

JOURNAL OF POLITICS

An Annual Publication of the Department of Political Science, Dibrugarh University.

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■ Reconciling Liberty and Equality : The Dilemma of Laski's Thought ■ Constitutionalism, Law, Politics and the Judicial Process : An Appreciation of the Ideas of Harold Laski arising out of Insight and Interaction and their Relevance in Contemporary World. ■ Understanding Laski : Outlines of an Argument ■ Laski's World of Absolute ■ Harold Laski in his Place ■ Gorbachev and the Dissolution of the Soviet Union ■ A Theory of Justice : In Defence of John Rawls ■ Nepali Migration into Assam : In Retrospect ■ Linkage's Model towards understanding Bilateral Relations at Regional Level : A Case of Nepal and India Relations ■ Politics of Identity in Assam ■ Ruling Class Politics : A Study of Tenancy Reforms in Assam ■ Threat to India's Security : Rationale for her Defence Preparedness.

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DEPARTMENT OF POLITICAL SCIENCE
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EDITORS' NOTE

This Volume of JOURNAL OF POLITICS contains five articles on Harold J. Laski, which were selected from a good number of articles presented in a national seminar on "Political Thought of Professor Harold Laski" organised by the Department of Political Science, Dibrugarh University, on March 22-23, 1994 to pay homage to this outstanding political scientist on the occasion of his birth centenary. Further, this Volume is dedicated to the memory of Professor Laski, who made tremendous contribution to popularize the discipline in the field of social sciences. The other articles, as the titles speak for themselves, deal with divergent aspects and problems which are expected to attract academic attention of scholars.

RECONCILING LIBERTY AND EQUALITY : THE DILEMMA OF LASKI'S THOUGHT

Shanti Swarup

Herold Laski was one of the most outstanding political thinkers, if not perhaps the most important political thinker, of the second quarter of the twentieth century. From the late 1920's to early 1950's his influence was not confined to the academic world of the United Kingdom, it extended to a large part of the English-speaking world, and well beyond the academic community. So great was the range of his intellectual influence that one influential publicist characterised the second quarter of the 20th century as the Age of Laski. Ironically, soon after his death- and to some extent even during the last few years of his life- his influence waned and then rapidly declined. In the aftermath of the Second World War, the onslaught of the Cold War and the wave of conservatism in the English speaking world and the Western Europe his influence dipped so low that even his chair in the London School of Economics and Political Science, was occupied by an arch conservative, Michael Oakeshott, who became the new craze in British political theory. For a time, Laski became almost untouchable. There is, however, now a renewed interest in Laski and the initiative of the Department of Political Science, Dibrugarh University is, therefore, praiseworthy and welcome.

How precisely can the sudden rise and an equally sudden fall of Laski be explained ? Laski, however, will once again gain influence because he, in a sense, more than anyone else, represents the dilemma of our times and the tensions which in today's language exists between two dimensions of human rights, namely civil and political rights on the one hand and social and economics rights on the other. Indeed throughout his life. Laski grappled with the problem of reconciling these two dimensions of freedom and the instruments through which he sought to achieve these goals.

This dilemma is obvious from the manner in which Laski tackled the issue of Liberty of various stages in the development of his thought. In his first major work, *Grammar of Politics*, Laski asserted that liberty is a "positive thing". It consists, he argued, in the "eager maintenance of that atmosphere in which men have the opportunity to be their best selves", Laski characterised freedom as " opportunities which history has shown to be essential to the development of personality."

Upto this point, Laski's conception of liberty may seems at first sight, to be akin to Green's view of liberty. Green, it will be remembered, had characterised

liberty as a "positive power or capacity of doing or enjoying something worth doing or enjoying". Laski however, went far beyond Green in elaborating this positive content of freedom. In this context, equality seems to him to be a necessary condition of liberty. Laski rejected the view of Acton and Tocqueville that liberty and equality are "antithetical." Laski argued that Acton and Tocqueville saw a contradiction between liberty and equality because they "misunderstood the meaning of equality." For Laski, equality is essential in both the political and economic realms. Although democracy provides political equality in the sense that every individual has at the best the right to vote and to stand for elections, and in a sense an equal right to influence the political process, its significance is lost without economic equality.

For Laski political equality was inadequate because it is "never real unless it is accompanied by virtual economic equality". "Great inequalities of wealth", in his view, make the attainment of freedom "impossible." Surprising though it may seem, in sharp contrast to the perspective he had developed in the *Grammar of Politics*, Laski seems to have made a fundamental departure from that position five years later. In an important book, *Liberty in the Modern State*, Laski now maintained that liberty is the "absence of restraint". Only when there are no restraints and "prohibitions from without", does the individual have the "power to expand the choice of his own way of life". At this stage in the development of his thought, Laski did not wish to "confound liberty with certain other conditions" and looks at liberty as a value in itself.

How to explain this change in Laski's theoretical position on the issue of liberty? It seems probable that this change in Laski's ideas may have been brought about by the consolidation of fascism in Italy, the rapid rise in the influence of the National Socialist Party in Germany and the respectability which Mosley was gaining in United Kingdom. The experience of Italy may have convinced Laski, how harsh curbs over freedom of expression and association could be effectively used to limit positive freedom. Perhaps unconsciously or subconsciously, Laski may also have been affected by his Jewish sense of insecurity, Jews, throughout Europe, it will be recalled, were deeply perturbed by the rising influence of Nazis in Germany. Negative conception of freedom at least ensured to the Jewish community the right to life and freedom. In this context, it may also be useful to emphasise Laski's pointed reference to Mill's argument in *On Liberty*: the threat to freedom from society. Jews after all faced a threat to their freedom not so much from the state *qua* state but from social prejudices (and social prejudices translated into political actions or decisions by the state). Indeed, there is internal evidence that the rising tide of fascism emphasising the role of the leader and his unquestioned authority, may have had an impact on Laski's thinking. "If there is a body of men," he

contended, "who possess unlimited political power, those over whom they ruled, could never be free."

Laski, of course, sought to resurrect equality from under the carpet. "Liberty and equality", he still maintained, "are not so much antithetical as complementary". This attempt to rescue equality are at best half hearted (one could almost say, tenth- hearted). He clearly conceded that by making liberty the "*absence of restraints*", he was in fact making it a "purely negative condition".

Laski, however, was probably never comfortable with this negative position on liberty. In a long new incisive introduction to the 1948 edition of the *Liberty in the Modern State*, he took a long step back to the orginal position, he had taken in the *Grammar of Politics*. He now contended that "economic sufficiency and leisure for thought" are the "primary conditions of the free men;. Indeed, he argued that an interest in liberty does not even "begin" unless "men have ceased to be overwhelmed by the problem of sheer existence". This is approximately the same ideological position on the issue of liberty and equality which marked the *Grammar of Politics*.

II

How can these shifts - or rather swings of the pendulum in Laski's thought be explained ? The earliest - and perhaps, the escapist - way to deal with this problem is to dismiss Laski as a confused political thinker, who did not know the art of political theorising or of political philosophy and who did not understand how to weave various stands in his thinking into one coherent system of thought. Such an interpretation of Laski's thought would, however, miss the point that this could also be said about some of the greatest political philosophers of all times. How can we apply different standards of judgement in the case of Laski from the ones we see while evaluating the thought of Plato and Rousseau. How can we look at Laski's thought all across the board from his 1917 *Studies in the Problem of Sovereignty* to the end of his life and then declare him inconsistent and self-contradictory, while looking at each work of Plato as a separate self-contained unit ? By making these reference to Plato and Rousseau, no attempt is being made to equate a relatively smaller thinker as Laski to Plato or even to Rousseau. All that is being suggested is that fairness demands that the same principles and rules of judgement should be used in interpretting all political thinkers. For instance, Plato of the *Laws* and even *Statesman* is contradictory to the Plato of *Republic* in several places or for that matter Plato of the *Apology* or *Crito*. Do we dismiss Plato on the flimy ground that what he says in the *Laws* contradict his argument in the *Republic* ? This

equally applies to Rousseau. Why are the same criteria not being used in the case of Laski. Is it because where Plato's and Rousseau's ideology does not threaten our contemporary dominant ideology and ideas such as these of Laski do ?

Equally unconvincing is the view that while Laski had the intellectual capability for a fine political thinker, his involvement in practical politics prevented him from actualising his potential and landed him in contradictory positions. This view also ignores the fact that most great political thought has come from people who had active interest - and even involvement - in politics. This was certainly the case more or less - in some cases more, in other cases, less - with Plato, Aristotle, Machiavelli, Hobbes, Locke, Rousseau, Karl Marx and Kautilya. It is quite permissible to argue that closeness to the political processes enabled these thinkers to comprehend some of the complexities of the political arena. Why then are the contradictions in the thought of Plato, Machiavelli and Rousseau not related to their involvement in politics ? It is again because while their ideas may have posed a threat to the Greek Society of the fifth century B.C. or the Italian society of 10th century or the French society of the 18th, they do not pose a threat to our contemporary society , as Laski's ideas do ?

III

We must, therefore, look elsewhere for a possible explanation for the difficulties we notice in Laski's thought. I would submit by way of a hypothesis that the contradiction in Laski's thought can be traced to a very serious dilemma of modern man; his equal faith in and concern for two values - freedom and social justice, neither of which he wishes to push to a secondary position. Just as in the seventeenth and eighteenth century, man began to reject the notion that a tyrannical ruler was due to man's fall and a visitation of God on society, he is not prepared to accept the view that if he suffers poverty and want, it is due to his Karma, or divine ordination or due to some other natural cause. Just as the rejection of tyranny on normal grounds led to regicide governments in England and France and the inauguration of the ideas of rights of man, social compact and so on, man today rejects those social institutions which the dominant segments of society have devised, in their own interests and against the less privileged and which , therefore, need reform, modification, change or even rejection,. Had Laski followed the path of least resistance as Hayek, or Berlin or Nozic have done and have put the positive aspects of freedom in the cold storage by ignoring the concerns of the underprivileged and less affluent, he would have also have been able to reduce self-contradiciton. Indeed even Rawls who has tried to reckon with both the contexts of liberty, has been able to do so

by pushing the positive aspect of liberty to a relatively secondary position and by giving to negative freedom the primacy over positive freedom.

Ironically, in a book devoted to justice, it is social justice, which at the hands of Rawls becomes as casualty in the event of contradiction with negative freedom. Laski would not accept the view that positive freedom in any sense is inferior to negative freedom. The two dimensions of freedom are in other words co-equal.

Herein indeed lies the source of Laski's dilemma. Negative liberty demands a state which "confers freedom", but can not invade it. It is too weak to touch the civil and political liberties of the individual because of the knowledge that the "invasion of rights will lead to protest and if need be, to resistance." At the same time the state has to be strong enough to come to the assistance of weaker segments of society (a weak individual vis-a-vis powerful social group, a worker against powerful economic groupings and interests) that explains why he makes political and economic equality inter-dependent. The absence of virtual economic equality is in his view, "bound to (make political power to) be handmaid of economic power." Laski therefore, requires a "state (which) must control property or (otherwise) property will dominate the state". Thus view comes fairly close to, though it is not identical with that of Marx. The problem for Laski was to get at a state which is at once *weak and strong* : weak for some purposes and strong for others : it has to be strong enough to deal with threats to negative freedom from society, social prejudices and at the same time threats to positive freedom from powerful economic interests. The state must also provide the individual with opportunities for the development of his personality, and such things as right to work. In a sense, the state has to be both non-interventionists for certain objectives and interventionist for others. Such a state alone can " prevent the frustration of creative impulses (of the individual) which destroys the special characteristics of men". It seems obvious that it is the nature of Laski's dilemma which makes him to appear to be self-contradictory.

All this, however, points to the central concern of Laski's thought : his concern about making and placing the individual at the centre of things." If individual is threatened by certain political, social and economic institutions. Laski would place curbs on them. On the other hand, he would provide enabling facilities so that even a weak individual can realise his best self.

IV

Laski may have ceased to be influential in conditions of near full employment, but as recession persists, it is inevitable that Laski's thought would be more

relevant even to Western societies. It certainly seems relevant to countries such as India, where the state seems to be the very opposite of what it ought to be. The state in India seems too strong vis-a-vis the individual, who can hardly defend himself against the over bearing power of the state and its agents. It must not be ignored that the situation in India is far better than many other countries of the world. Yet an individual can be picked up, beaten to death not only under conditions of militancy but even in normal times. A woman can be raped and kept behind bars for years without trial. And yet the same state which excites fear, feels helpless in the face of social institutions and economic organizations. The Shah Bano case was one such indication of the powerlessness of the state vis-a-vis a religious group. Worse still was the pathetic sight of a Prime Minister watching helplessly the demolition of the place of worship of a minority. The state has also shown inability to defend the interests of the weaker sections and weaker regions from the impact of capitalist market economy.

Can any one still argue that Laski is not relevant or that Laski does not focus our attention on the dilemma which political theory must face? Which other thinker of the twentieth century does so in the manner in which he tries to tackle? Laski may not have provided an answer, he has at least posed the question.

CONSTITUTIONALISM, LAW, POLITICS AND THE JUDICIAL PROCESS: AN APPRECIATION OF THE IDEAS OF HAROLD LASKI ARISING OUT OF INSIGHT AND INTERACTION AND THEIR RELEVANCE IN CONTEMPORARY WORLD.

Samrendra N. Ray

I. Introduction .

At a time when the whole edifice of constitutional theory and the ideals and instrumentalities of constitutionalism have come in for severe indictment and challenges from different quarters, and when the whole basis of the relation between law and the state, legal culture and socio-economic foundations, between judicial process and the political process, have evoked and provoked considerable controversy and rethinking during the last few decades, a recollection and reassessment of the ideas and thoughts of Harold Laski, as these have developed and took shape, out of his personal insights, socio-economic and cultural background, active involvement in practical politics of his times, and interaction with the living contemporaries and political movements of his age, could offer a fresh opportunity for appreciating the significance and relevance of the vast treasure-house of his knowledge and its application in the contemporary world, in order to assess the greatness and failings of this remarkable man who baffled scholars and critics, but could rank as one of the all-time greats in the realm of ideas and action. This paper is a modest effort in paying homage to this genius of a man, even though in a limited field, whose relevance has not been lost even in this world of cataclysmic changes. While comparative politics and legal-judicial studies stand at the crossroads of history, confronted with a crisis of identity and survival and beset by failure in providing viable and universal theories, fresh look at Laski's ideas could offer valuable insights in this direction.

II. The Focus and Significance of Laski's Political Ideas.

Laski's political thought is vital because it was never divorced from life. Laski was not, strictly speaking, a system-builder like the philosopher of the old school, nor did he consider philosophy as a static system of *a priori* and rationalistic concepts. He regarded political theory as constantly evolving and developing out of political practice. He was a political scientist, with his

emphasis on scientific method in the study of politics, than a political philosopher in the conventional sense. Laski was not an academic recluse, but took a keen interest in the practical problems of the people to make them happier. His importance as a political thinker lies in the fact that he was a pioneer in the explanation of many crucial questions about the nature and limitations of liberal democracy at a time when such questions were largely ignored by mainstream political theorists. The clue to the understanding of Laski's thoughts and ideas would seem to lie in his protest against every obstacle which stood in the way of justice and freedom of economic opportunity for any individual. He wanted to see ignorance, poverty and human suffering obliterated, and he fervently believed that radical changes in social and political institutions would be an all-sufficient remedy (Burns, 1960 : 53-58). His studies and observations had convinced him that there was a relationship between ends and means. Even if he was a rhetorical writer, indulging in hyperboles and flambouyant language, many of which have become oft-quoted and oft-repeated classics for the generations of students of the discipline, his writings were effective because these were outspoken, rich in vocabulary and vitality, and sought to interpret the existing society and to change it (Martin, 1953 : 85-86). As a genuine pragmatist in politics, he tried to judge things by their consequences. It was from this perspective that Laski looked at the real meaning of law, state, justice and the judicial process. While the juristic view of the state defines law as the will of the state without regard to the content of law, the law of any given age was a function of the way in which economic power was distributed in that age, and Laski believed, passionately and honestly, that the substance of law would be determined by the wants and needs of those who determine the economic system at any given time. Law, like life, has its periods of change as well as its periods of conservation. It was not a closed system of eternal rules elevated above time and place. The respect it can win is measured by the justice it embodies, and its power to embody ideals of justice depends upon its conscious effort to respond in an equal way to the widest demands it encounters. It was the lawyer's, the court's and the judge's function to make the doctrines, and keep a pace with the spirit of the time. They must seek continually to reshape them to new needs and new compulsions. In a liberal democratic state governed by constitutions and constitutionalism, however, what the courts and the judges do day by day is to apply rules, the object of which is to protect the interests of the existing order and the dominant classes in society. In such a system, the courts and judges are more feared than respected by the poor. Since equal economic power would mean equal effective demand, since the state is an organization for giving effect to this demand, the more equally distributed the power that it encounters, the more total would be

its response. In a system where there is one law for the rich and another for the poor, there is need for increasing equality among citizens. Legal imperatives of any state, as Laski so rhetorically puts it, are a "permanent essay in the conditional mood". Can a more radical and ruthless interpretation of law be found in any contemporary political thinker ?

Even if oft-repeated and somewhat commonplace, because these have been universally admitted and incorporated as inseparable parts of the governing and political processes in most liberal-democratic states embracing the ideals of constitutionalism, some of the memorable extracts from the rich repertoire of Laski's writings, mainly in *A Grammar of Politics*, bear repetition even today, in order to recollect how this genius of a political commentator and analyst envisioned the modern liberal-democratic state of the Anglo-American vintage, emulated by many a newly independent regimes spanning across the continents. "It is integral to this conception of the mechanism of political responsibility that every state should possess a vigorous and independent judiciary, that "there is rarely a better index to the quality of the state-life than the justice that it offers to its citizens", that "the more complete the separation of the judiciary from politics, the better for its quality and independence", that "the independence of the judiciary from the executive is essential to freedom", that "the men who are to make justice in the courts, the way in which they are to perform their function, the methods by which they are to be chosen, the terms upon which they shall hold power, these, and their related problems, lie at the heart of political philosophy" and that "the interpretation of the law must, therefore, be entrusted always to a body of persons whose will cannot be bound by the will of the executive." Further, "no constitution ever enacts a static philosophy, and those responsible for its judicial interpretation must always be careful lest they make their private prejudice for eternal truth", that "it is the judge's experience in life that determines his attitude to the problem of law", that "equality of justice is a primary condition of attaining justice", and that even though "there is one law for the rich and another for the poor", in the end, "systems of justice are measured by the degree to which they respond to the wants and needs of humble men."

When Laski suggests that simple nomination by the executive is not an adequate system but that all judicial appointments should be made on the recommendation of the Minister of Justice, with the *consent* (emphasis added) of a standing committee of judges, which would represent all sides of their work, we are reminded of the Indian system in which the predominant position of the executive which does not take into account the *consent* of the Chief Justice in the matter of appointment of justices in the Supreme Court and the

High Courts, but merely *consults* it, and which has been a characteristic of judicial appointments. The controversial judgement in the Judges, Transfer Case raised issues of tremendous significance, not resolved as yet, in the face of a growing body of opinions that favours obligatory *consent* of the Chief Justice. Even if there is increasing tendency to adhere to this growing demand for obligatory *consent* of the Chief Justice, as recommended by the Law Commission of India, the practice has not crystalized into a strong convention or clear constitutional stipulation. Jurists and constitutional lawyers would do well to take a look into the pages of Laski's writings exposing the fallacies and dangers of the system of judicial appointment prevailing in the countries adopting the British and American jurisprudence and system of law and justice. Laski's trenchant observations of these and other matters, including the reform of the legal system and simplification of the complexities of law and its procedures, appear as relevant today as they were in his time. It is sad to think that these progressive ideas were quickly forgotten and never sought to be implemented in the legal and judicial processes of these countries. The recent developments in the Indian legal and judicial horizon, like public interest litigation, legal aid for the poor and protection of the socio-economic rights of the so-called 'humble men', as Laski called them, in response to the challenge of change in a situation of mismatch between the aggregative dimension and the distributive dimension and the need for restructuring of the present constitutional framework and the corresponding legal and judicial process, provide ample evidence of the sagacity and relevance of much of Laski's utterances on this score. With all the 'shifts' and 'contradictions' in his ideas and writings, as mercilessly pointed out by his critics and detractors, Laski remains dear to the hearts of the Indian academia. May be, he wrote at a wrong time and for the wrong persons. But when the whole range of paradigms, theories, frameworks and models engulfed the discipline of Political Science during the sixties, the seventies and the eighties, whether in the form of behaviouralism, developmentalism, modernization, post-behaviouralism, radical approaches and dependency and modes of production, political economy and political autonomy and so forth, it was clearly impossible for a controversial author like Laski to continue to leave an indelible imprint in the minds of the new generation of students and scholars steeped in these theories and approaches. This is not to say, however, that Laski's influence waned solely for this reason. However, it remains on record that when all these newly grown, often sponsored, theories and frameworks failed to find favour for any length of time, and went out of reckoning altogether, scholars have, in recent years, awakened to the realization, albeit belated, that what Laski had said in his inimitable language about the 'great issues of politics', to use Leslie Lipson's title of his

famous book, contained abiding and substantive value, even though Laski himself could not be bracketed with any of these above-mentioned approaches or theories or models in the strict sense. Laski defied categorization as a proponent of any distinct approach or theory or school; but in a sense, he rose above this kind of categories and remained a political scientist par excellence. Whatever his political convictions or activities, Laski cannot but be remembered for his wide range of knowledge, broad canvas of writing, testing his ideas on the touchstone of governmental and political process of the regimes of his time, brilliant style of writing and prophetic utterances that have become jewels in political science literature.

