest of this model Nehru had bent his energies. Yet it may be added that Nehru himself might not have preferred to call it a 'model' of a 'pattern', or even a 'design' for he was averse to the stylised rigidity that is inbuilt in academic terminologies. His capacity to see

the nuances and the wide range of flexibility and interplay of the ponderable and the imponderable factors in every given situations, made him resist neat designations or categorisations that seem to deny or over-look the animate autonomy involved in an alive human situation and more so in a complex social phenomenon of a country of the size, diversity and historic continuity like India.

The basic strength of the political system that he built almost as a 'trustee' of the Indian notional movement for independence, and of course together with the help of like-minded colleagues within and outside the Congress, and with the sympathy and support of a large number of his compatriots in different walks of life, rested on its capacity to reconcile the two primary goals of democratic-cum-federal nation-building and socio-economic change. A major pre-requisite of the legitimisation of the system, as the national successor to the erstwhile colonial *raj*, was its political acceptability by the cross-section of the people which became the popular basis of its political stability. It was evident that without political stability it was impossible for either the state to initiate a process of socio-economics change or for individual citizens and groups of citizens to play their due and effective role in this process.

In a country of predominantly tribal and feudal background conditioned by hierarchical, segmentary and authoritarian power structure and with an immediate colonial past the introduction of democracy meant a radical break from the past and a great leap forward into the future. It required vision and more than that great courage on the part of the national leadership to articulate democracy as the very ethos of modern India. Democracy involves answerability and accountability. Therefore a true democrat is restrained, for he is circumvented by established rules of the democratic game. Obviously this dignity of restraint is conspicuous by its absence in the ruthlessness of an autocrat. Sometimes autocrats achieve more than democrats, but at what social cost and at what human expense?

Jawaharlal Nehru could never be tempted away from the democratic path. It was too vulgar an option for him to accept. Few democratic leaders in world history enjoyed such widespread, spontaneous and well-deserved love of their people as, Nehru did and in abundance, yet even when he was at the lowest ebb of his political fortune, his commitment to democracy remained unshaken. This was based probably on his clear understanding that for a country of India's socio-cultural diversity, political unity and more than that political stability, can only be built if the democratic system and federal polity are firmly recognised as the two major parameters of India's new political order.

In fact no other leader, dead or alive, looms so large on the horizon of democratic India and in the agonised consciousness of the democrats, as much as Jawaharlal Nehru does, for the obvious reason that he more than anyone else had played a dominant role in initiating policies, programmes and processes in the wide range of activities connected with the building of a new civilisation.

It is instructive to realise that year after year receding into the depth of history, Jawaharlal Nehru grows bigger and bigger in his image against the backdrop of contemporary mediocrity that has clustered on the political horizon. Without becoming a political totem, Jawaharlal nevertheless personifies a trend, a style, a normative commitment and national ethos, whose palpable encroachment and subversion by the succeeding nouveaux elite represents one major disastrous distortion of our political system. It is in this context that when one reflects on the role and heritage of Jawaharlal Nehru in the current atmosphere of confused, corrupt and degenerate political goings-on, one is not indulging in mere nostalgia or recollection of the past, not even in an academic exercise of historical evaluation of a dominant political personality, but essentially and above all in the reaffirmation and reassertion of those values, approaches and processes of national reconstruction which are vital and healthy for building a new democratic polity.

What is it in Nehru that appeals to us? Many attributes, many aspects. In personal and social life he remained a normal, healthy and a decent human being. There was nothing abnormal or subnormal about him. No pronounced idiosyncrasies, no fads, no indulgences, no false modesty or pretences to piety, nor any detectable deviations from the norms. He neither built nor encouraged others to build a halo around him. He sparkled in normalcy. He wore no masks and abjured euphoric labels like Mahatma, Quaid-i-Azam, Lok Nayak, Sardar, or Netaji. He even formally dropped the ascriptive brahmanic prefix 'Pandit' from his name, notwithstanding the fact that practically everybody called him Panditji. Why was this man, despite being so loved and adored by millions and living in a milieu when titles of exaltation were so common, averse to this practice? Was it not because of his undeviating accent on healthy normal life-style; because of his innate democratic impulse and secular culture?

He practised and preached norms of secular, rational democratic life—a life of enlightenment, culture and refinement. He was above all literate; a voracious reader, a prolific writer, and despite being a rambler he was an incessant speaker, almost a compulsive talker but also a patient listener. He was a great political publicist and an inveterate educator of his people, whose writings, speeches and statements for decades moulded public opinion

and gave a lead on many crucial matters of national life. His range of interests was wide, covering an encyclopaedic spectrum from history, literature and culture to physical and biological sciences, to environment and technology, to flora and fauna. He was a universal man, a cosmopolitan and a humanist; nothing was alien to him.

But it is in the realm of politics that he spent his best years, playing many roles. No other leader I would say with certain amount of precision and deliberation in the country, in the hundred years of Congress history has dominated the decisive scene of decision-making for as long a period as Jawaharlal Nehru did. It is indeed 44 years starting from 1920 to 1964. 44 years out of 100 years of the Congress history have been dominated by the centrality, assertion and personality of Jawaharlal Nehru. Gandhiji remained on the scene from 1915 to 1948—33 years only. This leader had two phases. One is for almost 18 years from 1924, after he became the General Secretary of the Congress Party, to 1942. For 18 years, he was the tremendous articulation of the progressive idea of India national movement, idea of secularism, idea of egalitarianism, idea of fusing the multi regional parties, idea of building links between left and right, idea of refusing to become a factional leader, even of the more advanced segment of the left. I am emphasising this period because, these 18 years were most formative years in building the content of Indian nationalism. He was the man who spoke with vision for economic dimension, of nationalism, for social emancipation. Between 1942 and 1945 when Jawaharlal Nehru was in incarceration, he discovered India anew. This phase has to be investigated more deeply. The period between 1942 and 1945, in Ahmednagar jail, was an opportunity for Jawaharlal Nehru not only to look back on his part in National Congress but also interact with such stalwarts like Maulana Abul Kalam Azad, Acharya Narendra Dev and Dr. Syed Mahmud who were in the same jail at the same time. *The Discovery of India*, from an academic angle, is a disjointed account, partially lopsided, occasionally historically inept, but in terms of vision of India, it is a great book. It is a book which interacts between intellectualism of Jawaharlal Nehru and his sentiments. Sometimes, sentiment has an upper hand over intellectualism. At other times, intellectualism becomes cold and detached. But still I think that the *Discovery of India* is a very small part of the churning of the mind which was going in his own personality. After 1945, Jawaharlal became mellowed under attack from the left and the right. For 18 years, from 1946 to 1964, Nehru presided over the building up of the national stream, the parliamentary system. The majesty of parliamentary system was reflected in Jawaharlal Nehru's commitment to the principles of democracy. He was a man who, day after day, sat in the Lok Sabha even in the Opposition. If I am to borrow Shakespeare's term "to bear the slings and arrows of

outrageous fortune thrust as an abundant jest but braved them.” He never allowed dissent which is an essential part of parliamentary culture to be vitiated by the moral authority which he enjoyed. I will give three examples. The Hindu Code Bill, the States’ Reorganisation Commission, and the Indo-China conflict, were the issues on which Jawaharlal Nehru had different opinions from the majority opinion in the House from his own party. He allowed dissent to be articulated and, what is more, he compromised on the Hindu Code Bill, on States’ Reorganisation Commission, particularly on States restructuring and on Indo-China war affair, he was almost aware to a point where certain men in whom he had tremendous trust and respect had to be removed. But that was the majesty of the parliamentary system which he established and wanted to authenticate when he said “If the parliament is not agreeable to these policies, I would not use my moral personality.”

Thus for more than four decades, from the twenties, Nehru was at the centre of the stage as the rallying focus of progressive, liberal-radical orientation to the national movement, and then as Prime Minister his was the central role in secular democratic reconstruction. Nehru’s was a parallel but complementary charisma to Gandhiji’s and between them, Gandhi and Nehru represented the two recognised poles of legitimacy within which the national movement worked. Beyond Gandhi on the right and beyond Nehru on the left, was the penumbra of non-legitimised dissent in the ranks of the freedom-fighters, who could never become an integral part of the national movement. In ideological terms, on the right were the communalists, the obscurantists, the reactionaries or the parochialists, and on the left, more radical elements, forums, unions and blocs, whose restricted and fragmented popular appeal made them into a sort of pressure-groups and lobbies, which continued to exert to certain influence on factions and leaders within the Congress.

It is not adequately recognised that no one before Nehru spoke about socialism and secularism in the ranks of the Congressmen, with such consistency, comprehension and passion, almost to inscribe them on the banner of the national movement as consensual goals. On the issue of socialism he spoke in the 1936 Lucknow Session that “I stand for socialism, not for idealistic socialism or utopian socialism but scientific socialism”. On this issue, there had been considerable organised opposition from well-entrenched groups and forces within the Congress that left to vacillations, compromises and dilutions, including Nehru’s own occasional ambivalence and well-known dichotomy between his rhetoric and action, between proclamation and performance, but on secularism he was able to carry the Congress considerably with him. Gandhi’s own bhakti credo of ‘equal respect to all faiths’ (*seva dharma samabhava*), and his well-known Ram-Rahim approach to social life and politics, did queer the pitch for a shift

from communal idiom. But it remained at best an approach of multi-communal harmony, in which, it should be remembered, communal identities were acknowledged, and indeed reinforced at an ethical and compassionate level. While re-concilable multicommunalism was better than antagonistic communalism, yet it meant nothing more than substitution of benign obscurantism for belligerent obscurantism. It was left to the scientific-minded Nehru and other like-minded leaders to give a rationalist, objective and full-blooded democratic content to the concept of a secularism. How difficult it has been to project secularism in its rational-scientific orientation is known particularly to those whose life has been a link between unfree and free India. The battle is still far from being over. Communalism has become a vested interest for certain groups and parties, and reconcilable multiple communalism provides a protective umbrella, under which benign communalism thrives, and malignant communalism is tolerated as a passing aberration.

Nehru once described communalism as the fascism of India. The implications are obvious. This spectre still haunts India, and its shadow is lengthening. Exploiting the inherent religiosity of the Indian masses and their caste consciousness, steeped as they still are in illiteracy, poverty, unemployment, it is not difficult for manipulative politicians to transform their religious or caste identities into an electoral input for their narrow political ends. In every under-developed society, religion, tradition and customs have been successfully exploited for perpetuating oppressive non-democratic domination in the name of national unity, cultural identity or religious solidarity.

Jawaharlal Nehru's most conspicuous impact on the course of history—Indian, Asian and global—is probably as a system-builder. He was not only an architect of resurgent India, but also of an awakened and emancipated Asia, and the de-colonised world. Again, no one more than him in the national movement had such clarity of understanding about the linkage and the organic ties between India's struggle for freedom, and the mass upsurge in many parts of Asia and Africa, and the new forces on the world scene—the Arab awakening; Egyptian nationalism; modernisation of Turkey and Iran; the Palestinian struggle for identity; the mass anti-colonial strivings in what was then called French Indo-China and in the Dutch colonies of Indonesia; the emergence of Japan and the turns and twists in the fortunes of republican China; Italian fascist aggression on Ethiopia; the barricades of Barcelona and the fall of the Spanish republic; the rise and threat of fascism in Europe; the crises of capitalism and the impoverishment of the colonies; the relevance of the United States in world affairs and the new dawn in Russia and the meaning and implication of Soviet power to the struggling people everywhere.

Nehru's thinking and understanding is imprinted on the many resolutions on international affairs adopted by the Indian National Congress. In fact he was the conscience-keeper of the Congress, on world affairs and on foreign policy matters, after 1927, took keen interest not only in larger global concerns, but also in extending support and succour to other national and liberation movements, with the result that by the time India became independent, the major thrust and objectives of her foreign policy were already articulated in the resolutions and statements of the Indian National Congress. The anti-imperialist, anti-colonial, anti-fascist and anti-racist underpinnings were clear and forthright. So were the imperatives of solidarity with liberation struggles and friendship with Socialist countries, particularly the Soviet Union, and of fraternal ties with Asian and African countries. What subsequently evolved as the principles of co-existence and postures of non-alignment, in a more specific international setting of the post-war bipolar world, were already in evidence in an embryonic form in the policy resolutions of the Congress, drafted with political acumen and foresight by Nehru.

In the true spirit of a nation and system builder, Nehru was aware that he was presiding over a process, a long-drawn process at that, over which he had some (or even much) but not entire control. Nobody has ever built an entire political system nor for that matter has destroyed one completely. The limitations of the role of individuals in history are too well-known even for reiteration. Keeping the perspective clear, it is evident that Nehru's great contribution to the building of India's political system which remains stable despite attempted disruption from within and destabilisation from without was threefold. He had ingrained with patience and what can only be described as 'resilient passion' the triad of democracy, secularism and socialism as the guiding principles of the system, legitimised by their acceptance by the Congress as its national objectives and through a broad national consensus reaffirmed periodically, almost as a mandate, by the general electorate of India. Secondly, he gave to the functioning of the Parliament and to the entire parliamentary system an unflinching, firm and spontaneous support with a rare dignity and a sense of mission to instil in the minds of his compatriots that their 'tryst with destiny' (as he called it) can be worked out better, at this stage of their socio-political development, through the unfolding of the parliamentary system. And lastly, he more than anyone else, never ceased to emphasize the necessity of linking domestic developments with the global situation in this era of conspicuous international inter-dependence, and for this end worked with foresight and dedication for the solidarity of the de-colonised newly liberated countries and their active cooperation with the Socialist world. The enunciation of the concept of non-alignment reflected Nehru's concern for national sovereignty and equitable basis of international relations. It was assertion

of freedom at the international level at a time when domestic compulsions and weaknesses were really pushing the country towards alignment and unequal basis that would have compromised genuine and long-term national interests.

His failures in the pursuit of each of his goals were not inconspicuous; in fact in keeping with his stature they often appeared big. But for a life so full of energy and lived at that dizzy level of national and international significance was it possible to escape grave misjudgements ?

But despite all his shortcomings, Jawaharlal Nehru will always be remembered as the progenitor of a system, as a great visionary, the completion of whose tasks becomes the privilege and opportunity of our generation.

A PERFECT DEMOCRAT AND AN ARDENT SOCIALIST

—Uma Shankar Dikshit

From a very early age, Jawaharlal Nehru showed signs of a sharp intelligence, high measure of sensitivity and natural inclination to react sharply to injustice. Of course, he had inherited from his father the family characteristic of a strong character and a powerful will. His education in England exposed him, in those early years, to the British system of literary education and scientific approach to life. Jawaharlal had his early education at Harrow, one of the high class public schools in England, where during the first two years of his stay he attended classes consisting mostly of English Children with a sprinkling of Indian boys of his age. Although initially he felt apart from the other children and quite different to them who had no interest in any subject except in their games, he soon developed closer contacts and familiarity. That contact must have left an abiding influence on him, conscious or sub-conscious, in that impressionable period of his life. English was the sole medium of instruction and the way of living of English children was shared by him both in School and play-field. He read many books of literary merit and important newspapers, and his interests were much wider. He took keen interest in the electoral process in England at the time of the general elections in the year 1909 which caused a land-slide in favour of the Liberals, who elected Campbell-Bannerman as their leader and Prime Minister of Great Britain.

He joined Trinity College (Cambridge) in October, 1907 at an age approaching 18 years. He chose Science Tripos for his study, with Chemistry, Geology and Botany. While he took second class Honours degree in these subjects, Science, which in those times had found a place of deep interest and high prestige in the minds of British intelligentsia claimed his attachment. Jawaharlal Nehru himself discovered his own natural inclination and a deep seated liking for Science as a branch of knowledge with a great future.

Jawaharlal Nehru had much greater reading to his credit and was gifted with an excellent intellectual equipment. His early contact with the

masters of English literature developed his literary talent and shaped him into a powerful author and a writer of beautiful prose of a delightful and engaging style. In many respects, he is believed to have imbibed the spirit of British character and also acquired a liking, if not fondness, for British ways of self-restraint in private life and a fighting spirit combined with discipline in public life.

By the time he had completed his university education and had been called to the bar he had developed qualities of a convinced democrat. The democratic way of life had such a powerful appeal for him that in whatever he took up in private or public life after he returned to India, he quickly acquired the reputation of an intensely fair-minded person wedded to the democratic way of life.

As Chairman of the Allahabad Municipality and in the various subsequent positions of responsibility occupied by him in the Congress organisation, he functioned as an ideal democrat. Of course, he was born with strong temper. He exhibited it sometimes suddenly, unexpectedly. Any situation which betrayed inefficiency, disorder, confusion or mismanagement was intolerable to him. He could stand no nonsense. He had no patients with superstition, obsolete traditions, backward mentality and stood for promotion of a scientific approach to life and an understanding of role of technology in advancing human progress. He was so transparently sincere and fair-minded that his temper cooled down as quickly as it rose. Though he exhibited temper, snubbed sloppy and weak-kneed behaviour, he respected individual personality. There were occasions when he quickly apologised for any lapse on his part when he felt that he had hurt others' feelings by an adverse remark.

At meetings of the Congress Working Committee or the All India Congress Committee or large mass meetings which he addressed all over the country, he functioned predominantly as a democrat who hated injustice and ill-treatment of the poor and the down-trodden. He equally hated inefficiency and weakness of character. He recognised, appreciated and expressed admiration for ability and competence.

At the meetings of the Constituent Assembly and later while attending the sessions of Parliament, during his Prime Ministership of nearly 18 years, he demonstrated by his own example how a parliamentary democracy could be run. By the way he answered questions, received criticism expressed by leaders and members of Opposition parties and replied to the debates on major issues, he not only endeared himself to his own partymen but also commanded the goodwill and respect of the members of the Opposition parties.

As leader of the House in the Lok Sabha he conducted himself with his characteristic dignity and functioned with such exemplary tolerance and tireless patience which accorded with the highest standards of parliamentary leadership. He was exceptionally punctual and spent long hours sitting in Parliament and listening patiently to long-winded opposition and party members' speeches, some of which were boringly repetitive and monotonous or too critical, provocative or offensive in language. He did occasionally react to a foolish or un-parliamentary remark. Not unoften, he would effectively intervene to silence an irresponsible speaker or angrily repudiate an ill-founded allegation or demolish a virulent personal attack. During such exchanges he shone out in his intellectual brilliance. If a Congress party member exceeded the established norms of parliamentary decorum, committed a factual in-accuracy, or a Minister deviated from the party ideology or policy of the government, he would immediately stand up and correct him. This was the standard of democratic way of public life which he built up from precedent to precedent, and created a parliamentary code of conduct, in which leading members of the Opposition often cooperated.

To refer to another significant aspect of his highly sensitive character, Jawaharlal Nehru hated injustice in any form and in any field of life. He was deeply affected by the wide-spread poverty, disease and ignorance among masses of his people with whom he came into constant and close contact. He felt sure in his mind that there could be no compromise with the age-old economic and social backwardness, caste divisions into high and low, the grinding poverty of the masses, and the intolerable humiliation of the life led by members of the Scheduled Castes and Scheduled Tribes. These conditions created a spirit of rebellion in his heart against the Imperial domination which led to economic degradation, and the traditional society which tolerated such inequalities and injustices.

During his educational career in England and subsequent frequent visits to Britain and other European countries he came into close contact with the leaders of the Fabian Society and such intellectuals as Prof. Laski of the London School of Economics who was later elected as Chairman of the Labour Party of Great Britain and other ardent believers in socialism. He thus accepted the socialist approach to life. His abhorrence of the social injustices and distressing economic backwardness conditioned him into a committed believer in socialism and the concept of an egalitarian society. When he first returned to India and later, after his several visits to the West, he was shocked by the poverty and degradation from which vast masses of the Indian people were suffering under the British rule. He saw that the Indian society, a product of century-old agricultural civilization, fettered by social disabilities of caste and religious divisions, had been subjugated and exploited by the agents of British imperialism in almost every

walk of life. The 200 years of British Imperial domination, he held the view, had ruined the people of India politically, economically and culturally. The arts and crafts for which India was famous in many parts of the world were gradually eliminated by the killing impact of machine-made goods. Jawaharlal Nehru thus arrived at the irresistible conclusion that the abolition of social and economic thralldom could be achieved only through the path of socialism.

Meanwhile the philosophy of Marxism seems to have influenced his mind in no uncertain degree. In fact he declared publicly more than once that the history of the Industrial Revolution in the West could be properly explained only in terms of Marxism. The Bolshevik revolution of October 1919 in Russia after the end of the First World War attracted him powerfully. In fact, the dethronement of the Czar and the replacement of his autocratic rule by a government of peasants and workers agitated the minds not only of the people of India but the broad masses and the thinking sections of the peoples throughout Asia and Africa. It held out a new hope of liberation from monarchical and Imperial subjection and freedom from political and economic exploitation. Nehru himself was interested in the success of the Soviet experiment.

Despite his respect for the Marxist ideology, Jawaharlal Nehru did not believe in communism. He was fully conscious of the inadequacies of the communist philosophy as a comprehensive way of life. His study of Marxism gave him a deep insight into capital labour relations and a profound understanding of the phenomenon of class conflict and class struggle generated by the inhuman exploitation of labour, including low-paid female and child labour in workshops and factories in most countries of the West.

He did not believe that communism could succeed in the special conditions of India, nor did he favour the single party system which went by the nomenclature of democratic centralism and dictatorship of the proletariat. Nevertheless, at certain periods, he expressed his support for what he called scientific socialism as distinct from sentimental socialism.

Of course, he came under the powerful influence of Mahatma Gandhi, whom he recognised as his master and leader and, despite differences of opinion on socio-economic issues, he followed the leadership of the Mahatma in all essential respects. The thought of the special conditions prevailing in India, the culture and civilization of the people, and his own conviction in favour of democracy led him to seek a synthesis between the basic principles of democracy and socialism. In my opinion, his socialism, so far as his own intellectual conviction went, approximated to the philosophy of social democrats in central and western Europe, despite the fact that the Communist Party of Soviet Russia and later communists in Germany and France,

for some peculiar reasons, were more opposed to social democrats or democratic socialism than the system of capitalism, to the destruction of which they claimed to be irrevocably committed.

In this background, Jawaharlal Nehru, during the years of the historic struggle for the independence of India under the leadership of Mahatma Gandhi, with his powerful support and consent, developed a five-point socio-economic philosophy of democracy, secularism, socialism, non-alignment and peace.

The Constitution of **India originally did not**, in the statement of its objectives, use the word socialism, scientific or other, but aimed at the creation of a "Co-operative Commonwealth", a state which would work with all its resources for the attainment of the people's welfare as a whole. It was in appreciation of this ideological background that the chapter on **Directive Principles of State Policy** was formulated and became a vital part of the **Indian Constitution**.

DEMOCRATIC THINKER AND A CHARMING PARLIAMENTARIAN

—N. G. Ranga

I. *Democratic Thinker**

By the age of 60, Pandit Jawaharlal Nehru was becoming more and more a teacher, not so much for the masses, as he used to be until 1945-46, as for the leaders of the country, the members of the Constituent Assembly and the organisers and thinkers of the Congress Party. On many issues of national importance he seemed to be at variance with his party. He battled with it on the plane of thought. He matched its passions by his own passionate espousal of the other view; he cooled down when it was infuriated, he bowed humbly, yet sweatily when the torrents of its passionate thoughts overwhelmed him, and he came back heroically to the attack when the party was in a calmer mood to listen to reason. He coaxed the party, as he would woo the beloved, he reasoned with it with all his extraordinary capacity for dialectics, aided, as he was by the flash of his eye, and his transparent struggle between his imperious nature and his wise almost habitual, anxiety to see the other point of view and to meet it more than half way.

The party too was slowly being fashioned after him. It loved him and exulted in his moods. It did get angry with him, and sometimes its fury frightened and silenced him too. Yet it delighted as much in yielding to him as to defeat him. It took care not to hurt him deeply. Many a time, the party simply reversed its own earlier, well-considered, decision reached after much heated discussion, when it came to know that Panditji became most unhappy by its wilfulness. Both the Pandit and the party were constantly battling with each other, without either trying to force the issue upon some of the most important national questions. For instance, the Constituent Assembly Congress Party had not been able to decide over two minorities.

*Speech made by the author reproduced from *Lok Sabha Debate*, Vol. XXXII, 29, May 1984 cc. 143-145, 148-150, 172-176 in an edited form.

Panditji was essentially a democrat. Left to himself he would like to do things speedily and splendidly, all to the order and according to plan. He had no personal or class interests, and was basically a progressive and a revolutionary. He was impatient with the slow, elephantine movements and serpentine curves of democratic methods of making and executing decision.

So, he often became impatient and intolerant of criticism, obstruction and indecision, so characteristic of democratic assemblies. But he was at great pains to appreciate criticism. He was so introspective as to go out of the way to see the other man's point of view, although at the moment he might become guilty of insufferable intolerance of the other man's speech, movements or even exclamations. He tried his best to pick out points from the criticism of the opponents of his stand, and was patient enough to try to rebuild and reshape his own plans and ideas. One could see him, as in a mirror, working his way through the battleground of cross currents of thought and trying sincerely to find a solution for the time being and according to the state of fermentation of his own mind and emotions. It was indeed a pleasure to see him and to work and share with him in the task of reaching such conclusions, because it is an exciting and inspiring experience in Socratic and Gandhian processes of weighing, selecting and welding many intellectual reactions to a problem into a definite line of decision. Thus, Jawaharlal was taking infinite pains to train his followers of the highest rank into true democrats, progressive thought-builders and democratic statesmen.

There were times when Jawaharlal the revolutionary was in conflict with Jawaharlal the Statesman. It was true that he had no need to build up either a personal, factional or ideological party. He had inherited a mammoth, but surprisingly powerful and effective party. It was so much devoted to him and Sardar Patel and the Party's affection and hopes for the future of India were so much centred on him, and the people all over the country doted on him so much, that he was in no need to canvass support for his personal leadership, or to create a nucleus of personal supporters. Therefore, all the struggles that he had to wage were confined to the realm of the thoughts, cultural backgrounds and conflicting class interests of his followers and his party. Hence, he was all the time battling with the nationalist, communal, caste and class matrix of their social environments. He sometimes won surprising victories as in the case of India's entry into the Commonwealth, the justiciable Fundamental Rights, the spirit of toleration minorities and their cultural and social aspirations. But he had to swallow many a defeat with good grace and in good honour. For instance, he fought hard against the second chambers in investing them with undue power. He simply left the meeting unobservedly, as he could not stand the

tortuous defeat. So, he put in a strong plea in favour of lowering the age of members of the other House from 35 to 30, in the hope that large number of young men coming to the second chamber might possibly dilute and diminish its conservatism. Similarly he lost in his struggle for English and had to bow to the decision in favour of Hindi as official language. Eventually Parliament and country accepted his three-language formula.

The relations between Pandit Nehru and the Constituent Assembly varied according to the angles from which they looked at any problem at a given moment. Generally, the party and the Assembly were too much concerned with their conception of local or immediate problem as they would look like—if viewed through a microscope. As more and more thinkers and as more and more members went on disputing with each other over the one or the other possible way of solving the difficulty, Jawaharlal would quietly withdraw into himself, become completely indifferent with people sitting around him, and sit, with his expressive lips talking to each other in a speechless fashion, with his eye half closed, with his hand caressing his bald-head. Then, as he reached certain definite conclusion with the help of the noisy exchange of thoughts all around him, he would suddenly open his eyes and look at all around him in an unseeing fashion, and seem to jump to the conclusions that he should fling his thoughts upon the Assembly or the party. It is at such a moment that he was extremely dangerous to be dealt with by his friends or debators, because he was like a lion venturing forth for its prey. It was well worth watching him at such moments. He took a few moments to gain momentum in his speech; when he braced himself up to his argument, he seemed to be a valiant opponent, his first reaction were to dismiss the other's view by a quick succession of blows of argument. If he found that the protagonist of the opposite view was no mean opponent, he drew upon more and more formidable weapons of argument, he reasoned with him and emitted fire through his eyes and then either succeeded in coming to a brilliant finale of triumph, or a confusing maze of contradictory but well-balanced arguments with a pathetic wave of hands, leaving the decision to the party or the Assembly.

I have not seen another such first-rate and delightful dialectician so completely ignorant of the need to please or defeat anyone, so extremely anxious to communicate to his followers his own passions for the good of the people and the country, in any other country at any time during my public life. He was a unique phenomenon of the modern democratic world. He was the nearest approach to the conception of a philosopher king of this democratic age, whom Mahatma Gandhi had fashioned and left for us. Indeed, he was the hope of Gandhian democracy and the harbinger of world peace and goodwill.

Ever since Gandhiji's death, Jawaharlal had been growing more and more Gandhian. He was more positive and constructive after the heart of Mahatma Gandhi, whereas he used to be a bundle of doubts when Bapu was alive. He was preaching and practising so fervently Gandhiji's conception that if you take care of the means, the ends will also look after themselves, and the goodwill and trust can only beget goodwill and trust and nothing else, and that if you can win more by leaving a sense of hurt in the other party than what you can by making the other party also happy, better care for the smaller advantage and cherish others' happiness.

Like so many of us, he felt very poignantly Bapuji's absence from our midst because, as he put it with so much pain at heart, we are all men too small to grapple with the complex problems of the contemporary world, and even more difficult and formidable passions and prejudices and the conservation of mind and hardness of heart of myriad millions of people in this and other countries. He would wish for the presence of Mahatma Gandhi to inspire his schemes that he would like to sponsor, Possibly it was because of this pain at heart that he was repeatedly talking of only the next ten years as being a long enough period for any statesman to plan and work for. This was so un-Gandhian because Bapu was never tired of yearning to live for another twenty-five years to serve and salvage this world, so great was his robust faith in democracy.

Such was Jawaharlal the democratic leader, the teacher of hundreds of millions of our masses, and the architect of their Gandhian Swaraj. No wonder Indians of this generation are taking pride in hailing him as their leader and comrade.

II. A Charming Parliamentarian

Jawaharlal Nehru had already become one of our greatest national heroes before he came into Parliament as the head of the Interim Government and soon after as the Prime Minister of India into the Constituent Assembly and Provisional Parliament. He was a seasoned debator and a self-confident and eloquent exponent of policies on the platform of the All-India Congress Committee. It did not take him long to master the parliamentary technique, form and rhetorical exposition in the debates in both Houses of Parliament.

I had the good fortune of working with Pandit Jawaharlal Nehru both as his colleague in his party and as a Secretary for a number of years and also as one of the leaders of the Opposition when he was Prime Minister. I think he was one of the best parliamentarians anywhere in the world, both from his party's point of view and also from that of the Opposition.

Jawaharlalji initiated and practised for long the excellent means of party-wise democratic debate by agreeing to let the Bills and amendments given notice of first within the party's committee of the concerned Minister and finally within the party executive if there were some important amendments to certain controversial clauses. It was only thereafter that the party's attitude towards amendments by both members of the party and the Opposition used to be decided. Unfortunately that good means of educating, strengthening the awareness of party members has not been continued, with the result that party members do not take such active and constructive interest as fortunately Shri Mool Chand Daga takes in the debates on Bills.

There were bills such as the Hindu Code Bill, Aligarh Muslim University, Banaras Hindu University and Viswa-Bharati University Bills, which aroused strong feelings within the party, and Jawaharlalji too used to be a protagonist on one side, yet he allowed complete freedom to members to express their views. He used to be patient with those who opposed his views. He certainly, strove to gain majority for his point of view and often he used to win them over, but he would allow others to have their way too, with a smile on his face.

In regard to the Opposition, whenever any important Bill came up before the House, long before the Opposition's asking for the appointment of a Joint Committee or a Select Committee of the House, he allowed his party members and even encouraged the Ministers also to think about referring it to a Joint Committee or a Select Committee. Many a time, therefore, such a proposal came from the Government themselves when any Bill was thought of. When any piece of legislation was found to be necessary, even at the stage of introducing the Bill itself, the Minister concerned as also the administration were obliged to apply their minds as to the necessity of sending that Bill to a Select Committee. Then, when the Opposition, by any chance, was very particular about the appointment of a Select Committee, he expected the Ministers to give their response more or less readily. That practice is also not being followed today and it would be well if a thought is given by the Government and the ruling party to this aspect.

Nehru was always ready to welcome criticism of government policies and administration, because he sincerely felt that such criticism would provide an insight into the mind of critics on the one hand and on the actual working of the administration on the other, and it would strengthen the concerned Ministers. He chafed at the modern administrative procedures and mannerisms, and lethargy, and red tapism when its impact

upon the life of the people, often came in for sharp criticism from the members. Jawaharlalji pointed out that the Ministers should welcome probing parliamentary questions and educative debates.

He thus treated Parliament as a comrade and necessary aid to Ministers. His was a better approach to Parliament than what had been the case even with British Labour Ministers.

Jawaharlalji welcomed the demands for debates from the Opposition. Sometimes, he used to initiate discussion himself especially on external affairs, social problems, atrocities on minorities or Harijans, because he believed that Parliament would thus keep the local State Governments and officers on their toes; enable the Ministers to gain greater insight into the social forces and also into the adequacy or otherwise of the sensitivity of officers. In this manner he proved to be the best democratic leader of the Congress Government.

Jawaharlal Nehru used to encourage members of Parliament on both sides to take up almost every public issue and then find time in Parliament and in that way, ventilate peoples grievances. Today, fortunately for us, the Presiding Officers in the Lok Sabha as well as in the Rajya Sabha have been giving greatest possible opportunity for raising the largest number of issues and getting them discussed in both the Houses.

At one time, we used to waste so much time in raising the points of order in the House whether an Adjournment motion or another motion should be allowed or not. Now, fortunately for us it has almost become a practice during the last five years, for all these questions to be discussed, debated in the Speaker's Chamber with the aid of our Secretariat quietly in a reasonable manner. In the light of our standing orders, decisions are taken so that the time of the House could be saved.

Jawaharlal Nehru used to make sincere efforts to try and reach as broad a consensus as possible on various issues of public importance with the Opposition by having frequent discussions with them. That practice is being followed even now, but not as frequently as it should be. Specially now, when splinter parties have come up and some of the nationally organised parties have not been able to show up sufficient strength in Parliament, there is need to reach up to their leaders, irrespective of their strength in Parliament, even by going outside the Parliament and inviting them to make their contributions in regard to various problems. Otherwise street politics would come into vogue as it has unfortunately been in some of our States, upsetting the ruling party in spite of its majority and its decisions.

Another suggestion made long time before splinters parties came in by Jayaprakashji, Shri Asoka Mehta, Shri Lohiaji and myself within the Congress Working Committee, was that in view of the infancy of democracy in our country and parliamentary system too, it would be better that the leaders of the nationally organised political parties chosen by their own people, by their own parties in a fully democratic manner—and not nominated—should be allowed to come into Parliament without being contested by the ruling party. Panditji was inclined to agree with it. At that time, Sardar Patel was also there. We thought that they agreed more or less to that idea, but later on, it was given up, with the unfortunate result as I would say that today the chosen leaders of some of the nationally organised political parties have been obliged to be in exile so far as the Parliament is concerned and though their views are noted from time to time on nationally important issues, they are not being as well featured in our daily press as they should be and that is a great loss to our democracy.

Should we or should we not have tried to come back again to that precedent which was established at the very beginning of our parliamentary life by Sardar Patel and Jawaharlal Nehru of inviting some of the best national leaders whether they had been in Parliament or not to become members of the Cabinet and then get them elected to the Rajya Sabha and in that way make use of their services? That was a position when Shri Shanmugham Chetty, Dr. John Mathai and later several others, like Dr. Ambedkar, Syamaprasad Mookerjee who were not freedom fighters or who had not been in the Congress, were invited to be Cabinet Ministers and their cooperation was made use of by the Government, and they were given an opportunity to become the members of Parliament. And to satisfy the sentiments of the rank and file of the Congress Party at that time, we simply asked them to subscribe to a four anna membership.

Parliament is sometimes unable to decide our public affairs because of the wrong practice that has been followed by the Opposition Parties, by going to the streets invoking the crowds' participation in various ways and in that way making it impossible for the elected Government, elected party in power to pursue any particular line of policy in a consistent and constructive manner. Many a time, the Government is obliged to change its decisions overnight in order to satisfy these outbursts that have been taking place in the streets. I was one of the earliest advocates of adult franchise—a vote for adult man and woman. But then we knew the dangers. So did Mahatma Gandhi. Nevertheless, he said in 1925 literates or illiterates, having property or propertyless, every man and woman has got to be respected as a citizen and therefore he should be given the right to vote. But

that does not mean that we can simply say to ourselves that the people would always act in a wise manner. Therefore, we have got to take necessary precaution in order to help their voice to be channelled, modified and modulated, in such a manner that their reactions can be reflected in Parliament. Moreover, the Government has got to realise that Parliament or Legislature is the real forum for ventilation of grievances. Therefore they must hold their administration to respond to the views expressed by members of Parliament and members of the Legislatures and respect their views. That is not happening now. Many a time, most of the suggestions that had been made by members of Parliament on either side are not being properly studied, and replied to in a responsive manner. Proper advice has to be given not only to the Ministers but also to the administration. So, in all these directions, it was Jawaharlal Nehru who created so many precedents and it was he who laid the foundations for our democracy.

Nehru derived special pleasure in coming into the Houses and in following and intervening in the debates. He was at his best during the Question Hours.

What a pleasant picture he was in the Lok Sabha, sitting in that first place in the first bench with that bright red rose on his chest. He was not tall but appeared to be taller than most. He could be so sweet like a shy maiden, whenever he had to coax the House to accept his proposal. He could roar all of a sudden as his mind conjured up some devil of social reactionary. He would be argumentative towards Lohia or Kamath or conciliatory and critical towards Kripalani, and myself, whom he used to address as Acharyas. Towards juniors he was always affectionate. A good joke at his cost would evoke his laughter. He used to respond so readily to the mood of the House. He was indeed a born parliamentarian. He led the way in conforming not only to parliamentary rules and decorum but also in honouring parliamentary courtesies. There were occasions when he lost his temper—his temper could be tempestuous—but he was too quick in recovering good humour. Indeed many a time he used to come to the House on the following day smilingly, humbly offering apologies for his failure to be urbane on the previous day. He never lost face on such occasions as he could be so gracious towards fellow parliamentarians.

It was seldom that he showed indifference to Parliament or the Speaker but whenever he felt or his comrades like us drew his attention to such *faux pas*, the grace and readiness with which he made amends, used to make the House and the Speaker hug him to their hearts.

As a parliamentary speaker he was nowhere near Bhulabhai or Satyamurti; as a rhetorician he was not as good as Motilal, but as a pacesetter, persuasive parliamentarian and good-humoured leader he was peerless.

He loved speaking in English. He was such a master of English. Yet, he was equally ready to spare some time, during every important debate to speak in Hindi also soon after his English speech, with the result, he succeeded in keeping the exponents of Hindi in good humour.

He was not good-humoured during some debates, such as those on Tibet-Chinese aggression, Krishna Menons's role in defence matters and the U.N. Assembly. He used to get ruffled, grow red in the face and worried, when some Opposition members appeared to be attributing motives. How terrible it was when Feroze Gandhi made his historic charges against T.T. Krishnamachari in Mundhra affairs; when Kamath was so merciless against his Personal Secretary, Mathai. I used to be so unhappy, whether I had then been on his side or on the Opposition benches because he was so much being pilloried. There were occasions when I was myself as unsparing and painfully caustic in my criticisms of him as Kamath or Lohia, but soon after I used to feel so penitent because I used to love him so much. He too loved us. When once he wondered why I was so angry with him, though he respected me, I had to hasten to assure him that my anger was directed against his policies and not against himself. Such was the camaraderie that he evoked in Parliament.

Jawaharlalji is the architect of India's national policy of non-alignment. But he did come to it, not in the usual aggressive or triumphant Nehru manner as he used to do when we were fighting British Imperialism or social reactionaries; he welcomed me to speak on my Cut Motions in successive years, when I pleaded for non-involvement in the conflict that was arising between the Soviets and the U.S.A. for world leadership, and for India's initiative in building a Third Front for peace. He then used to expound his policy of peace, not as a challenge, lest India should be accused of ambition for power in international arena but as the best policy for India's peaceful economic development and harmony in the world. He was thus continuously moving in his efforts to gain more and more friends for India, and the Indian conception of peace, and finally he achieved astounding success in Bandung in 1955 for Panchsheel.

I was not at all in agreement with his readiness to accept China's claims over Tibet. Jayaprakashji, Lohia, Kamath, myself and others were bitterly opposed to China's imperialist claim over Tibet and we felt that India lost heavily by losing Tibet as the strategic buffer State. When later China invaded India and humbled us in that war, we were embittered towards Jawaharlalji. With hindsight I find that neither of us were wholly right. If only Jawaharlalji and Chinese leaders had been allowed to be patient with each other and if so many of us in the then Opposition had been properly educated by Jawaharlalji in his earlier persuasive manner and if we had

shown towards him our earlier *bon hommie*, India and China could have fared much better. Indiraji tried so patiently to recapture the pre-1960 friendly relations with China engendered by Jawaharlal. Despite the horrible Indo-Chinese tragedy, Jawaharlal's edifice of world peace through the non-alignment movement, has by now come to be hailed as a timely and constructive contribution to this world frightened by the growing threat of nuclear holocaust by USA and USSR, China, Atlantic and Warsaw pact powers.

Another equally great contribution of Jawaharlalji as Premier was the creation of the Planning Commission and the Five-Year Plans. From the days of National Planning Committee, founded by Subhas Babu and chaired by Jawaharlalji and guided by M. Visweswaraiah and K.K. Shah the National Congress had been working for planned development of Indian economy and society. Jawaharlalji and several of us worked through the Standing Committee of the AICC towards the eventual formation of the Planning Commission. He had the satisfaction of seeing the successful implementation of two five year plans. He gained parliamentary support for the plans by assiduously associating members of Parliament through numerous committees in shaping the plans. Shrimati Indiraji has guided it in evolving Twenty Point Programme of *Garibi Hatto*.

Only on one great aspect of planning, we both came to a head-on collision and for over six years our political relations became very much soured. That was over his impatient and unrealistic efforts to reorganise agriculture, food production and rural economy by introducing through legislation and governmental as well as Congress party leadership, cooperative farming and abolition of peasant proprietorship of land, because of Planning Commission's enthusiasm for Soviet-type land-utilization. We carried on an embittered debate in Parliament and on public platform and during election campaigns. I had to part company with him as Secretary of Congress party. I was defeated by his party candidate for Lok Sabha. In the end, he was democrat enough to offer a compromise, although my Opposition party (Swatantra) could gain only 27 seats in the Lok Sabha. As a result, peasant proprietorship and its essence self-employment of crores of peasants were saved from the clutches of his seventeenth Constitution amendment. Both of us gained by this democratic compromise but in the process of that lacerating controversy, I lost his comradeship within the party. What a price I had to pay for democratic peaceful struggle with so good a friend.

I would like the present readers to pursue the Chapter on Nehru in my book *Agony and Solace* and also the obituary tribute I paid in Parliament to know how greatly we have revered him and what a large place he had won

in our hearts and what a glorious contribution he has made to our country and the world. Was Jawaharlal an autocrat? No. I gave that emphatic answer in the course of my tribute paid in his absence that if he had been an autocrat, there could not have been the parliamentary proceedings and loyal and fruitful reports of our debates, disputations in all seasons over all those memorable seventeen years. In fact, India's present day parliamentary form of democracy during these 38 years is the living and creative gift he has made to our 700 millions and our Houses of Parliament.

As parliamentarians many of us had to say and did say many harsh things about him and he did say and had to say many harsh things to us. All of them are there on record. We have learnt from him to respect the Opposition. The Opposition also, as a whole, succeeded in learning to accept the decision of the majority. This does not happen in many parts of the world where there is no parliamentary democracy. And that stands to the eternal credit of Jawaharlal Nehru.

NEHRU AND THE CONSTITUTION-MAKING

—L. P. S. Shrivastava

In the foreword of a book, the President of the Constituent Assembly and later the first President of Independent India, Dr. Rajendra Prasad described Nehru as "a man the like of whom treads this earth but rarely and only in a crisis."

Pandit Jawaharlal Nehru was a leader and also an institution. He represented the will of the people. He led them on the path of democracy with clear perception of what is to be achieved.

On many major issues he expressed himself clearly and with a degree of finality in the Constituent Assembly which formed the basis for decisions that were vital to the future functioning of Parliament and the offices and organs that the Constitution created.