III. Constitutional Theory and Comparative Government and Politics: Laski, the Critic and the Rebel.

In the realm of constitutional theory and comparative government and politics, Laski has bequeathed to us two or three monumental works whose significance and impact can never be questioned even if one has reservations about consistency in his thinking or logic. His *Parliamentary Government in England* (1938) was a pioneering work which placed the institutions of the British system of government in their social context, and showed the functions they performed in the defence of class-based society in Britain. It was a remarkable attempt to explain the constitutional, governmental and the political systems in terms that drew much from Marxism, and there is, one believes, much to learn from it even today. Laski castigated the institution of monarchy of his time as inconsistent with the true spirit of democratic equality, and proposed the abolition of the House of Lords as a second chamber which, to him, was incompatible with the genuinely democratic system that he admired and adored. His other work, *American Democracy*, in conjunction with the companion volume on *American Presidency*, was probably the most comprehensive, yet critical survey of the American democracy in action ever undertaken by any single author. Laski criticised the American theory of separation of powers and the system of checks and balances as inconducive to real efficiency in government and not suitable to the needs of a social structure that believes in positive government. Both separation of powers and federalism had become obsolete in the context of the modern developments. The Supreme Court's judicial annulment of the New Deal legislation of the American Congress appeared undemocratic and unacceptable to him. He pleaded for full legislative sovereignty of the Congress on the British pattern, and was in favour of strengthening the Presidential office for a closer co-operation between the legislative and the executive wings. The U.S. Presidential system, he thought,

was corrupt and antiquated. Laski also vehemently criticised the policy of the ruling elites in the U.S. who discarded the New Deal liberalism of President Roosevelt, propagated a morbid fear of communism, started a deplorable witchhunting of liberal and progressive intellectuals, and pursued a reactionary policy in Greece, in the Middle East, China and Japan, prevented the left wing from pursuing a progressive socialist programme in Europe, and adopted a policy of economic imperialism and military encirclement of the (then) Soviet Union. If Laski had been alive now, he would have found his criticism of American democracy in action doubly vindicated in the U.S. policy and action in Vietnam and Korea, Cuba and the pre- 1989 U.S.S.R., South Asia and Latin America, and the doublespeak on human rights issues. It has to be kept in mind that Laski's life-long study of American affairs, as well as intimacy and interaction with those who shaped the destiny of their country, gave him an opportunity of observing at first hand the politics of that country from inside. His critical exposures did not endear him to the powers that be in that country; but Laski was too outspoken and honest in his convictions to brook any such opposition. He went as far as to point out that capitalism, still flourishing in the U.S., had the seeds of its own decay, and hoped that the U.S. would realise in time that its democracy was unreal unless plutocracy was dispossessed, and that, failing this, the propertied class would destroy democracy and resort perhaps to fascism to preserve its power and privileges.

IV. Laski-Holmes Relationship : Its Impact on Laski's Ideas.

While Laski's brief study at Harvard, during 1916-20, was full of turmoil and unhappiness, before he joined the London School of Economics in 1920, America had, in fact, become his second home, and the impact of this closeness of association was felt in all his later works. In his later life, he began to interpret Britain to America and America to Britain. His relationship with the U.S.A. continued to be close and affectionate, despite his critical attitude, and this was reflected in his remarkable 20-year correspondence with Justice (later Chief Justice) Oliver Wendell Holmes and Justice Felix Frankfurter of the U.S. Supreme Court. He valued their friendship highly, eulogised the glory of love and friendship which 'warmed his hands at the central fire of life', and which gave 'a sense of fellowship that has given to life a happiness beyond the power of sorrow to destroy.' In 1953, the Holmes-Laski letters : *The Correspondence of Mr. Justice Holmes and Harold Laski, 1916-35*, edited by Mark Dewolfe Home, in two volumes, was published with a foreword by Justice Felix Frankfurter. This work, although not widely used and publicised, furnishes a well of inside information on various issues relating to law and politics. This

book had come under severe indictment, but there is no reason to doubt that Laski was always a fighter for unpopular ideals, and that he was trying to expound what he thought was the truth.

Justice Holmes was one of the great prophets of freedom and an upholder of the justice concept of liberty in the modern state. The basic tenets of his philosophy were derived from Social Darwinism, and his reputation was based on a series of decisions between 1919 and 1925. Holmes made use of one case, *Shenck V. U.S.*, (249 US 47, 1919) to develop his renowned 'clear and present danger' doctrine which was given a major, precise and modified formulation by Justice Brandeis. As a legal philosopher and justice, he clung to his Social Darwinian concept by striving to eliminate from the law all traces of moral and sentimental idealism. He dismissed, like Laski, the doctrine of natural rights and natural law as amiable fictions. Law, according to Justice Holmes, was what the courts would enforce. Judges were not discoverers but creators of law. The first requirement of a sound body of law was that it should correspond with the actual demands and feelings of the community, whether right or wrong (Holmes, *The Common Law*, P. 44). His doctrine of judicial continence meant that judges should take it for granted that legislators have the wisdom and experience to understand community problems. In essence, his philosophy implied that the state may do almost anything it considers necessary for the defence of its own existence and for promotion of the health, safety, good morals and general welfare of its citizens, provided it does not act arbitrarily or beyond reason. As Laski observed so correctly, "with a self-abnegation which is remarkable, he has used the principles of the American Constitution as a method of analysis and not a scale of judgement, a pathway to, not a barrier against, an end which must remain permanently undefined" (*Studies in Law and Politics*, 1969). Holmes was much more concerned with the ways of attaining ends than with the ends themselves. The keynote of his political outlook, in Laski's opinion, was the rejection of ultimates as unattainable in political philosophy. Laski, in fact, was happy to find Holmes rejecting any attempt at a priorism and looking at law as the expression of the will of the stronger part of society. It was inherent in his philosophy that Holmes should have been the forerunner of the sociological interpretation of law. The justification of a statute consisted "in some help which the law brings towards reaching a social end which the governing power of the community has made up its mind that it wants" (Holmes : *Collected Legal Papers* : 225). Holmes sought to interpret the constitutions not as a framework of immutable doctrine which scrutinizes with jealousy all social innovation, but as a system of limits capable of expansion in terms of new experience. "The ordinances of the Constitution do not establish and divide fields of black and white" (*Springer V.*

Govt. of Philippines), Laski had nothing but wholehearted appreciation for this attitude of humanizing the jurisprudence of the United States.

It may be mentioned in this connection that the collection of the papers had been made by the kindness of Harold Laski whom Holmes generously described as a friend who deserved his "thanks for gathering these little fragments of my fleece that I have left upon the hedges of life" (*A Preface to the Collected Papers*, 1920), and which offered "some views of law and life that I have not expressed elsewhere so fully." Laski, on his part, in the preface to *The American Democracy : A Commentary and Interpretation*, 1949, confessed about his 'happy fortune' that, gave him the 'high privilege' of intimacy with the great judge, Oliver Wendell Holmes.

It appears, then a reinterpretation and reassessment of Laski's ideas and writings, if undertaken by the present generation of scholars, may have to take into consideration the enormous confusion that crept into his writings in different periods under external impact, as well as the 'shifts' in his thinking, even if for pragmatic considerations of a rapidly changing political landscape. In the interest of a better and clearer appreciation of his vast array of writings, such an effort might be worth the effort in placing him in the annals of political thinkers in the twentieth century. That Laski had remained largely, if not totally ignored in the turbulent times following his death brings discredit, not to the man and his many splendoured writings, but to the curiously confused world of learning which lost the sense of direction under the weight of a totally new and different pattern of political analysis. Laski has fascinated Indian academic scholarship for many years after his death, not just because he had special attraction for India during her struggle for liberation, but more possibly because his passionate penchant for justice and equality and his crusade against capitalism, struck the right chord with progressive Indian minds. Such a man hardly deserves the kind of cruel treatment meted out to him.

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UNDERSTANDING LASKI : OUTLINES OF AN ARGUMENT

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The scholars differ in their assessment of Harold J. Laski, and find it difficult to appreciate him after a hundred years of his birth, because they have neither a clear understanding of what political science meant to him nor of the methodology which he followed. The pronouncement of the following type are results of this basic deficiency : "In the earlier phase from 1917 to 1932 he was a pluralist and individualist... From 1933 onwards, he increasingly leaned to Marxism and with the march of time became a confirmed socialist". or, "As a rebel, as an anarchist, as a sociological jurist, as an intellectual, and as an economics oriented political scientist in a hostile capitalist and Christian world, Laski always maintained that the governmental structure of the state and its legal mechanism are agents for the satisfaction of certain standards", or "Nevertheless, as a political philosopher, Laski does not rank among the topmost ones. He had no systematic training in the field of technical philosophy... He was not deep as a philosopher. He does not elaborate the concept of conscience although he propounded the theory of resistance on the ground of conscience". The purpose of my exposition is to try to clear up some of the confusions as above.

II

According to Laski, political science has not the axiomatic quality of mathematics. In its equations the variables are human beings whose uniqueness prevents their reduction to law in the scientific sense of that much-abused word. We deal with tendencies, we can predict upon the basis of experience. But our predictions are limited by the necessity of recognizing that the acts are not within our control. He can influence and attempt and hope, the certainty and precision of the chemist, or even the physiologist, can never be ours.

According to him, "political science concerns itself with the life of men in relation to organized states", and the most fruitful way of studying the same so that consolations of value may be reached is to study politics in terms of history. To know how our traditions and institutions have been moulded, to grasp the evolution of the forces by which their destiny has been shaped, is above all the key to their understanding. Any psychological theory of politics which seeks for an original human nature as the test of institutions is inadequate because upon the foundations of inherited impulse, there is that vast

superstructure the social heritage, which largely determines its working. What it is and why it is, it is by reason of its history. Its becoming is the clue to its being, and it is from that becoming that we must wrest its secret.

Laski would, therefore, emphasize that the aims of men are liable to change both in time and place, "Liberty in seventeenth century England, for example, does not mean what it implies to an American in the twentieth century", "The state, like all other human institutions, has a history, and it is not to-day what it was yesterday, or will be tomorrow", "No theory of the state is ever intelligible save in the context of its time. What men think about the state is the outcome always of the experience in which they are immersed."

Laski would, therefore, examine the history of Russian revolution to understand why, and under what circumstance *dictatorship of the proletariat* becomes equated with the *dictatorship of the party*, *criticism* passes easily into *conspiracy*, and the attempt by a group within the party to capture its control is bound, if it fails, to be something it is difficult to separate from treason. Laski reminds us of Thucydides, who had found in his study of the Peloponnesian war how, under exceptional circumstances, servile obedience is hailed as freedom, and the unity imposed by compulsion should be heralded as the fulfilment of democracy. To meet the challenges of what Thucydides had pointed out, or what the sophists like Prodicus would take delight upon, Socrates and Plato had visualised a transcendent and immutable reality not subject to the vagaries of day-to-day opinion which constituted the fit domain for knowledge. But, for Laski, a true politics is above all a philosophy of history, and "every great thinker is in part the autobiography of his age." His influence springs from the fact that he expressed, in a peculiarly magistral way, some significant portion of its hopes and fears. That is the unstated major premises we have always to discover in his philosophy if we should seek to explain it. Laski would recommend that we must avoid the fatal habit of making out a list of principles, bare and objective, as the thinker's contribution and omitting all that made his principles alive and influential. According to him, to say that Rousseau based the state upon contract is true and yet useless, but to say that Rousseau based the state upon contract that he might emphasize the importance of humble men in an age which treated them as unimportant is a very different matter.

Laski was, therefore, critical of the habit of political philosophers who transformed their reading to history into universal dogma. Much of it, he said, is narrow and incomplete, and unworthy to survive the special circumstances from which it takes its origin. He had affinity with, and respect to Justice Holmes the essential characteristic of whose judicial work was sceptical and relativist in temper. "To feel is possible that one may be wrong, to doubt the wisdom of all panaceas, to subject the claim of the individual to the inevitable

criterian of social welfare, to recognize how inescapably one's ideals are bound up with a finite system of experience, how little, therefore, they are entitled to pose as universal, to interpret the historic process as the outcome, not of a victory for necessary truth, but as the record of what men are prepared to die for rather than surrender these are the contours of Justice Holmes' political faith", which Laski admired most. For both of them, the concept of natural law is not only elusive but also useless. The method of approach to the nature of law is either akin to that suggested by Montesquieu, or else more likely to deceive than to assist. Law, for the student of politics, is built upon the general social environment.

According to Laski, "Law is not simply a body of commands justifiable by virtue of their origin, laws are rules seeking to satisfy human desires. They are the more certain of acceptance the more fully they seek to inquire what desires it is urgent to satisfy, and the best way of inquiry is to associate men with each stage of the process of law-making. For men, in fact, will not obey law which goes counter to what they regard as fundamental."

As early as in April, 1927, Laski in his book *Communism* had said that the communist criticism of the existing social order is correct, and that, like any other system of belief, the rise of communism is the outcome of its environment. The spread of communism could have been counteracted by accepting Mathew Arnold's prescription - choose equality and flee greed. But it was not to be because the adversaries of communism "talk of the rights of property as though these were some dread Absolute instead of principles as shifting and inconstant as anything in the historic period." At the same time, "the error of communism lies in its refusal to face the fact that this is a complex world. Its panacea is unreal simply because the world is too intricate for panaceas to have universal significance ... no single method of social arrangement will meet the diverse needs we encounter ... The sceptical observer is unconvinced that any system has the future finally on its side ... He may admit the possibility that, in the end, the communist may prove right, even while he retains his doubt whether success implies the realisation of the ends of postulates. He may suspect whether any regime that is built on hate and fear and violence can give birth to an order rooted in fraternity."

But, if the world failed to respond to the promises of communism in alternative forms, neither the crimes nor the follies of the Russian experiment would lessen its power to compel kindred action, said Laski. It is much more important to grasp the truths it emphasizes than to be merely denunciatory of the methods by which it seeks its ends. Laski pointed out that it was no answer to Luther to excommunicate him, the ignorant rhetoric of Burke hindered Europe rather than helped it in the understanding of 1789, and those who have

sought the destruction of new Russia have only added to, and not subtracted from, the problems of our generation.

Laski remained appreciative of the analysis of Marx till the end of his life but was throughout critical of the disease of orthodoxy which it inevitably bred. In his *Grammar of Politics* (1926) he said that the reconstruction suggested by Marx was largely a prophesy of inevitable conflict, and the prospect he envisaged was less a remedy than an unexplored formula. Long afterwards, in his introduction to the *Liberty in the Modern State*, he said, "I should myself fully admit that societies built, like Soviet Russia, upon the one-party system may be definitely progressive, and eager to secure the well-being of their citizens. But, I should argue that their decision to achieve progress by coercion and not persuasion is bound to put the fulfilment of liberty at a great disadvantage." even though the rulers in a one-party state might encourage criticism and discussion on many subjects, especially of technical and administrative detail, all fundamental initiative there comes from above, and not from below. "This is a true of the Russian Communist Party today, as it was of the Jacobins during the French Revolution." Laski pointed out that "the rulers of the Soviet Union have attracted their full share of fools and sycophants about them", but he hoped that "as men and women in the Soviet Union become accustomed to the ways of a new civilization, the sense of their secured establishment will necessarily mean the relaxation of the dictatorship." The Soviet dictatorship was wholly different in character from that of Mussolini and Hitler, "but it remains, after thirty years, definitely a dictatorship, and this has, naturally enough caused grief and disappointment to those who care for freedom all over the world."

The search for a paradigm shift in Laski, over years, is, I think, futile. For him, the prime mover is human desires or human interests. But cartesian dualism is rejected by Laski in favour of the unified approach of Spinoza, who had viewed mind and body as attributes of a single substance. Man is a single mode. It is only because we are able to consider man as a mode of extension that we speak of his body, and as a mode of thought that we speak of his mind. There can be no separation of mind and body because they are aspects of the same thing. for every body there is a corresponding idea, and in general, Spinoza says that the mind is the idea of the body.

According to Spinoza, all men possess as a part of their nature of endeavour to continue or persist in their own being, and if this endeavour is made consciously, Spinoza would name it desire. As we become conscious of higher degrees of self-preservation and perfection, we experience pleasure, and with a reduction of such perfection, we experience pain. Our ideas of good and evil are related to our conceptions of pleasure and pain.

If all our desires and actions are determined by external forces, how can there be any occasion for morality? Like the Stoics, Spinoza would recommend that morality is achieved when attitudes and actions are guided not by passions and impulses but by knowledge, leading to "the highest possible mental acquiescence."

So also with Laski, for him, law is not the will of the state but that from which the will of the state derives whatever moral authority it may possess. Law is made valid by my experience of it and not by the fact that it is presented to me as law. Law then emerges as the evaluation of the interests by the interweaving of interests. Its power is determined by the degree to which it aids what the whole social structure reports as its desires. "It is, of course, true that I can only realise myself in the ideal state, but we are not entitled to assume that any given state is seeking to achieve the ideal save as it proves that assumption by its use of power."

It is a Spinozistic vision which permeates his thought when Laski says that "The only state to which I owe allegiance is the state in which I discover moral adequacy, and if a given state fails to satisfy that condition I must, to be consistent with my own moral nature, attempt experiment", and, further, "our first duty is to be true to our conscience."

Laski also tacitly accepts the analysis of the different levels of knowledge as made by Spinoza. The mind moves from *imagination*, to *reason*, and finally to *intuition*, the highest level of knowledge through which we can grasp everything in their totality, as a part of a whole scheme having an interconnection among them, Laski therefore reminds everyone of the kinship of political science with economics, law, ethics, psychology or sociology. While writing on the status of legal education, he laments over the fact that "Memory counts for more than insight", and "The average lawyer knows... little of legal history and less of jurisprudence. He has been shown nothing of the interrelations of law with economics of political science. He is taught dogma and not inquiry, nothing is done to stimulate his curiosity".

Laski was critical of the pretension of impartiality in the exposition of political philosophy. "In any case that is impossible, for in the merest selection of material to be considered there is already implied a judgement which reflects, however unconsciously, the inevitable bias that each of us will bring. The teacher's function", he said, "is less to avoid his bias than consciously to assert its presence and to warn his hearers against it".

This attitude, I find, is an essential corollary of mind and body being considered as two aspects of the same thing. Men placed differently would think differently, and each of us would bring our desires with us to exercise their part

upon our subject of investigation.

But soon after the second world war, the dominant intellectuals of the time felt that political science would be 'made' and 'prepagated' value-free. The second general conference of the UNESCO held in 1947 agreed that comparative survey should be made of political science, the first of the social sciences to be chosen for a stocktaking. There were several reasons for this choice of which the most important were the fact political science had a direct and important bearing on urgent national and international issues. It was said that the political scientists "were particularly subject to the danger and not too infrequently the practice of mixing nonscientific value judgements with scientific statements of fact". The intellectuals assembling under the auspices of the UNESCO also were of the opinion that there was ample evidence that disinterested research, free from bias and narrow group sentiment, was possible and had, in fact, already produced results worthy of being called 'scientific'.

It was accordingly decided to establish the International Political Science Association, and the member countries were prevailed to found national bodies of political scientists as member of the former. The preparatory committee meeting was held in Paris in 1948, and the following statement was issued :

"Students of politics combine fact finding with value judgment and, from objective study, derive practical conclusions. They should, however, distinguish between the analysis of verifiable facts and the formulation of value judgements and should not ignore the political and philosophical attitudes which influence their thought. Frequent contacts between political scientists of different countries should stimulate awareness of these factors".

UNESCO's activity in turn had reflected American influence, at last in part, and it had included the setting up of a project on 'Methods in Political Science'. Its reports, entitled *Contemporary Political Science, A Survey of Methods, Research and Teaching*, was published in 1950, in the introduction to which there was a reference to "the need for an effort to raise political science as quickly as possible to the same level as the other (social) studies".

At that time few teachers in the U.K. were happy at the science label, notwithstanding the title of the London School Economics and Political Science, and even there, the subject was taught in the Department of Politics and Public Administration. In any case, arrangements were made to set up the Political Studies Association incorporating the spirit of the International Political Science Association.

It was decided to hold the inaugural meeting at the London School of Economics on 23-24 March, 1950. Apart from a business meeting to constitute

the Association and some other matters, there was to be a paper by Harold J. Laski on 'The General State of Political Studies in Great Britain'. Professor Laski was not associated very actively in the formation of the International Political Science Association. While he was known to have fostered the ideas of regular conferences among the political scientists and the need for a journal, it is not known what would have been his recommendations in the face of an international pressure under the influence of United States regarding the most appropriate course to be taken by the political scientists in their teaching and research activities. On 20 March it was reported that the Professor had been ill again. He could not attend the meeting and passed away on 24 March, 1950.

This may partially help us to understand why Laski appears to have been conveniently forgotten. But if political science has to reckon with the desires of men, reification cannot carry us too far, and a profitable lesson may always be learned from a recovery of the legacy of Laski.

Laski is a misunderstood and mistaken thinker of this century. His apparent shifting positions make his ideas appear to be ambivalent and inconsistent. So much has been made of his inconsistencies that it is quite forgotten that other thinkers are not exempt from similar shifting ideas. Laski was a victim of a Western reaction to left oriented ideas of the latter half of the twentieth century. Laski is accused of following two standard to capitalist and socialist societies. It is again believed that Laski was basically a liberal thinker but after being disillusioned with the capitalist society at the advent of Fascism and the great depression of the nineteen thirties, he made a pilgrimage of Marxism. But he remained incapable of reconciling the two pulls. This paper is an attempt to dispel the common-place belief in inconsistencies in the ideas of Laski and to find out the hidden thread that binds Laski's gamut of ideas. In fact, we are trying to find out a hierarchy of ideals that Laski upheld throughout his writings and to show that Laski was consistently following these ideals in spite of his shifting mechanism. For example, if the pluralist state was selected in certain works, a monistic state was considered inevitable in other works. Again, if a peaceful change could not be ruled out in his earlier writings but in the latter stage he seemed to believe that revolution was in the offing in certain societies. But this is not all in Laski. What he desired throughout his life was a set of ideals and he determined that ideals well ahead and did not compromise as to the order of importance or preference for these ideals.

The economic equality is the first and foremost absolute of Laski. In the *Grammar of Politics* Laski based the purpose of legislation on creating conditions to make the personality of ordinary man creative. That can be done by making the ordinary man feel significant which is possible only when equality is realized in a society. Equality in Laski is always primarily an economic equality. Because the two basic characteristics of equality that Laski postulated were approximate equality of wealth and industry being democratically responsible and subject to social will.¹ Great inequalities of wealth make freedom impossible because possessors of wealth use state power to the detriment of common man. Equality in other spheres is derivative of economic equality.