He pleaded for preserving the unity, the stability and the security of India and was opposed to producing too many factors in our constitutional machinery which would tend to disrupt the unity by frequent recourse to vast elections which, he said, disturbed people's mind.

He often reminded the members of the Constituent Assembly of the changes that were taking place in Asia and the world. We have to assimilate these changes, he thought, and build a structure that would stand the tide of the time. He sought to establish a political and economic system that would survive all upheavals. The constitution and the government, in his view, must be instruments of change—political, social and economic—that would put the nation on a firm footing and not allow it to stumble when the world currents pushed us forward.

He led the nation with courage, foresight and vision, which was rare in history and which established its superiority over mankind naturally.

We won our independence through tolerance following the philosophy of non-cooperation and non-violence. Even our freedom movement generated love and regard from and for the alien rulers; otherwise Lord Mountbatten could not have become the country's first Governor-General. The philosophy of freedom which Mahatma Gandhi gave to the nation was first born and practised in a ruthless and apartheid-practising colonial country, that is, South Africa.

Internationalism became part of our political thinking from the very beginning to which Jawaharlal Nehru reminded us time and again during the debates in the Constituent Assembly. Even Sri Aurobindo in his message on August 15, 1947, said : "August 15 is the birthday of free India. It marks for her the end of an old era, and the beginning of a new age. But it has significance not only for us, but for Asia and the whole world; for it signifies the entry into the comity of nations with a new power, with untold potentialities which have a great part to play in determining the political, social, cultural and spiritual future of humanity."

Pandit Nehru understood this role which India was destined to play. He referred to the changes that were taking place around us and often reminded the Constituent Assembly members about their responsibility to understand this change and make India a dynamic nation—devoted to itself and the world.

It was very relevant when the first President of the Constituent Assembly, though interim, Dr. Sachidanand Sinha, in his opening speech dealt at length with the constitutions of some of the world's leading republics and asked the members of the Constituent Assembly to weave out a fabric for the Indian Constitution, which suited India's genius and needs.

The Constituent Assembly met in an atmosphere of hostility created by the leader of the Muslim League, Jinnah and it was in this background that Dr. Sachidanand Sinha, who was elected interim President on December 9, 1946, said, "there is an internal element in us which had frustrated all attempts at our obliteration."

This was his first speech in which he gave out a brief on the constitutions of the USA and France. Dr. Sinha concluded by quoting the great poet Iqbal, who had said :

"Yunan-o-Misra-o-Roma sab mit gaye jahan se
Baki abhi talak hai nam-o-nishan hamara
Kuchh bat hai ki hasti mit ti nahi hamari
Sadio raha hai dushman daure zaman hamara."

Our constitution makers were charged with the responsibility of making a constitution for a country which had its own internal and inherent strength but they were to guarantee its future and lay a firm basis for its continued and sustained development.

Dr. Rajendra Prasad was elected President of the Assembly on December 11, 1946. On December 13, 1946, Pandit Jawaharlal Nehru moved a resolution in the Constituent Assembly which defined the aims and objectives of the Constitution of free India. The resolution, he said, was in the nature of a pledge. Moving the resolution, he said :—

“Whatever system of government we may establish here must fit in with the temper of our people and be acceptable to them. We are going to make a Constitution for India, and it is obvious that what we are going to do in India is going to have a powerful effect on the rest of the world, not only because a new free and independent nation comes out into the arena of the world, but because of the very fact that India is such a country that by virtue, not only of her large size and population, but of her enormous resources and her ability to exploit those resources, she can immediately play an important and a vital part in world affairs. Therefore, it is right that the framers of our Constitution should always bear this larger international aspect in mind.”

The resolution laid down the principles as also the form of the Indian Constitution. It provided guarantees to the Indian people, making India a secular and a democratic republic. It guaranteed social, economic and political justice, equality of status and opportunity, freedom of thought and action. It were these dreams which he cherished in his heart about a free and independent India, modern in its outlook and wide in its vision. He wanted for India its own place in world politics and for this a modern constitution and a well-thought-out foreign policy was to be a beacon light

It was the Constituent Assembly led by Nehru and Patel that devised a constitutional plan for the merger of the States into the Indian Union. India was indeed fortunate of being endowed with the leadership of Pandit Nehru and Sardar Patel that brought about the integrity and stability to the new-born and strife-torn nation.

The making of the Indian Constitution started in December 1946 and was finally completed on 26 November, 1949. On Nehru's suggestion, India's Constitution came into force with effect from 26 January, 1950. This was an achievement greatly credited to him. The country, which has passed through religious prejudices and violence leading to partition, adopted with one voice the most secular constitution in the world. It upheld the

principles and ideals which the visionary Nehru had cherished and practised all his life with devotion. He had a great sense of fulfilment when the Constitution was adopted declaring India as Republic.

Our Constitution is the largest document of its kind in the world. In spite of that it has been amended on several occasions to meet various exigencies. During Nehru's own premiership the Constitution was amended and improved upon not in its principles and basic guidelines but only in details in preserving its aims and objectives.

Differences, however, arose over the interpretation of the Constitution among the very makers of it. The first President of India Dr. Rajendra Prasad, who presided over the Constituent Assembly, later sought legal *pandits'* opinion on the powers of the President. This was resented by the Prime Minister.

In January 1948, a dispute arose between Nehru and Sardar Patel over the powers of the Prime Minister. Nehru thought that in the type of democratic set up that has been provided in the Constitution, the Prime Minister is to play an outstanding role. He is a person who should be more responsible than any one else for the general trend of policy and for the coordination of the varying work of various departments. The final authority necessarily is the cabinet itself. But Sardar Patel thought that Pandit Nehru's conception of the Prime Minister's duties and functions would raise the Prime Minister to the position of a virtual dictator. This is opposed to the democratic and cabinet system. In later days the Prime Minister did become almost the sole authority in decision making and the cabinet pursued the policies laid by the Prime Minister.

In the Constituent Assembly itself controversies arose on certain issues. The Hindu Code Bill was one example. Dr. Rajendra Prasad thought that the Constituent Assembly was not empowered to deal with this subject and pass the draft bill in 1951. After the first general election held in 1952 under the Indian Constitution, the measure was adopted in separate bills and received the assent of the President, Dr. Prasad. (Hindu Marriage Act was passed in 1955 and the Hindu Succession Act in 1956).

Nehru was clear in his mind that India's Constitution had underlined the need for social change in the country which must be pursued with vigour and clarity. He pleaded for the emancipation of women *by giving the right to the daughter in the father's estate and to restore to women their inalienable rights as human beings as also their dignity.*

He wanted to move fast and build the country faster. He encountered Opposition, though silent, in the Congress itself. But his superiority as a

leader and his sway over the people enabled him to meet all challenges successfully. This led to a thinking that the Opposition in India must grow. Jayaprakash Narayan even suggested to Panditji to help build a strong Opposition. Though surprised at this suggestion he seemed to agree with the idea that there should be a strong Opposition. But now could he as the leader of the House in Lok Sabha and outside assist in uniting small groups into one coherent party. The truth was that even his opponents wanted him to lead the nation and he remained the cherished custodian of power till the end of his life and was loved both nationally and internationally. He was a lion among men; a fighter and a lover at the same time.

He not only contributed to the Constitution making process but also took upon himself the responsibility of making the Constitution work. He sat through the debates in both Houses of Parliament for late hours and intervened where his advice and guidance was needed. He discharged his functions as leader of the Lok Sabha in all its aspects. He assisted the Speakers of the Lok Sabha in building conventions and laid stress on dignity and decorum in the House. His presence in the House created confidence and the Speaker and the members looked to him for advice and guidance. He saw to it that the Constitution worked smoothly and effectively and gave in when he saw the statute needed change. He worked to strengthen the roots of democracy and parliamentary system in the country and vigorously pursued his policy of national integration and economic emancipation of the people of India, who were his first love. In Parliament he welcomed criticism and gave to members the right to criticise the government, seek clarification and even oppose when they felt they must. He found himself at ease even with his opponents. He reacted with appreciation when Feroze Gandhi made a forceful speech on the floor of the Lok Sabha and criticised the government for its acts of omission and commission in the Mundra deal. Replying to the debate Panditji praised him and said members should learn how one must prepare one's facts and arguments to be effective in the House. He never minced words and was direct in his explanation and appeal. This made the working of Parliament easy and its debates useful and conclusive. As a reporter sitting in the Press Gallery, I have often reported Nehru's speeches and felt proud in doing so. Whether he was discussing planning, politics, science, technology, culture or diplomacy, he always excelled. One could not easily believe how one single person could have the qualification to speak with authority, knowledge and conviction on so many subjects and take decisions which guided the country to a situation in which we are proudly placed. He never faltered in his respect to Parliament to which he was elected and to which the Constitution had made his government responsible.

Shortly after midnight on August 15, 1947, Nehru dedicated himself, as did all the members of the Constituent Assembly to the cause of the nation. The pledge said : "At this solemn moment, when the people of India, through suffering and sacrifice, have secured freedom, I, a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind." In fact this pledge got reflected in all the debates in the Constituent Assembly and in the formulation of policies of the government over which he presided.

In the session of the Constituent Assembly, after it assumed power on behalf of the Government of India on August 14, 1947, its President Dr. Rajendra Prasad spoke of a classless society which was to grow into a cooperative commonwealth. Thereafter, Nehru moved the resolution on objectives.

This was the second resolution he moved in the Constituent Assembly which said :

"Wherein all power and authority of the sovereign, independent India, its constituent parts and organs of government are derived from the people; and

Wherein shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action subject to law and public morality; and

Wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and whereby shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilized nations, and this ancient land attains its rightful and honoured place in the world and makes its full and willing contribution to the promotion of world peace and the welfare of mankind."

Thus this resolution moved by him defined the free India's domestic and foreign policy in clear and specific terms. He stressed the need for special provisions for the backward classes and the nation's unity in diversity. He never forgot the people from whom he derived strength and power. And, in his resolution and in his speech he described India as an ancient land and through his policies and programmes tried to make India a modern country in learning, in outlook and in material terms. He made the Constitution the

guarantor of the rule of law. That is how the Indian Constitution has been described by many eminent men as a unique document and a truly democratic bill of rights and a Magna Carta.

It took two years, eleven months and eighteen days to formulate, draft, discuss and approve the Constitution. The framers of our Constitution drew mainly from the republican constitutions of the United States, Switzerland and France. They also drew liberally from the constitutions of the United Kingdom, Canada and the Government of India Act, 1935.

The Indian Constitution was given both political and economic content to make it effective. Nehru took special interest in drafting the directive principles since he always believed that without economic and social rights political rights will be incomplete. He had said that we should learn from the success of others but avoid their failures. He was inspired by the revolutionary examples of the USA, the Soviet Union and France and he referred to them in his speeches.

Our Constitution requires the State to ensure for its people adequate means of livelihood, fair distribution of wealth, protection to child and adult labour employment and free and compulsory education for children upto the age of fourteen.

Under the Constitution, India's first general elections completed in early February 1951, were staggered for three months. Over 160 million voters were involved in this mammoth election, which was unprecedented in its size and appeal. On the eve of the elections on November 2, 1951, Pandit Nehru appealed to the people and the candidates to keep the honour of India in mind and conduct themselves accordingly. He said :

Hundreds of millions of people in India will determine the future of this country. They will put their voting papers in terms of thousands of ballot boxes indicating their choice and will or should do so peacefully. Of these voting papers will emerge the Members of the Parliament of India and of the State Assemblies and we shall accept the result of this election without question.

That is the essence of democracy. All of us naturally want the cause we represent, to triumph and we strive for that end. In a democracy, we have to know how to win and also how to lose with grace. Those who win should not allow this to go to their heads; those who lose should not feel dejected.

Thus, he led the people on the path of democracy with clear perception of what is to be achieved in what manner and for whose benefit. That was his foresight. He visualised everything and left nothing to chance. He travelled in the country far and wide and said: "We are all clamouring for our rights and privileges. It is more important to remember our duties and responsibilities." In the first general elections the Congress party won 366 seats out of 489 seats in the Lok Sabha. In the States also the Congress captured power with overwhelming majority.

Thus, the Constitution gave stability to the political system and holding of the general elections successfully brought about national integration. The whole nation, both the people and its leaders, got tested and proved to the world their worth and temper. Pandit Nehru led the Parliament and the people at the same time with same insight and vigour. He had no experience of the working of Parliament. Still he seemed to have known almost everything. He rarely spoke from a prepared text but he proved to be a keen debator, convincing and forceful. He never forgot his responsibilities as a builder. Whether it was framing of the Constitution, running of the proceedings of the Parliament or the business of the State he seemed to be at ease and to these he gave all his time, attention and energy.

On the election of the President of India and his role as the Head of the State, Pandit Nehru said : "President should not function as a party man after he is elected. He should function completely impartially when he is in high office."

On the language issue there was good deal of debate and sentiments ran high. After listening to many eminent speakers he cautioned the members against raising controversy on the issue, which was very vital. He said : "We stand on the threshold of a new age, for each age is always dying and giving birth to another. In India we are participating both in a death and a birth and when those two events are put together the great problems present themselves and those who have to solve them have to think of basic issues and not be swept away by superficial considerations."

"Language," he said, "is a most intimate thing. It is perhaps the most important thing which society has evolved out of which other things have taken growth. Now language is a very big thing. It makes us aware of ourselves. First, when language is developed it makes us aware of our neighbour, it makes us aware of our society, it makes us aware of other societies also. It is a unifying factor and it is also a factor promoting disunity. It is an integrating factor and it is a disintegrating factor as between two languages and as between two countries. When, therefore, you think in terms of a common language here you have to think of both these facts."

He agreed that however great the English language may be we have to think of doing our national, public and private work as far as possible in our own language and more particularly in the language that you may choose for all-India use. He pleaded for *Hindustani* and said that the Hindi language should represent that composite culture which grew in Northern India and it should also represent that composite culture which it drew from other parts of India. In the later part of his speech on this issue he added : "In any event, whether you want it or not, world forces and current will push you forward but if you are looking back you will stumble and fall repeatedly."

Convinced as he was about the country's future he said : "India, in spite of our present difficulties, is going to make progress and go ahead at a fast pace but if we shackle the feet of India with outworn forms and customs, then who is to blame if India cannot go fast, if India stumbles and falls. That is the fundamental question before us," he cautioned the Assembly and the nation.

The Constituent Assembly accepted Hindi in Devnagari script as the official language to which he assented.

A very important question in the Constituent Assembly was whether the Governors in States should be nominated or elected. There was a view that the Governors should be elected. During the last two years in connection with the debate on the Presidential system, suggestions were also made that the Governors should be elected.

Pandit Nehru took a very clear and firm view and told the Assembly that "if we have elected Governor that would to some extent encourage separatist provincial tendency more than otherwise. There will be far fewer common links with the Centre. It would encourage rather narrow provincial way of thinking and functioning in each province. After all what is the test of a democracy ? Carried to extremes it may be perfectly democratic in the sense of election everywhere but this may produce conflict, with the result that the machine begins to creak."

He always presented things in their perspective and asked the Assembly members to look round the world today. "How many governmental machines," he asked, "are working smoothly, how many are cracking and how many are cracking up all the time, for political and economic reasons ? There are very very few stable democratic machines. It is important for us not to take any step, which might tend towards loosening the governmental machinery and thus producing conflicts. We have passed through very grave time and we have survived them with a measure of success. We should always view things from the context of preserving the unity, the stability and the security of India and not produce too many factors in

our Constitutional machinery which will tend to disrupt the unity by frequent recourse to vast elections which disturb people's mind and at the same time divert a great deal of our resources towards electoral machine rather than towards the reconstruction of the country."

The question of taxing or not taxing salt generated heated debate in the Constituent Assembly. The original provision said "No duty on salt shall be levied by the Union." Mahavir Tyagi moved a motion deleting this clause. Pandit Nehru supported him and said "Salt at one time in our national history, in the history of our struggle for freedom, became the world of power which moved the large masses of human beings and brought about a strange revolution in the country in the course of a few months. But let no member of this House and let no member of the public outside this House. imagine for an instant that this government and, I imagine, any successor government, will think in terms of taxing salt. . . . So instead of putting it in the Constitution which may tie our hands up and create difficulties in future, we can go into the question in a separate law which can be dealt with by Parliament in detail, providing for all possible contingencies."

He was all the time looking at the practical aspects of various proposals and situations and the functioning of the governments and the Parliament so that discretion rather than valour should be the rule. He did not agree with any sentimental approach to things and suggested matter of fact approach to the solution of all problems.

He often reminded the members of the Constituent Assembly about their responsibility to usher in a new era in the country and to provide broad principles and guidelines on matters of State policy on the basis of which the government and the Parliament could function and legislate. He was listened to with care and his views were respected even when there was difference of opinion. He presented his views in a world perspective and pleaded for the transformation of India into a modern and forward-looking society.

There was a lively debate in the Assembly on property rights. Pandit Nehru intervened to say that old concepts had changed. Even the meaning of property today was not the same as it was once upon a time. "There was a period," he said, "when there was property in human beings. The king owned everything—the land, the castle, the human being—gradually, the property in human being ceased to exist and slavery got abolished. The idea of property underwent changes not so much by law, but by the development of human society. Land today, as it has been yesterday, is likely to be a very important kind of property. So, the idea of property has been changing where society has been changing rapidly owing to the various revolutions—industrial and otherwise."

He said, "if law and Parliament do not fit themselves into the changing picture, they cannot control the situation completely. It is in this context of the fast changing situation in India that we have to view this question (of property) and it is in this context in the wide world and in Asia we are concerned. We have to consider this problem not in narrow, legalistic and juristic sense. It is the old policy of the Zamindari institution in India which must be abolished. We shall give effect to that pledge completely."

He also expressed his views on the role of judiciary and said: "Within limits no judge, no Supreme Court can make itself a third chamber. No Supreme Court and no judiciary can stand in judgement over the sovereign will of Parliament, representing the will of the entire community." But soon he added, "we must respect the judiciary, the Supreme Court and other High Courts on the land. As wise people, their duty it is to see that in a moment of passion, in a moment of excitement even representatives of the people do not go wrong and they might."

But he was categorical on the right of the legislature and said : "Legislature must be supreme and must not be interfered with by the courts of law in such measures of social reform. Otherwise, you will have strange procedure to adopt. Of course, one is the method of changing the Constitution. The other is that which we have seen in great countries across the seas that the executive, which is the appointing authority of the judiciary, begins to appoint judges of its own liking for getting decisions in its own favour but it is not a very good thing."

Nehru has been the biggest single influence on the evolution of contemporary politico-economic thought in India. He believed in political equality and economic well being of the masses. The Karachi resolution of the Congress, drafted by him, way back in 1931, spelt out the fundamental rights as also the policy on labour, taxation, and regulation of economic and social programmes, which were enshrined in our Constitution many years later.

Through the Constituent Assembly he worked to create political institutions which would sustain the unity of India and give the nation a stable government devoted to rapid socio-economic progress. The government, he thought, must be an instrument of change, the principles of which he endeavoured to lay down in the Constitution itself.

He pleaded for reform in our political and social life in all his speeches and told the members of the Constituent Assembly that what they were charged to create must stand the test of time, when the future generation will take over the government of the country. He thought of generations ahead and sought to establish a political and economic system that would survive all upheavals and all pressures in the times to come. Those of us,

who have seen his generation, our own and the coming ones realise the importance of what he said and what he pleaded and worked for. We have passed through strains and stresses and survived all agonies and bitterness. This is a tribute to his foresight and that of the makers of our Constitution who had the vision and maturity to foresee things and provide shock-absorbers in our Constitutional machinery.

Panditji believed in discussions and debates and loved it. He was a keen debator himself and liked those who could argue with him, even dissent and vote against him truthfully and on good grounds. Full of confidence, he generated confidence in others. He was a true democrat and was devoted to the parliamentary system in which he took part keenly and gave all his time, thought and attention. He understood the complexities of the system and steered clear through it by sheer devotion and sense of duty towards his work and love for the motherland. He knew what he was building and working for. What emerged from his untiring efforts was a nation, firm in its belief about its future and widely-awakened to its responsibilities to the future of the mankind. Through him internationalism became an inseparable part of our thinking and nationalism accepted liberalism as a way of life. Though bigotry did not go away from India, we have survived all manners of strife and inner struggle. That is enough to prove the greatness of our political sages and this is enough for the history.

NEHRU AND PARLIAMENT

—Karan Singh

Jawaharlal Nehru was one of the founding fathers of the Indian Constitution. Throughout the struggle for freedom he had stood for democracy and socialism, and in the Constituent Assembly his influence was cast in favour of vesting real power in the elected representatives of the people both at the Centre and in the States. As an institution, Parliament always received from him the highest respect; he attended it regularly and, for important decisions, whether in the legislative or the executive sphere, he always sought the seal of approval of Parliament. He took great pains to uphold, the rights, privileges and dignity of Parliament. It had been argued by the apologists of imperialism in the colonial era that democratic institutions which had been nurtured in Europe through several centuries, could not be successfully transplanted to Indian soil. These prophets of doom have been proved false; parliamentary institutions have come to stay in India, and, despite many stresses and strains, our Parliament continues to be the most important forum in our national life.

When Jawaharlal Nehru became Prime Minister of India in 1947, he was 58 years old; he had never sat in a legislature. Still, almost overnight, he turned out to be a great parliamentarian. The Congress Party, of which he was the leader, enjoyed a majority throughout his term of office, but he took care to treat the Opposition parties in the Parliament with great consideration. He recognized that tolerance of minority views was an essential attribute of the parliamentary system. There were occasions when Jawaharlal was subjected to severe, and sometimes unfair, criticism in Parliament, but he took it all sportingly as a part of the parliamentary game. Once a member taunted him that he had lost his place in history for a tinsel portfolio. Jawaharlal retorted that he did not care for a place in history; all that he wanted was to serve his country to the best of his ability.

On some subjects, such as foreign affairs and planning, Jawaharlal often carried the debates in Parliament to a high level. I had several

occasions of listening to him winding up the foreign affairs debate in the Lok Sabha, and it was always a treat to hear his beautifully modulated sentences express his wide knowledge and experience in the field of foreign policy. On some issues, such as the Hindu Marriage and Succession Bill, he spoke with deep conviction and almost missionary zeal. Whenever a controversial issue (such as the place of English or Hindi as an official language) came up, he spoke with admirable clarity, objectivity and balance, seeking to place the whole problem in its wider perspective.