In the *Grammar of Politics* Laski dealt with the institution of property and made a thorough socialist criticism of property. He came to the conclusions that property originally invented to provide security to man ultimately divided society into two halves and revolution could alter the balance. The defence of

property on the ground of incentive to production was rejected because in ultimate analysis power to acquire property kills the incentive to production. But Laski was prepared to grant the right of property over minimal needs of life to every individual and it must be the result of individual's personal effort, not on the right to inheritance. It is a clear evidence of liberty being made subordinate to claims of equality.

In his *Liberty in the Modern State* Laski reduced liberty to economic equality so much that abolition of the private ownership of instruments of production and class structure become the necessary condition for liberty. Rational distribution of wealth what Laski did not find both in the U.K. and the U.S.A. became the basis of liberty. Though this work is a study of liberty of the individual in the framework of political democracy but Laski, at last, made freedom the function of equality. In his own words "Any society, in fact, the fruits of whose economic operations are unequally distributed will be compelled to deny freedom as the law of its being, and the same will be true of any society in process of forcible transition from one way of life to another."² He proclaimed that there is no freedom in so called democracies of the U.K. and the U.S.A. if fundamentals of these democracies are questioned. It is really interesting to find the logic of Laski in justifying economic equality as basis of democracy which operates through consent. Unless there is economic equality there is no consent, so there is no democracy. Again, unless there is economic equality there cannot be expression of individuality because expression of individuality in an unequal society is an attempt at the equalization of social conditions which will be resisted or suppressed by the privileged ones. Deprivation of educational facilities to certain sections of people may be one way how expression of individuality is denied to those people because they cannot articulate their claims adequately and cannot draw attention of other people to their claims.

In the *State in Theory and Practice* where Laski renounced his pluralist views and upheld the supremacy of the state in the society, also upheld that "how devoid is the concept of freedom once it is divorced from the context of equality. ... Most political speculation was inadequate because it failed to understand the dominating influence of the property relation in determining the purpose of the state."³ Here Laski talked within Marxist paradigm and candidly expressed the view that the supremacy of state is used to protect the existing property relations of the society and the facade of freedom in a capitalist society is a fallacy because that society does not tolerate the challenge to its basic foundations as much as Soviet Union did not tolerate any challenge to its authoritarian regime. State will meet the satisfaction of all in a society if it is organized on a completely different basis from the capitalist property

relations and such a change cannot be achieved through peaceful and piece-meal way. Because the owners of property will not tolerate it, particularly when capitalism faces crisis. Political democracy is tolerated so far capitalism expands and while it shrinks it resorts to means to suppress political democracy and suppresses the masses. Laski cited Fascism as the example. The scheme of the Fabian Socialism was an attempt to bribe the capitalists to acquiesce to agree to surrender their ownership to the community and that could not succeed. A different social order can be realized only through total transformation of the existing property relations and certainly that will be a classless society. The state can secure the total wellbeing of a society only when instruments of production are communally owned. That will be a truly equal society because response to needs in such a society will be organized not on power to acquire upon the bare fact of ownership but upon a service in a socially valuable function.

These ideas of Laski establish beyond doubt that economic equality remained his basic absolute all through. Laski upheld the pluralist state specifically because allegiance to a class dominated state was against the claims of economic equality. Such a state cannot [fulfil] the demands on the largest possible scale. Laski ultimately found that the state was inherently supreme because such a state was always used to protect the economic interests of the possessing class. Total transformation of capitalist society can assign the state the role of serving common interests of society. The purpose being realization of economic equality, the task is to cause alteration of property relation. Laski felt largely that this could be achieved only through a struggle but did not guarantee that mere capture of power by proletariat could achieve the purpose. Laski did not share the faith in democratic process in transforming the society but emphasized that the proletariat could consolidate their position through their organizations. That was the expression of his faith in trade unions. Concern for equality was the lasting inspiration behind all revolutions in history. But revolutions in the past could not attain an equal society. At the present stage of development alone the probability of such a society became real because the great paradox of history, poverty in the midst of plenty is the present the society's characteristic.

Laski derived the ideal of liberty from his basic absolute i.e. economic equality. He took it as his task to remove the antithesis made by certain earlier thinkers between liberty and equality. But at the same time he was not ready to submerge the individual in the social will. He rejected both indivisible social will of the idealist school and regimentation of individual life under dictatorship of the proletariat in the Soviet model. Laski's sensibility for individual autonomy and freedom is too evident in his writings. He had no hesitation to

pass that liberty was in great disadvantage in a society like Soviet Union which replaced individuality by a collective man. 'Canonisation ought to follow death and not to precede' were his words. Every individual experience is so separate and distinct from others that to identify the individual with the will of the state looked absurd to Laski. In this case the individual would cease to be a creative being. The true self of the individual is his own self, a product of milliard of acts, good and bad and indifferent. These acts make the personality of an individual. The ultimate isolation of the individual personality is the basis from which any adequate theory of politics must start.⁴ Freedom exists in a state if its decisions do not invade personality of the individual. Conditions of freedom are those that ensure absence of invasion.

The need of liberty is felt by individual after his bare needs are fulfilled, that is when individual has the chance of leisure. Economic sufficiency and leisure are the two essential conditions of liberty. Economic sufficiency depends on organization of productive capacity of a society in a way that ensures continuously increased production which in turn makes possible a type of distribution conferring increased satisfaction. Laski emphasised relation between production, distribution and satisfaction of increasing needs of man that alone could fulfil the two conditions of liberty. Market economy cannot fulfil these conditions because it means a perpetual succession of booms and slumps and counts wants not of the community but of the individuals within a nation or nations within international community who can make most effective demands upon the market economy. Unequal claims to fulfilment of satisfaction results in unemployment and consequent social tension. Liberty is endangered. Laski closely analysed the threat to liberty arising out of crisis faced by capitalism. For several decades before the Second World War the American capitalism experienced depression and to overcome it America adopted a series of public work and public relief programme. Then came the war which the USA badly needed to revamp its economy and achieve full employment. After the war the USA reemerged as the largest producer of goods and services in the world. The USA needed other nations to purchase its goods. If other nations did not have the purchasing power of the American goods, the USA would have to stop production and face unemployment. In this situation the USA would have three alternatives - (i) a planned economy to regulate and direct production according to domestic needs, (ii) to provide loans to foreign nations to buy time to rebuild their power to purchase American goods, (iii) the USA might force its goods on foreign nations at a lower price than cost of production and subsidize the American producers from public fund. Laski ruled out the first alternative as incompatible with American free enterprise, the third alternative was also rejected for its possibility of

leading to war. The second alternative could succeed on the condition it effectively rebuilt economy of nations that accepted loans.⁶ But the fact remained that evolution of these conditions is associated with the threat to liberty both at national and individual level. Laski's anticipation of the American response to her internal crisis by a series of involvement like military and economic war with other nations proved an evidence of increasing risk of liberty in the world. This Laski called new militarism in civilian cloth that threatened liberty everywhere.

Another aspect of the problem to liberty is the breakdown of common agreement upon the fundamentals in certain societies leading to the growth of one party state there. The party securing power identifies state power with the party apparatus. This state overcomes the disagreement by imposing unity and represses those opposed to the unity. Here criticism becomes conspiracy and attempt to secure power by opponents becomes treason. Initiative comes from above and not from below. Change in the leadership is determined from within the closed group and must be accepted by the party and the masses. Though such a society might be progressive but it depends on coercion not persuasion. It replaces individuality by a collective man whose mind is constantly conditioned by the methods of mass propaganda. Progress is forced upon men but men lose the opportunity to think for themselves and cannot make the truth they see known to others.

Laski derived liberty from equality but sought to maintain individual existence, autonomy and freedoms not against but separate from social will. Though he was critical of J.S. Mill's insistence on distinction between the social and individual aspects of a man's conduct but Laski was within the liberal tradition of J.S. Mill with equal emphasis on development of human personality as the essence of liberty. Laski, however added a new dimension to liberty i.e. its economic basis. This means a radical shift of position in liberal thought. It is not merely toleration of state interference for realizing common good as T.H. Green and L.T. Hobhouse were prepared to accept but reorganization of society on radical alteration of property relations.

In another way Laski further developed J.S. Mill's liberal tradition. He idealized liberty to the ability of the individual to set his own principles which are built upon experience unique to individuals not dictated and imposed by others and to follow the conscience, however, poor and vague it might be. It is certainly more than freedom for an individual to fight for a cause that he conceives to concern the humanity. Exactly here is the possibility of individual deciding to resist the state and law again on the ground of liberty.⁷ The ability of the individual to follow a set of principles and line of actions of his own

depends on existence of certain conditions which make up the cause for economic liberty. Creating such conditions involves a great deal of authority of the state and increasing power of the state is always a threat to liberty- Laski admitted. The dilemma is not resolved by Laski and it appears Laski would prefer equality to liberty in a situation of crisis.

Another ideal that is lying hidden in Laski's writings is the search for an economic system with the capacity to utilize full potentiality of productive power of a society. In his *State in Theory and Practice* Laski analysed how in a class divided society the class owning instruments of production used the state to maintain law and order in society and to promote the social good as the owner's class conceived it. Laski distinguished between full exploitation of instruments of production which was essential to raise the level of production and just exploitation which means an equal response to the claims made upon the product to be distributed. The class divided society cannot achieve it. The attempts of Keynes and Roosevelt to modify the basis of class divided society failed because they did not seek to redefine the class relations of society. Good and bad in economics are related to 'leading to profit' and 'not leading to profit', by retaining the Capitalist class structure certain common good for whole society cannot be pursued. The crux of the problem is that there is immense increase of productivity of the society in the capitalist stage but full utilization of industrial process is never achieved. Rather a good section of society is kept unemployed and incapable of absorbing the production. Laski was convinced that the only remedy to the problem was communal ownership of instruments of production instead of the present scheme of property relations which give different and unequal interests to different classes in the result of the productive process. Only then productive possibilities of the machines can be fully utilized and that would also be a just realization.

There is a purpose behind every political theory. The universal applicability and lasting relevance of a theory are measured by the considerations how far the purpose of a theory affects humanity. A theory may be a set of propositions to explain and promote interests of the dominant class of the society. Preservation and promotion of existing class divided society becomes its purpose. There may be theories which analyse and explain social movements and the course of social movements. The purpose of such theories is to set the ideals that social movement can embody within it's course of progress. Laski's political theory propagates the interests of a society based on economic equality, opportunities for expression of autonomy and creativity of the individual, full and just utilization of resources of society. That is a social order for the mankind. Laski had the vision of a world state on such a social order. Other things in Laski can be considered as pillars of such a social order. He talked of

political pluralism, functional federalism, list of rights, democratic order, supreme state, social planning, even a world state as mechanisms, for realizing the society of his ideals. Whether the ideals of Laski can be meaningfully integrated into a cohesive scheme to be realized within same society is an open question. We look it from one angle and suggest that economic equality being the highest absolute in Laski, he deduced liberty from it. But his analysis could not bridge the gap between equality and liberty until he settled that individual spontaneity and creativity could be realized in a social order of just utilization of instruments of production. The capitalist society cannot consume what it produces and survives on artifical scarcity. Socialist society through planning can equate production with consumption. But full utilization of productive capacity can be achieved in a communal society where state will be an impartial organization for maintaining social unity. This society will realize economic equality and individual creativity at a time. These are not original ideas of Laski but he sincerely pursued them in his writings.

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HAROLD LASKI IN HIS PLACE

Soumitra De

Harold Joseph Laski (1893-1950) hardly needs any introduction to the academic community in the English speaking world. His name is familiar in such disciplines as Law, History, Economics and Politics. After a brief career in journalism in England he became a lecturer at the McGill University, Montreal, Canada. After a two year tenure there he moved to Harvard in 1916 and remained there till 1920. In the same year he joined the London School of Economics as a lecturer. He succeeded Graham Wallas as a Professor of Political Science and remained at the LSE till his demise in 1950.

Laski proved himself to be an extra-ordinary teacher with a high reputation for his scholarship. At the same time he took a very active interest in politics. A great publicist, he contributed frequently to English and American journals. He was a member of the Executive Committee of the British Labour Party and its Chairman when Labour was in power. Laski cast his spell on large number of his students from Africa, Asia and other parts of the world through his encouragement of the heroic consciousness of the individual in the vindication of his rights and his support to the aspirations of the suppressed classes as well as the colonial people. His propositions of Political Science also formed important parts of standard syllabi of Political Science in various colleges and universities in the second quarter of the 20th century. Max Beloff did not exaggerate when he described this period as the age of Laski. Yet, as this paper proposes to show, no one seems to have a need of Laski today. This paper traces this apathy not to Laski's own shortcomings but to some fundamental developments of our own age. The paper concludes by highlighting the prospect of Laski's resuscitation.

Withering Laski Legacy

For someone so prominent as Laski was his apparent obscurity in contemporary political theory is a perplexing phenomenon. Now nobody seems to take much interest in his works, let alone attempting to confirm or refute his political ideas. Some occasional references to his *Grammar of Politics* notwithstanding, his writings are generally left to gather dust in the libraries.

Some recurrent themes of Laski's writings were Freedom, Rights, Justice, Democracy, Law, Authority and most importantly, State. Nevertheless the familiar texts in political theory today tend to ignore his writings. Some instances may be noted here. Apthekar's well-known text which compared the bourgeois with the Marxist concept of freedom avoided any reference to

Laski's views on freedom. Apthekar identified spontaneity, individualism and elitism as components of essentially negative (i.e., justifying absence of restraint principle) bourgeois concept of freedom.¹ Conversely, the Marxist concept of freedom was seen as essentially positive (i.e. justifying social control) with humane, societal and equititarian aspects. Anybody familiar with Laski's approach to the question of liberty knows that he tried to combine individual initiative with special guarantees of State which could hardly be fitted into Apthekar's schematic discourse. More surprising however in the silence of Isaiah Berlin on Laski in his writings on liberty.² Possibly he too avoided a reference to Laski as otherwise his opposition between negative and positive liberty would have become inconsistent.³

Laski wrote much about the dangers of overgrown state and about the ways of securing social justice through state. Yet Rawls in his *Theory of Justice* that has more than 700 odd pages failed to make a single reference to Laski though Rawls was, like Laski, urging upon the state to provide welfare.⁴ But as Rawls was also primarily committed to the market system he was probably opposed ideologically to Laski's distrust for capitalism to deliver justice. Nozick's neglect of Laski however is more understandable as Nozick was basically 'arguing against any commitment to a particular end-state pattern (social welfare or otherwise)'.⁵

Laski lauded Marxist ideal but he had no faith in one-party democracy. In this respect it is perplexing not to find adequate reference to Laski in C.B. Macpherson's writings on democracy. As Macpherson was pleading for reforming liberal democracy by rejecting market morality he was not very far from Laski's views on democracy. Yet his celebrated *Democratic Theory* did not have a single reference to Laski.⁶ In a brief survey of liberal democratic models Laski was referred to as an 'idealist pluralist' ignoring Laski's sharp criticism of idealism and his critical views on capitalism.⁷ Probably this marginal reference to Laski and a deliberate neglect of his views were to make the 'models' of liberal democracy appear more consistent. In the same manner Held also chose to ignore Laski in his comprehensive *Models of Democracy*.⁸ His book contained such relevant themes as 'public and the private', 'the dangers of Despotic Power and an overgrown state', 'Pluralism' etc. though Laski wrote profusely on these subjects he was spared even a casual reference.

Contemporary works which are concerned with the 'state of Political Science' are also apathetic to Laski. David Easton who lamented the decline of moral political theory and urged upon its rejuvenation side by side with scientific theory chose not to refer to Laski and his works. In Dante Germino's work also no reference could be found to Laski.¹⁰ Probably Laski was discarded as an ideologue. Though Oakshott was identified as one of the scholars

engaged in the 'revival' of political theory his immediate predecessor at LSE, Harold Laski was not even critically mentioned. Oakshott however paid glowing tributes to Laski who is said to have left his mark upon the political education of England, a rare gesture from an outstanding scholar.¹¹ The apathy to recognise Laski's theoretical contributions by the academia is indeed reprehensible.

From the very beginning of his career Laski was oriented toward socialism. Indeed he himself referred to his Jewish upbringing as an important source of his socialist conviction. At Oxford Union, Laski, together with his wife Frida Kerr, championed the cause of the women's suffrage. As Isaac Kramnick and Barry Sheerman have shown Laski at that time took part in an abortive bomb explosion at the Oxated railway station, a sure sign of his syndicalist conviction.¹² In U.S.A, Laski publicly supported the Boston police strike in the autumn of 1919 for which he was widely criticised. Back home he was closely identified with the Fabian Socialism and wrote many Fabian tracts including one on Karl Marx. Eventually he also became a key figure in the British Labour Party. Yet his contributions to socialist thought and practice have largely been glossed over. Let us note some instances.

Laski's views on socialism do not form the part of literature on Marxist socialism or non-Marxist socialism like syndicalism, Fabian socialism as so on. In the popular work by F.W. Cocker which discusses these varities of socialist thought Laski is treated basically as a pluralist.¹³ Laski's name howeverl appears in a footnote in a chapter on Fabian Socialism while his fellow socialists like Sidney and Beatrice Welab or H.G. Wells have got due recognition.¹⁴ More surprisingly Pierson in his otherwise comprehensive survey on the *British Socialists* avoided even a single reference to Laski though more obscure personalities came up for discussion.¹⁵ Again , notwithstanding Laski's rather original approach to Marxism, Kolakowski never referred to Laski in either of his three volume work.¹⁶ The New Left produced ambitious works on British history and social structure. Yet these works have ignored Laski. Perhaps their allegation that in England 'a supine bourgeois produced a subordinate proletariat' or that socialism bypassed the British Working class, their own construction of history, could not be appreciative of someone like Laski.¹⁷ So Laski was ignored, as were S.D.F. and the British Communist Party. On the whole, Laski has been largely forgotton both as a political theorist and as a socialist.

Labelling Problem

It is customary to refer to certain phases in Laski's thought process, such as individualist federalism or pluralism, Marxism, socialism and democratic

trade unionism and then to allege that Laski lacked consistency or he could not escape contradictions in his ideas.¹⁸ Laski's obscurity likewise is attributed to his theoretical failure to combine Marxism with liberalism.¹⁹ Do these so called 'shifts' explain the uneasiness with which Laski is chosen to be ignored by his posterity?

Laski himself admitted having gone through different stages in his thought-process.²⁰ But to Laski these stages did not represent theoretical breaks, otherwise Laski would have substantially changed the contents of his *Grammar of Politics*, but he did not. He merely was adding new introductions to the successive editions of his *magnum opus*. Hence to discover contradictions or shifts in Laski's thought-process as a prelude to justify his oblivion would betray an ignorance of his political ideas, his theoretical approach or his method. Laski's analytical framework has been cumulative and extensive one, the raw always remained in the cooked. The extensions and enrichments often concealed his unified approach to politics. But the assessments of Laski, tend to focus on Laski's shifts or 'phases' than on his unified approach. Let us see how this is done. The first phase in Laski's thought-process, generally interpreted as the pluralist-phase, is said to have led to the following publications. *Studies in the Problem of Sovereignty* (1917); *Authority in Modern State* (1919); and *Foundations of Sovereignty* (1921). In these works Laski is believed to have exposed the federal nature of authority and a pluralist theory of sovereignty. In the post - 1930 period Laski is said to have sought theoretical and moral consolation in Marxism in the face of deepening economic crisis and rise of fascism in Europe.²¹

A careful reading of Laski's works however does not support the above conjecture. His *The State in Theory and Practice* (1934) is believed to have been written during his Marxist phase. But did Laski disown his faith in pluralism? As he wrote²²:

History, in a word, is the record of a struggle between groups whose purpose is to defend claims to which they regard themselves as entitled by reason of the implications they see in the development of the productive process.

He continued:

But the admission of pluralism in historical causation is not the same thing as a denial of the primary of the economic factor. I am concerned only to insist that the part any other factor will play depends upon and environment the nature of which is determined by its system of economic relationships.

Admittedly, this was neither pluralism nor marxism as they are com-

monly understood but aspects of Laski's own ingenious theoretical position. He was arguing the same thing even in the 4th Edn. of his *Grammar of Politics*.²³

... I submit, the purpose of pluralism merges into a larger purpose. If it be a fact, as I have argued, the state is inevitably the interest of that class which owns the instruments of production, the objectives of the pluralists must be the classless society.

In so far as Laski's attitude to Marxism is concerned 1930's cannot be the watershed. Even in Laski's early publications we find that Laski appreciated the teaching of Marxist political economy. In 1920 he wrote.²⁴

Adam Smith had declared the source of value to lie in labour, and at the moment of its deepest agony, There were men willing to point the moral of his tale For if labour was the source of value, as Bray and Thompson pointed out, it seemed as though degradation was the sole payment for its services Their negation fell on deaf years, but twenty years later, the tradition for which they stood came into Marx's hands and was fashioned by him into an interpretation of history.

That Laski could not be labelled properly was no fault of him but of those who tried in vain to label him. Laski's unified approach had certain ontological and epistemological assumptions. Moreover, his approach had a moral aspect. In him, as Oakshott put it, 'the dry light of intellect was matched with a warm enthusiasm, to the humour of a scholar was joined the temperament of a reformer'.²⁵ Like Aristotle his ontological assumption was about the realities of the world, the world of flux, about which no final conclusion could be advanced. He however did not fully share with Aristotle the latter's teleological assumptions. Laski merely agreed that becoming is the clue to the being and hence politics or human civilisation in general should not be studied through any fixed norm (such as natural law) but as developing historically. His epistemological considerations were directed to the study of man in relation to his environment. As he rejected cartesian dualism between the mind and the body he found no difference between the social desire and the social structure. The clue to the understanding of this totality is to discern the limitations of a given environment in relation to human desire and the prospect of changes in the former in response to the latter. The task of political theorist, for Laski, therefore was not to solve the problems once and for all but to understand these problems in their entirety. For this, he borrowed insights from different sources, including pluralism and Marxism. The central problem in this respect was man's relation to the organised state which he tried to highlight through his conceptual discussion. He identified the problem clearly when he wrote,²⁶

That the State is, in some form or another, an inevitable organisation will be apparent to anyone who examines the human nature that we encounter in daily life. But to admit is not to admit that it is entitled to moral pre-eminence of any kind. For after all, the state is not itself an end, but merely the means to an end, which is realised only in the enrichment of human lives.