Because of the role he had played in the nationalist struggle, Jawaharlal occupied a commanding stature as a national leader, which was over and above his position as Prime Minister. He had, further, the advantage of leading a party which commanded comfortable majorities in Parliament, and which unquestioningly accepted his leadership. Yet it is a significant fact that Jawaharlal did not short-circuit or abridge parliamentary processes and democratic procedures. He consulted his colleagues in the Cabinet and the parliamentary party and—on important issues—the leaders of Opposition. Reconciliation of differences through discussion and give-and-take are essential for the successful functioning of parliamentary democracy, and Jawaharlal did much to promote healthy conventions. It was not always possible for him to convince the Opposition, but his conciliatory approach usually helped to soften bitterness and to build bridges of understanding.

Today his healing touch, his deep knowledge of national and international affairs, his essential humanity and dedication to certain values that informed the freedom movement, his fearless advocacy of his beliefs combined with an effort to understand the opposing points of view, all stand as testimony to his greatness not only as a political leader but as a parliamentarian.

NEHRU'S ROLE IN SHAPING THE PARLIAMENT

—*B.R. Nanda*

Jawaharlal Nehru was one of those men who had a sense of history. In his writings one finds such expressions as 'We are on the edge of history'. He talks about 'destiny of India', he talks about the 'future of India' and the 'future of the world'.

I have been intrigued by the fact that Jawaharlal was very critical of parliamentary methods throughout the struggle for freedom. One can see this in his writings. In the "Age of Gandhi", which started in 1920 with the non-cooperation movement, Councils and Legislatures were at a discount. At the Calcutta Congress, in September 1920, which approved non-cooperation, the most contested item was the boycott of Councils. Gandhiji had against him almost any one who mattered in the country : C.R. Das, Malaviya, Lajpat Rai, Annie Besant, Jinnah and followers of Lokmanya Tilak. Well, this item of non-cooperation was approved in 1920, *i.e.*, Councils were boycotted. But again the Congress had a bitter controversy from 1922 to 1923 between 'Changers' and 'No-Changers' on the question of Council entry. Motilal Nehru and C.R. Das were on one side and Rajaji and Vallabhbhai Patel on the other. This controversy raged even more fiercely when Gandhiji came out of jail, and in 1924 the Congress was on the verge of a split. In the event, Gandhiji handed over the Congress organization to the Swaraj Party. Again, in 1936, the Congress was shaken by a controversy over the issue whether it should fight the elections and accept office if it was returned with a majority of seats in legislatures.

Against this background, it would be seen that there was no contradiction between parliamentary democracy and the attitude of the Congress at that time, because for the Congress it was only a question of strategy. The question was whether with limited franchise, separate electorates, the vetoes of Governors and Viceroy, it was advisable for the Congress to use these legislatures as a forum. Fortunately for the post-independence generation and for this House there were two short periods

in which the Congress leadership acquired expertise in parliamentary methods. From 1924 to 1929 the Central Assembly and the provincial legislatures had Congress representatives. There is nothing more fascinating and nothing more instructive than to go through the proceedings of the Central Assembly of that period when Motilal Nehru was the Leader of the Opposition. Motilal Nehru was admired and respected not only by the Congress Party, (the Swaraj Party), but by his opponents, the British on the Treasury Benches. And then we had Vithalbhai Patel, who made the office of the Speaker of the Central Legislative Assembly even within the limited Constitution something really deserving of respect: he set traditions on which Mavalankar and his successors could build further.

It was not Jawaharlal Nehru who decided that we should have a parliamentary system of government. For at least a hundred years from the days of Dadabhai Naoroji, Pherozeshah Mehta, Surendranath Banerjea, Motilal Nehru, Lokmanya Tilak, Gokhale and Jinnah, the assumption was that when India became free, she would have a legislature which would be elected by the people and would be the ultimate authority in the country to which the executive part of the government would be responsible. So, when independence came in 1947, there was hardly any debate on the adoption of parliamentary system of government. In that generation, almost every one took it for granted that we were going to have a parliamentary system. But having a system of government on paper is one thing, having institutions which will give a permanent basis to it is another. This is where Nehru's great contribution to the parliamentary system of government in India comes in.

When I was going through Nehru's letters and speeches and his activities in 1946-47, I was amazed at his effortless transition from a rebel to a statesman. It is not easy for a militant nationalist leader, who has been in opposition all his life, to take office, assume responsibility, prove himself a statesman almost overnight. I remember what he said when the first Lok Sabha was dissolved in 1957: 'There is no higher responsibility and no greater privilege than to be a Member of this Parliament'. He himself felt that responsibility and he himself felt the privilege.

At the Seminar when the Vice-President quoted Jawaharlal Nehru on the qualities which are required to make a good parliamentarian, the thought occurred to me that he himself embodied those qualities in the greatest measure. Few people had a more cultivated intellect than Nehru, or greater devotion to duty; he worked for almost 17 hours a day for the 17 years of his prime ministership. He had a high degree of self-discipline and restraint. Restraint did not come to him easily; it had perhaps to be consciously cultivated, but in the end, as so many of the distinguished

speakers today have mentioned, Nehru practised tolerance and forbearance in greater measure than we might have reasonably expected from a leader in his position. So many examples have been given of his tolerance. I remember the late Prakash Vir Shastri (who belonged to the Opposition) told me that when Sheikh Abdullah was released from jail in 1964, Indira Gandhi and one of the ministers received him at the Delhi airport. In the Lok Sabha there was severe criticism. The critics said, "Mrs. Gandhi's presence at the airport was alright because she was a private individual, but why did a minister go?" Panditji vigorously defended the action of the government but later at night, according to Prakash Vir Shastri, he rang him up and told him :

तुम तो पीछे ही पड़ गये हो, हो गया, बात खत्म हो गई,
क्या किसी से गलती नहीं हो सकती ।

(Why are you insisting on this point again and again? There can even be a mistake; so why not just forget it.)

I would call this remarkable humility in one who as the leader of the largest party and head of the government, was talking to members of the opposition party which was in no position to challenge his position. He was not merely tolerant of the opposition, he was indulgent to it. This was of course in the tradition of the national movement, and especially of its Gandhian phase: the aim was not to coerce critics and opponents but to convince and, if possible, win over. The parliamentary system, after all is a system of government by discussion, by negotiation, by conciliation. One of the hon'ble speakers has said at the seminar that "parliamentary system is a search for truth". I am afraid, I cannot agree. The parliamentary system does not search for truth: it only seeks a viable policy within the constitutional and national framework which makes it possible to carry the people with you. The timing and the way in which you move would depend upon your assessment and your political sense and your ability to get the best out of the situation not only for today but for tomorrow.

The Vice-President said earlier about the importance of leadership for the success of parliamentary democracy. Nehru himself said that the people of India had the tradition of parliamentary democracy in their bones. I am afraid, such a statement has the same significance as Gandhiji's statement that "The people of India are wedded to non-violence". The fact is that great leaders set up high ideals before us so that we can work towards them; it is their charismatic leadership that bridges the difference between what we are and what we sought to be. When we work with them, or in their presence, our better side comes out. I came across in Mahadev

Desai's diary Gandhiji's comments on non-violence, the gist of which was: "We do not have real non-violence in this country. In fact, there have been as many wars and conflicts in India as in any other country. But there is also a tradition of *ahimsa* practised by a minority. We can choose this tradition and develop it". The same thing may be said about the tradition of democracy in our country; it had to be picked up and developed and carefully nurtured. And this was the great contribution of Jawaharlal Nehru in the formative years of the Indian Republic in the 1950s and 1960s.

Dr. Octavio Paz delivered on November 13, 1985 the Nehru Memorial Lecture in which he made an important point, the purport of which was: "You are lucky in India because your freedom movement was based on non-violence and on discarding violence and hatred. In Latin America, we won our independence from Spain through violence. And with violence, we inherited civil wars, military dictatorships and all that goes with it."

The tradition of our freedom movement has gone a long way in giving support to the system of parliamentary democracy in India. Our capacity to sustain, improve and develop it further depends upon our capacity to march together for common goals through mutual discussion, 'give and take', through free elections, through a free Press, through a free judiciary and all the institutions which are concomitants of parliamentary democracy.

NEHRU AND PRESIDING OFFICERS

—S.L. Shakdher

Nehru's respect for parliamentary institutions was as deep-rooted as his faith in the democratic process. Parliament symbolised for him the power of the people and he was very zealous of guarding its dignity. In the constitution, composition, and functioning of Parliament, Nehru has left an indelible mark. He was ever conscious of the fact that a sound parliamentary system could be successful and enduring only if the Speaker was a person of integrity and vision. We were fortunate that he chose G.V. Mavalankar as the first Speaker of Lok Sabha.

Speaker Mavalankar, who had the distinction of presiding over India's House of the People (Lok Sabha) in the initial years was a great Speaker, a born Speaker in the words of Pandit Nehru. There was no doubt about his basic uprightness and impartiality. He was precise in his rulings and would insist on correct procedures. He wore the vestments of parliamentary propriety and there was always something in his words which indicated a fundamental seriousness and a passion for the correct working of parliamentary process.

Few even today appreciate the key role of the Presiding Officer in a parliamentary democracy. The Speaker is the all important conventional and ceremonial Head of the House of the People (Lok Sabha) and without him the House has no constitutional existence. He is a symbol of impartiality and guardian of the privileges of the House. Jawaharlal Nehru understood fully the importance of the office of Speaker and laid emphasis on its prestige and authority time and again. Speaking in the Lok Sabha on 8 March, 1948, on the occasion of the unveiling of the portrait of the late President of the Central Legislative Assembly, Vithalbhai Patel, Nehru observed :

“Now, Sir, specially on behalf of the Government, may I say that we would like the distinguished occupant of this Chair now and always to guard the freedom and liberties of the House from every possible danger, even from the danger of executive intrusion.

There is always that danger even from a national Government that it may choose to ride roughshod over others; that there is always a danger from a majority that it may choose to ride roughshod over the opinions of a minority, and it is there that the Speaker comes in to protect each single Member or each single group from any such unjust activity by a dominant group or a dominant Government. Vithalbhai Patel performed that function at a different time and performed it with remarkable ability. He laid the foundations of those traditions which have already grown up round the Chair which you, Sir, occupy with such distinction. I hope that these traditions will continue, because the position of the Speaker is not an individual's position or an honour done to an individual. The Speaker represents the House. He represents the dignity of the House, the freedom of the House and because the House represents the nation, in a particular way, the Speaker becomes the symbol of the nation's freedom and liberty. Therefore, it is right that that should be an honoured position, a free position and should be occupied always by men of outstanding ability and impartiality."

And again speaking in the Lok Sabha on 18 December, 1954, on the censure motion against Speaker Mavalankar, Nehru made the following reference to the Office of the Speaker :

"I should like to address the House, if I may, in my capacity and the high privilege of being the Leader of this House and not as a leader of the majority party. So far as this majority party is concerned, I should like to tell them that not one of them is bound by any whip or any direction; let them vote as they like. It is not a party matter. It is a matter for this House, for each individual, to consider, regardless of party affiliations. Therefore, let us try to think of it not as a party issue, but as Members of this House, because this matter affects the hon. Speaker, of course, but it affects the first citizen of this country that is the Speaker of this House. It is a serious matter when the honour of Parliament is concerned. What is said about the Speaker, what is done about the Speaker comes back on each one of us who claim to be Members of this hon. House. It is one thing not to like a ruling or to disagree with it or even to feel, if I may say so, slightly irritated about something that has happened. These things happen. But, it is completely a different thing to challenge the *bona fides* of the very person in whose keeping is the honour of this House. When we challenge his *bona fides* we betray before our countrymen and indeed before the world that we are little men and that is the seriousness of the situation."

The Speaker enjoys great powers of discretion and subjective satisfaction in our rules unlike in the other Parliaments of the world. This became possible because Nehru wanted the Speaker to take the burden of putting our nascent democracy on par with the then developed parliaments such as in UK and in the western countries in as short a time as possible. He knew the new members were inexperienced in parliamentary ways and leaving the matter to the forces on the floor of the House would either lead to chaos, or more authority being wielded by the ruling party and trampling the rights of the Opposition. He had also faith in the skill and integrity of the first Speaker of Independent India—G. V. Mavalankar—who he was sure, would hold the correct balance between the ruling and Opposition parties to enable the chamber to function efficiently and in the interest of the people whom it represented. He was also conscious of the fact that it was an interim arrangement only and in due course the House would gradually take over its legitimate powers and divest the Speaker of his powers of personal and subjective satisfaction given to him under the rules. While the first part of his conception that the Speaker's immense guidance was necessary for the smooth and orderly functioning of the House has been fulfilled even during the life time of Speaker Mavalankar, the second and important objective, viz., that the House should have its powers restored to it has not yet been achieved. The Speaker continues to wield powers which belong to the House.

As everyone knows, the various provisions of our Constitution have been mainly drawn from the Government of India Act 1935, and since it assigned a subordinate position to the Central Legislature, the revised provisions in our Constitution had to be carefully drafted to assign overriding role to Parliament and to bring out its primacy. Thus when the Constituent Assembly was deliberating over the new Constitution, Nehru, Patel and Dr. Ambedkar kept in close touch with Speaker Mavalankar and respected his advice on provisions relating to Parliament. I must say here that Mavalankar was closely assisted by Shri Kaul, the then Secretary of the Constituent Assembly (Legislative) and together they suggested provisions relating to President's Addresses, Ordinances, Presiding Officers, Secretariat of Parliament, financial provisions such as taxation and appropriations by authority of Parliament and law and other related provisions. The Drafting Committee of the Constituent Assembly accepted all these proposals and the Constituent Assembly approved them. They form an important part of our Constitution today.

The authority of the Speaker to administer the Secretariat of the House was recognised by Nehru, from the beginning. This undiluted power of the Speaker is unique and peculiar to India unlike other countries. When the Central Legislative Assembly terminated on 15 August, 1947, the Central

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Assembly Department continued. An argument was developed by the President of the Constituent Assembly that the Legislative Assembly Department should merge with the temporary Secretariat of the Constituent Assembly. When Shri Kaul pointed out to Nehru that if the staff of the Legislative Assembly Department was spread over, the separate entity of the Department would be broken up, Prime Minister Nehru passed orders that while the staff of the Legislative Assembly Department may work in the Constituent Assembly Secretariat, all orders issued by the President of the Constituent Assembly in this matter should be governed by the consideration that the 'entity' of the Legislative Assembly Department was not broken up. This arrangement lasted for a short period from August to November 1947. And when the Constituent Assembly (Legislative) was formed in November 1947, the Legislative Assembly Department was named Parliament Secretariat (Provisional) until 1952 and become the nucleus of the Lok Sabha Secretariat when the first general election was held and two Houses came into being. During this early period the independent character of the Secretariat was questioned by the Home and Finance Ministries of the Central Government and they proposed that the officers and staff of the Parliament Secretariat (Provisional) should be under the administrative control of the executive and be governed by the orders of the Central Government from time to time. Speaker Mavalankar wrote a strong minute and opined that it was derogatory of the position of the independent Parliament that its Secretariat should function under executive Government and officers of the Government. The matter went up to Sardar Patel, who, in consultation with Nehru, ordered that the independence of Parliament Secretariat shall be maintained under the authority of the Speaker. This one order helped greatly in the development of sound parliamentary system in India as the officers and staff felt free to discharge their functions unfettered by any thought of toeing the Government line. The Secretariat acted without fear or favour in establishing correct procedures and in enhancing the reputation of the Committees of Parliament, which came to play an important role in overseeing the Ministries of the Government.

Panditji showed great respect to the House and the Speaker by his own conduct as the leader of the House. The very manner of his entry into the House, the deep bow to the Chair as he took his seat, his observance of parliamentary etiquette in the best sense of the term were exemplary. There was nobody as punctilious Jawaharlal in regard to the courtesies of parliamentary life. Even so a Presiding Officer would not hesitate, where parliamentary forms were concerned, to remind him of the correct procedure and Pandit Nehru accepted it with grace.

In early fifties, there arose a privilege issue involving the then Law Minister Shri C.C. Biswas who was caught between the loyalties—Rajya

Sabha of which he was a member, and Lok Sabha to which, as Minister, he was responsible. The facts were that Speaker Mavalankar had certified a Bill as money Bill and when it went to Rajya Sabha they objected to it. Minister Biswas, stated in the Rajya Sabha that the Speaker had not applied his mind and had appended the certificate in a routine manner. Speaker Mavalankar took exception to this and there was furore in the Lok Sabha demanding that privilege proceedings should be initiated against the Minister. When the conflict between the two Houses was escalating, Pandit Nehru made a statement in both the Houses clarifying the constitutional position of the Houses vis-a-vis one another and upholding, in clear terms, the powers of the Speaker to certify Bills as money Bills. He deprecated that aspersions had been cast on the Speaker. Thus a happy finale was worked out. Since then the Houses have been at peace with one another.

Take another case of a breach of privilege of one House by a member of the other House. Shri N.C. Chatterjee, a member of Lok Sabha, had used certain derogatory words against a member of Rajya Sabha in a speech in Simla. The Chairman, Rajya Sabha issued him a contempt notice. That notice formed part of privilege proceedings in the Lok Sabha. Prime Minister Nehru suggested in the House that the erring member should apologise to the Chairman of the other House and the matter be closed. The members of the House were agitated and Speaker Mavalankar was called upon to give a ruling in a tension ridden House. Any weak Presiding Officer would have accepted the suggestion of the Prime Minister as a way out of the impasse—but not Shri Mavalankar. He gave an extempore ruling immediately that he would not advise the member to apologise since that would mean submitting Lok Sabha to the jurisdiction of the other House and as head of Lok Sabha he would never do so. Pandit Nehru felt enraged but sat down. It is his greatness that in the evening he wrote a note to the Speaker saying that after thinking over the matter a good deal he had come to the conclusion that the Speaker was right and begged him to evolve a procedure which would settle the matter to the satisfaction of both the Houses for all time to come. Speaker Mavalankar set out to work and we have now a firm procedure to settle all these disputes on clearly laid-down guidelines.

Preserving the dignity of the House and enhancing its authority was the wont of Prime Minister Nehru. He showed it in little actions that form today permanent precedents for others to follow and thereby strengthen the foundation of an eternal system. He was fully conscious that the Speaker, being the spokesman of the House, should be as respected as the House itself. So it was that, whenever he had to discuss anything with Speaker, he would come to his Chamber after making an appointment;

and also, when the Speaker expressed a desire to see him, Nehru would come to his chamber. I know that even when parliamentary delegations led by Speaker had to visit countries abroad, he would come to the Speaker's Chamber and address them there. By so doing, he not only respected and enhanced the position of the Speaker, but also enhanced his own dignity and authority. Lesser men felt humbled.

A historic case, known as 'Mudgal Case' arose in the early fifties. Prime Minister Nehru had received a complaint from the Chief Minister of the then Bombay State, that Shri Mudgal, a member of the Lok Sabha, had demanded money for pursuing certain matters in the House. Nehru asked for the advice of Speaker Mavalankar. An exact precedent in the House of Commons, U.K. was located in which Mr. Churchill, the then Prime Minister of the U.K. had initiated proceedings, against a member, Mr. Boothby. Mr. Churchill had made a distinction between a breach of privilege and lowering the standard of parliament by a member by his improper behaviour. Speaker Mavalankar advised similar action against Shri Mudgal. Nehru accepted it and brought the matter before the House resulting in the appointment of a Committee on the Conduct of a Member. This has now become a standard procedure in our parliamentary institutions. It was a historic case indeed.

Pandit Nehru wrote to Speaker Mavalankar that owing to paucity of time in Parliament, important legislations were held up and that as a consequence, slowed down the pace of government to implement the welfare and other activities. He pointed out the world-wide problem of arrears of legislation in parliament and requested the Speaker to devise means of clearing the backlog and preventing arrears being built up in the future. Speaker Mavalankar sat thinking and with the help and advice of Shri Kaul, suggested the appointment of a Business Advisory Committee which would allocate time to Bills and other business so that adequate time was available to members to make contribution and all important Bills and other business to which government attached importance, were cleared before the session concluded. This avoided wastage of precious time in parliament and saved the Speaker and the House from making a decision every time whether adequate discussion had taken place on any item. I should say that this was a singular contribution by our Parliament to the efficient allocation of parliamentary time to various business before it.

Other parliamentary inventions of our parliament which were built up in Nehru's time with Speaker's cooperation and help were :

- (a) The introduction of the procedure of Calling Attention Notices. This was suggested to afford opportunities to members of the House to focus immediate attention on matters of importance

which could not be admitted as Adjournment Motions or could not be delayed for answer by a Question. This has reduced a lot of tension in the House between the Opposition and Government and also between members and the Presiding Officer.

- (b) The establishment of a Committee on Assurances. Many assurances, undertakings or promises given by Ministers in the House remained unimplemented or delayed or were never considered. Speaker Mavalankar suggested and Pandit Nehru agreed that a Committee of the House should examine whether all the Assurances had received consideration in the Ministries of the Government and whether adequate action had been taken in time to fulfil them. This has greatly helped in establishing parliamentary supervision over the working of the government and alerted the administration to scan the proceedings of the House from day to day in honouring the assurance given on the floor of the House.

Another far-reaching reform in the organisation of government was to establish the Department of Parliamentary Affairs in which all work concerning parliament and government was centralised in one department. This is also an Indian innovation. Originally, Shri Kaul, after his visit to the U.K., had made a proposal to this effect and Speaker Mavalankar had endorsed it wholeheartedly. Prime Minister Nehru approved it and ordered the creation of a separate department under a Minister designated as Minister of Parliamentary Affairs. Experience has proved that this was a wise step. It has led to efficient working of Government *vis-a-vis* Parliament, as also, coordination of all political activities between the ruling party and the Opposition parties and between the members of the House and the Presiding Officers.

Soon after Independence Speaker Mavalankar proposed that Public Accounts Committee which was in existence since the days of the Central Assembly and the new financial committee called the Estimates Committee which had come into being following the suggestions of Shri Kaul and Shri Mavalankar, should function under the overall control of the Speaker so that Parliament's supremacy over the executive was not in any doubt. Prime Minister Nehru agreed. A little later government officers began to feel the strain of independent examination by the Committees. A few senior Secretaries of Government had represented to the Prime Minister Nehru that the Committees' examination was too much for them. After one such complaint by the then Secretary of Defence Ministry, Prime Minister Nehru spoke to Shri Ayyangar, the then Deputy Speaker and Chairman of the Estimates Committee. Shri Ayyangar took a firm line

that officers of Government had no business to complain to the Prime Minister and if they had any grievance they should come to the Chairman. Prime Minister Nehru saw the point and instructed his officers accordingly. This enabled the Committees to perform their tasks without any hindrance and since then there has been perfect accord between financial committee and administration.