It is possible that Laski's Jewish background was a source of his tremendous faith in man desiring the highest possible development, material as well as moral. A more serious debate on Laski's unified approach is necessary. What we have said is just a prolegomenon to that.

Alienation of the left

It may not be enough to say that Laski united Marxism with liberalism by a facile optimism and not by invincible argument and hence the alienation of the left from Laski. Rather the key to this lies in the character of socialism in Britain in particular and Europe in general. It may be remembered that Laski also experienced the widening gulf between the hopes of the British socialists and the British Labour Party from the early 1920's. At that time S.D.F. was being critical within the Labour, ethical socialists like Hardie, Ruskin or the New Age group became nostalgic and looked back to pre-industrial social institutions and values. Likewise many Fabians were seeking fresh inspiration from socialism outside Britain. Beatrice Webb openly alleged that British Labour Party was suffering from a policy of 'inverted permeation' and felt that the Bolsheviks had discovered the spiritual power.²⁷ Laski too was looking to the Soviet State for inspiration. But he, unlike H.G. Wells or Webbs, stayed with the Labour Party because he valued labour solidarity for defeating Facism. However, the distance between Laski's own socialist conviction and that of his party widened in the post-war Britain. Attlee finally told the House of Commons that Laski was not speaking for the Labour Party but only for himself.

Laski's obscurity in the left literature had a more general aspect. Broadly speaking it was a tendency to view the socialist traditions through the lense of organised Marxism which had consolidated its hold on European socialism by the last quarter of the nineteenth century.²⁸ From that angle all "non-Marxist" schools were put together during the Second International's period as 'reformism'. In 1904 Congress of the Second International 'Revisionists' were roundly condemned. French socialism was united from outside by German Social Democracy. The trend gained momentum after the first World War, particularly after the Bolshevik Revolution. While socialism's centre of gravity shifted further to the East, to the U.S.S.R., Marxism became Marxism-Leninism, and at later date, was embodied in Stalinism. These

developments further compressed the variety of socialist traditions and positions into two antagonistic camps. The term 'social democracy' was dropped in favour of 'communism'. One of the celebrated conditions for admimtting parties in the Third International was the acceptance of the lable 'communist'. All other socialist traditions or positions were either social democracy, reformism or non-socialist.

This monistic pathology attracted equally monistic therapy. The other socialist positions were found to be increasingly located in Northern Europe, particularly in England. These became organised as 'Democratic Socialism' after the name 'social democracy' became unacceptable to all socialists. In this great ideological battle between Democratic Socialism and 'Communism' there was no room left for an independent left or someone like Laski. His fellow socialists such as Durbin or Strachey who accepted the label 'Democratic Socialism' could find space in the literature on socialist thought.²⁹ Laski's contributions to socialism was underplayed as proper label could not be found for him. In a sense, therefore, Laski was a victim of historical conjunction of forces. The case was almost a parallel to that of M.N. Ray. In his so called post-Marxist phase Ray was still arguing in his *Beyond Communism* that mind was a part of the matter, a central premise of orthodox Marxism. But since Ray was critical of Stalinist treatment of Trotskites he was not appreciated as a Communist.

Alienation of the Academic Political Theory

As in the field of socialist thought Laski has run into oblivion in academic political theory today not because of his contradictory political ideas but because of something more ominous concerning the state of political theory. To Oakshott this state is marked by certain features which he described as the features of 'modern rationalism'. These include, *inter alia*, 'politics of prefection', of 'uniformity', a doctrinaire approach and technical orientation.³⁰ Laski, on the other hand, did not believe in the best solution for a problem but only in the best in a given circumstance. Announcing that 'eternal vigilence is the price of liberty' he refused to participate in politics with a doctrine and revealed a sceptic attitude. Naturally the effort the apply the standards of naturalistic disciplines in political science, the Behavioural infatuation with empirical approach did not receive enthusiastic response from Laski. For Laski, political science could never have the axiomatic quality of natural science, what could be done was to learn from human history and experience. The distance between this perspective and the new scientism was indeed very far.

The reactions to the positivist political theory came in different ways.

The hermeneutic and phenomenological alternatives revealed many limitations of empirical analysis and raised problems for interpreting data. But in turn they also suffered from an acute descriptivism and failed to provide evaluative standards for social and political theorising.³¹ Laski's framework of analysis on the other hand had set definite standards for evaluation no longer to be found in somewhat self-defeating hair-splitting about epistemological and philosophical problems. A section of scholars who noticed the 'revival' of political theory in the late sixties was no exception. They also alienated political theory from both politics and philosophy.³² Germino who pinned much of his hope on the revival of the classical philosophical tradition actually romanticised the classical cannons and its authors and transferred those qualities to the role of academic theorists. Moreover, a philosophical solution was offered to a philosophical view of the crisis of political theory and it was vainly hoped that the same would correspond to the political. This way of being reflective without being critical was criticised by Brian Barry as the 'revival of scholasticism'.³³ In a different context Dunn too was referring to the alienating aspect of liberal political theory today.³⁴ Much of today's political theorising, in short, lacked proper focus on the substantive aspects of politics with which Laski was deeply concerned.

Modern social theory has been pervaded by what has been called structuralism and somewhat vaguely 'post-structuralism'.³⁵ The founders who gave them shape and content, Levi-Strauss Barthes, Lacan, Focoult and Derrida, despite important differences among them have shared certain common themes such as the decentering of the subject, nature of the totalities, the primacy of the signifiers over what is signified, or what may generally be called the meaninglessness of the social existence. Although these traditions have intellectually absorbed social theorists for sometime they have not seem to have produced tangible changes in the formal political theories. There may be various reasons for that, including the shortcomings of these intellectual developments themselves. It is certain however that in Laski it is futile to trace any of the structuralist and post-structuralist themes and hence he is as stranger to the structuralist and post-structuralist discourse as he is in contemporary political theory.

Whither Laski ?

Under the circumstances as above would it be pessimistic to foresee a renewal of Laski's academic obscurity after this brief spell of almost ritualistic centenary celebrations ? We are inclined to be in the affirmative.

Politics for Laski was basically concerned with the life of men in relation to organised states. In the age of an ideological battle between the

Stalinist variant of Marxism with all its authoritarian ramifications and nation-centered capitalism, equally, if not more, authoritarian and with scant respect for what Laski regarded as 'Right of Man', whether individual or collective, Laski offered a new alternative that stood for definitely more humane organisation. His idea of state was different from tyranny of oligarchy in the name of either class collectivity or national collectivity.

The post World War II scenario however metamorphasised the very context of political science as such. The behavioural wave, the anti-positivist philosophical impulses, and the whole gamut of modernisation-development theories with a host of terminological innovations could be characterised by 'statelessness'. In short, it was political science minus state. An important backlash came from a new brand of left literature characterised by internationalisation of politics in terms of global expansion of monopoly capital, the ultimate regulator of politics, the unknown mega-state. This perspective also paid little attention to 'State'. In such circumstances, it is little wonder that Laski's pre-eminently state-centered political discourse had only marginal relevance. All this seem to be changing now. When so much is being said about bringing the state back to the centre of theoretical attention Laski may have a chance to come back to theoretical attention once more.³⁶ That would be a fitting tribute to this outstanding political theorist of our age.

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GORBACHEV AND THE DISSOLUTION OF THE SOVIET UNION.

Abu Nasar Saled Ahmed

About twenty years ago Andrei Sakharov, Roy Medvedev and Valery Turchin, three distinguished members of the intelligentsia of former Soviet Union, addressed a letter to the Kremlin leadership pleading earnestly for a gradual democratization of the political system of their country. Drawing an analogy between the Soviet economy and an urban traffic intersection, they stated that with just a few cars in existence, the traffic police could easily cope with their tasks, but as the volume of traffic gradually increased, mere fining the drivers and replacing the traffic police would no longer ensure a smooth traffic control system. They, therefore, argued : "The only solution is to widen the intersection. The obstacles hindering the development of our economy lie outside it, in the social and political sphere, and all measures that do not remove these obstacles are doomed to ineffectiveness."¹ The Soviet Union under Mikhail Sergeyevich Gorbachev tried to put into practice many such words for reform and experimented with new approaches to modernization in the Western framework in order to remove the putative obstacles by way of having recourse to fundamental redefinition of the relationship of the state and the system under which the people had been living for seventy years. In this process he accelerated the dissolution of the mighty Soviet Union.

Undoubtedly, for long the very idea of reform had been an anathema to the Soviet political environment. The spectre of reform or revisionism had, till the other day, been haunting the hegemonic bureaucracy which had been dutifully striving toward perservation and perpetuation of the existing institutional framework of socialism. The bureaucracy sordidly shaped by Marshall Joseph Stalin had been strongly averse to any change threatening the Soviet system.² After the long and lethargic Brezhnev era and a short-lived ineffective Andropov-Chernenko period, Gorbachev began to rise to prominence as a dynamic leader expected by both Soviet citizens and Western observers to be capable of revitalizing an exhausted and economically crippled system.³ The *Sunday Times* quoted Roy Medvedev's comment : "The sense of hopelessness of the Brezhnev and Chernenko years has disappeared. Everybody is expecting great things from Gorbachev."⁴ Margaret Thatcher commented : "You can do business with him." The Canadian Prime Minister Brian Mulroney remarked : "He's clearly in Command and I think it augurs well for the future."⁵ Similar hope for reform and better future in the Soviet Union had been echoed in an extremely analytical writing of Seweryn Bialer.⁶ One can probably compile a

book of such comments of optimism in the leadership of Gorbachev.

Western commentators were apparently guided by an assumed obsession for youthfulness ; Gorbachev represented a new generation of Soviet leadership which had taken over power. Andropov and Chernenko were 79 and 82 when they were elected, making them the oldest to take over as General Secretary of the Communist Party of the Soviet Union. It was age and not serious illness which had led to their leadership being cut short so soon. Gorbachev was 54 when elected as the General Secretary and the youngest member of the Kremlin. Two decades separate Chernenko and Gorbachev. It is true that both Lenin and Stalin were in their forties when they assumed Party's leadership. Khrushchev and Brezhnev were in their fifties. But the difference of age between Gorbachev and Chernenko was felt intensely, and therefore, Gorbachev was painted as a young leader representing the younger generation of the Soviet Society. The press eulogized him as a "new leader" although he was the product of the system which did not encourage radical changes, innovations and original free thinking beyond the domains of Marxism and Leninism. Yet, that system permitted a man from a peasant family with unimpressive background, who started his career at the age of 15 as an assistant operator of a combine harvester, to reach the highest position in the Soviet system.⁷

Ever since the death of Yuri Andropov, Gorbachev appeared to be saddled with the number two position in the Kremlin. He was one of the three "legitimate" contenders for the post of General Secretary in February 1984 - Konstantin Chernenko (born 1911), Mikhail Gorbachev (born 1931) and Grigori Romanov (born 1923). With his unique position of number two he began to build up an image of a reformer raising hopes for graduated improvement in the economic and political conditions in his country and for better relations with West. The accession of Gorbachev to power on March 11, 1985, only a few days after he had celebrated his 54th birthday, was immediately followed by a projection of him as reformer, mainly the West. Assuming the heavy responsibility of the General Secretary, he raised the slogan of reform aiming at initially making the existing system more working and efficient by introducing "genuine" democratic limits on the power structure, which eventually not only led to the decline of socialism first in Eastern Europe and then in his own country but also to the disintegration of the first and the most powerful socialist country in the world.

Striking parallel to Khrushchev :

Khrushchev's earlier campaign in the 1950s for de-Stalinization and reforms in the Soviet system may strike as being parallel to Gorbachev's efforts toward delegitimization of the legacy of Stalin and Brezhnev. Khrushchev was bold

enough to denounce Stalin for all the reported excesses committed but at the same time was extravagantly and capriciously offensive. Khrushchev's reforms succeeded in dismantling several key features of Stalinist system like reliance on mass terror, the central role of the secret police, the untrammeled power of an omnipotent leader exalted in the personality cult, and thus, significantly transformed the Soviet society and politics to a more liberal and tolerant one.⁸ But Khrushchev's reform left the economy untouched. Gorbachev's reforms altered the functioning of the command economy, the role of the official ideology and the media, and above all the structure of the party and the Constitution with the basic objectives of delivering meaningful benefits to the Soviet people and restructuring the Soviet relationship with the external world. But all these eventually brought the end of Soviet advantage in Eastern Europe and then the disintegration of the mighty Soviet Union. At the initial stage, Gorbachev's reform plan appeared to be similar with the "new course" smoothly introduced by Malenkov,⁹ or one can compare his initiative with those of Alexander Dubcek's moves to make communism appear with a human face. Probably, he could not foresee the ultimate results of these exercises- the end of the USSR and a gradual decline of communism as a political doctrine and strategy.

In trying to delegitimize the legacy of Stalin and Brezhnev, unlike Khrushchev, Gorbachev tried to give importance to an incontrovertible issue that what ails the Soviet economy and the polity was not the result of errors of a single leader, however important and significant his role might be, but the errors deeply associated with the very nature of the system he had shaped and with faults in the capacity to address affectively both national and international demands of the present time and the forthcoming future. At the same time, Gorbachev had neither projected any compelling vision of the future nor had he presented a detailed blueprint for moving forward to transform the traditionally monolithic system to an open, modern and effective one. He was neither a true and faithful communist like Khrushchev nor a conservative like Brezhnev. He was basically a reformer, a *modern* Soviet leader vastly more inclined than Khrushchev and Brezhnev not only to the imperatives of a scientific-technological advancement of the country but to the advancement of a more tolerant, pluralistic and democratic system judged in the Western measurement. To that extent, he was pragmatic rather than ideological in his approach to build up a modern Soviet Union, where economic progress would precede military preponderance and to that end he is concerned with rationalizing and making more efficient the system he had inherited.¹⁰ He had felt even before becoming the Secretary General that a section of the people of his country were sharply critical of the system responsible for stagnation in the economic front and regimentation in political field, and therefore, were becoming increasingly

impatient with the dogma inherited from the past and the bureaucratic opposition to constructive changes demanded by time. Under such an uneasy situation he was confident of scoring a political reform which would gain popular legitimacy.

One has to strike a dividing line between the boldness of Khrushchev attacking the errors or excess committed by Stalin, and the courage and conviction of Gorbachev attacking the system which produced Stalin and Brezhnev. Looking from that angle one can say that *real* post - Stalinist period began under Gorbachev.¹¹ Because, events since the death of Stalin in March 1953 till the death of Konstantin Chernenko in March 1985 are seen as a continuing process. The personal attack on Stalin launched by Khrushchev and the efforts to provide a facade of liberal atmosphere did not mark any departure from the Soviet system. The economy and the polity continued to be managed within a centralized command structure. Undoubtedly, the post-Stalin period till Gorbachev took over brought about a remarkable improvement in the Soviet standard of living especially in housing and in the building up of military strength with massive piling of strategic weapons, but it continued to stagger in the impact of stagnation. A truly new era began under Gorbachev as he had sought to carry out dramatic changes in the economic and political fronts. It is, therefore, widely agreed that transition to post-Stalinism began under Gorbachev.

One can probably draw a parallel of Gorbachev's reformism in international affairs to Khrushchev's peaceful co-existence stemmed out of his deep understanding of the impossibility of winning a nuclear war. Gorbachev's "new thinking" (*noevoe myslenie*) is said to be keeping with the changed international environment.¹² The Director of Institute of World Economics and International Relations, Yevgeny Primakov has offered a sample of "new thinking" according to which capitalism and imperialism do not necessarily spawn militarism, the West may be less of a threat to the Soviet Union than was hitherto assumed, and therefore, the prospect for East-West cooperation and lower defence expenditure are brighter.¹³ Such ideological rationalization of Soviet plea for change in the international approach were generally dismissed by the West exercise as exercise of deception, but looking back they represented the obligatory doctrinal rationalization of an authentic shift or reform in the Soviet strategy.

Perestroika and glansnot : accelerators toward disintegration :

As reforms become the core of Gorbachev's internal and external policies, Gorbachev picked up two chosen words : *perestroika* and *glasnot* which symbolized an unprecedented account of reform in ideas, attitudes and practices

that entailed a dramatic alteration of internal Soviet system besides foreign policy. *Perestroika*, in Gorbachev's repeated definition, represents the next stage in social history of his country when greater responsibility, initiative, openness and spirit of "emulation" would be strongly encouraged in the people through a real sense of personal involvement.¹⁴ Nobody knew until 1991 that his vision of the Soviet Union in the next stage of social history would be disintegration of the mighty power along with dismantling of socialism.

It may be fascinating to note how the word *Perestroika* and *Glasnot* came to be referred to as oversimplified symbols of Gorbachev's reforms not only in the Soviet Union but also in the West, but more fascinating is how these words generated a process of transformation from a secured tradition to an unknown future of a disintegrated power. Although much has been said on these words, it is still puzzling for the Sovietologists that the political reorientation of the USSR summed up by these terms literally coincided with the assumption of power of Gorbachev. It has been indicated that these two terms have been fairly well drafted and then systematically inducted into political practice. It is believed that an alternative thought to Soviet monolithic system had been seriously considered (though not immediately known to the rest of the world) in late 1970s and early 1980s. This thought process grew as an undercurrent unnoticed by the rest of the world. There has been Western prediction in uncertain terms that in the 1980s a "new generation" of leadership and party workers would come in the forefront of the Soviet system who might usher a new era of reform. This was done largely on demographic projection in the sense that the "new generation" does not have the experience of the revolution or of the last War and would be non-ideological, more inclined to Western managerial and political elite and to freedom of convention.¹⁵ The "new generation", which intensified the rejection of propagandistic adornment of communism and the Soviet system at the expense of a truthful depiction of the reality in a monolithic and regimented system, found these two globally popular terminology as the symbol of reform. But the rulers headed by Gorbachev initially did not mean it all seriously and all of them were committed followers of reform, and depended naively on the deductive rhetoric to cover interim failure with promises of reformative and brighter future. Consequently, *perestroika* did not carry with it a blueprint for systematic reform.

The call for *Perestroika* was an accentuated rationalization for alleviation of economic stagnation in the Brezhnev-Andropov-Chernenko era. At the initial stage, Gorbachev did not elaborate fully the roots of economic stagnation. He concentrated only in associating *Perestroika* with truth, a critical reappraisal of reality, and intensification of the economy. The 27th Party Congress confirmed his economic policy action programme toward revitalization of

economy.¹⁶ Although restrained in tone, Gorbachev blamed the Brezhnev era for errors in the economy in 1970s and the leadership for not recognizing the reality and not arresting the gradual economic decline. The economic problems arose at the very time when the weaknesses of Soviet Union as a superpower were becoming more apparent. The situation inherited by Gorbachev was one filled with contradictions. Undoubtedly, the Soviet Union emerged as a superpower with wide-ranging interests and capabilities essentially based on military power. But the weaknesses of the Soviet economy raised questions about its international commitments in terms of economic developments, international trade and hard currency debts.¹⁷ Gorbachev himself admitted that by the beginning of the 1980s economic growth rates had fallen "to a level close to economic stagnation." The technological gap between the Soviet economy and the economies of the West and also of newly industrialized countries (NIC) was gradually expanding.¹⁸ Consequently, the Kremlin leadership faced the problems of stagnation and decline. The Congress, therefore, adopted a policy favouring fundamental restructuring of the economic mechanism and creating of a unified, effective and flexible administrative system, and continuation and extension of the economic experiments on a large scale ; and these confirmed the eventual transformation of the existing economic system, to a market economic system, without, however, chalking out a detailed mechanism toward that goal.

The 27th Congress of the CPSU held in January 1987 initiated steps to accept *Perestroika* as the vehicle for transformation of a secured socialist tradition to an uncertain future. It also became clear that seventy years after the victory of the Bolshevik Revolution of 1917, the Soviet system stood at a cross-road, confronted by a set of new choices that would determine, as Gorbachev himself put it, whether or not the Soviet Union would enter the twenty first century in a manner worthy of a great power, united and strong. But the symptoms of decline and disintegration of the Soviet Union were palpable and profound as *Perestroika* not only bred the cry for democracy and liberal atmosphere but also sowed the seeds of discontentment and distrust against the old traditions, and centrifugal tendencies.

The main theme of Gorbachev's *Perestroika* and criticism of the past is contained in his call for *glasnot*¹⁹ (a notion which in Russian means frankness, to make public, to bring into the open), an invitation addressed to the party apparatus to acknowledge the basic shortcomings of the Brezhnev era. The Soviet elite, for whom Gorbachev was a legitimate spokesman, could hardly underwrite conclusions of a widely circulated *samizdat* document which says that limitations on freedom of information not only make control of leadership more difficult and undermine the initiatives of the people, they also deprive the

authorities of knowledge of the system. It believes : "at the highest level, information is incomplete and predigested, which make it impossible for the leadership to make effective use of its authority."²⁰

There had certainly been a struggle between the conservatives and the modernizers in the Soviet echelons in the pre-Gorbachev era, but that did not surface because of the centralized control in the system. The subtle inclination for modernization contained no evidence of anti-Stalinist posture in the face of "Neo-Stalinist" tendencies in the leadership of the party, as well as in the top ranks in army, trade unions, and youth organizations ; they are a powerful influence in literature, art and social science.²¹ It is now clear that Gorbachev had skilfully concealed his heretic inclinations throughout the Brezhnev era and projected his impeccable credentials as a loyal and disciplined *apparatchik*. Even after he assumed the responsibility of the party, he maintained a discreet and emotional identification with the existing order. His self-styled reformism had been viewed as no significant departure from "authoritarian rule, discipline and predictable conformist behaviour."²² Discipline, effectiveness and productivity became the core of Gorbachev's deceptive approach to reform within the Soviet system. It was done to reassure the conservatives that openness would not lead to destruction of the existing political order and at the same time it was also a calculated move to convince the reformist that the last thing he would promote would lead to restructuring of the country's economy and polity along the lines of a pluralist society understood in Western democratic terminology. It was understandable that Gorbachev apprehended large-scale criticism, uninhibited assault on the Stalinist heritage even doubts about the relevance of Marxism-Leninism as political ideology. These would be the natural and spillover consequences of a graduated plea for reform. The only mechanism to check or forestall the transformation of a secured tradition to a full-scale anarchy was to accept the vehicle of a mystic word *glasnot* representing a will for expressing open mind about the possible changes in the Soviet system without drastically destabilizing the system.

The consequences of such an unspecific and unclear strategy for transformation was palpable in the 27th Congress of the CPSU. Not only Gorbachev was unable to articulate the guidelines of an effective campaign against party-bureaucracy but was also unable to provide a planned and systematic transformation of a socialist economy to a market oriented capitalist system in which the private capital would take place of a socialist economy. He stood at the threshold of reform leading to a consumeristic and Western type of modernization without, at the same time, intending seriously to alter the existing matrix of domination of the socialist tradition. He probably intended to initiate a reform of Dubcek-type "commonism with a human face" without

assessing throughly the consequences of it in a society not similar to that of Czecholovakia in 1968.

Richard Pipes has correctly stated that reforms in the Soviet Union were determined by the willingness of the leadership to accept certain curtailment of its power monopoly.²³ To move against the long term interests of this powerful group would imply disaster for any Soviet leader. Gorbachev was not unaware of the conservative critics. What he tried to convince his fellow comrades was that whatever changes he was planning was on the line of Honecker's "technocratic socialism" and Kadar's market-oriented economic experiments which had reportedly yielded encouraging results in terms of efficient management of the system and productive economy. The Soviet leader felt that it would be an unwise step to alienate his party supporters clamouring for reform and liberalization in an atmosphere of highly centralized party system while at the same time it would be premature to antagonize the hardliners in the system on whose support his survival depended. A facet of a less authoritarian model was presented to woo both the extremes. It, therefore, meant that he was not aiming at sudden or eventual revision of the main functioning of the Soviet system that would give early impression that the party with strong Leninist and centralized ideological foundation would continue to work as the fundamental source of political legitimacy, the Soviet society would remain atomized, no independent group be allowed on the line of multi-party system to challenge the CPSU's dominant role in the country. At the same time, however, there would be gradual introduction of the series of radical reform such as improvement of human rights, encouragement to private initiative and to criticism of the functioning of the party and the Government. All these steps, as Gorbachev contemplated, would revitalize the Soviet political life.²⁴

The Soviet society in this process drifted from a one time monolithic, regimented, centralized, monopolistic system to a liberalised, reformed, democratic, multi-party based, fragmented and fluid system, with an uncertain future. The 19th All-Union Party Conference of the CPSU held between June 28 and July 1, 1988 became a watershed in terms of adopting a policy of acceleration (*uskorenje*) of the reform.²⁵ In retrospect, Gorbachev's reform was a directionless and unsystematic adventure that later on proved to be too costly to the Soviet Union.

Modernization or Disintegration :

The data now available on Gorbachev's reform strategy suggest that the gradual erosion of confidence in the Soviet regime to tackle the spillover consequences of deteriorating performance of Soviet economy compounded with a gradual gap between mass expectation of improvement in standard of

living and the leadership's capability to satisfy them caused a demoralizing impact on the regime. This had forced Gorbachev to work out a subtle but profound shift in perceptions. The deteriorating performance of the soviet economy was the catalyst in the growing perception of failure. The economic slowdown was compounded by technological backwardness, creating yet another gap of profound political and psychological importance. These factors together with the diminished international competition might not have necessarily generated a deep sense of urgency to clamour for reform. An increasingly negative assessment of the performance of an aging regime, a growing sense of pessimism about the future, a crisis of confidence caused an urgency to change from backwardness, non-performance and stagnation to progress, modernity and to opt for a more efficient system might work better.

The dramatic shift in attitude was rooted in a broader social and demographic context. Undoubtedly, the Soviet Union made a tremendous progress in this century transforming a passive docile and peasant society to an urban, industrial and technologically advance society with an increasingly articulate and assertive middle class. In the Marxist terminology and in the context of a socialist country, the argument of the existence of a middle class is out of question. Yet, paradoxically enough, a new class, which now can be classified as the middle class, emerged. In 1950s the Soviet society was essentially rural. By 1980s in contrast, two thirds of the Soviet population lived in urban areas, and rapid urbanization had improved the standard of living. By 1986 television was almost universal, whereas two decades earlier only one in three families owned a television set. The extensive coverage of the population by the television brought urban lifestyle to the remotest areas.

Along with rapid urbanization there were a steep rise in the educational attainments of the Soviet population. In 1959 two thirds of the population over the age of ten had no more than primary education. In 1986 the same figure had education above the secondary level. In 1959 only 5.5 million people had higher education and in 1986 the figure rose to 22 million. Growth in the number of "scientific workers" rose to 1.5 million in 1950 to 15 million in 1986.²⁶ In other words, by the time Gorbachev became the General Secretary of the CPSU, a highly educated middle class became the core of the Soviet society whose voice played a crucial role in the transformation of the Soviet system to a disintegrated and shattered complex.

There had also been a qualitative change in the party system in the context of steady increase in the level of education of the party members, which has been recorded higher than that of the population at large. The "new generation" of the party *apparatchik* had better educational background than

their old-timer seniors and this trend became dominant in the latter part of the 1970s.²⁷ As higher education had become the norm rather than the expectation in the party and the politburo, whatever changes or reform that Gorbachev tended to initiate reflected the dominant will of the "new generation". This generation indicated the major trends for a dramatic transformation of attitude favouring intellectual and moral rationalization of the Sovier life, from secrecy to free flow of information, from a closed society to an open society, and all these showed the symptoms of erosion of a monolithic society incapacitating the party to respond promptly at the time of its gravest crisis, i.e. when the CPSU was disbanded following the abortive August 1991 coup, the party could not come to protest or revolt.

In the process of the creating an open society a series of unusual developments started unfolding with the release of Andrei Sakharov to officially admitting the guilt of the Katyn forest massacre, rehabilitation of Trotsky, doing away with Article 6 of the Constitution which gave the CPSU "the leading and guiding" role in the Soviet society. New departures began to take off. The most far-reaching and tangible of Gorbachev's reform reflected a redefinition of the role of the state in the sphere of art, culture and literature. The publication of once banned poems and novels, and the screening of controversial films, were not only steps to concede the standing public demands but were tolerant and encompassing approaches to the Soviet life. The publication and reappraisal of works of Boris Pasternak, Mikhail Bulgakov, Marina Tsvetaeva and Anna Akhmatova, once condemned for their deviation from socialistic responsibilities, were undoubtedly encouraging steps toward a gradual transformation of a closed apprehensive and intolerant society to an open, tolerant and creative society.²⁸

As a part of the ongoing reform, Gorbachev made public certain darker aspects of Soviet life like the Katyn forest massacre which reportedly took place at the close of the second World War at the instance of Stalin. Similarly, a big question mark had been raised about the life and achievement of great heroes of "socialist realism." The publication of Boris Pasternak's *Dr. Zhivago* and Anatoli Rybakov's *Childern of the Arbat* and screening of Tengiz Abuladze's *Pokayaniya* (remorse, repentance or regret) brought to the knowledge of the Soviet public the unprecedented frank and powerful evocations of the crimes committed against Soviet citizens. These steps caused irreparable damage to the long held brighter image of the Soviet system and inspired the opponents to strike at its very foundation with a lethal blow. Gorbachev's open criticism at the January 1987 Central Committee plenum against what he called "systematic and dogmatic" approach to party ideology contributed to further erosion of credibility of the party and public confidence in it. What initially appeared to

be a symbol of the future hope became in a few years symbol of not only the decline but of the disintegration of a mighty empire.

Gorbachev : caught between opposition and acceleration :

Ever since early 1970s there had been a struggle between the conservatives and the reformers in the Soviet highest echelons. The conservatives, who were termed in the West as "neo-Stalinists" had sufficient hold in the party leadership ; in the top army ranks, trade unions and youth organizations. They had also sufficiently considerable influence in literature, art and social sciences.²⁹ As Gorbachev came to power in 1985, he was aware of the conservatives' strength in the state system. sufficiently capable of preventing any premature reform,³⁰ and therefore, presented himself as a disciplined communist and carried with him an impression that whatever he was doing was directed to strengthen the party and the Soviet system.³¹ Consequently, discipline, effectiveness and productivity appeared to be the core values of his approach. This position was a reflection of his uneasy compromise with the conservatives who would pull him down if he ventured a premature reform strategy.

After he successfully managed to replace some of the old timers like Premier Nikolai Tikhonov and Moscow's first secretary Victor Grishni with people of his choice like Nikolay Ryzhkov and Boris Yeltsin respectively, Gorbachev reduced the pressure of the conservatives to a great extent, no doubt, but he still continued to face resistance from the hardliners. The problem of opposition first came to light when Gorbachev's confidential discussion with Soviet writers regarding the difficulties put by the bureaucrats in his restructuring efforts became public. He was critical of the bureaucrats because of their unwillingness to give up their privileges guaranteed by the system.³²

Gorbachev's radical reforms transforming the traditionally well-entrenched planned economy to market economy faced persistent bureaucratic resistance.³³ This was not a new phenomenon. For long, the very idea of reform has been anathema to the Soviet political mind, because any attempt to reform had been viewed as a challenge to the position of hegemonic bureaucracy, whose main objective had been perpetuation and preservation of the existing institutional framework. This position had been taken by the Soviet bureaucracy led by Vyacheslav Molotov while opposing Khrushchev's de-Stalinization campaign.³⁴ Similar, tendencies to oppose reform was also profoundly visible as Gorbachev began to steer economic and political reforms. Gorbachev was aware of his weaker position of personal power in comparison with his predecessors and also of the politico-administrative-economic bureaucracy, and therefore, found it continuously difficult to assert his position against the

conservatives. Consequently, he could not step up the reform-oriented political action, being afraid of his possible ouster.

At the same time, Gorbachev received mounting pressure for the "acceleration" (*uskorenie*) of reform generated by Boris Yeltsin and his group. They were not satisfied with Gorbachev's Dubcek type of evolutionary reform and demanded economic transformation to a Western model. They held the *nomenklatura*, the power group in the various bureaucratic apparatus, responsible for the slow pace of reform. For CPSU, the democratization of the society and of the economy implied the loss of its power monopoly. Officially, the party already relinquished its monopoly position after Article 6 of the Constitution was deleted on March 14, 1990. The legal reality, however, presented a different situation. The economic bureaucrats offered stiff resistance to the introduction of market economy of 500 Day programme.³⁵

Undoubtedly, the introduction of 500 Day programme was the result of the pressure for acceleration of economic reform demanded by Yeltsin, who, unable to push through his proposals for speedy transformation of the Soviet economy to market one, resigned the party position at the end of the 28th Congress of the CPSU held on July 2-24, 1990. Yeltsin's exit did not threaten immediately a vertical split of the party but showed the symptoms of an aging party unmindful of growing discontentment and virulent of criticism of the organization and the party functionaries. The party reorganization made on July 14, 1990 which led to the induction of Gennadiy Yanayev, the key figure of the coup of August 1991, showed Gorbachev's dilemma in forging a reliable and durable constellation of support base. As events unfolded with the passage of time it became rather impossible for Gorbachev to identify who was his active and dependable supporter leaving him virtually in a lonely and helpless state of affairs.

At any rate, the removal of Article 6 may be rightly regarded as a symptom of dismembering the once dedicated and highly effective party. When the amendment was made, no serious voice of disapproval could be heard. This rang the death bell of the aging party. And later on, after the August coup, when the CPSU was disbanded, there was virtually no reaction of formidable nature.

•Erosion of Military's position :

In September 1984 when Marshall Nikolay Ogarkov, the first deputy Defence Minister and the Chief of the General Staff was removed for openly disagreeing with the political leadership in vital issues like promotion, military expenditure and East-West relations, the erosion of assertive and influential role of the armed forces in politics of Kremlin started. Ogarkov publicly feuded with his

political boss, Drimiti Ustinov, the then Defence Minister over these issues. He questioned the utility of detente and arms control, and advocated for greater budgetary allocations for defence. Whatever may be the reasons for his ouster, Ogarkov's exit was an indication of the graduated decline of the role of armed forces in the Soviet decision-making process.³⁷ The Death of Marshall Ustinov following the removal of Ogarkov caused further erosion of the position of the defence forces. The positions of Ustinov and Ogarkov were filled up by seventy four years old Sergei Sokolov and sixty three years old Sergei Akhromeyev respectively. Gorbachev made miscalculations by depending heavily on Akhromeyev and Drimiti Yazov, a politburo member in his pursuit of *perestroika*.³⁸ Needless to state that Drimiti Yazov was one of the leading members of the abortive coup of August 1991.

Besides profound miscalculations made by Gorbachev in insisting the support of doubtful army to spearhead his reforms, his policies adversely affected the confidence of defence forces. More so, when the defence establishments had been opened for external inspection as a consequence of the conclusion of the START in December 1987. The Soviet military, which had been kept under tight secrecy since 1930, was exposed to *glasnot* in compliance with the INF treaty. The military claimed to be the ultimate generator of stability of the Soviet empire. But once exposed to *glasnot* and open inspection, the military invariably was bound to feel insecure and also the erosion of power and credibility.³⁹ In addition to these developments, the military had reasons to be unhappy on a member of grounds *viz*, loss of war in Afghanistan, decline of military prestige and budget, unceremonious dismissal of thousands of officers since 1985 pushed them to an uncertain future and vigorous public criticism of military's role in internal disputes. The growing dissatisfaction in the military brass and the systematic erosion of the prestige of the defence forces as a whole incapacitated this tremendous force to react to the disintegrating developments floodgated by *perestroika* and *glasnot*.

As a whole, although Gorbachev was in the driver's seat in relation to his military colleagues, there was growing dissatisfaction in the army with some of his policies. But undoubtedly, such dissatisfaction remained confined to the higher level. The new entrants were doctrinally trained, at the same time were infected thoroughly with the message of *perestroika* and *glasnot*.⁴⁰ Consequently, as seen in the August coup, the military could not be used by the coup leaders to crush the anti-coup demonstrations phenomenally staged in the capital city of Moscow. The military appeared to have sensed the wind for change and decided to remain non-involved in the coup affairs and also in the process of disintegration of the country. The limited use of military to crack down the Lithuanians proved to be futile. It gave the first and decisive warning

not to commit the similar mistake by asking the reluctant and demoralized armed forces to intervene in the process of disintegration.

Eastern Europe and foreign policy :

As in domestic policy, in foreign policy too Gorbachev's ascendancy to power prompted a serious reassessment of previous assumptions and policies resulting in a number of new departures in substance and style. To him, foreign policy is a direct outgrowth of his domestic policies and priorities. He attempted at further economic reform with the twin objectives of domestic revitalization and of sustaining Moscow's international role.⁴¹ *Perestroika* and *glasnot* were used as vehicle to revive the atrophied instruments of Soviet diplomacy to project a more positive and dynamic image abroad and to convey an expression of liberalization and willingness to seek political settlement of outstanding issues like Soviet involvement in Afghanistan, while reducing the costs and risks of Moscow's role in international disputes like Cambodia.⁴² Eastern Europe, undoubtedly, was a major burden of the Soviet Union. From a position of advantage at the initial stage of the Cold War, Soviet relations with Eastern Europe drifted to source of trouble at the end of the Brezhnev era and the beginning of the "era of new thinking." The changed situation made the Brezhnev doctrine of limited sovereignty of socialist countries as well as the interventionist concept irrelevant in the Soviet-East European relations. Further, the domestic developments inside the Soviet Union had spillover impact in Eastern Europe right from the year 1956 when Khrushchev began de-Stalinization. On one hand, Eastern Europe became a "liability" to the Soviet Union in the context of gradual increase of dissatisfaction among the people of Eastern Europe over the Soviet domination,⁴³ and on the other hand, the Soviet experiment with *perestroika* and *glasnot* together with Gorbachev's renunciation of the Brezhnev doctrine opened floodgates of decisive actions of the governments of Eastern Europe to snap their dependent ties with Moscow. The withdrawal tendencies of a fatigued and decadent superpower eventually led to the evacuation of the Soviet troops from Eastern Europe. By 1987, it became evident and a matter of a year or so to see that Gorbachev became the last ruler to preside over the liquidation of the Soviet empire.⁴⁴ What was unthinkable in 1985 in terms of total erosion of Soviet authority in Eastern Europe,⁴⁵ became a reality in five years and the Soviet sphere of influence in region passed over to the pages of history of 45 years along with the end of the Warsaw Pact.⁴⁶

Disintegration of the USSR :

It would be wrong to blame Gorbachev alone for the disintegration of the USSR in 1991 although he has to share the major part of it. The roots of the

disintegration lied with Stalin's own writings and perceptions on the nationality question with regard to the right to self-determination and the Union Republics right to secede from the USSR. Stalin writes that "the national question is a part of the general question of the proletariat revolution" and recognizes the right to self-determination of the oppressed people,⁴⁷ leaving enough room for loose interpretations by the Union Repulics to advance in the recent years their demand for secession on the ground of oppression by Moscow. More so, the roots of secessionism were deeply implanted in a furtile soil of multi-national USSR when Stalin himself favoured at the time of drafting the Constitution the right to secession to be accorded to the Union Republics :

Then follows an amendment to Article 17 of the Draft Constitution. The amendment proposes that we completely deleted from the Constitution Article 17, which reserves to the Union Republics the right to secession from the USSR. I think this proposal is a wrong one and therefore should not be adopted by the congress. The USSR is a voluntary union of Union Republics with equal rights. To delete from the Constitution the article providing for the right of free secession from the USSR would be to violate the voluntary charecter of this union.⁴⁸

As Moscow resigned to its fate in renouncing its control over Eastern Europe and presided over the process of dismentling the Warsaw Treaty Organization, the Union Republics received a decisive political stimulation to declare independence of Moscow ignoring totally any possible military response from the centre.

The West found the symptoms of centrifugal tendencies in already exhausted Soviet society based on a "utopian" image of socialism.⁴⁹ Gorbachev's political slogans for broader permissiveness reawakened the multi-national complexion of the Soviet society as Gorbachevian socialism inevitably raised the most uncomfortable questions about the less voluntary origins of the USSR and the elevation of the Russians to the role of "elder brothers." De-Stalinization which took off in 1956 exposed the USSR to gradual corrosion, but the Gorbachevism accelerated the undoubtedly painful process of rapid disintegration. The world wide experiences show, as Myron Weiner writes, that in multi-national societies sudden increases in the levels of political participation have entailed a disintegrating effect on politics.⁵⁰ In the Soviet context, Gorbachevism and its consequent ramifications encouraged the growth of nationalist sentiments among various dominant ethnic groups in the Union Republics giving rise of extreme nationaists groups which took the post-1985 developments as rare opportunities to avenge the involuntary unification of the Republics under the red flag.⁵¹ The August *coup* and the aftermath

developments reduced the position, prestige and authority of Gorbachev to the lowest ebb giving rise to Boris Yeltsin to political prominence and authority. As Gorbachev remained a prisoner of the fallouts of the political experiments he had started, the process of disintegration of the superpower became faster than any one could conceive. His implied warning of using the military power had little impact, for, he himself knew the irreversible decline and decay of an exhausted empire on the pressure of secession. In its scale and speed this collapse finds no precedence in more controlled and slow disintegration of the British, French, Ottoman and Spanish empires.⁵²

The Western leaders have reasons to pay warm tribute to Gorbachev for his historic role in his country because it was he who finally accomplished their long cherished task of disintegration of the Soviet Union, which they themselves could not do by waging a long bitter cold War. Gorbachev did their job without a short being fired and without their least involvement. Marxian dialectics will definitely blame the antagonistic percolation of the Western propaganda to the Soviet world through perfidious Gorbachevism which undoubtedly is a part of historical process. History will definitely blame Gorbachev. In his attempt to broaden the roads of the Soviet System to allow more traffics of free ideas to pass through he contributed enormously to the dismantling the seventy year old socialism and a superpower. Historicism and individuals may figure in the transformation of once mighty power to a disintegrated and loose commonwealth, but no one can share more responsibility than Gorbachev in bringing the total decline of the Soviet Union and thus creating a vacuum in international politics and also giving rise to a unipolar world headed by the United States of America.

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A THEORY OF JUSTICE : IN DEFENCE OF JOHN RAWLS.

Maqulal Hussain

INTRODUCTION

The aim of this paper is to analyze the Theory of Justice with a logical biasness towards the interpretation of justice as propounded by John Rawls. In order to facilitate a better understanding of Rawls, an opposite viewpoint of justice as given by Robert Nozick, will also be placed side by side.

The concept of justice is a pivotal issue throughout human history. Since the time of the development of Greek thought, philosophers have been trying to define this concept in many different ways. The literature is vast and complex. The aim here is not to give an historical account of justice, but rather to analyze two specific theories only. Among all the existing theories of justice at least three common notes can be distinguished : (a) justice is a social norm; (b) justice is aprobative; (c) justice is obligatory. Justice is relative to a given society. What was just in a feudalistic society is not necessarily just in a socialistic society. In other words, the relationship between justice and society is interdependent or to put it in a better term, there is a dialectical relationship between these two phenomena. It is dialectical in a Sociology of Knowledge sense¹ or in the sense of "Elective affinity" of Max Weber.² No distinction is made here between these two terms - "dialectical relationship" and "elective affinity" - for the purposes of this paper. This dialectical viewpoint allows one to see the mutual causality between the level of consciousness (in this case, justice) and the level of social reality (in this case, any society). It is worthwhile to follow the logical analysis of the social consequences from the hypothetical acceptance of a certain type of theory of justice which wil in turn help one to criticize this type of theory of justice.

The two theories discussed in this paper are known in the literature of justice as "Natural right theory" and "Social good theory" of justice.

Proponents of these two theories have extreme forms of diversities among themselves. Hence, one cannot say that two advocates of the same theory have the same type of interpretations. There are two long lists of advocates who accepted either of these two theories in the broadest possible terms.³

In very recent history two of such supporters of these theories have revived these age-old concepts within a modern historical context. Robert Nozick supports the Natural Right concept in his new theory, the "Entitlement as Justice." John Rawls suports the "Social Good" concept in his theory, the

"Justice as Fairness."