Once Shri Kaul saw Prime Minister Nehru visibly annoyed in the House. He asked him whether there was anything wrong. Nehru said softly that he had an important appointment in his office but since the Speaker was on his feet, he could not leave the House. Shri Kaul went up to Speaker Ayyangar and requested him to permit Prime Minister to leave the House. Speaker readily agreed. This shows how respectful Nehru was to the House and the Speaker.

Pt. Nehru's passion for correct behaviour by a member vis-a-vis the Presiding Officer sometimes led him to suppress his instinct for correct attitude. Once Shri Kamath entered into an argument with Speaker Ayyangar and Speaker Ayyangar impulsively suspended him from the service of the House for a day. Nehru felt that the punishment was harsh and the member didn't deserve it. He made his feelings known privately but left the matter in the hands of the Speaker. When the Speaker insisted on an apology being tendered by the member, Nehru didn't interfere.

I recall seeing Nehru clash with Speaker Mavalankar on the floor of the Lok Sabha when the latter firmly disallowed him from making a second statement on the same day in contravention of the then rules. Pt. Nehru bowed gracefully to the Speaker's firm ruling. Next day papers carried bold headlines. It is these such little incidents which give strength to the system and make the institution everlasting.

Nehru built parliamentary traditions of restraint and moderation; dignity and decorum. He spoke, almost always, entirely extempore, with a natural fluency, occasionally injecting a dramatic touch. He never tried to hedge or dodge and was always ready to admit errors with grace. He was responsive to the Opposition and many times, during the even flow of his speeches, answered interruptions, permitted by Speaker, with ease and tolerance. He never showed anger or reluctance to stop and answer a member if the Speaker wished him to do so. Again in deference to the wishes of the Speaker, Nehru avoided to speak to the Press on the eve of a Session of Parliament. Parliament in session, he was clear, had the right to know any matter of importance before others.

Prime Minister Nehru didn't mind attending to minor matters of daily administration with the same zest as he would show to the consideration of an

important policy matter. We were short of rooms in the Parliament House and the question of allocation of the available accommodation to ministers, staff of Parliament and other agencies. The matter went up to the Prime Minister. He desired to see the rooms, their location before giving his advice to the Speaker. So he patiently toured the Parliament House and inspected all rooms, and after weighing the relevant considerations carefully decided the matter. The principles that he laid then are still a guide to the day. Similarly when Speaker Mavalankar wrote to him that the area round the Parliament House should be kept vacant for its future needs and beauty of the building, Pandit Nehru issued an order forbidding any government or other construction on the various plots of land specified by the Speaker. Another matter in which Pandit Nehru and Speaker Mavalankar together took keen interest was to put up Murals in the Parliament House. A committee of eminent persons was constituted to plan and a band of all renowned artists was engaged on the work under the supervision of able and competent artists and historians to paint the murals. Both the Prime Minister and the Speaker looked into all details in the early stages and gave valuable advice, suggestions and decisions. The Murals now decorate the walls of the great building of National Pride.

Many tricky or thorny situations in regard to adjournment motions, privilege motions and other procedural matters arose time and again during the first decade of our Parliament. Fortunately, however, Nehru was always there in the Lok Sabha as the Leader of the House to carry out his foremost duty of assisting the House and Speaker in the conduct of business. He was always cooperative and ready to furnish information or agree to debate in deference to the wishes of the Speaker. This saved many awkward situations and enabled the proceedings to run smoothly and on a high level of parliamentary debate. Many a healthy conventions—like making a statement in the House on Prime Minister's foreign visit etc. and other such practices and procedures came to be established thereby.

The question of exercising adequate parliamentary control over public enterprises was agitating the minds of members. Speaker Mavalankar, in a letter to Prime Minister in 1953, observed that there was a general feeling in favour of appointing a standing parliamentary committee to examine the working of autonomous public corporations as the Estimates Committee and the Public Accounts Committee were already over-burdened with work and would not be able to find time to look into the working of these corporations. The Prime Minister, in his reply, stated that there should be overall control of parliament over autonomous and semi-autonomous corporations, but added that the object of having autonomous corporations would be defeated to some extent, if there was any interference in their day-

to-day working. Speaker Mavalankar, gave anxious thought to the matter and issued directions so as to ensure that whereas parliamentary supremacy had to be accepted, it should be so conducted that the autonomy of the undertakings was not affected and detailed examination was avoided. Later on, the Committee on Public Undertakings was established and it has worked smoothly over the years.

The issue of promulgation of ordinances has been a subject of telling correspondence between Speaker Mavalankar and Prime Minister Nehru. Mavalankar felt acutely that in a parliamentary system laws must be made on the floor of the House and not by executive fiat. He said that the constitutional power of issuing ordinances should be exercised selectively and when there was really such an urgency that the matter could not wait till the next session was held. He decried the use of this power as an alternative to parliamentary power. It happened always that whenever an ordinance was issued, Speaker Mavalankar would at once write to the Prime Minister and point out that there was no urgency. Once Speaker Mavalankar was so incensed that he didn't agree to the prorogation of a session so that Government may not have legal authority to issue an ordinance. This must have haunted Prime Minister Nehru, for whenever a Ministry would propose an ordinance, he would return it. This showed Nehru's extreme form of deference to the Speaker that he had to forego his undoubted power of promulgating an ordinance when a situation called for the issue of an ordinance. He also agreed to debate the issue in the House. The government clearly emphasized that they and they alone were the judges of the necessity of an ordinance and the occasion when they should promulgate it. Courts too have upheld this contention. But Nehru realized that legal and enabling power is one thing and the exercise of it in a democratic way is another. He believed in the latter. Prime Minister Nehru saw the wisdoms of Speaker Mavalankar in refraining the government from acting recklessly.

Rules and practices in our country give power to the Speaker to appoint chairman of parliamentary committees, to select members for parliamentary delegations or to nominate members to government committees etc. whereas in other countries such powers are normally exercised by the House which in effect means government with the support of ruling party or in consultation with opposition parties. Speaker Mavalankar saw the wisdom of the rules and invariably consulted Nehru as also leaders of opposition before making appointments or nominations. There has always been accord on this because all have respect for each other and resolve matters by discussion whenever necessary.

While Nehru was respectful to the Speakers, the Speakers on their part have always been conscious of the fact that Prime Minister has a special position, not only as the leader of the House but also as the leader of the

country. So there has always been a give and take, a healthy compromise to the extent possible without principles being sacrificed and that has led to the smooth functioning of our constitution and the party system.

In a parliamentary democracy, Presiding Officers are not only the guardians of the dignity and privileges of the House, but by their independence, objectivity and acumen should promote acceptance by political parties of healthy conventions and traditions which are so necessary for a functioning democracy. They have to have a happy blend of firmness and persuasiveness and inspire a feeling that they can handle any situation in the parliament with objectivity, calmness and fairness. Fortunately, the Lok Sabha has had an illustrious line of Speakers, from Shri G.V. Mavalankar to our present Speaker Shri Balram Jakhar, known for their impartiality, tolerance and judgment. So has been the case with Presiding Officers of the Rajya Sabha. The decline in the office of the Speaker is particularly noticeable in some States where the standard of parliamentary decency has considerably deteriorated. The recent traumatic events in Andhra Pradesh where the office of the Speaker has been considerably devalued and debased; in Himachal Pradesh where an impartial Speaker became victim of the political machinations of the ruling party and in other States like Jammu and Kashmir, where the Speaker was forcibly lifted out of the House and an acting Chairman was denied entry to the House are instances in point.

Curiously, however, nothing concrete has been done so far to establish conventions designed to ensure the Speaker's impartiality and independence. One way of achieving this is to select persons of proven integrity and experience to the office and not likely candidates who have failed to get a ministerial office. Such persons must have a passion for the office and should not succumb to any other temptation. Another is to depoliticise the office of the Speaker well and truly and to see that he is enabled to keep himself entirely aloof from party politics. More important is to provide for his uncontested return to the House. However even Nehru could not bring this about despite the clear lead given initially by Vithalbhai Patel in the pre-independence days and the healthy conventions sought to be established by Mavalankar on the resolution passed by the Presiding Officers' Conference in 1951. Nehru placed the matter before the Congress Working Committee which came to the decision that "Speakers should stand for election like other candidates, either as party candidates or as independents, who are liable to be opposed. Any other course", they said, "is full of difficulties and would mean that if a person is chosen as Speaker once, he would continue as such for the rest of his life".

Speaker Mavalankar noted the decision of the Congress Working Committee as an advance in the desired direction. "All conventions"

he added, "grew bit by bit. . . We have laid the first brick very firmly and we have now to strive further". Mavalankar also spelt out the necessary counterpart of this convention—the obligation of the Speaker. "The counterpart", he said, "is that the Speaker has to abstain from active participation in all controversial politics. The essence of the matter is that the Speaker has to place himself in the position of a Judge. He has not to become a partisan so as to avoid unconscious bias for or against a particular view and thus inspire confidence in all sections of the House about his integrity and impartiality. If we are able to build up this convention on our own then only we shall be able to justify, in course of time, the other one about the Speaker's seat being uncontested".

Unfortunately, things have not worked out the way Mavalankar hoped. Rather they have taken a climb down. It is not too late even now to mend matters. The Speaker's office can and should be depoliticised by common consent without any further ado and a Speaker enabled to rise above political temptation and maintain his independence and impartiality. The Speaker, for his part, must also function in a manner as to lend powerful support to the strengthening of parliamentary democracy.

Parliamentary procedure is only a means to an end. By itself it cannot achieve the desired result. But, it is equally true that any system can meet with failure if the procedure does not keep pace with the changing times. Parliamentary institutions all the world over are facing new challenges today. So complex has grown the nature of governmental responsibilities and activities that the executive in the performance of its duties, has now come to exercise functions even of a judicial or legislative character. All these developments have tended to upset the balance between parliament and the executive and poses for parliament special problems in the maintenance of its position as the foundation of the democratic order. The most important question asked today is : "Will parliamentary democracy answer the needs of the present atomic and space age?" Obviously, a good deal of deep thinking is called for. A most important phenomenon of this new age is that matters have to be discussed and settled swiftly and perfectly. There is no place for huge arrears of parliamentary business, no time for the whole House to go into details. There is need for more emphasis on specialisation, study of facts to the minutest detail and selection of the right persons for the right job. The present system of law-making may also have to undergo a radical change.

As regards answers to the above question whether the parliamentary democracy would be able to face the problems of the present age, I cannot do better than quote here what Pandit Nehru has himself said on this subject :—

"I think that it (parliamentary democracy) will face them successfully and triumph in the end."

THE NEHRU ERA IN PARLIAMENT : SOME RECOLLECTIONS

—*P. N. Krishna Mani*

It is now three and a half decades since our Parliament under independent India's Constitution came into existence. A study of the Nehru era in Parliament at this juncture will prove a rewarding exercise. This era which extended over fourteen years represented a crucial period in India's parliamentary history. It was during this time that Nehru as the unchallenged leader nurtured and nourished the parliamentary system and laid its firm foundations in this country.

The role Nehru played in the fashioning of India's Constitution was decisive, distinct and dominant. In the famous Objectives Resolution which he moved in the Constituent Assembly on December 13, 1946, the fifth day of its first meeting, he set forth in clear terms the goals aimed to be attained through the Constitution. The Resolution, he said, is a Declaration, a firm resolve, a pledge and an undertaking, and, for all, a dedication. As Chairman of two important Committees of the Constituent Assembly, the Union Constitution Committee and the Union Powers Committee, he helped in the formulation of principles of an enduring Centre-State relationship. Speaking on the Draft Constitution in the Assembly on November 8, 1948, he referred to the transitions and changes India had passed through since he moved the Objectives Resolution :

“India after a long period of being dominated over has emerged as a free sovereign democratic independent country... Freedom brings responsibility; of course, there is no such thing as freedom without responsibility. Irresponsibility itself means lack of freedom. Therefore, we have to be conscious of this tremendous burden of responsibility which freedom has brought, the disciplines of freedom and the organised way of working freedom.”

And, it was in this background he viewed the task of Constitution-making and gave positive direction in determining its fundamentals.

Nehru's faith in the parliamentary system was abiding and deep-rooted. Speaking at a seminar in December 1957, at Delhi, he said : "We prize the parliamentary form of Government because it is a peaceful method of dealing with problems. It is a method of argument, discussion and decision, and of accepting that decision, even though we may not agree with it." He believed that the parliamentary system, with all its failings, "has the virtue that it can fit in with the changing pattern of life." These observations couched in simple language contain in them what one may describe as the basic feature of a stable parliamentary system as envisaged in our constitution.

To Nehru, the will of Parliament was beyond question. The sovereign will of the people found true expression in Parliament. In less than two years of the commencement of the Constitution, replying to a communication from President Rajendra Prasad stating his objections of "a fundamental character" to the passing of the Hindu Code Bill, Nehru said in clear language that "the President has no power or authority to go against the will of Parliament in regard to a Bill that has been well considered by it and passed. The whole conception of constitutional Government is against any exercise by the President of any such authority." Dealing with the question of land reforms in the Constituent Assembly, he spoke on the role of the judiciary : "No Supreme Court and no judiciary can stand in judgment over the sovereign will of Parliament representing the will of the entire community." As wise people, the duty of the courts was to see that in a moment of passion, in a moment of excitement, even the representatives of the people did not go wrong. In the detached atmosphere of the courts, they should see to it that nothing was done that might be against the Constitution and the good of the country. If such a thing occurs, they should draw attention to that fact, but "it is obvious that no court, no system of judiciary can function in the nature of a third House, as a kind of Third House of correction."

Throughout his tenure of office as Prime Minister and Leader, he regarded himself as the principal guardian of the rights of Parliament. He found enough time to give to the work of both the Rajya Sabha and Lok Sabha. Dividing his time between the two to suit the Order Paper of each House, he ensured his presence during Question Hour and legislative or other business relating to the Departments under his charge. He invariably sat through a whole debate or discussion so that when his turn for reply came, he would have had the advantage of personally listening to the various points made by members. The Prime Minister's presence lent a special significance to the proceedings, besides ensuring a near full House. In the early years of the Rajya Sabha—with whose proceedings I am more familiar—there were regular periodic debates on the international

situation. Nehru would initiate the debate on a motion that the international situation and the policy of the Government of India in relation thereto be taken into consideration. He would in his opening speech cover the entire gamut of India's foreign policy and foreign relations. Dr. S. Radhakrishnan, who adorned the Chair of the Rajya Sabha with a distinction which was unique, would himself sit through and regulate the debate. The speeches on these occasions were well thought out, frank, and free from acrimony or ill-will. Nehru, in his reply, dealt fully with every point taken by members. The whole debate would be of a very high order and was looked upon as an event of considerable significance by members, the press, the public and also the Diplomatic Corps stationed in Delhi. The debates received wide notice in the press.

During sessions of Parliament, Nehru would keep himself in constant touch with the proceedings and would walk into either House, at times almost un-noticed. On some occasions, he found himself suddenly called upon to participate in a debate which did not fall directly within his departmental responsibility. One such instance in the Rajya Sabha was the debate on a resolution for approval of the Presidential Proclamation taking over the Government of Kerala in 1959 under article 356 of the Constitution. The displacement of the E.M.S. Namboodiripad Ministry in that State—the first all-Communist Ministry in the country—and dissolution of the State Assembly, when the Ministry continued to enjoy majority support in the Legislature, had become a subject of public debate and controversy throughout the country. Strong feelings had been expressed both within and outside Parliament with regard to the constitutional propriety of the Centre's action. Though Govind Ballabh Pant as Home Minister was capable of handling the debate in the Rajya Sabha competently, Dr. Radhakrishnan, the Chairman, considered the matter to be of sufficient importance for the Prime Minister himself to intervene in the debate, and an announcement to that effect was made in the House from the Chair. The atmosphere in the House was somewhat tense when the debate opened. A preliminary point had been taken by three prominent members, Bhupesh Gupta, V.K. Dhage and Diwan Chaman Lall, that the Rajya Sabha which comprised of representatives of States rather than of constituencies should have discussed the Proclamation before the Lok Sabha. The subject-matter of the debate was directly concerned with the administration of States and the Rajya Sabha as the Council of States had a special position in relation to it.

Nehru prefaced his speech with the observation that he did not have the good fortune to be present in the House for the greater part of the time when the debate was going on, but that he atoned for it by going through almost the entire record of the previous day's debate "in the small hours of the night." He added : "Reading it and knowing what has been said

on this subject elsewhere in the press all over the country during the last three or four weeks, I wondered if I could take any profitable part in this discussion because almost every aspect of it has been thrashed out. Nevertheless, since you have been pleased to announce that I will speak here today, I have to perform that duty". He dealt with in detail, in the course of his speech, the constitutional, political and other related matters relevant to the subject and expressed his view that circumstances were such that the proclamation had become inevitable. Legally and constitutionally, he said, it was a perfectly straight-forward one and within the terms of the Constitution. He then went on to make a significant observation :

"Going into the past history, we find that a very basic issue arose in Kerala, that is, the functioning of a Communist State Government in this democratic structure and that issue has not been solved yet. It failed of solution and I do not and I am not prepared to deny that to some extent the fault may have lain with others. For instance, I think the Opposition in Kerala was very non-cooperative right from the very beginning. Whether any other attitude would have been helpful to them or not, I do not know. But I do believe that in an Assembly, the majority-minority, Opposition-Government, even though they oppose each other stoutly, the opposition is based on a measure of co-operation. That is the basic structure of the Government."

There have been instances in the Rajya Sabha when an unscheduled visit by Nehru to the House while in session has given a decisive turn to a debate. The chequered course of the Hindu law legislation through its different stages in Parliament is well known. The measure from the start, had met with stiff resistance not only from orthodox sections of the Hindu community but also others including some members of Parliament belonging to the Congress Party. Prominent women members of Parliament, notably from Rajya Sabha, had led delegations to the Prime Minister urging early codification. On December 20, 1952, the Rajya Sabha was sitting late to dispose of a motion for circulation of the Hindu Marriage and Divorce Bill, 1952 for eliciting public opinion. T. Pande, a Congress member from U.P., was speaking vehemently opposing the Bill when Nehru walked into the Rajya Sabha Chamber. Pande, who took note of Nehru's presence in the House, referred to some observations of Nehru on the Hindu Code Bill during the election campaign and said these were Nehru's personal views people in India, views accepted by the Congress Party. He said lakhs of and not the both men and women, were definitely of the opinion that this Bill should not be passed. Pande also gave his views on Indian culture, Hindu philosophy regarding marriage, etc.

Nehru spoke immediately after Pande. He said that he decided to speak on this Bill, because his friend Pande from Ballia (a district in U.P.) had spoken on Hindu culture, Hindu religion and other related matters. While Ballia was known for sturdy men and good men, he did not know till then that it was an important centre of Indian culture. If the picture of Indian culture presented by Pande, Nehru said, was really true, he was surprised and depressed at it. He then went on to give an exposition of the Indian culture as he saw it. Those who have been students of history and particularly of Indian history, he pointed out, knew what heights Indian culture reached once and how it uplifted and strengthened India and influenced the other countries of the world. A time had however come when these heights could not be retained, and a "living, springing, kicking, dynamic thing"—the Indian culture—was caged. With India becoming independent, there was need for society to change and progress. He compared the growth of society to the growth of a child; how a child's clothes needed to be changed to fit it as it grew. Similarly, as times changed, society had to change with the times. If any society does not change, it becomes backward as has been the plight of our society. He summed up :

"We have again to blow life into the Hindu society and create in it a potential for progress so that it may grow and gain strength and, inspired by its basic culture, may progress itself and make the country progress. That is why this Bill has been brought forward."

The motion was thereafter adopted.

Another similar intervention by Nehru, though on an entirely different kind of topic, non-political and nothing to do with social change as the expression was commonly understood, related to a Bill for the prevention of cruelty to animals, introduced in the Rajya Sabha by Rukmini Devi Arundale. Moving for the reference of the Bill to a Select Committee, she described it as "an expression of Indian ideals according to our own ideas of commonsense, justice and right." She believed that the only way to promote understanding and kindness to humanity was to develop the spirit of kindness to every living creature. "Kindness to animals is really kindness to people." In the lobbies of the House and outside, it was known, the Bill did not have much enthusiastic support and some of its provisions had been looked upon with undisguised disfavour. Even before Rukmini Arundale made the motion for reference of the Bill to a Select Committee, the then Minister for Agriculture, Dr. P.S. Deshmukh, made an appeal to her to postpone making the motion for the time being. The Chairman, Dr. Radhakrishnan, called upon Nehru to speak immediately after the mover's speech. Nehru began with the observation that he presumed that most of the members must have listened to Rukmini Arundale's moving speech with a very great deal of sympathy. He referred to the Prevention of Cruelty to Animals Act passed in 1890 and

noted that even today that Act was hardly applied in this country. Much could be done no doubt in improving it and going much further. He then dealt with several aspects of the problem : killing of animals for food, killing in the name of religion, *Shikar*, the idea of *ahimsa*, etc. "When we speak of India," he said, "we find that it is a great country with enormous varieties and with all kinds of customs, good or bad, and if we imagine that we are going to reform the whole of this country from the northern and the north-eastern mountain regions—the people who are living there—to the south—east and the west, and if we think that we are going to change them basically and fundamentally by some Act passed here, I think that we are imagining, too much." Agreeing with the mover of the Bill that one test of civilisation—a very major test—was the growth of the feeling and practice of compassion, he observed : "Compassion has to be effective compassion and not merely some kind of flabby feeling which really creates more misery instead of removing misery". He, therefore, suggested that while Government did not wish to come in the way of further discussion of the Bill, the better method would be to have the subject of the Bill considered fully by a Committee to be appointed by Government. The mover promptly responded to Nehru's suggestion, and withdrew the Bill. The Government thereafter appointed a Committee to study the question. The Committee toured the country, took evidence, consulted expert opinion and submitted a report together with a draft revised Bill. This Bill was ultimately considered and passed by Parliament and placed on the statute book as the Prevention of Cruelty to Animals Act, 1960. The Act also made provision for the establishment of the Animal Welfare Board.