Before going into the critique, a summary of both theories is in order on the following pages. John Rawls' theory was published in 1971⁴ and Robert Nozick's theory was published in 1974.⁵ It is interesting to note that Robert Nozick attacked Rawls on several occasions in order to establish his theory.

OVERVIEW OF THEORIES OF JUSTICE

Theory of Entitlement

Nozick's theory is basically a theory of natural rights. The main theses may be summed up in this way : "Individual" is the alpha and omega of a society. To maintain individual liberty (natural rights) there is a need for a governmental infrastructure, but this infrastructure must be a minimal state" only (opposed to anarchy). Such a system is against the welfare society, and, therefore, socialist society also.

The basic philosophy behind his thesis is that what the individual has legitimately acquired may also be transferred by that individual. The minimal state exists only to protect these individual rights. This whole notion is based on his theory of the "Entitlement Theory of Justice." The basic dictum of this theory is : "From each as they choose, to each as they are chosen."⁶

According to Nozick, a distribution is just if it results from fair rules for the ownership and transfer of personal/private property.

There is no central distribution, no person or group entitled to control all the resources, (jointly) deciding how they are to be doled out. What each person gets, he gets from others who give to him in exchange for something, or as a gift.⁷

His entitlement theory based on the above quotation has three major premises :

(1) A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding. (2) A person who acquires a holding in accordance with the principles of justice in transfer, from some one else entitled to the holding, is entitled to the holding. (3) No one is entitled to a holding except by (repeated) application of 1 and 2.⁸

He further contends that a distribution is just if everyone is entitled to the holdings he possesses under the distribution. In brief, a person is entitled to those holdings for which he accepts the just acquisition process. Here, he follows the Lockean tradition (i.e., acquisition of anything at the cost of individual labour, expenditure, effort, skill, and the like is the unquestionable

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possession of the person concerned). This individual has complete liberty to do as he wishes with his property. There is no a priori rule or method to judge the justice of any distribution. The only proper procedure is to enquire into the justice of the original acquisition of holdings and their transfer. According to Nozick, whatever arises from a just process is itself just regardless of its consequences. The justice of a distribution is based on its life history and not on the thing itself. This is his stand against the prevalent "patterned" or "end state" approach to justice of modern times. He describes that any "end state" approach requires that at least some persons must be detached from their holdings in the name of morality, merit, equality and the like. Such an "end state" approach appears to him not only arbitrary but unjust as well. According to him, this approach interferes with individual rights in justly holding cases. He believes that his entitlement theory avoids these difficulties as it does not propose an arbitrary pattern of distribution. The Theory is based on just acquisition and transfer (i.e., in its own rights and in its own merits). This is why Nozick maintains that socialism, or the welfare state, is immoral and unjust.

However, to safeguard individual rights (i.e., to hold property), a minimal state is needed to protect property holders against anarchy. Nozick culls this idea from the Lockean state of nature. Just as Locke had done, Nozick argues for the night watchmen state of the classical liberal theory. This type of state must not go beyond the protection of citizens against violence and other possible crimes jeopardizing individual liberties. Thus, the property owner is protected against the "haves" (other property owners), as well as the "have nots" (the lower class). This is the most extensive state possible in Nozick's minimal state theory. Voluntary associations and independent groups would naturally exist in their own right without state or individual interference.

Theory of fairness

The theory of John Rawls is basically a contract theory. He develops a purely hypothetical situation labelled "original position." In this situation, "those who engage in social co-operation choose together, in one joint act, the principles which are to assign basic rights and duties and to determine the division of social benefits."⁹ In "original position" all are morally equal, rational and mutually disinterested.¹⁰ Rawls insists that people in the "original position": would choose the following two principles of justice : (1) " Each person is to have an equal right to the most extensive basic liberty compatible with the similar liberty for others,: and (2) "Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least

advantaged * and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.”¹¹

Rawls has given a “purely schematic” diagram of different principles which “... are to be acknowledged in the “original position.”¹² People would have to agree on the basic structure of the society followed by individuals, nations, and priority rules. Under the conditions of “fairness” people would define the justice of institutions. Next comes the question of the rights of individuals. According to Rawls, the *sin qua non* of individual principles are those that determine the moral requirements of individuals, viz. “natural duties” and “obligations.” The positive natural duties are mutual respect and mutual aid. These duties require individuals to support and to comply with just institutions that exist and apply to its members. The negative duties are not to injure and not to harm the innocent. Rawls defines the principle of obligation in this way :

This principle holds that a person is required to do his part as defined by the rules of an institution when two conditions are met: first, the institution is just (fair), that is, it satisfies the principle of justice (above); and second, one has voluntarily accepted the benefits of the arrangements or taken advantage of the opportunities it offers to further one’s interest.¹³

There are other principles also, but, according to Rawls, those are optional in the sense that those principles violate no obligation or duty. The next step is to explicate the principles of justice. Rawls indicates that at this point people move to a “constitutional convention” and frame a constitution under the framework of above-mentioned constraints. This results in a “constitutional democracy.” The basic liberties such as freedom of movement, conscience, equality, political rights are institutionalized. A “...representative body is selected for limited terms .. Elections are fair and free and regularly held.... and equal access, at least in the formal sense, to public office...”¹⁴ to all citizens are found in this type of democracy. Further, the constitution may restrain or enlarge the role of majority rule depending on the knowledge of problems and conditions. At a particular point, people or parties move to construct a “social system” with special reference to the construction of distributive justice. Rawls’ construct includes the institution of private property and makes considerable arrangements for market economy. Under this construct administrators and judges of the democracy would apply appropriate rules to individual cases.

*This term is used interchangeably with ‘Disadvantaged’, ‘Poor’, ‘Less Endowed’ and ‘Less Favored’ in this paper.

CRITIQUE OF THEORIES OF JUSTICE

Human Nature

Nozick and Rawls have two different interpretations of the nature of individuals.

According to Nozick;

Individuals have rights and there are things no person or group may do to them (without violating their rights) - for the purpose of getting some citizens to aid others or in order to prohibit activities to people for their own good or protection.¹⁵

Nozick's idea of individuals in a state of nature is questionable. He contends "rights are already possessed by each individual in a state of nature." But the question is how far is the individual isolated? If one is completely isolated then there is no question of "rights" at all. Because, an individual can claim "rights" only within the framework of a social system and other individuals of that system with respect to those claims. In other words all rights are social sanctions. That is to say, individuals can not be understood without a social reference. To Nozick, individuals are "miniature firms" themselves and from this perspective his entitlement theory fits his purpose. But Rawls' position is quite removed from the isolated individualism of Nozick. In Rawls' original position the parties select their principles behind the "veil of ignorance" but they are all rational human beings unlike Nozick's individuals in the state of nature. Nozick's individuals have no select principles to share the social pie of wealth, income, powers, self-respect, liberty and the like in society. While Nozick has accepted a priori rights in his individuals, Rawls has placed his individuals in a position only to use their rationality with reasonable restraints. Rawls' individual is an integral part of the social system as a whole. Nozick's individual is narcissistic and each individual creates his own moat. Nozick's efforts result in a pure theory of private property, and Rawls' efforts result in a theory of welfare state.* Nozick reads Rawls' theory from his standpoint of entitlement, and comes to the conclusion that Rawls cannot explain who is entitled to what. This conclusion is obvious because Rawls' theory is not based on "natural assets," whereas to Nozick private property and natural assets are two inseparable entities and undoubtedly the foundation of his theory.

Rawls' preference for groups and his concern about the disadvantaged section of the population does reflect his bias for the welfare system. Nozick's preference for individualism does not allow him to take Rawls' view of

* This term is used interchangably with 'welfare economy' and 'welfare system' in this paper.

individual vs. society dichotomy. There is no doubt that Rawls has been criticized for his concept of "disadvantaged" in his theory mainly for the reason that it requires explicit explanations and analysis.¹⁶ However, unlike other critics Nozick does not raise that point at all. Rather he has accepted Rawls' notion of "disadvantaged" without any question. He has raised a different issue- why less endowed should be considered at all. The fact of the matter is, in his view, there is no historical reason behind the acceptance of this particular group. His discussion of "process" and "patterned" principles clarifies this view.

Process and patterned principles

Let us call a principle of distribution patterned if it specifies that a distribution is to vary along with some natural dimension, weighted sum of natural dimensions, or lexicographic ordering of natural dimensions.¹⁷

A principle is "process" when this "pattern" is not involved, i.e. distribution is not based on "natural dimensions." In the same vein he argues that patterned principles are not historical as they do not consider historical evidence of distribution. But process principles are historical as they consider historical evidence (process how a particular group is disadvantaged). Nozick's pivotal criticism of Rawls emerges from his attachment to process models of justice and his *in toto* rejection of any patterned or end-state models of justice. Nozick argues that any patterned distribution intrudes upon the rights of property owners and forces them to use their holdings in ways not voluntarily chosen by them. A just distribution can not be determined by any set of end principles but only on the grounds that the process of acquisition and transfer of holdings are proper. A social pattern can not be judged without reference to its original situation of holding. If a distribution emerged through reasonable and just processes then the end is just. However, is it that easy and simple? One can reasonably be sceptical about such a claim. It is not clear that the process principle is better than the end principle. Here, Nozick himself has circular reasonings in his defence mechanisms. With his examples from mathematics and economics ("Invisible hand" explanations) he accepts process principle as the only just basis for a theory of justice. Our question is where is the dividing line between "process" and "patterned"?

Nozick accepts the standpoint that people in the state of nature accepted a via-media between the optimistic and the pessimistic world views. He has no justification for that type of position (as far as his theory is concerned) because, by so doing, he has brought in an external moral standard to judge the situation and certainly it was not his intention at all. It appears that this moral element

creeps into his theory without his proper sanction and knowledge. What is this standard ? Is it not a patterned principle ? At this point he has a clear design for an end to his theory. The desired goal is his unquestionable support for private property on the basis of individual rights. However, either knowingly or unknowingly, Nozick evades this element of patterned principle in his theory. He writes:

Ignoring the strands of pattern, let us suppose for the moment that a distribution actually gotten by the operation of the principle of the entitlement is random with respect to any pattern. Though the resulting set of holdings will be unpatterned, it will not be incomprehensible, for it can be seen as arising from the operation of a small number of principles. These principles specify how an initial distribution may arise (the principle of acquisition of holdings). The process whereby the set of holdings is generated will be intelligible, though the set of holdings itself that results from this process will be unpatterned.¹⁸

Here, according to Nozick, the entitlement is unpatterned. But at the same time he admits that there are a few basic principles behind the entitlement and that entitlement has no meaning without these principles. Time and again, he reiterates that justice resides in the underlying principles rather than the end principles. If this is so, he then has an esoteric reference to a patterned principle. This can be seen from a logical analysis also. As he developed his entitlement from a few small number of principles, it can not avoid the logic of deduction. Otherwise, how could he say, "These principles specify how an initial distribution may arise"? There are two possibilities : (1) if the major premise is unpatterned (in Nozick's terms "a few small principles") then the conclusion must be unpatterned. But, he clearly states in his above quotation, "Though the resulting set of holdings will be unpatterned, it will not be incomprehensible, for it can be seen as arising from the operation of a small number of principles." (please see footnote 18). It is comprehensible only because the major premise can be easily seen in the conclusion of the syllogism which is usual in deductive logic. Further, he mentions nowhere that these principles were established through inductive reasonings or he got them like "manna fallen from heaven" (Nozick uses this phrase against Rawls ' theory). Hence, he has only one choice. His so-called unpatterned conclusion logically comes from the patterned premises. According to rules of logic his conclusions must be patterned. (2) If he accepts the conclusion of the former position (i.e., the major premise of the syllogism will be patterned), then he has no other alternative but to accept the patterned position. Is there any way that Nozick may come out of this dilemma without sacrificing his theoretical foundation ?

We are sceptical about it. Is a purely non-patterned principle possible at all ? Nozick is fully aware of this issue when he quotes F.A. Hayek: "Our objection is against all attempts to impress upon society a deliberately chosen pattern of distribution, whether it be an order of equality or inequality."¹⁹ But, Nozick laments over Hayek's failure :

However, Hayek concludes that in a free society there will be distribution in accordance with value rather than (moral) merit; that is , in accordance with the perceived value of a person's actions and services to others. Despite his rejection of a patterned conception of distributive justice, Hayek himself suggests a pattern he thinks justifiable- distribution in accordance with the (perceived) benefits given to others - and so leaves room for the complaint that a free society does not realize exactly this pattern.²⁰

Therefore Nozick is very careful in not allowing room for such complaint against his theory. He staunchly claims that no overreaching aim is needed, no distributional pattern is required. Unfortunately, our analysis goes against his categorical assertions. It is the opinion of the present writer that philosophically, it is unrealistic to separate "process" and "patterned" principles if that/ philosophy wants to deal with human society and human existence. It may be a sophisticated philosophical pastime for some intellectuals of our society but, such debates hardly unveil the truth concerning justice, equality, and liberty in any real society.

Philosophical foundations

It is interesting to note that both Rawls and Nozick have their roots in the Kantian interpretation of human beings. It spite of this common root they have arrived at seemingly opposite poles. The main ethical injunction of Kant is to treat human beings as an end in itself. To treat individuals as means is to deny their individuality. Nozick remarks that all end state theories have misinterpreted Kant's ethical concepts.

An end state view on the other hand would express the view that people are ends and not merely means (if it chooses to express this view at all), by a different injunction. 'Minimize the use in specified ways of persons as means.' Following this precept itself may involve using someone as a means in one of the ways specified. Had Kant held this view, he would have given the second formula of the categorical imperative as, 'so act as to minimize the use of humanity simply as a means' rather than the one he actually used: 'act in such a way that you always treat humanity, whether in its own persons or in the person of any other, never simply as a means, but always at the

same time as an end.²¹

But, Rawls has a different interpretation of the notion of autonomy in the Kantian ethics. Rawls writes :

Kant held, I believe, that a person is acting automatically when the principles of his action are chosen by him as the most adequate possible expression of his nature as a free and equal rational being.²²

Rawls further clarifies his position with the following reinterpretation of Kant :

Those who think of Kant's moral doctrine as one of law and guilt badly misunderstood him. Kant's aim was to deepen and to justify Rousseau's idea that liberty is acting in accordance with a law that we give to ourselves. And this leads not to a morality of austere command but to an ethic of mutual respect and self-esteem.²³

The original position may be viewed, then, as a procedural interpretation of Kant's conception of autonomy and the categorical imperative. The principles regulative of the kingdom of ends are those that would be chosen in this position, and the description of this situation enables us to explain the sense in which acting from these principles expresses our nature as free and equal, rational persons.²⁴

In this case, Rawls clearly states that people take principles of justice considering individuals as ends, and these principles have been taken by people themselves. Hence, there should be no denial of individual rights (autonomy). Furthermore, Rawls should not be criticized for his reinterpretation of Kant, because, he has already admitted :

It is true that I have departed from Kant's view in several respects.²⁵

This precisely leads to the question of morality. Of course, morality is the foundation stone in Kant's system. Rawls has noted :

Justice as fairness is a theory of our moral sentiments...²⁶ Nozick does not have a moral issue in his theory. It is clearly indicated in this passage :

The completely accurate statement of the moral background, including the precise statement of the moral theory and its underlying basis, would require a full scale presentation and is a task for another time. That task is so crucial, the gap left without its accomplishment so yawning, that it is only a minor comfort to note that we here are following the respectable tradition of Locke, who does not provide anything remotely resembling a satisfactory explanation of the status and basis of the law of nature in his second

treatise.²⁷

It must be clear by this time that Nozick has developed his theory out of Patton's interpretation of Kant (as Nozick footnoted) and Locke's theory of the state of nature. The Lockean idea as expressed in his *Second Treatise on Civil Government* is the touchstone of Nozick's philosophy. Locke comments:

Freedom of men under government is to have a standing rule to live by, common to every one of that society, and made by the legislative power erected in it; a liberty to follow my own will in all things, where that rule prescribes; and not to be subject to the inconsistent, uncertain, arbitrary will of another man.²⁸

Locke, furthermore comments :

Though the earth, and all inferior Creatures be common to all men. Yet every man has a property in his own person. This nobody has any right to but himself. The labour of his body, and the work of his Hands, we may say, are properly his whatever than he removes left it in, he hath mixed his labour with, and joined to it somethig that is his own, and thereby makes it his property. It being by him removed from the common state Nature placed it in, hath by this labour something annexed to it, that excludes the common right of other men. For this labour being the unquestionable property of the labourer no Man but he can have a right to what that is once joyned to, at least where there is enough, and as good left in common for others.²⁹

Taking such Lockean ideas for granted, Nozick starts his theory of justice. However, there are several special questions which are very important prior to the acceptance of his theory of justice. David Spitz has mentioned several such issues in his article, "Justice for Sale."³⁰ Spitz wants to know who determines whether what is left is as good as what was taken by the people, and how should the right of appropriation be exercised? Herbert Spencer answers that the earth is common to all men and the consent of all inhabitants must be taken before anything can be removed in a state of nature.³¹ Nozick makes no reference to these types of questions at all. Since his theory has no moral basis he, consequently, does not have a precise theory of the moral basis of individual rights. Of course, he claims that his theory is an historical one against the ahistorical theory of Rawls among others. Unfortunately, Nozick accepts the Lockean state of nature as the *cause sui* of the human history without any logical basis, i.e., without any explanation about historical developments. As far as the term "historical" is understood in common parlance, there is no historical sense in his theory. Thus, it can be seen that his theory of justice lacks

the historical as well as the moral foundation. The former goes against his own claim and the latter goes against the basis for a theory of justice (can we justify a theory of justice without an ethical basis ?)

Individual and society

It has been noticed that Nozick's individual is an isolated one in the state of nature. Rawls' position is different in this respect :

The people's choice as a noumenal self I have assumed to be a collective one. The force of the self's being equal is that the principles chosen must be acceptable to other selves. Since all are similarly free and rational, each must have an equal say in adopting the public principles of the ethical commonwealth.³²

Rawls' individualism does not inflate itself to the point of egoism.

Rawls is a good deal more curt with egoism, diminishing it both as a rational aim and as a considerable moral theory. The argument on the first head is that nobody who thinks about it seriously can want to be an egoist : 'acting jointly is something we want to do as free and equal rational beings.' Egoists, Rawls suggests, would not be able to engage in relations of genuine friendship since they would be incapable of making sacrifices for others ... [He] lacks certain fundamental attitudes and capacities under the notion of humanity.³³

In other words, egoism cannot stand for a moral theory.

Although egoism is logically consistent and in this sense not irrational, it is incompatible with what we intuitively regard as the moral point of view. The significance of egoism philosophically is not as an alternative conception of right but as a challenge to any such conception.³⁴

It is interesting to note what Professor Brian Barry believes :

.... morality is, at the minimum, a game of mutual informal coercion in which each person finds an advantage in helping to maintain the institution even if it would sometimes pay him to be a 'free rider' and break the rules.³⁵

This position of Rawls is a far cry from the philosophy of Nozick where the first and the last point is egoism. Without going into the historical details of egoistic theories and the consequences, we want to point out the *Tragedy of the commons* as described by Garrett Hardin. Nozick simply avoids the individual-vs.-society issue. However, more denial of an issue can not destroy its existence.

Following Locke, but unlike him, Nozick argues that civil government need not come into being as a conscious and deliberate response to inconsistencies found in the state of nature. It can be an unplanned consequence of a series of voluntary agencies. He terms them "mutual protection associations." At certain times several such associations would come into conflict and the strongest one would prevail. Certainly, the strongest one would encourage "clients" to join this association abandoning their parent agencies, thereby reducing the number of agencies. The fact of the matter is, this strongest association becomes the dominant agency in that particular area and provides a general system of law that settles different claims of different individuals and "enforces their rights." Following Adam Smith, Nozick calls it an invisible hand (hidden hand) explanation, because without any design or pattern every individual seeks individual gain. Everybody is "led by an invisible hand to promote an end which was no part of his intention."³⁶ This association is not only an association but a morally legitimate state as well. "The protective association dominant in a territory as described is a state."³⁷

Process and patterns revisited

It appears that whatever is proclaimed by the dominant agency is good or justified. This echoes the ancient Greek philosopher, Thrasymachus, who remarked that justice is nothing else than the interest of the strongest. Nozick claims that his entitlement theory of justice is historical ("whether a distribution is just depends upon how it came about"). Rawls claims that the justice of a distribution is determined by how things are distributed as judged by a fair principle of justice.³⁸ This is the issue of process and patterned principles discussed earlier. Throughout it appears that Nozick is well aware of his difficulties in making his theory viable. He develops his own problem in spite of his adherence to extreme individualism and pure process principle. If the principles of "acquisition" and "transfer" have been violated, then the principle of "rectification" comes into the field which is a patterned principle in the real sense of the term. Nozick puts it in this way :

... Then a rough rule of thumb for rectifying injustices might seem to be the following : organize society so as to maximize the position of whatever group ends up least well off in the societies.³⁹

The question is whether the principle of rectification lends support to the process principle of acquisition and transfer, or engulfs both of them in its patterned principle.

Liberty - equality and society

This issue of process principle reminds us once again that the notion of

community or society is implicit in Nozick's theory. That is, the rectification principle presupposes a society with common identity and common authority. Here, the crucial issue of liberty comes up. There is no doubt that there is a need for individual liberty; but Nozick's theory takes care of the advantaged classes and ignores the disadvantaged classes. Nozick's extreme egocentrism can be found in different passages of his book including the preface, where he has written that his theory has led him, with much discomfort, to positions that put him with some very bad company. It is not surprising at all why Nozick has been reiterating that "taxation is extortion- a forced labor." In brief, his utopia is totally free without the notion of any type of socialization process through institutions.

It has been mentioned earlier that Rawls starts in the fashion of a traditional social contract theorist. People are ignorant of their future situations behind the veil of ignorance. A more or less unbiased human individual chooses a method of advantages and disadvantages that will be fair to all in a yet-to-come society. Rawls mentions that fairness can be realized only if two principles are observed: that each person has an equal right to the most extensive equal liberties compatible with similar liberty for all; and all inequalities in liberty be justified only as being an advantage to the least advantaged. This dual principle of distribution applies to all "primary goods" (opportunity, wealth, and liberty). The moral point of view, for Rawls, is loosely the principle of rectification in Nozick's sense (of course, it must not be taken on face value). It may be said that Rawls is expational social order founded on the principles of justice whereas Nozick's natural social order arises from individual competition and might. Though it appears that Rawls has not defined the term "disadvantaged" in a clear way, yet, reading his different references, it may be said that the "disadvantaged" are those who lack the liberty to act in their own ways. The disadvantaged are denied the right to individualism. By the same token, the "advantaged" * are those who have the liberty to act in their own ways. According to Rawls, social order must be a sharp instrument to adjust the discrepancies in liberty, unless these have enhanced liberties available to the disadvantaged. This is a perpetual move of the society in all possible aspects of society. Rawls' fair principle of justice certainly goes against Nozick's one-sided support for aristocracy or meritocracy. In order to help the disadvantaged section of the population, Rawls gives the "difference principle," which in a way explains inequality. But this inequality is acceptable if and only if the worse-off section will be better off in certain distribution systems.

*This term is used interchangably with 'Favored' 'Rich', 'Better-endowed', and 'Non-Poor'.

This is Rawls' theory of justice in his democracy. He thinks that society must repair the cruelties of nature, and the function of a just society is not only to preserve law and order, but to correct and control natural distinctions between strong and weak, rich and poor, as well. Above all, there is the issue of "self-respect" which must be given to everybody by everybody and must be received by everybody from everybody. It must be remembered that unlike Nozick, Rawls believes that moral laws are an extension of the principles of justice (innate in human beings before the veil of ignorance). These moral laws are never invented - but discovered. This goes against the invented morality of Nozick's theory of justice (rectification principle's invention of morality). Unlike Rawls' democracy of strong and weak, and rich and poor, based on the principles of fairness, Nozick's minimal state "utopia" is the land of strong and rich based on his principles of entitlement.

Logical status of Nozick and Rawls

It is a truism that the theory of justice has been playing a very important role throughout human history. The question of justice was raised by the ancient Greeks. The same question was raised by the medieval church-fathers. The question was again violently researched by the 17th and 18th century British and continental intellectuals. Recently, it has become one more a matter of serious concern among the intellectuals of this country. Without much hesitation, it can be said that the main issues underlying the current inquiries are equality and liberty. These grounds are indeed very precarious to stand on, and this fact is known to any reader of social history. Rawls tries to show that it is not the question of how much equality should be given to whom, rather the existing question how inequality (as to achieve complete equality is a distant cry from the present society) can give a better sense of equality on the basis of an out-and-out moral principle of justice. He proclaims that justice is the first virtue - an unquestionable moral prerequisite of human society. On the other hand, Nozick retreats from Rawls' humanism, and rests on a three-hundred -year-old explanation of government given by John Locke. It is easy to criticize Rawls' theory from Nozick's standpoint, but it is also true that following his own theory, he lands on an extremely individualistic society. It may not be easy to raise logical tempest in the philosophical tea pot, but it must be easier than to face the existing reality of the present society. It may be said that unlike Nozick, Rawls' philosopher's stone has viewed the present day situation from a present day philosophy ; in other words, he has taken lessons from history, and to him history is not a dream or figment of imagination, but reality *per se*.

Nozick's use of the term "liberty" is simple. In real life situations, it is not that simple. The same is true in the case of the term "equality." A general

question at this point is : Does a commitment to equality endanger ultimate and equally prized ends in particular liberty ?⁴⁰ This was the question confronting J.S. Mill, and this is the issue confronting Nozick and Rawls. To Nozick the answer should be "yes". To Rawls, the answer should not be that easy. Rawls' answer may be found in this passage of David Spitz :

To determine whether the law should restrain or tolerate a social restraint and thereby secure a particular liberty for some (perhaps only under certain circumstances) but not an opposite liberty for others, is merely to recognize that not all liberties are equally important or desirable. Liberties, equalities must be ranked hierarchically; and when we give primacy to one we may well have to surrender another.⁴¹

It should be noted that Rawls' fairness does not prescribe the "right" result; it requires people to treat others in order to arrive at the "right" results. That is to say, any issue of inequality must be justified on the altar of fair principle (with moral, empirical and rational convictions).

Rawls appears to be very much like a welfare economist. He assumes that a welfare system and market system will allocate wages as they are deserved in terms of productive contributions. Rawls believes that equality of opportunity will guarantee fairness in the competitive market . In his theory, redistribution can be made through tax and other transfer policies.⁴²

The issue of equality - liberty has far reaching consequences. (1) Classical conservatism which argues that people were born into unequal stations and had duty to accept that fortune and carry out their functions to the best of their ability. (2) New conservatism (classical liberal) destroys the old order and substitutes for it a hierarchy based on achievement, under the banner of equality of opportunity. (3) New liberalism swings from "contract" to "status," but calls for equality of results and quota representation in positions.

Rawls rejects all of these three positions :

In rejecting genetic and operant roulette as a just basis for distributing primary goods, he rejects classical conservatism. He rejects the new liberalism's rejection of any inequality. For all that he substitutes the idea of reward when necessary to benefit the least advantaged.⁴³

Nozick does not have a concept of "equality" in his theory:

The entitlement conception of justice in holdings makes no presupposition in favor of equality, or any other over all end state or patterning. It cannot merely be assumed that equality must be built into any theory of justice.⁴⁴

He also rejects the idea of the equality of opportunity, because :

Everyone's having a right to various things such as equality of opportunity, life and so on and enforcing this right, is that these rights require a substructure of things and materials and actions : and other people may have rights and entitlements over those.⁴⁵

That is, in the absence of the "magic wand" (Nozick, p. 235 - without violating others ' rights) the concept of the equality of opportunity is not acceptable.

David Spitz⁴⁶ has brought serious allegations against Nozick's theory of justice. He comments that in Nozick's utopia the individual liberty will reign over all other issues of society, and in such society justice is only "for sale." It is obvious that in order to live within a system of property rights individuals must often sell their labor. But should the community have no voice in it - in maintaining minimum wage, working hours and other issues ? Nozick's theory of entitlement is looking only to the rights that emerge from holdings and cares little of nothing about what happens to the rights of others as a consequence. His theory is so designed that only "means" is to be considered, i.e., there is no need to consider "ends." Our question is how a theory of justice can be based solely on "means ?" This is an issue in moral philosophy - debate between "motive" and "intention" - and Nozick should clarify this issue before establishing his conclusion. This question of ethical justification leads us to view Nozick's theory from the traditional Aristotelian perspective of formal - substantive justice. Nozick's theory is at best a theory of formal justice and not a substantive one. Because, Nozick never develops the moral foundation of his theory of justice which is the key to the substantive justice. But, he justifies his theory of justice from the standpoint of his basic principles which is the key to the formal justice (if we think that he justifies his theory!). In Rawls, there is both formal and substantive justice.

From these two theories of justice, two possible socio-political structures may be envisioned. From Nozick's theory one may view a minimal state with a large private sector based on free enterprise market economy. There will be wide divergencies of inequality in income distribution among different groups of people. There will be no provision for the disadvantaged (e.g., poor) section of the society. Only voluntary charity and items falling within the jurisdiction of the "principle of rectification" will try to take care of the disadvantaged.

Rawls suggests a capitalist economy within a democratic form of government. There will be inequalities but the welfare system will try to narrow the gap between rich and poor. The society as a whole has a moral responsibility (based on his "difference principle," for the disadvantaged section (e.g., poor) of the population.

As it may be observed from the preceding discussion, the theory of justice is a very abstract concept in itself. It is a difficult task to test their theses with reference to a given society.⁴⁷

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NEPALI MIGRATION INTO ASSAM : IN RETROSPECT

Rudraman Thapa

There has been a continuous flow of population into Assam from different parts of India and neighbouring countries having wide diversity in respect of language and culture. The Nepalese have also been coming to Assam for a long time. Even prior to the British rule, the Nepalese came to this part of the country and maintained cultural relationship with the people of this region. The British, however, accelerated the flow of Nepalese to this region. In fact, the British needed the service of Nepalese to run the colonial administration. Thus, in course of time, the Nepalese constituted a sizable section of Assam's total population. The flow of Nepali migration into the state has reportedly not yet stopped¹ and this has created a great deal of anxiety in the minds of the dominant section of the Assamese. The foreign national movement (1979-1985) was a manifestation of such an anxiety. On the otherhand, with the growth of numerical strength, the Nepalese began to organise themselves and become assertive of their rights in the state. Now it appears that the Nepalese have been a growing political force in Assam and have acquired a considerable amount of bargaining capacity to bargain with the ruling elite of the state for adequate share of political power and other privileges. Indeed, it is a strange phenomenon that how a migrant community like the Nepalese could become a significant political force in the state. In order to have a better understanding of this question, it is desirable to examine the various factors of the Nepali migration into Assam. In view of this, in this paper an endeavour has been made to deal with the background of this migration into Assam at different periods of history.

II

Nepal is a narrow strip of land borderd by India in south and west, Tibet in the north and Bhutan in the east. This small Himalayan kingdom is primarily inhabited by both Indo-Aryan and Mongolian stocks which do not differentiate in the ethnic composition of population between Nepal and India in general and Assam in particular.² Territorially Nepal is so integrated with India and is so close to Assam that during the period of the Mahabharata, the northern boundary of Pragjyotishpur (now Assam) was extended upto the Bhutan hills and part of eastern Nepal.³ In fact, the territorial integration with India and geographical contiguity with Assam accompanied by ethnic affinity facilitated both Nepal and Assam to develop a cordial and friendly relation since the period of the Mahabharata. Thus, historically Assam's relation with Nepal is

very old. Moreover, there was even matrimonial relation between the medieval royal families of Assam and Nepal. In this connection, it needs to be mentioned that Rajyamati, daughter of Harsha Varmadeva (730- 750 A.D.), the king of Salstambha dynesty of Assam (during the medieval period it was known as 'Kamrupa') was married to Joydev, king of Nepal⁴. Similarly, in the second decade of the sixteenth century the Koch king, Viswasingh married Ratna Kanti Devi, daughter of Malla king of Kantipur (now Kathmandu)⁵. Apart from these, there was reciprocal visits of pilgrims between Assam and Nepal. All these factors of relationship, in due course, not only encouraged but also facilitated the process of Nepali migration into Assam. It may be noted that the Koch king of ancient Assam brought a number of Nepali Brahmin priests, wood-work artisans, stone and metal sculptors from Nepal and granted them rent-free land.⁶ According to a scholar, one group of Pandas (priests) of Assam's famous Kamakhya temple owe their origin in Nepal.⁷ Similarly, Niladhwaj and Narayana, the two Kamrupa kings had also matrimonial relations with the contemporary ruling families of Nepal.⁸ On the otherhand, the king of Nepal named Jayastithi Malla in the fourteenth century invited many reputable Indian Brahmins to their country.⁹ Consequently, in due course, the Nepalese coming to Assam and Indians going to Nepal gradually got assimilated with their respective culture and society even by adopting each other's language as monther-tongue.

In this connection, a look into the ethnic and racial linkage of the Nepalese with the people of Assam as well as rest of India is also not out of place. A renowned national professor Suniti Kumar Chatterjee asserted that a large number of the Nepalese of eastern Nepal such as the Mogors, the Rais, the Gurungs, the Limbus and the Tamangs belonging to the sub-ethnic groups of the Kiratas were of the Mongoloid origin. Similarly, the Bodos, the Kacharis, the Mishings and the Deories of Assam also belogn to the same stock.¹⁰ Thus, there were some affinities in respect of their physical appearance and food habits. For this reason, there has been a psychological attachment of the Nepalese with the tribal people of Assam. It appears that territorial contiguity and ethnic affinity followed by psychological attachment obviously encouraged as well as accelerated the flow of Nepali influx into India in general and Assam in particular.

III

Besides, the socio-economic problems and geographical location of Nepal also contributed a great deal to the process of Nepali migration into different parts of India, particularly into Assam. A land-locked country, Nepal has no easy outlet to the world except through Indian territory as she is blocked from

all sides by the Himalayan mountains. Not unnaturally, therefore, in many cases Indian territory provides a convenient route for the people of Nepal in international trade and commerce. Further, inter-Nepal communication is surprisingly backward as there is no road connecting the eastern part of Nepal with the western part. It is the Indian territory that acts as the connecting bridge between the eastern and western frontier of Nepal. The Nepalese who use the Indian territory as the communicating link between the two parts of Nepal obviously find India very homely. Once entered Darjeeling, the Nepali majority area, they get themselves easily intermingled with its Nepali inhabitants. Subsequently, these people use to move to other parts particularly to the northeast region. Since Assam is closer to Darjeeling and a large number of Nepalese had already settled there, the new Nepali immigrants prefer to come to this state than other parts of India.¹¹ Similarly, other socio-economic factors such as the increasing fragmentation of land holding, ecological crisis caused by intense cultivation and deforestation, rising population without further land for cultivation and chronic deficit in food production, indebtedness, exploitation by landlords and lack of economic opportunities in non-agricultural sectors in Nepal had compelled the poor Nepalese to come into India in general and Assam in particular¹² seeking an alternative way of their livelihood. The unfriendly topography intersected by the mountainous passes and deep rivers made the livelihood of Nepalese difficult and intolerable resulting in a static and backward economy. Thus, it seems that the Nepalese who migrated into the province mostly belong to the poor hilly peasantry class. The only capital they carried with them was personal capacity for hand-work and the quality of adaptability. They, therefore, could easily accommodate themselves with the prevailing situation of the area they had migrated to.

Apart from these, the political system of Nepal under the Rana rule (1846-1951) also contributed a lot in this direction. Rana autocracy degenerated Nepal to a police state where there was no civil liberties of the citizens.¹³ Rana despotism alongwith feudal economic exploitation gravely frustrated the poor hilly Nepalese who were forced to seek an alternative means of life in a tolerant neighbour country.

IV

The process of recruitment of the Gurkhas¹⁴ in the British army was another contributing factor which had also considerably intensified the growth of Nepali population all over India. In the Anglo-Gurkha war (1814-1816) the British realized that the Nepalese were a suitable race for military job as they fought very gallantly and valiently.¹⁵ The war, however, came to an end with the conclusion of the Sugauli Treaty on March 4, 1816. Accordingly to the

Treaty, Nepal had to surrender one-third of its territory such as Kunaon, Gorhwal, Nainital, Almora, Dehradun district and part of Simla district to the East India Company as the compensation of the war. Consequently, the Nepalese of these territories automatically became the inhabitants of India.¹⁶

After the Sugauli Treaty, the British decided to recruit the Nepalese in the Indian army.¹⁷ But the ruling elite of Nepal did not like this recruitment policy. They believed that it would deprive Nepal of the fighting people and subsequently weaken them militarily. The Government of Nepal, therefore, put a ban on the recruitment of the Gurkhas in the British Indian army. Jang Bahadur Rana, the then Prime Minister of Nepal, even prevented the members of Gurkha Regiment¹⁸ of the Indian army from visiting their home in Nepal until retirement.¹⁹ As an alternative measure the British Government of India decided to bring the families of Gurkhas serving in the Indian army with a view to recruiting their children, if needed, in future. In this way, the British wanted to be less dependent on Nepal for recruitment of the Gurkhas.²⁰ As a result, despite Nepal Government's reluctance to allow the Nepalese to work in the Indian army, they felt secure to work under the British. Thus, the Nepalese used to migrate into India, in general, and Assam in particular, seeking job in the Indian army. the indifferent attitude of Nepal ruling elite, however, did not last long. In order to combat the Sepoy Mutiny which started in 1857 the British formally sought military assistance from Nepal. Jang Bahadur Rana, who at the beginning did not like the Gurkha recruitment policy of the British, himself came to India with a Gurkha contingent of 8,000 Nepali soldiers in order to quell the Sepoy Mutiny in December, 1858.²¹ The Nepali soldiers performed their duty creditably. Thus, the British, for the second time, had seen the practical experience of how useful the Gurkha soldiers could be to them. The British Government even provided a higher scale of pay and other lucrative facilities to the Nepali soldiers, which were hardly available in Nepal's state army, in a bid to attract the Nepalese to military service in India. Being inspired by such facilities, the Nepalese particularly the poor martial tribesmen²² began to migrate into different parts of India including Assam seeking recruitment in Indian military service. As such, taking advantage of eagerness of the poor martial tribesmen of Nepal, the British secured the official consent from the Royal Darbar for the recruitment of Nepalese in India as well as in Imperial army by the year 1885.²³ More importantly, the British made a provision for permanent settlement of the Nepali soldiers in any place of India after their retirement . In effect, a large number of Gurkhas mostly serving under the British Government made their habitation in Assam after retirement which obviously paved the way for regular inflow of their relatives and others to the province.²⁴

It may, however, be noted that a number of the Nepali soliders got in opportunity to enter Assam when the British came to rescue her from the Burmese invasion in 1826. Mr. David Scott, the first British Commissioner of Assam, came in 1824 accompanied by the Assam Light Infantry.²⁵ This force, in due course, came to be known as the Assam Rifles consisting more than half of the Gurkha soldiers. The British were so impressed by the Gurkhas soliders that they recognized the crossed khukris (a Nepali crooked sword) as the emblem of the Assam Rifles.²⁶ However, the annexation of Assam by the British was followed, as stated above, by permanent settlement of the Gurkha soldiers in the foothills, forest fringes and in other strategic areas on the frontiers.²⁷ As a result, there came into existence some Nepali-inhabiting areas in Assam, Arunachal Pradesh, Nagaland and Manipur. In this way, the recruitment of Gurkhas into the British Indian army reinforced the growth of numerical strength of Nepali population in the northeast region.

Mention may also be made that the British used some Nepalese as their middlemen for supplying poor Nepalese to work in coal mine and other establishments. As such, during the third decade of twentieth century Kharsang Lama, T.B. Pradhan and Jit Bahadur Pradhan and many others acted as "middlemen". For their service, they were paid a lucrative amount of commission.²⁸ Thus, the Nepalese got inspired to come into Assam as cheap labourers and many of them subsequently settled here permanently.

V

The contemporary socio-political situation of Assam further facilitated the inflow of Nepali population to it. During the last quarter of eighteenth century and the first quarter of nineteenth century Assam suffered from a heavy loss of its population on account of Moamoriya Peasant Rebellion and the Burmese invasion. As a result, there were large areas of land lying vacant in the Brahmaputra valley. The British, perhaps, did not want to be deprived of revenue on these uncultivated lands.²⁹ They, therefore, welcomed immigrants including the Nepalese to the province. Similarly, a section of the Assamese middle class also inspired them to settle down in wastelands. Gunabhiram Boruah, and Assamese gentry, even estimated that no less than a million people could easily be accommodated from outside on the wastelands of Assam.³⁰ As a matter of fact, a section of Assamese elite were convinced that no economic progress was possible unless the then depopulation condition was restored to normalcy.

Apart from this, corrupt revenue officers had also contributed to the process of migration. Some Assamese *Mahajans* even provided a substantial

part of necessary finance to enable the migrants in order to bring the virgin soil under plough.³¹ In addition to these, many Nepalese came to work as wood-cutters in Assam's forests and settled here permanently. At the same time, many Assamese landlords encouraged the influx of Nepalese with a view to employing cheap labourers in their paddy fields and home-steads. It is, however, interesting to note that since the early decade of twentieth century, the Assamese elite became afraid of being swamped by the Muslim immigrants from East Bengal. Therefore, the conservative section of the Assamese Hindu middle class employed a large number of the Nepali immigrants in order to counter-act the Muslims since the former happened to be the Hindus by religion.³²

VI

After independence, the Government of India decided to maintain friendly relations with the land-locked Himalayan kingdoms of Nepal, Bhutan and Sikkim.³³ Due to an open border, it became more important for India to maintain a friendly relation with Nepal. In view of this, Jawaharlal Nehru, the then Prime Minister of India, in his speech in the Parliament of December 6, 1953 maintained :

From time immemorial, the Himalayans have provided us with magnificent frontiers. We cannot allow that barrier to be penetrated because it is also the principle barrier to India therefore, much we appreciate independence of Nepal, we cannot allow anything go wrong in Nepal that will be a risk to our own security.³⁴

Indeed, India desired that no other country should take undue interest in Nepal's internal affairs which might jeopardise India's security and integrity. Similarly, India wanted to maintain a cordial relation with Tibet because it acted as a buffer zone between India and China in addition to Nepal. But after the Chinese conquest of Tibet in 1951 India's concern about its security became more acute. Perhaps, anticipating such a situation, Jawaharlal Nehru, in a bid to reinforce India's cordial relation with Nepal, evolved "policy of friendship" which culminated in the conclusion of the "Treaty of Peace and Friendship" of 1950. This treaty, however, enabled the nationals of India and Nepal to visit each other's countries without any passport or visa.³⁵ Moreover, it allowed the Nepalese to settle and seek employment in any part of India. The educated unemployed Nepalese, therefore, looked for employment in India.³⁶ Thus, it appears that there has been a continuous flow of Nepal-born population into Assam which may be shown as follows.³⁷

<u>Year</u>		<u>Total number of Nepal-born population</u>
1901	-	21,347
1911	-	47,654
1921	-	88,300
1951	-	55,635
1961	-	82,642
1971	-	78,268

The obvious implication of the above figure is that there was no check on the Nepali migration into Assam. It is evident from the fact that the Government of India passed foreigners (Restricted Area) Order in 1958 imposing restriction of the foreign nationals to enter any part of India without permission of the appropriate authorities. But surprisingly, this order was not made applicable in case of Nepal³⁸ which obviously reinforced the flow of Nepali migration into India in general and Assam in particular.