A most remarkable thing about these speeches—the unscheduled interventions, if one may describe them that way—was that Nehru spoke on such occasions in a greatly relaxed mood; there was no room here for burdens of office or other similar constraints. It may also be noted in this connection that Nehru never discouraged private members' initiative for legislation. It was during the Nehru era that some non-official Bills found their way to the Statute Book.

Nehru recognised that in the Cabinet system under the Indian Constitution, executive Government had to function in the wider context of the authority of Parliament. His statements in Parliament on matters concerning administration were forthright. He believed in open debate. By his openness, he could sometimes embarrass an opponent.

On September 1, 1959, Acharya Kripalani and some other members of Lok Sabha had given notice of a motion for adjournment on "the serious situation arising out of the reported resignation of the Chief of the Army

Staff to be followed by the resignations of other service chiefs". Making his submissions in the House on the notice, Acharya Kripalani pointed out that the news had been published in one of the important dailies of Delhi, "which is not known for giving sensational news". He referred to several rumours afloat that something disturbing was happening in the armed forces; that promotions in the army were not guided by longevity of service or merit, but by certain preferences based upon political considerations. He urged that the matter was of immediate importance to the House and therefore should be allowed to be discussed. The Speaker, on a request from Prime Minister Nehru through the Minister of Parliamentary Affairs, held over the adjournment motion until the following day, when both the Prime Minister and the Defence Minister would be present in the House. (Nehru could not be present in the House on September 1, because at the time the adjournment motion was coming up, he had to be present at the Palam Air Port at Delhi to meet the President of Pakistan.) On the following day September 2, 1959, Nehru made a full statement in the House on the subject. He narrated how only a week ago he had sent for General Thimayya, the Army Chief of Staff, in the normal course in order to have a talk with him. The discussion, among other things, related to the reported discontent about recent promotions in the army. He had later spoken to the Defence Minister and mentioned to him the discussion with General Thimayya and suggested that he (the Defence Minister) might have a talk with Thimayya. However, on August 31, about mid-day, he received a letter from Thimayya offering his resignation as Chief of Army Staff. Being surprised at this action of Thimayya, as their previous talk had not led him to think that this might happen, he sent for Thimayya the same evening and pointed out that the resignation seemed to him "not a right thing at all" and advised him to withdraw it. Thimayya accepted the advice. In his statement in the House, Nehru also gave details about the promotion policy of Government. He made a similar statement in the Rajya Sabha also on the same day.

Acharya Kripalani, however, would not let the matter rest there. Speaking immediately after Nehru, he came back to the "rumours". He said Nehru's statement was "good as far as it goes" but the matter should be thoroughly discussed in a secret session. Some other members also supported the proposal for a secret session. Nehru's response to this proposal was prompt. It was in the true Nehru style : "It is rather unusual in such matters to have debates, *in camera* or other. But I accept his invitation, but no *in camera* debate, but a public debate. Talking about an *in camera* debate with five hundred members present here is rather stretching the term." He would invite Acharya Kripalani, or any committee of the House appointed by the Speaker to go and look at every file dealing with promotions. "Here is an open invitation, Sir, so that this matter may be

dealt with thoroughly and fully, which is far better than any discussion elsewhere. Go to the source, form your own opinions; I will not be there; see the files." That ended the discussion, and the Speaker declined to give consent to the adjournment motion.

There was another occasion when the idea of a secret session of the Lok Sabha was put forward. When Parliament met to give its approval to the Proclamation of Emergency consequent on the Chinese invasion of October 1962, Dr. L.M. Singhvi suggested that the Lok Sabha should go into a secret sitting to consider the situation. He said that a large number of Opposition leaders concurred in this view. Nehru did not accept the suggestion. He said he had given careful consideration to it, but thought that at that moment it would not be desirable to have a secret session. "The issues before the House are of high interest to the whole country. Right at the beginning to ask for a secret session would have a bad effect on the country".

Nehru welcomed criticism in Parliament. Criticism drew from him the best in his parliamentary skill. Several debates in the two Houses of Parliament will show this. The debates on the international situation and the debates on the Chinese invasion of India are brilliant examples. Even where criticism became personal, he did not let himself to be unduly disturbed. Questions had been raised in the Rajya Sabha concerning a memorandum submitted to the President in July 1963 by leaders of the Opposition parties in Punjab making certain allegations against the then Chief Minister of that State, Partap Singh Kairon. There was a persistent demand that a Commission of Inquiry should be appointed to go into these allegations. A pointed question was asked whether the Prime Minister was aware of a feeling prevailing in the Punjab that he himself was trying to shield Kairon and his corruption. To give added support to this demand, there came a judgement of the Supreme Court in which certain adverse remarks had been passed against Chief Minister Kairon. A statement was made by the Home Minister in the Rajya Sabha on September 6, 1963, in regard to the judgement, and a number of questions followed. Intervening in the proceedings, Nehru protested at "the quite extraordinary language that has been used by some Hon'ble Members on the other side not only about this matter but about other matters." He did not quite know, he said, whether he was to talk about "the issue before the House or the other charges thrown about and the strong languages used about everybody including me". If they go into the Punjab Government's record, he asserted, the Punjab Government is the most efficient, and from "every statistical analysis, the Punjab Government is the topmost in India". He added: "It does not matter if the Punjab Government is the best of all Governments, but if it fails in one thing, it has to bear the burden of that failure." There was the

Punjab Legislative Assembly and the constitutional Government functioning. All relevant information would have to be collected, legal opinion consulted, and then a decision could be taken. It was an extremely difficult and delicate situation. Conceding the demand for the appointment of a Commission of Inquiry would become a precedent. There was the question whether constitutionally and legally the Centre had any right to interfere in the matter. The issue came up in the House repeatedly. Ultimately, on November 1, 1963, the appointment of the Commission presided over by former Chief Justice S. R. Das to inquire into allegations against Chief Minister Partap Singh Kairon was announced.

In the foregoing paragraphs, an attempt has been made, however inadequate, to get a glimpse into Nehru's style of functioning in Parliament and the way he strove to build it up as the most durable instrument of responsible Government. To him Parliament's business was serious. A notice concerning any of the subjects under his charge when forwarded to him received his prompt personal attention. He once pulled up a Minister, who tried to prevaricate in replying to a question in the Rajya Sabha, and gave the answer himself though the subject was not one coming under his charge. On another occasion, he showed his obvious annoyance and started collecting his papers to walk out of the House when a member—a new-comer to Parliament—indulged in some open-faced flattery. The member compared Nehru to Asoka, compared the nation to a clock, and went on: "As everybody in a family is not called upon to wind the clock—only the person who is quite fit to undertake the task is entrusted with the business of re-winding it—so also it is singularly our good fortune that we today have got the leadership of an eminent world statesman of the stature of Sri Jawaharlal Nehru. Since the days of Asoka this country has not seen another great leader of his stature, and it is good that India, which shook off the bonds of her slavery, got at its helm a person of the stature of Jawaharlal Nehru to guide her destinies." This member had been given the pride of place of seconding Nehru's motion, through an amendment approving Government's foreign policy, in the important foreign affairs debate in the Rajya Sabha. The Government's Deputy Chief Whip in the Rajya Sabha who had given the name of the member for this honour also got his share of Nehru's displeasure. The Whip had meant well; he wanted to encourage new blood. Dr. Zakir Husain, who was watching all this from the Chair, retrieved the situation by calling upon the next speaker in his list. Nehru seldom let himself to lose his temper in the House. In the rare event he did so, he would instantly calm down, sit back in his seat and smile all around.

The important part Nehru played in the maintenance of harmonious relations between the two Houses of our Parliament is now part of our

parliamentary history. In the very early years of our Parliament, a conflict arose between the Rajya Sabha and Lok Sabha consequent on the certification by the Speaker of an Income-tax amendment Bill as a Money Bill. This led to strong passions being roused in both the Houses over their respective rights, powers and privileges. Nehru's intervention, after speaking to the Chairman and the Speaker, resolved the situation quickly. He said:

Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India. The Constitution treats the two Houses equally, except in certain financial matters which are to be the sole purview of the House of the People (Lok Sabha).

Similarly, another conflict that arose over the association of members of the Rajya Sabha with the financial committees of Parliament was also resolved with his intervention.

Nehru kept himself in close touch with members of Parliament—both ruling party and opposition—their moods and their vagaries. He showed utmost deference to the Presiding Officers of both Houses. In upholding the authority of Parliament and its dignity and decorum, he set the best example. His last appearance in the Rajya Sabha left a never-erasable memory. There could be seen on his face clear signs of his failing health. It was his Question Hour. Before calling the first question which stood in his name, Dr. Zakir Husain, the Chairman, suggested that the Prime Minister might answer sitting. Nehru politely declined the Chair's suggestion, rose in his seat and answered the question: his regard for the high tradition of Parliament and its decorum was unswerving.

Are we moving away from the norms of parliamentary conduct and Parliamentary behaviour so carefully built up during the Nehru era? The two decades since Nehru's passing away have witnessed some very disquieting features in our parliamentary functioning. There is a widely held view that there has been a lowering of standards. Tumult and noise which mar the sanctity and decorum of legislative chambers are not infrequent. Invasion by members of the well of the House, rushing to the Speaker's podium, breaking mikes and other similar conduct are no longer unusual sights. The Speaker's authority is questioned. Recently in Andhra, the Speaker *pro tem* landed up in the hospital because of the mental strain caused by the disorderly conduct of some members in the House. Does this all not contribute to a diminishing of the respect due to the parliamentary institutions and a lowering of values of parliamentary life? A visitor in the public gallery throwing a leaflet in the Chamber or shouting a slogan when the House is in session is sent to jail by an order of the House

for gross contempt, because a contempt committed in the view of the House may be punished without inquiry. But members enjoy immunity conferred on them by the Constitution in respect of their speeches and actions, such immunity being subject only to the provisions of the Constitution itself and the Rules made by the House. There is a complaint that the legislature sessions are shrinking. In some States, there is a growing tendency often to take recourse to legislation by Ordinance, and the Ordinances being re-issued when time is not found to replace them by law during the short sessions of the legislature. In reply to apprehensions expressed by Dr. H.N. Kunzru in the Constituent Assembly about possible misuse of this power by the executive, Dr. Ambedkar had emphasised that this was intended to be used only to meet an emergent situation. While sessions of the two Houses of Parliament have maintained a reasonable schedule of meetings, the same cannot be said about many State Legislatures. These are some of the distortions that have crept into our parliamentary functioning. The business of government and work in Parliament and the State Legislatures are becoming increasingly complex and complicated. The question of parliamentary reform is often discussed in different forums. The existing procedures were devised in a particular context. Though some improvements have been made from time to time, there is need for a fresh and closer look at them in the changing circumstances.

In the system of government embodied in our Constitution, the Parliament has been assigned a position of pre-eminence. The legislators have the primary duty to see that this pre-eminence is maintained and Parliament grows in prestige and vitality.

Parliamentary democracy flourishes, as observed by Shrimati Indira Gandhi on one occasion, because it has as its essential basis the popular will. It is closest to the people. The cruel assassination of Shrimati Gandhi and certain grim events that followed immediately in its wake gave perhaps the rudest shock to our parliamentary system. There were even fears expressed in some quarters that the system might not endure. But these fears were soon proved false. The last general elections to the Lok Sabha and, more recently, the general elections to the Punjab Legislative Assembly have demonstrated in unmistakable terms the strength of our faith in the parliamentary form of government. With a young and dynamic Prime Minister at the head to lead the country, we face today the problems of this nation with renewed assurance and confidence. The recently passed anti-defection law is a step intended to correct a major distortion that had crept into our political life in the post-Nehru era. The Indian parliamentary system, as enshrined in our Constitution, will not merely sustain itself, and will remain the most durable, if we stand firmly by decent democratic standards—standards which Nehru laid down for this nation by personal example.

NEHRU AS I SAW

—*M.S. Gurupadaswamy*

Lives of great men all remind us
 We can make our lives sublime
 And, departing, leave behind us
 Footprints on the sands of time.

—*Longfellow*

It was the year 1952. It was the first Lok Sabha session. It was the month of May. We met for a long Budget session. Sardar Patel was not there as he was already dead. Rajaji, another relentless political warrior, was not in Lok Sabha though was very much active outside. Dr. Rajendra Prasad adorned the Rashtrapati Bhavan. Dr. Radhakrishnan became the Vice-President and the Chairman of Rajya Sabha.

Among the defeated in the election were Acharya Narendra Deva, Acharya Kripalani, Dr. B.R. Ambedkar who became a member of Rajya Sabha for a brief period later. Jayaprakash Narayan who led the socialist movement at that time alongwith Asoka Mehta and Dr. Lohia were active outside.

The setting was truly historic. It was a post-independence period with its glow, warmth, exuberance and expectations with the air of freedom knocking at the door of everybody. Many stalwarts of freedom struggle, political luminaries and men of talent adorned the benches of Parliament. There were Maulana Abul Kalam Azad, Rafi Ahmed Kidwai, Dr. C.D. Deshmukh, T.T. Krishnamachari, Dr. Syamaprasad Mookerjee, Dr. Meghnad Saha, Purushottamdas Tandon, Sucheta Kripalani and many others including G.V. Mavalankar who presided over the Lok Sabha as Speaker.

In this galaxy of major and minor stars was Jawaharlal Nehru, a giant among men who was leading the first elected Government of the Indian democratic republic. The ministry he had formed was quite impressive though he had left out a few talents from inclusion. He set the tone and

tenor of the government and its movement and direction as well. He tried his best to make the government both responsive and responsible, though his over-shadowing and domineering personality often hindered its full flowering. His visionary zeal often took him to great heights and rendered him somewhat unreal on many occasions.

When the first session of Parliament assembled, it was a new and exhilarating experience for us all. The Congress party had majority and as such it gave its leader Jawaharlal Nehru added impetus, strength and confidence to deal with Opposition which was divided though it had adequate talent in its ranks.

Nehru loved Parliament very dearly, honoured and respected it as a mighty institution of the people. He spared no occasion to extol and adore its prestige, power and supremacy in the affairs of the country. As a great parliamentarian himself, he would not say or do anything which would harm the institution. He dominated Parliament by showing unflinching loyalty and faith in its deliberations.

On one occasion he wanted to make an important statement in Lok Sabha; but it was not entered in the day's order paper. Mavalankar was in the Chair. Nehru stood up after the question hour and sought permission to make his statement. Mavalankar, a strong Speaker as he was, refused to permit him to make the statement as it was not included in the agenda of the day. Nehru raised his voice and repeated that as the statement was very important, he should be allowed. Mavalankar, in spite of his insistence, would not change his ruling. Nehru had to yield, and had to bow to the ruling of the Chair. Then he was allowed to make the statement on the subsequent day.

There was discussion on the Preventive Detention Bill in Lok Sabha. The Opposition created a furore on the Bill. It was the turn of Syamaprasad who was one of the most eloquent speakers of those times. In his own inimitable style Syamaprasad both eulogised and condemned Nehru at the same time. He said that Nehru of pre-independence days was one of the tallest and the noblest, as he mobilised the entire country from the Himalayas to Kanyakumari against Rowlatt Act which was another name for lawless law. But what of this Nehru, he exclaimed, who has brought in Preventive Detention Bill which was as draconic as Rowlatt Act of the colonial days. He ended his peroration by saying that "this Nehru is only a shadow of the Nehru of pre-independent India. What a fall my country men, what a fall"? Nehru who was sitting there received the sarcastic barb with great dignity and silence. He even respected Syamaprasad who once was his Minister in the first Cabinet after independence.

There was another occasion. Acharya Kripalani, in one of his bitter satirical moods, hurled charges after charges against Nehru Government. The Congress members tried to boo him down as expected. Nehru did not like that a great national leader like Acharya Kripalani be shown any discourtesy and so he lost no time to chide his own partymen for their misconduct. Obviously it had its desired effect.

There was a time when people and Parliament were greatly exercised over the national language. A lot of heat was generated and it virtually divided all the political parties. At some stage the debate turned out to be a battle between the north and the south and between Hindi on the one hand and English and other southern languages on the other. In this conflict and medley of voices, Nehru's approach had a sobering effect. After series of consultations in his own party and with the Opposition he evolved a three-language formula which was adopted unanimously by both the Houses of Parliament. Really it speaks volumes for his parliamentary dexterity and skill.

There was another occasion and another issue which turned out to be most controversial and explosive. That was the problem of the reorganisation of states on linguistic basis. The Congress had been historically committed to his goal and Mahatma Gandhi had blessed it. However Nehru had no heart in this as he believed and perhaps feared that it may lead to disintegration and weakening of India and Indian unity. But the overwhelming opinion in Parliament and outside was in favour of the reorganisation of states on the basis of language. Ultimately Nehru respected the majority view in Parliament and outside and carried out the task of reorganisation. This was a remarkable exercise in stoop to conquer on his party.

Nehru was always at his best in the debate on foreign affairs. It was his forte and can be called his ground. His understanding of international politics was something extraordinary that anyone could envy. So long as he was the Prime Minister, the discussion on foreign policy of the government was a regular feature of Parliament which we have missed so sadly since then. This was also the comment, often made in the embassies and chanceries in Delhi.

Once I was speaking on the demands for grants on External Affairs in the first Lok Sabha. While speaking, in my exuberance, I described his policy as "a pitiful jumble of incoherent nonsense", a phrase used by H.G. Wells depicting the foreign policy of Winston Churchill. The treasury benches shouted at me for using that phrase which they might have thought very strong and even irresponsible. Shrimati Sucheta Kripalani of my

party later severely criticised me for employing such a strong language. But after all Nehru took my remark well in his stride. He only said that my phrase-mongering had unfortunately led me astray.

Nehru's exposition of non-alignment, his concept of neutrality and peace, his ideas on Afro-Asian solidarity have remained the milestones in our onward march and an enduring foundation of our thinking. He was the chief architect of *Panchsheel* in the Bandung Conference, and contributed greatly to the evolution of the Commonwealth. He was a profound believer in the coexistence of nations and sovereignty of all peoples. He was never tired of repeating that colonialism, racialism and imperialism belong to the same genre and have been mainly responsible for causing tensions, wars and conflicts in the world. The super-power competition and confrontation to dominate the world through economic aid and alliances and through pursuit of balance of power and brinkmanship was pernicious and inglorious from his point of view. He was indeed a man to hold himself against any oppression and tyranny in the world and a man to match the mountains and the sea.

In the neighbourhood, he followed the path of friendship and goodwill with Pakistan, Nepal, Bhutan, Sri Lanka and the Middle East and the South East Asian countries. But somehow the mistrust and suspicion about India's intentions thwarted his efforts in reaching full understanding with these countries. Pakistan was always a thorn in his flesh. Nepal was an uneasy neighbour. The greatest embarrassment caused to his pride was the aggression of India by China in 1962. The whole country stood by him, but his idealism and his soul was shaken to its depths. In Parliament he expressed his deep anguish, sorrow and resentment that China betrayed *Panchsheel* which was accepted by both the countries. Perhaps it had dawned on him too late that he took China's intentions at face value and showed undue generosity over its aggression and occupation of Tibet which was historically a buffer state between India and China for ages.

However viewing the whole period of his rule, it is not only undeniable but also hard reality that Nehru laid the foundation of India's foreign policy, as well as pioneered the movement of non-alignment. He was one of the tallest of men in the world.

In the economic and social sphere he was a fore-runner of Indian planning. He not only set up a Planning Commission with the knowledgeable and competent experts; but he bestowed it with status and authority, by becoming also its Chairman. It was his great desire that the material and human resources of the nation should be most effectively and rationally utilised to foster the twin objectives of growth and justice.

He tried to achieve a multi-dimensional revolution within a set time-horizon. In his effort to hasten the development revolution, he failed to take care of creating adequate infrastructure and efficient managerial and administrative cadre which were essential pre-conditions for eventual success. This caused distortion and misdirection of resources to some extent. But there was not any doubt that he ushered in an era of democratic planning in India which was unique.

But Nehru was often in dilemma and doubt whether his democratic socialist approach to development was willingly and wholly accepted by his party which was composed of different elements from extreme left to extreme right, and the right wielding proportionately greater influence. He thought that without ideological orientation of the Congress party, social change and economic transformation of the country through planned development could be satisfactorily achieved. Therefore he considered that the convergence or merger of the Congress and socialist forces in the country should be brought about to act as an effective catalyst. Quite predictably he turned to Shri Jayaprakash Narayan and Praja Socialist Party (PSP) leaders in 1953. There were several rounds of talk between him and Jayaprakash on the feasibility of his joining the government. Nehru favoured informal coalition, but Jayaprakash and P.S.P. leaders desired a programmatic basis to give the coalition the needed credibility. So on this the talks failed which otherwise would have given a new direction and a new thrust to the politics of this country. Historically we missed a great opportunity for cleansing public life.

Again he tried to bring in the P.S.P. leaders to the Congress party after 1962 General Elections in which I had a direct hand. One day I happened to meet him in his office in Parliament House. He suddenly brought up the question of possible merger of P.S.P. with Congress. I told him that the national executive of the P.S.P. would meet at Sarnath to assess the post-election situation and to evolve a strategy for the future. He then asked me whether I could inform him later about the trend of discussion at Sarnath to which I agreed. I reported this matter to Asoka Mehta who was the Chairman of the P.S.P. at that time to elicit his reaction. He felt he had no objection if I kept Nehru informed of the developments in the party.

After Sarnath meeting of the P.S.P. I met the Prime Minister and told him that one wing of the P.S.P. was prepared to join the Congress party provided that it unequivocally endorsed in the Bhubaneswar Plenary Session "democratic socialism" as its goal. Nehru reacted sharply and quickly and told me that he would have no objection to do that. In my presence he told Indiraji to discuss this matter with Kamraj and Asoka Mehta and report the matter to him. As a result of his effort and

perseverance, one wing of the P.S.P. joined the Congress after passing of the resolution on democratic socialism at Bhubaneswar Session of the Congress. The merger was approved by a convention of the P.S.P. workers who met at Lucknow, soon after the death of Nehru. The sad part of it was that the entire P.S.P. did not join the Congress and Nehru did not live long to consolidate this merger.

Nehru's greatest contribution was his relentless effort to keep the flame of freedom burning and alive in the hearts of all men and women in India. He tried to evolve good parliamentary conventions and traditions. He treated the Opposition always with all the courtesy due to them. In all crucial and important debates, he was present, and evinced keen interest. It might have been freedom of the Press, or labour strike, communal violence, or Hindu law or nationalisation of industry or law and order or any other vital matter, he participated in debates, and gave his considered opinion. Parliamentary proceedings were really enriched by his wisdom and knowledge which was rare. He was a democrat par-excellence and a statesman of world repute.

NEHRU, SOME REMINISCENCES

—*Darbara Singh*

While hoisting the tricolour on the banks of Ravi way back in 1929, Panditji gave a call for full independence and said that people's government will be formed after the British left the country. He meant what he said. During the 1937 elections he travelled all over the country and preached socialism and secularism. All this needs deep study. Nehru gave a call for democracy. What is Democracy? He said that everyone irrespective of caste and creed, rich or poor, big or small can vote for the formation of the government. Today there is a strong need for following the path laid down by him. I should like to give an example about his faith in democracy. I was a minister in the Punjab. I told him that we had constructed a building with money taken from the Panchayats and that he could come and stay in that building and conduct meetings there. He told me that he would go there to inaugurate it. About 60 to 70 thousand *Sarpanchs* from the Punjab had come over there on that occasion. I rose up and spoke from the dais that it was often asked who would take up the place of Panditji after he was no more. There could be very few persons who could have told this in his presence. I told the audience after a pause that anybody could occupy the place left vacant by Panditji. Panditji clapped and asked me to repeat what I had said. While disembarking the dais he told me that what I had said was correct. Had there been any other man who did not have the ingredients of democracy in him, he would have said that I was a useless man, that I had been made a minister and yet I spoke against the Prime Minister. He did not take it to be against the Prime Minister but attributed it as strengthening the institution of democracy.

I used to go to Panditji to meet him. Once we stayed on till 1 A.m. Panditji came downstairs bare-foot in order to see me off. I begged pardon of him and told him that I would go by myself and that he need not worry about me. He walked along with me upto the drawing room in the

Teen Murti Bhawan and asked me to listen to him for a while. He said that "one should not give up etiquette and cultured behaviour and that one should treat ones' dear and near ones with dignity."

Nehru used to give sufficient time to the Parliament. He would give time to listen to the views of members and then speak up to them also. He was very firm about one thing: he would just not tolerate communalism. He had said in Parliament that there could not be any place for communalism in our system. I should like to talk about it today. The present Prime Minister Shri Rajiv Gandhi has said that we are progressing today because of the strong foundation that had been laid by Nehru. Howsoever long a life span a person may have, he cannot complete all that he wants to during his life-time. Some tasks always remain unfulfilled. Whatever tasks that have been left incomplete after Nehru's death are now being completed. Shri Rajiv Gandhi is going ahead to complete those incomplete tasks. Smt. Indira Gandhi also took the country much forward. Her determined efforts brought the country a force to reckon with.

Pandit Jawaharlalji had said that we are non-aligned. He had formulated the doctrine of *Panchsheel*. He wanted that peace should prevail in the world and war must never take place. We are marching ahead with the same message in our minds. The third world which has since come into being was Panditji's gift and we are taking it forward.

Pandit Nehru had the power to assimilate the ideas after talking to others. I should like to give another example. There was to be a debate in the Congress Working Committee on cooperative farming. Nehru asked me to talk to him on the matter. He talked to me on cooperative farming for more than one and a half hour. He talked and discussed the pros and cons. Next day he placed certain points at the Working Committee meeting and according to his temperament did everything according to the democratic set up. He asked everybody to express his opinion. He would invite everybody to speak on a subject whether one wanted to speak or not. He listened to everybody so that nobody could say later that he was not listened to. Secularism needs both these things. This is very much needed in India today particularly in view of the disturbances that are taking place in India and the forces which are behind it are coming to light in one form or the other. We need that secularism today which Panditji professed. This is also required for taking India into the twenty-first century. Secularism should take roots simultaneously.

Panditji used to say that a Community can not be a nation. There are different communities in India. All make one nation, *i.e.* Indian Nation. He was against mixing religion with politics. Our great leader led the nation to progress and Prosperity.

AS THE LEADER OF THE LOK SABHA

—P. Gangadeb

I had the august privilege of seeing and knowing Jawaharlal Nehruji from close quarters as a sitting member of Parliament in the Opposition benches of the Second Lok Sabha. Shri Nehru, as I saw him, was a dynamic personality befitting the high position of the Prime Minister of our great nation. A well dressed man with his red rose tucked on his coat, he was an embodiment of sacrifices to his credit. He was a statesman of world calibre. This apart, he had established himself throughout the world as an attractive, brilliant and a progressive idealist. In fact, he was all human and that made him a very lovable person. In my assessment, he was not only an astute politician but had become the soul of India. Seeing that what Nehru was, Gandhiji rightly selected him to lead free India.

As leader of the Lok Sabha, his refined manners and behavioural dealings amongst the members of Parliament endeared himself to one and all in the House. As a true democrat he believed and practised in solving various problems through discussions and cooperations and not through confrontations. At the same time he liked controversies and welcomed constructive arguments and counter arguments because he saw in them the signs of liveliness which was an indication that scepticism about achievements was entirely out of place.

Besides, being a charismatic mass leader and a champion of the down-trodden of the teeming millions in the country. I believe it was his constant endeavour to find out and understand the intrinsic relationship between the leaders and the led, especially, the conditions under which the led gave support to the leaders. His star quality was that he always tried to value the other man's point of view.

It was, therefore, quite natural that he developed immense affection towards the elected representatives of the people, especially, those belonging to the Opposition parties in the Parliament. In fact, during

the second half of the Second Lok Sabha, Nehruji had set the practice of calling all the members of Parliament of each State by groups to his residence for coffee and get-together. This get-together used to take place by rotation once during each session of Parliament. In one of his get-together meet, it was fantastic to hear from him telling to the leader of an Opposition party : “Bhai, bich bich mein aap log mujhe mila karo”, (Brother you should meet me off and on) and “We could exchange our thoughts and opinion.” This spontaneous utterances of Nehruji, clearly revealed his sub-conscience and his way of approach to man and matters for strengthening parliamentary democracy in India.

Shri Nehru's outstanding quality was that he was a decent and honourable man and a thorough humane par excellence. When he made mistakes, unlike other powerful public figures, he outspokenly admitted his errors, and confessed that, to err is human. He would even discuss his own short-comings candidly and good humouredly. One such anecdote is to the point.

During the discussion in the Lok Sabha in the year 1959 in regard to Indo-China relations, Shri Nehru, as the Prime Minister of India was vehemently criticised by the Opposition leaders for his acts of omissions and commissions in the past. He was asked by the Opposition members of the House why they (the House) did not know that the road had been built by the Chinese across Yeh-ching in the North East corner of Ladakh. Nehruji, promptly replied that it was a relevant question. He then tried to explain the reasons why he did not bring the matter to the notice of the House. However, he clarified without any hesitation that it was possibly an error or a mistake on his part not to have brought the facts before the House. This statement revealed, how gracefully, Nehruji as a true democrat encouraged due weightage to be given to the Opposition views in the House in order to strengthen the democratic process in our parliamentary form of government.

He observed on another occasion :

“Naturally we have to act according to the directions of Parliament, which means, according to the wishes of our country and country-men, who are represented in Parliament. On this matter there should be no quibbling, no doubt. A straight forward direction must be given that this is the basic policy that the country must follow.”*

Apart from his other stalwart qualities, Shri Nehru was a strict disciplinarian. He was of the strong view that there would be no democracy if there was no discipline. His untiring efforts to infuse discipline

**Lok Sabha Debate*, Ninth Session, 1959, Vol. XXV, page 1686.

in the Parliament was found in ample measures. He believed in spic and span in all walks of life. For instance, every day before commencement of the day's proceedings of the Lok Sabha, he was seen at 11 A.M. sharp walking into the Lok Sabha chamber to take his allotted seat amongst others. It was a daily colourful scene and remarkable indeed, injecting a pride amongst the sitting members of the House. It was really intriguing and at the same time enjoyable to witness from the visitors' gallery everyday and before the House commenced its business, how Nehruji freely walked down to the Opposition benches to greet the members with his smiling face wishing them good morning and *namaste*. That showed the way how the leader of the Lok Sabha instilled healthy conventions to grow and democratic norms to be maintained in the working of our Indian Parliament.

Shri Nehru with his wide outlook always said that the Indian National Congress was not merely an all India political party but much more than that—A MOVEMENT. Our history teaches that India became free mainly due to movements of spiritual renaissance created by leaders like Gokhale, Tilak, Gandhi and Nehru.

NEHRU AND THE RAJYA SABHA

—Pranab Mukherjee

With the attainment of independence in 1947, the Constituent Assembly acquired full freedom to frame the Constitution of its choice. Accordingly, the Assembly appointed a number of committees to work out details relating to different parts of the Constitution. One of the committees appointed was the Union Constitution Committee which was entrusted with the work of framing a draft constitutional structure of the central government under the new Constitution. The Committee which was headed by the Prime Minister, Jawaharlal Nehru made an indepth study of the proposed structure and recommended *inter alia* that the new legislature for the centre called Parliament of India should be a bicameral one with two chambers named respectively as the Council of States and the House of the People. Since the question whether India should adopt unicameralism or bicameralism was already thrashed out in detail in the meetings of the Union Constitution Committee, there was not much discussion in the open House of the Constituent Assembly as to the desirability or otherwise of adopting bicameralism. It was taken for granted that the second chamber was as essential for the Union Constitution as the President or the Supreme Court and the Constituent Assembly was practically unanimous about the usefulness and utility of a second chamber as an integral part of the general scheme of the union government. The general attitude of the Constitution makers may be summed up in the words of N. Gopalaswami Ayyangar who observed : “the need for a second chamber has been practically felt all over the world wherever there are federations of any importance”. Ayyangar advanced three reasons in support of bicameralism, viz. it will (a) hold dignified debates; (b) delay legislation which might be the outcome of passions of the moment; and (c) provide opportunity to the seasoned people who might not be in the thickest of political fray but who might be willing to participate in the debates with the amount of learning and importance which we do not ordinarily associate in the House of the People. Shri Jawaharlal Nehru, Prime Minister, did not participate in the discussion and this can be attributed

to the fact that the Union Constitution Committee of which he was the Chairman had already discussed the question in detail and unanimously recommended a bicameral Parliament; hence he saw no point in going through the exercise all over again in the open House.

Shri Nehru clearly expressed his views on the importance of second chamber in the Budget Session of 1953.¹ The issue involved in the conflict was small but passions were high on both sides. The Income Tax (Amendment) Bill, 1952 as passed by the Lok Sabha came up for consideration in the Rajya Sabha. The bill was certified to be a money bill by the Speaker of the Lok Sabha. But in the course of the debate in the Rajya Sabha, some members contended that the bill was not a money bill at all. It was alleged that in the garb of money bill, the Lok Sabha was trying to usurp some of the powers of the Rajya Sabha conferred upon the House by the Constitution. The burden of the objection was that the powers of the Rajya Sabha should not be impaired by manipulating the constitutional provisions with regard to the money bills. The then Law Minister, Shri C.C. Biswas, who was also the leader of the Rajya Sabha associated himself with the opinion expressed in the House and permitted himself to say that the House would be reassured if it were told categorically that the Speaker had applied his mind and then issued the certificate of the bill being a money bill, after a full and fair consideration of the matter.

Thus the matter came to a head and the two Houses of Parliament were set up a path of confrontation. At this juncture, Shri Jawaharlal Nehru intervened in the matter and his interventions put an end to the crisis. He made one of the finest speeches in the Lok Sabha clearly emphasising equality of the two Houses of Parliament :

“Under our Constitution, Parliament consists of two Houses of Parliament, each functioning in the allotted sphere laid down in that constitution. To call either Houses of Parliament as an Upper or Lower House is not correct. Each House has full authority to regulate its own procedure within the limits of the Constitution. There can be no constitutional differences between the two Houses because the final authority is the Constitution itself. The Constitution treats the two Houses equally except in certain financial matters which are to be the sole purview of the House of People”.

Meanwhile another storm was gathering momentum off the floors of the two Houses. In order to enable it to consider effectively the budget, the Rajya Sabha proposed that either it should have a separate Committee on Public Accounts or Seven members from the Rajya Sabha and a team of 15 members from the Lok Sabha should be constituted to establish a

Joint Public Accounts Committee. This proposal emanated from the Rules Committee of the Rajya Sabha and was sent to the Rules Committee of the Lok Sabha for consideration. The latter, however, rejected the proposal as it was thought that it would militate against the principle underlying the Constitution which entrusted the sole responsibility to Lok Sabha. It further requested the Speaker "to take all necessary steps to safeguard the privileges of the House and the Public Accounts Committee and to make it quite clear to the Council of States that this suggestion is unconstitutional tending to interfere with the rights, privileges and prerogatives of the House of the People in financial matters over which its authority is supreme." Prime Minister Nehru, however, thought differently and overlooking the Rules Committee's strong opposition, he tabled the following motion in the Lok Sabha :

"That this House recommends to the Council of States that they do agree to nominate 7 members on the Council to associate with the Public Accounts Committee of this House for the year 1953-54 and to communicate to this House the names of the members so nominated by the Council of States."*

A chorus of angry voices greeted the motion and there was practically near unanimity in the House against the motion. Shri Nehru dealt with the situation with great tact and patience. He emphasised that the English precedents were not relevant as the Rajya Sabha was not a carbon copy of the House of Lords and there were vital differences in composition and powers between the two. The Rajya Sabha, according to him was as indispensable part of the Constitution as the Lok Sabha. He appealed to the Lok Sabha not to adopt a partisan attitude of supremacy over the other House because the members of the Rajya Sabha also in his view enjoyed 'same grade and status'. He asserted very emphatically that to point out an irregularity in government accounts or expenditure could not be the exclusive privilege of one House of Parliament. He even went on to the extent of assuring the members that if the Rajya Sabha ever tried to abuse its authority in this sphere, he would get the Constitution amended to get rid of it. Assuring further that his motion was not intended to be a sop to anyone, he threw his trump card by stating that the main idea behind his motion was to set an example before other nations and to show "to other countries and other Parliaments as to how the complicated structure of our Constitution can be made to work smoothly and effectively with goodwill".

On his intervention the Lok Sabha adopted Prime Minister's motion and in this way the Rajya Sabha came to be associated with the activities of the Public Accounts Committee which is supposed to be the most important standing committee of Parliament.

*L.S. Deb., May, 12, 1953, C 6402.

I would yet give another example of Nehru's sense of consideration for the Rajya Sabha. A member of the Lok Sabha, N. C. Chatterjee speaking in the 31st Session of the All India Hindu Maha Sabha at Hyderabad was reported to have said :

"The Upper House which is supposed to be a body of elders seems to be behaving like a pack of urchins".

The Rajya Sabha took very strong exception to this statement and the Chairman instructed the Secretary to find out the facts. The Secretary wrote a letter to Shri Chatterjee enquiring from him whether the statement attributed to him was correct. Chatterjee raised an issue of privilege in the Lok Sabha characterising the letter as "the writ of the other House and usurpation of the jurisdiction of this House". The Prime Minister, Nehru, however, wanted to avoid an unpleasant confrontation between the two Houses and he argued that there could be no harm with the Secretary's letter. The Speaker asked Shri Chatterjee to make a statement on the floor of the House which he promised to send to the Chariman of the Council of States. On his stating that he had been misreported, the matter was dropped. But Nehru was intent on evolving a procedure, so that in future any dispute of this nature between the two Houses could be settled smoothly. Largely on his initiative, it was decided at a joint Sitting of the Privileges Committees of two Houses of Parliament that in such a case when a question of privilege or contempt of the House was raised in either House in which a member, officer or servant of the other House was involved, the procedure should be that the Presiding Officer of the House in which the question of privilege was raised, should refer the case to the Presiding Officer of the other House, only if he was satisfied, on hearing the member who raised the question or on pursuing any document where the complaint was based on document, that a breach of privilege had been committed. Upon the case being so referred, it would be the duty of the Presiding Officer of the other House to deal with the matter in the same way as if it were a case of breach of privilege of that House or of a member thereof. Thereafter, that Presiding Officer should communicate to the Presiding Officer of the House where the question of privilege was originally raised, a report about the inquiry, if any, and the action taken on the reference.

The procedure which laid down specific guidelines to deal with complaint of breach of privileges of the one House by the members/officers of the other House went a long way in minimising the area of any possible conflict between the two Houses.

As far as possible Nehru used to pay equal attention to the business in both the Houses of Parliament. As is well known, the first session of every Parliament starts with an address from the President to both the

Houses of Parliament assembled together. Although the address is delivered by the President, it is in fact a statement of government's policy and programme which is actually drafted by the government. Subsequently, on a Motion of Thanks to President for his address it becomes a basis for discussion in the House when the whole gamut of government's policies can be open for discussion in the House. The discussion on the address generally takes place almost at the same time in both the Houses. Being the leader of the House of the Lok Sabha, Prime Minister had, by necessity, to devote greater attention to that House. Even then it goes to the credit of Shri Nehru that every year he used to devote some time in the Rajya Sabha as well and used to intervene in the debate. His intervention would afford an opportunity to the members of the Rajya Sabha to have a first-hand assessment by the Prime Minister of the government's policies and programmes. Except probably for one or two years due to some acute constraints on time, the Prime Minister Nehru would always appear in the Rajya Sabha and would take part in the discussion on the Motion of Thanks on the President's address. In fact, twice or thrice, the Prime Minister himself replied to the debate in the Rajya Sabha instead of the Leader of the House.

A similar sense of involvement in the proceedings of the Rajya Sabha would also be evident in respect of other business of the House. In Nehru's time, a debate on the international situation was almost a regular annual feature. Some times such a motion would come up almost in every session. The foreign policy of the government was debated in both the Houses of Parliament and the Prime Minister himself used to move the motion in the Rajya Sabha, sit through the debate, listen to the members' view points and give a reply to the points raised, although he could have deputised the Minister of State for External Affairs for the purpose.

Even in the matter of reply to the important discussions in the Rajya Sabha, Nehru liked to do it himself. I would like to give or one or two examples. When the reports of the States Re-organisation Commission (S. R. C.) were under discussion in both the Houses of Parliament, Nehru replied to the debate in the Rajya Sabha so that the House had benefit of having a first-hand reaction of the government to the various proposals contained in the reports of the S.R.C. which made substantial changes in the boundaries of several States. Likewise his participation in the Rajya Sabha on discussion on some important subjects, like the Punjabi Suba, Enquiry in the investment of L.I.C. Funds, Proclamation of Emergency in the wake of the Chinese aggression, Five-Year Plans would indicate that in all important matters, he tried to treat the two Houses of Parliament equally. Even with regard to private members' resolutions, the same conclusion will emerge. On May 24, 1957, M. Govinda Reddy moved the following motion :

“This House is of the opinion that having regard to the declared opinion of famous scientists of the world that nuclear test explosions constitute a real danger to the human race, Government should convene a Conference of World Powers to consider how best to halt such explosions.”

Nehru took an early opportunity to intervene in that discussion clarifying his attitude and reaction of the government to the proposal, though it was not strictly speaking necessary for him to take part in the debate in which the Defence Minister had already taken part on behalf of the government.

All these illustrations prove Nehru's firm belief in the equality of both Houses of Parliament.

The Question-Hour in the Rajya Sabha is yet another example of the extent of Nehru's participation in the proceedings of the House. On the days allotted to his ministry, Nehru would come and sit religiously through the Question-Hour, replying to the supplementaries to the main question answered by him, he would also at times supplement the answers given by his junior colleagues in the External Affairs Ministry when he thought that it had failed to satisfy the members in the House. Not only that, the proceedings of the Rajya Sabha are replete with instances of his supplementing the answers given by the Cabinet Ministers in charge of other portfolios. It was his constant endeavour to see that parliamentary questions were answered with precision and accuracy to the entire satisfaction of the House. Being the Leader of the House in the Lok Sabha there was no bar for him in spending his entire time in that House leaving the Leader of the House in the Rajya Sabha to take charge of parliamentary business there. But, the sense of parliamentary propriety and fairplay impelled Nehru to give a parity of treatment to both the Houses. He believed firmly that the parliamentary system in India could operate effectively only on equal partnership of the two Houses. He was firmly of the view that although we had, by and large, adopted parliamentary system of government prevailing in Britain, the Parliament of India was not on all fours with the English Parliament and the Rajya Sabha was certainly not a replica of the English House of Lords. As he once said :

“Sometimes we refer to the practice and conventions prevailing in the House of Parliament in the United Kingdom and even refer erroneously to an Upper House and a Lower House. I do not think that is correct. Nor is it helpful always to refer back to the procedure of the British Parliament which has grown in the course of several hundred years and as a result of conflicts originally with the authority of the King and later between the Commons and the Lords. We have no history behind us, though in making

our Constitution we have profited by the experience of others. Our guide must, therefore, be our own Constitution which has clearly specified the functions of the Council of States and the House of the People. Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself constitutes Parliament. It is the two Houses together that are the Parliament of India."

One can safely conclude that evolution of parliamentary traditions and customs on right lines and the firm grounding of the institution of Parliament in India can be justifiably attributed to our first Prime Minister, Jawaharlal Nehru.

NEHRU AND THE OPPOSITION

—*Krishna Mehta*

Pandit Jawaharlal Nehru, a great scholar, writer, erudite, litterateur, architect of modern India, apostle of peace, humanist and the first Prime Minister of India is held in high esteem not only in India but all over the world because of his ideas and approach. He always endeavoured to appreciate the viewpoints of others in proper perspective and made sincere efforts to carry opposition with him.

The respect and importance that revered Jawaharlal Nehru attached to Parliament is evident from certain anecdotes during his tenure. They will continue to serve as beacon to show the path of true democracy to the people of India for centuries to come and also be an ideal for coming generations. I would venture to recollect some of these anecdotes.

Panditji patiently faced slings and arrows of criticism not only from Opposition but also from the members of his own party. Suppressing his emotions sagaciously, he always advocated the cause of democracy.

I would like to narrate an incident. In 1953, when a decision was taken to detain the Jammu and Kashmir Chief Minister, Sheikh Mohammad Abdullah, Panditji felt deeply hurt—in his heart a secret known to very few of us. He had to bear this pain in the interest of our country. I vividly remember that I was proceeding to Srinagar a day before Sheikh Saheb was to be arrested. At that time, I was working for refugees on behalf of U.S.R.W. Society, headed by Lady Mountbatten. Panditji had assigned me the job of visiting Kashmir in connection with this work. I used to furnish details of this job to Panditji and used to visit Kashmir with his permission. Before proceeding to Kashmir that day, I called on Pandit Nehru. At that time it was about 8.30 A.M. He was sitting in a sofa, I asked for his permission to go to Srinagar. Panditji was sitting in a serious mood. Suddenly he burst out : “Krishna, you are proceeding to Srinagar tomorrow. Some serious developments are in the offing and Sheikh Saheb will be arrested.” While he uttered these words, he became

serious and his face registered deep anguish. Hearing this, I got nervous and a sort of fear gripped me. How is it that Panditji divulged such a big secret to me !

Those days, even the people from Opposition used to visit Kashmir quite often. Even on trifles, they used to mount a severe attack on Panditji. But knowing full well as to what was true and what was false, Panditji used to have a regard for the statements of the Opposition leaders because he was a true democrat. Those days, the attacks from the Opposition used to be very severe. In Kashmir, people used to make a mountain of a mole-hill. Panditji never imposed his ideas on others.

Another incident that I recollect, happened in 1951. Panditji had gone to Ladakh, accompanied by Smt. Indira Gandhi, Feroze Gandhi, the Jammu and Kashmir Chief Minister, Sheikh Mohammad Abdullah and myself. We had a programme for a week in Ladakh. One morning, Shrimati Indira Gandhi and Feroze Gandhi had gone out for a stroll, Panditji and Sheikh Saheb were sitting in a verandah opposite an open lawn. There were tents for their stay nearby. Both the leaders were engaged in conversation in the morning bright sunshine. I was also sitting there. In the course of the conversation, Sheikh Saheb said, "Sir, we want to have a Legislative Assembly in Jammu & Kashmir". Panditji kept silent for a while as if lost in some deep thought. After some time he replied, "Think over it" and left the issue to the public of Jammu and Kashmir.

Next incident occurred at the time of the Chinese aggression. In Parliament, Krishna Menon, the then Defence Minister, came in for scathing criticism from the Opposition parties over this issue. What a trying time it was! Panditji was forced to part company with a cabinet colleague who was not only a competent and wise friend but had also contributed a good deal to the freedom struggle. He took the same action in the case of Keshav Deo Malaviya also. Keshav Deo Malaviya too had made appreciable contribution to the national cause but Panditji listened to the voice of the Opposition and acted accordingly.

I was a member of Lok Sabha from Jammu and Kashmir from 1957 to 1962. Whenever Panditji entered the House he bowed in reverence whereupon pin drop silence seized the House for a while. During the period of my membership of Lok Sabha, I underwent varied experiences.

Once during the Question Hour it so happened that I shrieked and became unconscious and fell from my chair with the List of Questions in my hand. Thereupon, the House was adjourned for half-an-hour. I was taken to the Lady M.Ps. Lounge. When I gained consciousness I found that Panditji, Morarji Desai and Karmarkar, who was Health Minister at

that time, were standing around me. Thereafter, I had to remain in the hospital for about a fortnight. I was feeling ashamed of the incident. When I went to the Parliament House, after discharge from the hospital, Panditji asked me as to how that unbecoming incident took place in the House that day. I told him that I was very much ashamed of that incident which took place in the august House. I felt that such an incident should not have taken place. However, I did not know how it happened. It was beyond my control. I was already ashamed of this incident and when Panditji also pointed it out to me that added to my grief. I began to shudder to sit in the House lest the same incident should recur. Such is the impact of something said even in a lighter vein by great personalities.

The respect Panditji had for the Parliament was to be seen to be believed. Whenever he spoke in the Parliament, we could observe a glow on his face and a sense of pride which showed the respect he had for democracy.

When I was working in Kashmir, thousands of refugee Sikh ladies, after undergoing a lot of atrocities, reached there from Muzzafarabad etc. where Pakistan had launched an attack. Panditji always used to get all sorts of information about them and used to enquire as to what was being done for them. I once told him that I somehow did not relish distributing things to them free of charge. The relief work would be over in a day or two. I would impart them some sort of training, pay them wages and help them in all possible ways so that they might be able to stand on their own feet. Panditji replied that I had made a valuable suggestion and that this issue was being discussed in the Parliament those days as to what sort of help should be provided to the refugees. Even a small suggestion by me received his esteemed attention.

When the construction of the Ashok Hotel was undertaken, he had to face criticism from the Opposition. But Panditji always kept nation's progress uppermost in his mind and never did anything contrary thereto. He was a true democrat and cherished the inherent values of democracy.

Today we must take a leaf from the lives of great men like him and spare no pains to save our democracy. We should be ready even to sacrifice ourselves for the sake of democracy and should always uphold the traditions of democracy in pursuance of the policies laid down by Panditji.

JAWAHARLAL NEHRU AS A PARLIAMENTARIAN

—*Sushila Rohatgi*

Few persons in modern Indian history have left such an impact as Jawaharlal Nehru in such a wider range of realms as politics, statecraft, international relations, promotion of the cultural values, love for the ancient heritage of India, love of nature and concern for the plight of the neglected humanity. The heir-apparent to Gandhiji, Nehru dominated the Indian scene almost like a colossus for over half a century. He loved the people who in turn poured on him all their affection and adulation bordering on idolatry. To children he was a source of inspiration. He laughed, danced and sang with them, no wonder Chacha Nehru's birthday is celebrated all over the country at Children's Day.

Nehru was as much a nationalist as an internationalist. Threat to peace in any part of the world was a matter of deep concern to him whether it was in Korea, the Middle East, Indo-China or Hungary. When Nehru wanted India to follow a policy of non-alignment, free from entanglements and pressures of the Eastern and Western Blocs, he was, in fact, taking up the best from the great Indian traditions. Who could forget the trails blazed by the great Buddha, with his middle path and the policy of Ashok the Great and Akbar the Great both of whom had laid down a kind of policy which absorbed the best of the conflicting viewpoints. Nehru's deep interest in history is borne out by his classic works, *The Discovery of India* and *Glimpses of World History*, which rate him as one of the great historians of the world.

As the lieutenant of the Mahatma he fought the heroic battles against the foreign domination, ultimately taking up reins of government in 1947. None could have found a better person than Nehru as India's leader, as he embodied the best of Indian traditions. Nehru was not in the least a pacifist; whenever the frontiers of his country were threatened, he never hesitated in taking resolute action as when a part of Kashmir was invaded by Pakistan in 1947 and when the Chinese troops invaded parts of the Himalayan border in 1962.

As a parliamentarian, Nehru cultivated the best of democratic traditions in the country. He once said parliamentary democracy demands many virtues : it demands not only ability, devotion to work but a larger measure of cooperation and self-discipline and self-restraint to function effectively. The House would need a spirit of cooperation and discipline from each group. "Parliamentary democracy is a delicate plant and it is a measure of our own success that the plant has become sturdier during the last few years. We have faced difficulties and great problems and solved many of them; but many remain to be solved. If there are no problems, that is a sign of death. Only the dead have no problems; the living have problems and they grow fighting with problems and overcoming them. It is a sign of the growth of this nation that not only do we solve problems but we create new problems to solve," so said Jawaharlal Nehru while addressing one of the sessions of the Lok Sabha in 1957.

Nehru wanted Parliament to be a symbol of both change and continuity. For he said there had always to be a blending of change and continuity. Not one day is like another. "We grow older each day yet there is unbroken continuity in the life of a nation."

Like Gandhiji, Nehru was pained at the prevalence of untouchability, the sad reality of thousands of people suffering social, political and economic disabilities just because they happen to belong to particular castes. He said that the country stood for the freedom of the entire people of India, not the freedom of a class only which would dominate over other classes. In fact, before and after Independence, through words and deeds he strove for social freedom and against social reaction. Long before Independence he declared war against untouchability and all that it implied. He conceded that the freedom meant that every man and woman should have the fullest opportunity for development without any restrictions or barriers of religion, caste, customs or poverty.

On the development of the country Nehru was carried away by some of the gigantic hydel projects that sought to change the social and economic life of millions of people assuring them of a steady supply of water for their parched fields, power for the industries and homes and drinking water for every home. No wonder he hailed the Bhakra Nangal Dam and similar dams elsewhere as the "modern temples of India." In the course of his speech at the opening of the Nangal Canal in the mid fifties, he said : "As I walked round the site I thought that these days the biggest temple, mosque and *gurudwara* is the place where man works for the good of mankind. Which place could be greater than this Bhakra Nangal, where

thousands and lakhs of men have worked, have shed their blood and sweat and laid down their lives as well. Where can be a greater and holier place than this, which we can regard as higher?"

Tyranny of Customs

Nehru pleaded for a well defined role for the women of the country who constituted almost 50 per cent of the population; if the nation was to rise, how could it do so, if half the nation, i.e. of our mankind lagged behind and remained ignorant and uneducated, he asked? He felt that if the mothers themselves were not self-reliant and efficient, she could not visualise a bright future for the children. Though India treasured memories of those brave women who lived and died for a glorious life for the nation, the plight of the average woman was far from being a bright one.

Nehru bemoaned that our civilization, and the customs and laws all were made by man who took good care to keep himself in a superior position treating woman as chattel and plaything to be exploited for his own advantage and amusement. He wanted women to break the shackles of social evils and other customs that tended to drag them down. Man and woman are like plants and flowers that could grow only in the sunlight and fresh air of freedom. Nehru wanted the womenfolk to be freed for all time from the tyranny of man-made customs and laws.

To Panditji the aim of education should be the improvement of the individual for he felt without individual advancement there could be no social progress. Nehru asked: "Could an individual advance if the environment is pulling him back all the time? If environment is unwholesome, the individual battles in vain and most inevitably would be crushed by it." By environment Nehru meant the inherited ideas, customs and traditions which restricted his growth and change in a changing world.

Nehru feared that it was the stranglehold of economic conditions which denied opportunities to vast masses of people. He felt that education must have a definite social outlook. must train the youth for the kind of society they wish to have. Politicians do strive for political and economic changes, but the real basis of a new society must be laid in the classrooms in schools and colleges. He condemned the acquisitive and competitive society and wanted it to be replaced by a cooperative society where people do not think in terms of individual profits but would rather strive for common good where there is less exploitation.

Nehru's concept of social welfare included almost everything that one can think of: spiritually, culturally, politically, economically and socially, this concept covers the entire field of human activity and relationship. Yet he was loath to use the term in a restricted way. The social worker

often never considers himself or herself as working in a field which is strictly separated from political action or economic theory. He or she will have to try to bring relief to suffering humanity, will fight diseases and unhygienic conditions in the slum areas, deal with unemployment, prostitution and the like. She may also seek changes in the law in order to remove rampant injustice.

Nehru had, however, a nagging complaint : the social worker seldom goes down to the roots of the problems : he accepts the general structure of the society as it is and seeks only to gloss over the glaring inequities. He condemned those who visited the slums occasionally to relieve their conscience by indulging in occasional charity or doles. "The less we have of this patronising and condescending approach to the problem the better. There are a large number of people who devote themselves to the service of their fellow beings in the narrow sense of the term. Though they do good work benefiting a large number of people and themselves, this kind of work deals with only the surface of the problem. Nehru felt that many of the problems were the products of economic imbalances, customs and superstitions. So until and unless the workers sought to go to the roots, avoiding politics, the problems can never be solved in their totality.

Niche for the Weakest

Nehru had carved a niche for the weakest and most neglected sections of the people more particularly the Harijans and the Scheduled Tribes. In fact, he held the view that the tribals have made their distinctive contributions to the diversity of India. In certain respects, the tribals were a shade better off than the people in plains, cities and other parts of India, for they were less materialistic and less selfish and self aggrandising. Nehru approached the tribals in a spirit of camaraderie. He never wanted to disturb the tenor of the tribal life and culture, nor did he desire to impose ideas from outside in the name of a better civilisation that should supplant the tribal culture sanctified by time. "I would prefer being a nomad in the hills to being a member of the stock exchanges, where one is made to sit and listen to noise that are ugly to a degree. Is that the civilization we want the tribal people to have? I hope not. I am quite sure that the tribalfolk, with their civilization, songs, dances, will last long after stock exchanges have ceased to exist."

Nehru who initiated the economic development of the country through a series of Five-Year Plans felt that this method of working out a Plan was normally a method of trial and error. The best of us can only see a part of the horizon : "What makes the Plan complicated is that we have to deal with not measurable things like steel, but with millions of human

beings, each of whom is different from the other''. But he was sure that with the passage of every Five Year Plan, better thinking would prevail and each Plan would stand to benefit from the success or failure of the previous one. He was, however, sure that planning was essential and without it there would be economic anarchy.

One of the major objectives of his economic policy and a part of his vision was the establishment of a socialistic pattern of society. Panditji always wanted to avoid any rigid doctrinaire thinking. When he said socialistic pattern of society, he was actually referring to a society in which there is equality of opportunity and chance for everyone to live a good life. Obviously, this could be achieved only when we have wherewithal to have a good standard of life; in other words, the nation has to lay emphasis on the elimination of disparities and poverty. In his schemes both the public and private sectors had a role to play in the balanced economic growth of the country.

Secular Image

Nehru had tremendous faith in secularism. Some people think that secularism means something opposite to religion. This is not correct; what it means is a State which honours all religions equally and gives them equal opportunities, a State which does not allow itself to be attached to any particular religion. India's adoption of the secular concept was in keeping with its tradition of religious tolerance.

Foreign Policy

Under Pandit Jawaharlal Nehru India formulated a foreign policy which fought for the preservation of peace and human freedom. The wars fought twice have demonstrated the futility and inherent violence of warfare. The long drawn out struggle of non-violence under Gandhiji's leadership that brought her the hard-won freedom spoke volumes for certain principles that became the bedrock of India's domestic and foreign policy. It was our earnest desire for peace that made us stay away from both the Eastern and Western blocs while striving to have the best relations with all the nations. The idea of non-alignment was evolved by Nehru, Marshal Tito of Yugoslavia and Nasser of Egypt. Today it has become a worldwide concept: over 100 countries of different continents have become active members of the non-aligned movement. It should be a matter of pride for us that almost three decades after the idea of non-alignment took birth in the island of Brioni no less than Prime Minister Indira Gandhi, the illustrious daughter of the illustrious father, had become the head of the non-aligned movement in the world. The mantle has now fallen on the right shoulders of our Prime Minister, Shri Rajiv Gandhi.

Here one would wish that Nehru's concept of *Panchsheel* would help in turning the world away from the brink of war if only people cared to abide by its five principles : (1) recognition by the countries of the independence, sovereignty and territorial integrity of other countries (2) non-aggression; (3) non-interference in another country's internal affairs; (4) mutual respect and equality; and (5) co-existence. In many respects, Nehru proved to be a world leader, concerned with the freedom of man while remaining an Indian to the core.

All these ideas Pandit Nehru breathed into action, while performing his duties as a parliamentarian, and guiding the destiny of India as its first Prime Minister. Nehru's contribution to Indian Parliament has left an indelible mark on world affairs.

It will not be improper to say that if we want to have a resume of the thinking of Jawaharlal Nehru on Indian and world affairs, the best possible course is to go through his speeches in the Parliament, and we will be able to know not only what he decided but also know the thought processes through which he was passing. It is accepted that Pandit Nehru was one of the greatest democrats the world has known, but it is also a fact that no member of his Cabinet took stand as opposed to his stand. Even powerful members like Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad and G.B. Pant had a sort of secret understanding that whenever they thought that Nehru had a particular point of view they did not try to disturb it. On basic policies the Cabinet rarely expressed views opposed to his views. On one occasion, possibly it was Nehru-Liaquat Pact some members of his Cabinet differed from his view-point but ultimately Nehru had his say. It was reported that some members of his Cabinet wanted to resign and when Nehru was asked a question in that regard in the Congress party, he replied that there was no question of any difference of opinion between the Prime Minister and members of his Cabinet. Only those persons were and remained members of the Cabinet who agreed with the Prime Minister. Ultimately only Syamaprasad Mookerjee left the Cabinet and sat as an Opposition member in Parliament.

I had the privilege and pleasure of watching the activities and reporting the speeches of Pandit Jawaharlal Nehru soon after he came to Delhi from Allahabad and became Vice President of the Viceroy's Executive Council. One of his major contributions to the activities of the Constituent Assembly was the Objectives Resolution which was moved on December 13, 1946. Upto that time the Muslim League was a partner in the Executive Council and members of the Muslim League were also participating in the Constituent Assembly. In this Resolution he gave to the nation what was going to be the ethos of the Indian Constitution, the foundation on which the entire paraphernalia of the Constitution was set up. In this he said :

“(1) This Constituent Assembly declares its firm and solemn resolve

to proclaim India as an Independent Sovereign Republic and to draw up for her future governance a Constitution;

- (2) Wherein the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into the Independent Sovereign India, shall be a Union of them all; and
- (3) Wherein the said territories, whether with their present boundaries or with such others as may be determined by the Constitution, shall possess and retain the status of autonomous Units, together with residuary powers, and exercise all powers and functions of government and administration, save and except such powers and functions as are vested in or assigned to the Union, or as are inherent or implied in the Union or resulting therefrom; and
- (4) Wherein all power and authority of the Sovereign Independent India, its constituent parts and organs of government, are derived from the people; and
- (5) Wherein shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity, before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and
- (6) Wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and
- (7) Whereby shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilized nations; and
- (8) This ancient land attains its rightful and honoured place in the world and makes its full and willing contribution to the promotion of world peace and the welfare of mankind."

Nehru was the Foreign Minister of the Government of India during his life time and no year of the Parliament passed when the foreign policy or, to be correct, the international situation was not taken into consideration by the Parliament. The very first mention of the term 'non-alignment' figured in his speech in the Constituent Assembly (Legislative) on December 4, 1947 when he was replying to the debate on foreign affairs. In the course of that debate Maulana Hasrat Mohani of Kanpur had said that there was going to be a war between USA and the Soviet Union and India should declare that it was going to stand with the Soviet Union. I think this

statement prompted Nehru to make a detailed analysis of the foreign policy of India and it was in this speech that the basic tenets of non-alignment were initiated. He started his speech by saying "the main subject in foreign policy today is vaguely talked of in terms of 'Do you belong to this group or that group ?' That is an utter simplification of issues and it is all very well for hon. Maulana Hasrat Mohani to hold forth that India will go to war under this banner or that banner. But that surely is not the way that a responsible House or a responsible country views the situation." It was in this speech when he said, "We have sought to avoid foreign entanglements by not joining one bloc or the other. The natural result has been that neither of these big blocs looks on us with favour, they think that we are undependable because we cannot make to vote this way or that way." He further said, "there was a suspicion in the minds of first group that we were really allied to the other group in secret though we were trying to hide the fact and the other group thought that we were allied to the other group in secret though we were trying to hide the fact." It was from this speech that the term 'non-alignment' took shape.

Again on March 8, 1948 in a similar speech on foreign affairs he defended this policy and ultimately from year to year he enunciated newer aspects to it. It was in the Constituent Assembly that he moved for continuation of the membership of the Commonwealth and some of his policies have now become the national policies and even those who criticised him, when he was alive, in Parliament and out of Parliament now swear by him and any supposed deviation is treated as a sacrilege.

When Nehru was in town he always attended the meetings of the Parliament particularly of the Lok Sabha and when Parliament was in session he was always in town. It was supposed that Nehru did not care of the details and concerted on policies, but if there was a question on any of the Departments under his charge he was always fully prepared and disclosed to the Parliament whatever he knew. I remember that for some time he was holding the Defence portfolio. When a question about some mishap in an ordnance factory in Jabalpur was asked, Nehru rose to clarify the reply given by his Parliamentary Secretary, Shri Dinesh Singh and admitted with open heart the mistakes committed there. He had such a reverence for the Lok Sabha that when about Ladakh and Aksaichin some member asked question in Rajya Sabha and Nehru was to reply, we in the Press Gallery were cursing the member, who had asked the supplementary because we knew that Nehru will blurt out the truth and he did that by saying that not a blade of grass grew in this area.

No session of the Parliament was complete without his speech. He listened to the Opposition and replied with equal force. Whenever he spoke,

the Press Gallery was full. After foreign affairs, planning was his favourite subject and whether a new Plan was introduced or an appraisal was made, Nehru encouraged the discussion on the Plan in which he invariably spoke.

Before Vigyan Bhavan was built, Nehru's Press Conferences which used to take place every month, were held in the Parliament House, first in the Rajya Sabha Chamber and later on in one of the Committee rooms on the first floor. Later on, the venue of the Press Conferences changed out whenever there was a meeting of the Congress Parliamentary Party, we in the Press Gallery had to approach Pandit Nehru for the news relating to the parliamentary party. There was no system of official briefing and no member would volunteer information. Once some embarrassing reports about the Congress Parliamentary Party meeting were published in some papers. When some members criticised the newspapers in the next meeting, Nehru told them "it is the business of the Press to find out the news, it is your business to keep it secret, why blame the Press ?" We had to bank on Nehru for the news whether it was a meeting of the Planning Commission or a meeting of the Congress Working Committee. Although the Press correspondents, by and large, liked Nehru, his was such a towering personality that individually we were afraid to go near him but we had found a device. Two or three of us combined and would approach Nehru in a group, immediately we would find ourselves transformed into a press conference and Nehru was always willing to oblige the Press. Someone said he was his own Public Relations Officer.

Nehru's Press Conferences, whether held in Parliament House or in Vigyan Bhavan were always a treat. It was open to anybody who could find entry in the Conference Hall to ask a question, a privilege which is not available in supposedly bastions of democracy, like U.K. and U.S.A. Most insulting questions by those, who looked down upon Nehru, were asked and were suitably replied. In course of time Nehru had learnt who was who in the Press or to describe it more correctly, who was who's in the Press, and when an opportunity arose, he didn't fail to show the gentleman concerned his due place.

It was his speech in the Constitution (First Amendment) Bill which brought forth the point about what was the real content of the freedom of the Press. He asked, whose freedom ? Of those who write in the Press or those who own the Press ? Nehru was very much interested in getting the recommendations of the Press Commission implemented and was very much worried when members of Parliament turned up to witness a tattoo held in,

Rashtrapati Bhavan in honour of Bulganin and Khrushchev of Soviet Union, while the Working Journalists Bill was in Lok Sabha. He explained : "all of you have come here, what will happen to the Bill ?" In his death the Press particularly the working journalists lost their greatest friend.

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