Over and above, a large number of the Nepalese came to Assam from other parts of India. Thus, Mohendra Mohan Choudhury, the then Chief Minister of Assam, asserted that after the Sino-India war, the flow of Nepali population into Assam was mainly from states such as Arunachal Pradesh, Nagaland, North Bengal and Sikkim.³⁹ Such assertion made by responsible quarters were, however, not without any justification. For instance, in the wake of the Chinese aggression in 1962 the Government of India had to build up a new communication network besides improving the existing ones in Assam and NEFA (now Arunachal Pradesh). The construction of new roads particularly in these strategically important areas, created new employment avenue for the Nepalese, both in Assam and Arunachal Pradesh. After the completion of work, many Nepalese preferred to settle in Assam as the Government of Arunachal Pradesh did not share the burden of these Nepali immigrants because of inner-line system.⁴⁰ Assam, therefore, had to accommodate a large number of Nepali labourers. Thus, it appears that after independence, a number of the Nepalese came to Assam from other parts of the country which in turn helped in the growth of Nepali population in the state. This fact obviously created a great deal of anxiety in the minds of the Assamese.

VII

From the above discussion it appears that there has been a continuous flow of the Nepali population into Assam since time immemorial. Of course, during the pre-independence periods their flow into this area was limited. But with the British occupation of Assam, the flow of Nepali population considerably

geared up. Moreover, the contemporary socioeconomic and geo-political situations of both the countries contributed a great deal in this direction.

After independence, the Government of India, like the British, continued to recruit the Nepali in Indian army. The Indo-Nepal Treaty of 1950 also became a source of inspiration for the Nepalese to come to India. Most of the Nepalese of the northeast region, however, preferred to settle in Assam. In effect, there has been a continuous flow of Nepali migrants into Assam.⁴¹ Thus, with the growth of numerical strength, the Nepalese became articulate and organized in order to assert their rights. But it appeared to the Assamese elite that the identity-assertion of the Nepalese posed a "threat" for the formation of a greater Assamese society.

References

1. In this connection, the All Goalpara Students' Union expressed concern over the trend of Nepali migration into Assam. It alleged that Subb Rao, a Nepali middleman, has been taking initiative in importing Nepalese to the State to work in Different establishments. (Reported in the *Dainik Asom*, January 6, 1987)
2. For example, Leo E Rose observed that the dominant elements of Nepal are composed of the descendants of high-caste Hindu (i.e. Indo-Aryan), mostly of the Brahmins of Khatriyas who sought refuge in Nepal at the time of the Muslim invasion of India or even earlier. (See, Leo E Rose, *Nepal : Strategy for Survival*, Delhi, 1971, p-7)
3. K.L. Boruah, *Early History of Kamrupa*, Guwahati, 1966, p-4
4. *Ibid*, p-70
5. B.D. Sanyal, "The History of the Nepalese Community in Northeast India," cited in A.C. Sinha, "The Indian North-east Frontiers and the Nepalese Immigrants", *Himalayan Environment and culture*, Simla, 1986, p-222
6. *Ibid*, p-222
7. In this connection, Tirthanath Sharma, The former President of the Asom Sahitya Sabha (1971-72) observed that there are two Satras (Assamese religious temples) at Teok of Sivasagar and Nagoan district named "Nepali Satra" because a Nepali Brahmin, called Ratikant Upadhyaya, established these temples. His subsequent generations, however, got completely assimilated with the main stream of Assamese society. For instance. Mr. Sharma referred to the name of Jatindranath Goswami, an Assamese Literature who belonged to his family, (see, Tirthanath Sharma "Asomot

Nepali" (in Assamese) *Souvenir, Assam Gurkha Sammelon, the 16th Annual conference held at Guwahati, 1977*, p-2; also cited in Mon Bahadur Chetri's, *Asomiya Nepali Samaj Aru Sanskritir Ruprekha* (in Assamese), Jorhat, 1983, p-13

8. See, A.C. Sinha, *Op. cit*, p-222
9. In this connection, Leo E Rose stated that "even to-day the Brahmin priests who administer the Pasupatinath temple, the most important Hindu institution in Nepal and the Shah family's personal shrine, are from a village in Southern India and were first invited to Kathmandu by a Malla ruler nearly three hundred years ago". (See, Leo E Rose, *op. cit*, p-9)
10. Suniti Kumar Chatterjee, "Kirata-Jana-Kriti" Calcutta, Asiatic Society of Bengal, 1951 cited in Monirul Hussain's "Nepalese in Assam and Asomiya National Question", *Mainstream*, No. 29, April 15, 1989, p-14
11. The following state-wise figures of Nepali population in the northeast region substantiate the fact that the Nepalese prefer Assam to other parts of India :

<u>State</u>		<u>1951</u>	<u>1971</u>
Assam	-	1,01,335	3,53,673
Arunachal	-	25,000	85,000
Manipur	-	2,860	36,604
Meghalaya	-	6,000	10,000
Mizoram	-	2,000	4,000
Nagaland	-	10,400	--

(See, Sarikant Dutt, "Migration and Development : The Nepalese in Northeast". *Economic and Political Weekly*, Volume XVI, June 13, 1981, p-1053

12. It is interesting to note that by 1900 A.D. one in every twenty and by the mid - 20th century one in every ten Nepalese had migrated to India. By 1970 there were 1.5 million Nepalese out of a population of 11.55 million in Nepal. The annual rate of migration in 1961 was 82,000 a year. (see, D.C. Upadhyaya and Jose U Abneva(Ed), "Population and Development in Nepal", Kathmandu, 1975, cited in Srikant Dutta, *Ibid*, p-1053)
13. It may be noted that Krishnalal Subba, a Nepali literateur in Nepal was imprisoned till his death for his book "Mokoi Ko Kheti" (in Nepali) in which he vehemently criticised the policy of His Majesty's King Chandra Shamsher (1901-1929). See, Iswar Aryal, *Naya Nepaliko Itthas* (in Nepali) Kathmandu. 1978, p-215

14. In this connection, Munshi Shew Shunkar Singh and Pandit Sri Gunanand observed : "The Gurkhas or Gurkhalis, so named from the former capital of their country, are the dominant race. They formerly occupied the district around the town of Gurkha, which is about forty miles west of Kathmandu, they are said to be of Rajput descent and to have been driven out of Rajputana on the occasion of an invasion by Musalmans. They first settle near Palapa, having passed through the Kumaon hills, and gradually extended their dominion to Gurkha. A little more than hundred years ago they invaded Nepal and the country to the eastward and they have remained the ruling race ever since". Mention may also be made that in 1742 Prithvinrayan Shah conquered all the four principalities and brought them under a common political set up i.e. Nepal. Thus, the Gurkhas were the inhabitants of Gurkhas principality and they were called so by the British to mean a courageous martial tribe whom they recruited in their army. After the formation of modern Nepal, difference between the Gurkhas and the inhabitants of other principalities disappeared, Thereafter, the inhabitants of Nepal came to be known as the Nepalese. In view of this, in this paper the term 'Gurkhas' and 'Nepalese' have been interchangeably used to mean same people. (See, Munshi Shew Shunker Singh and Pandit Sri Gunanand, *History of Nepal* (Translated from Parbatiya), Calcutta, 1877, p-17)

15. In this connection, Sushila Tyagi observed : "The gallantry of these hill people (Gurkhas) so favourably impressed the British at the time of Anglo-Gurkha was that soon after friendly relations were restored, they took into service such of the Gurkhas as were willing to enlist thereby creating a nucleus for Battalions, (See, Sushila Tyagi, *Indo-Nepalese Relations*, New-Delhi, 1975, p-202)

16. In this connection we may refer to an observation of Rishikesh Shah. He maintained that "the treaty of Segowli obliged Nepal to secede all of its territory to the west of the Kali or Mahaskali River along with the whole of Terai from the Mahakali in the west to the Tista River in the east. It also stipulated that the East India Company's Government would pay Nepal a sum of two hundred thousand rupee annually. This sum at rates fixed by the King of Nepal was to be used to compensate individual Nepali officials affected by loss of their Jagirs, that is, land grants made in lieu of cash payment for salaries". (see, Rishikesh Shah. *Nepali politics : Retrospect and Prospect*, London, 1975, p-111)

17. See, Kanchanmoy Mazumdar, "the Recruitment of Gurkhas in the Indian Army 1814-1870" cited in the same author's *Nepal and Indian Nationalist Movement*, Calcutta, 1975, p-63).

18. It is to be mentioned that the Gurkha Regiments (consisting of only the Nepali soldiers) were constituted in 1926 under the British Indian army. The total number of Regiments was eleven. Out of it four Regiments i.e. Second, Sixth, Seventh and Tenth had been taken to Great Britain, The rest of Regiments named First, Third, Fourth, Fifth, Eighth, Ninth and Eleventh were left in India after independence. (see, S.M. Mathur, "Gurkhas and their Legendary", *The Assam Tribune*, July 21, 1989)
19. In this connection, Kanchanmoy Mazumdar remarked that "The Nepal Government disliked clandestine operation of the Gurkha recruitment and took strong measure to discharge it. Instances were found that some of the Nepalese serving in the Indian army on their return home on leave in Nepal were even put to death and their properties were confiscated by the Government." (See, Kanchanmoy Mazumdar, *Political Relation Between India and Nepal*, New Delhi, 1973, p. 42-43).
20. Asad Hussain, "British India's Relation with the Kingdom of Nepal", cited in Shyamraj Jaishi's "*Assamma Nepaliharuko Aitihasik Pristhabhumi*" (in Nepale) Digboi, 1970, p-62
21. Secret despatch from Governor Canning to the Secret Committee of the court of Directorate, No. 24, June 10, 1858 cited in Leo E Rose, *Op. cit.*, p-131
22. The following Nepali castes such as the Rais, the Limbus, the Gurungs, the Mogors, the Thakuris, the Tamangs, the Rajbhats and Dores were the martial tribes of Nepal (See, Kanchanmoy Mazumdar, *op. cit.* p-13)
23. Srikant Jha, *Uneasy Partners : India and Nepal in Post-colonial Era*, New-Delhi, 1975, p-11
24. A.C. Bhuyan and S.P. De (d), *Political History of Assam 1940-1947*, Volume III, Gauhati, 1980, p-318
25. Sushils Tyagi, *op.cit.*, p-202
26. Colonel L.W. Shakespeare, "History of Assam Gurkha Rifles" (1929) cited in A.C. Sinha, *op. cit.* p-226
27. The chief Secretary, Government of Assam informed the foreign Secretary, Government of India on May 13, 1930 that "the greater number of the numerous Nepali graziers in Assam are Jaishis and Upadhyaya brahmins or Chetris of non-martial classes, Some of these Gurkhali of the fighting classes who have served the Gorkha Regiment in the Assam Rifles settled down in Assam when they leave the service. "(See, A.C. Sinha, *Ibid*, p-229)

28. See Tutu Thapa, "Assamka Koilakhanima Gurkhaliharu", *Bharatiya Nepali Bangmoi*, Darjeeling, 1980, p-4
29. Kaustavmoni Boruah, "Foreigners in Assam and the Assamese Middle Class", cited in Girin phukan's *Assam's Attitude to Federalism*, New Delhi, 1984.) p-10
30. In this connection, Gunabhiram Baruah, an Assamese gentry, put forward some factors which were favourable for immigration. These were : - "(i) cheapness and fertility of land, (ii) attractive earning for skilled laboursl and craftsmen in view of the local man-power shortage and (iii) the prevailing condition of easy matrimony into local familes, (see, Amalendu Guha, *Planter Rajl to Swaraj : Freedom Struggle and Electoral Politics in Assam 1926-1947*, New Delhi, 1977 p-68)
31. Assam Banking Enquiry Committee Report 1929-30. Volume III, cited in Amalendu Guha's *Ibid*, p-206
32. *Ibid*, p-12
33. Sikkim became the twenty-second State of Indian Republic in 1974 with the 36th constitutional Ammendment, 1975.
34. Jawaharlal Nehru's, *India's Foreign Policy : Selected speeches 1939-1935*, New Delhi, Ministry of Information and Broadcasting, 1961 cited in Leo E Rose, *op. cit.*, p-192
35. In this connection, mention may be made that even the All Assam Students' Union become apprehensive of continuity of the Indo-Nepal treaty, 1950, which, they believed, might jeopardise their existence because of free movement of Nepali nationals into the State. In view of this, they demanded for scrapping of the Indo-Nepal treaty, sealing of Indo-Nepal berder and introduction of provision fof visa oar pass port for the travellers of both India and Nepal to move each other's country. (Reported in *The Assam Tribune*, November 23, 1994
36. S.M. Mathur, *op. cit.*
37. *Census Report of India*, Volume III, 1961 (Assam) Part I-A and II-C, P- 132-136 and 1971, Part I-D, p-10
38. The Foreigners (Restricted Area) Order, 1958, New-Delhi, August, 1958, published in the *Gazette of India*, Part-II, Section 3(i), August 29, 1958, p- 627
39. The Editorial, "Nepalese in Assam", *The Assam Tribune*, December 18, 1970

40. See, Monirul Hussain, "Nepalese in Assam and Asomiya National Question", *Mainstream*, Volume XXVII, No. 29, April 15, 1989, P-16
41. While giving reply to a query in the Assam Legislative Assembly session the Minister of the Assam accord implementation, Dr. Bhurjhindhar Barman said that during the period from July 1, 1991 to January 31, 1994 the Illegal Migrants Tribunal had identified 46, 404 Nepali infiltrators as foreigners and deported them to Nepal, (Reported in *The Assam Tribune* and *The Sentinel*, March 17, 1994.)

LINKAGE'S MODEL TOWARDS UNDERSTANDING BILATERAL RELATIONS AT REGIONAL LEVEL : A CASE OF NEPAL AND INDIA RELATIONS

S. K. Chaturvedi

The post World War II leadership was much concerned for ensuring a world free from the scourge of war and global community free from hunger, illiteracy, mal-nutrition and ill-health. However, the resources were so imbalancedly divided in the developed and under-developed nations particularly having colonial past, that they were unable to satisfy the basic needs of their citizens. Hence, these nations left with the only alternative to be dependent on the external milieu for the fulfilment of the aspirations of the masses. This required an earnest attempt towards creation of a federation of the world for globalization of global integration beginning at regional level. In a bid to theorise the global intergration Altiero Spirelli suggested three designs for political intergration, namely, the functionalists, confederalists and the federalists. Another scholar, Pentlend, suggested four schools i.e. pluralists, functionalists, the neo-functionalists and federalists. Whereas pluralists emphasise on an intergration on the basis of socio-political behaviour of the population (Karl Deutsch, the main exponent Political Community and the North Atlantic Area), the functionalists argue for economic determinism leading to political integration. However, the neo-functionalists do not see that the process of political integration through the process of economic integration occurs automatically (J.S. Nye & Earnest Hass) but political as well as bureaucratic actors are suppose to act in the direction to spillover the effect (activity in one sector leads to the activity in another sector). The federalists stress that political solutions may be arrived at by political institutions, of supra-national nature to whom the nation-state to commit. Obviously, these theoretical approaches try to substantiate the ideas that by regional integration the global stability, peace, development desired change in desired direction, is possible (C.J. Fredrich, Wtt. Ricker)¹ and that the domestic system or policy of a nation influences the functions of the international system and vice-versa. The theory of linkage is based on this concept and has been used by James N. Rosenau for the analysis and understanding of the bilateral relations at regional level.

In other words, the international system functions as an output to the domestic system of any policy. Contrary to this, domestic politics acts as an

output to the international system. Thus, there is certainly increasing interdependence between domestic policy and foreign policy. The aspirations of all round development of the people in the developing political system perhaps cannot be fulfilled until it seeks aid and assistance from the developed countries. It may not be in a position to safeguard its frontiers without procuring arms and ammunition from friendly countries and similar other sources. Similarly, the ethnic upheaval in one country may have its repurcussion in another country. In both the cases the action of one country has a bearing on the political system of another country, that is to say the bilateral relationship is based on a linkage. To substantiate it further, the economic theory may be taken into consideration. It emphasises that the changes in resource position in the total international environment including one policy and rest of the world through foreign aid is possible. Psychologically, theory speaks that social fields in which and on which individual's operate influence the linkages.²

Let us examine the phenomenon in South Asian context. One may agree that the South Asian region is strategically vulnerable, economically developing and politically tension charged. The seven countries, namely India, Pakistan, Bangladesh, Maldives, Nepal and Bhutan have traversed through a common past, have close ethnic relationship and fought against the colonial forces in one way or the other, are facing almost the same problems, situated in close contiguous environment, yet are not well placed to each other. The peripheral powers are not hesitant in inviting intrusive forces against the core in a bid to pressurise her while extracting benefits and fulfilling interest of their own conditions. Thus, the South Asian countries face an inherent hostility than smooth relationship. In the whole texture of relationship domestic actors, institutions, people and process of each country has a definitive role in influencing the policies of not only their own state, but of the other nation actor also. How these linkages emerge and operate ? An effort to identify the phenomenon between India and Nepal is being made here.

Perhaps, the concept of linkage has emerged from the point where national and international systems overlap. The meeting point between the two create a linkage. In this perspective Karl Deutsch has rightly identified linkage as a group in the domestic polity that has particular ties with the international environment.³ In other words, linkage has been defined as a recurrent sequence of behaviour that originates on the side of the boundary between the two types of systems and that becomes linked to phenomenon on the other side in the process of unfolding through process of perception, emulation and direct interaction, or which originates in one system and reacted to in another. The behaviour in one system is always the outcome of the domestic environment created by the aspirations or demands of its people projected through different

political processes. When these activities in a recurrent sequence are imitated in the other polity, it creates a linkage, that is to say for a linkage a recurrence is necessary. Obviously, the recurrence of events may take place when there is some affinity in the environment. In this perspective it is relevant to have an understanding about environment, components of domestic output.

The phenomenon of international politics is meaningfully related to the settings or environment or milieu in which political decisions are taken and executed. It is conceived as an analytic entity consisting of all the human and non-human phenomenon that exist external to a polity, irrespective of whether the existence is perceived by the actors or polity. Polity here means the national political system. It is of two types external and internal. External environment refers to the human and non-human phenomenon that exists external to a polity whereas internal environment concerns to those phenomenon that are external to the polity but exists within the geographic space of the society. In other words, environment includes geographical location, historical development, social configuration, cultural ethos, economic exercises towards enhancement of agrarian and industrial output, political awareness and psychological commitment of the masses towards unity and national reconstruction. Thus, environment encompasses all physical, social, non-human, psychological and operational components in itself.⁴ It has been identified as environmental determinism, free will, possibilism, cognitive behaviouralism and probablism. However, Rosenau, from linkage perspective, has elaborated it in six sub-classes namely, contiguous, regional, cold war, racial, resource and organizational environment. The political process, institutions, actors and attitude when interact with these environments create linkage. Obviously, it is relevant here to understand the above mentioned environments.⁵

Contiguous environment refers to those polities whose borders are bound together. Such polities generally have identical socio-cultural relationship, therefore, traditional rivalries and friendship, ethnic problems, borders and water dispute, developmental aspirations etc. shape the linkage. It may be relevant to note here that India stands in a contiguous environment in the South Asian sub-continent. Thus, broadly boundary disputes, historicity and ethnicity are the features which identify the contiguous environment.

Region has been defined as a perceived segment of space differentiated from others on the basis of one or more defining characteristics, namely, geography, economy, social structure, political and administrative setup, religion, language and ethnicity. Thus, the size of region can range from areas to sub-continents as such on the basis of above mentioned factors it plays an important role in the life of many polities situated in the same region.

The post second great war period witnessed a fierce battle of ideas between the two superpowers. Each power in an attempt to win over maximum numbers of neo-liberated Afro-Asian countries not only provided them economic and technical assistance but pulled into the security alliances. In containing one another they indulged in proxy wars. Thus, the whole globe engulfed into a cold war politics, which encompassed any pattern that is predominantly a consequence of East-West relations. The question of foreign aid, space exploration, cultural exchange and alike are the part of the cold war environment. Superpower politics in any sub-continent or interaction between superpower and developing or under-developed country in the form of influencer and influenced falls in the cold war environment.

Racial environment is created by the expectations, conflicts and trends of the ethnic groups of one polity with another where the same group resides. In South Asia, the Tamil problem of Sri Lanka is the outcome of such environment.

Rapid developments is the expectation of the people of any polity from its system, in general. However, developmental goals can only be achieved if the polity has acquired desired resources, failing which it is compelled to seek goods and services in the external environment which includes raw-material, technical know-how, training to the technicians and aid etc. Thus, resource environment encompasses all possible activities and programmes concerning to enhancement of economic and arms capabilities of any polity.⁶

Lastly, the organizational environment includes all those organizations that have structure and personnel apart from politics belonged to them. Regional organization may also be kept in this category. How a state links itself with the external environment depends upon what it believes. This may maximise its power and provide adequately for its security and development. However, linking of any polity with the external environment depends upon the demand patterns of the people raised within the polity for fulfilment. This may be termed as input in relation with external environment which obviously is an output. The input under reference is created by the institution, actors, process and attitude. In this context institutions are regarded as stylized patterns through which the specified activities can be performed. Thus, legislative, executive and party system etc. may be identified as institution. Similarly, actor connotes to any concrete person who engages in the specified set of activities. One may enumerate leaders and bureaucrats as actors. Process refers to inter active relationship that exhibits describable patterns through interest articulation, agreement, policy-making and policy administration etc. and lastly attitudes are mental emotions which guide the behaviour of actors. Ideology, political culture and opinion constructs such

attitude. Succinctly, it may be said that the demand pattern raised in the internal environment of any polity is the outcome of ideology, culture and public opinion projected by the leadership and different institutions. When these demands or input interacts with the above stated environments they create various types of linkages - such as Emulative, Penetrative, Reactive and Fused. It seems relevant here to have a first hand understanding of these linkages.

As referred to in earlier paragraph linkages are those recurrent sequences of behaviour that originates on one side of the boundary between the two types of systems and that become linked to phenomena on the other side in the process of unfolding through process of perception, emulation and direct interaction. To be more specific, whatever sequence of behaviour originates within a polity and is sustained by its internal environment is policy output, whereas those sequential behaviour that originate in external environment (International system) of a polity and terminate within the polity are environmental output. Contrary to this behavioural sequence in the environment emerged due to polity outputs are environmental inputs whereas polity inputs are those behavioural sequence to which environmental output gives birth within the polity.

In other words domestic politics (output) is the input to international system and International Politics (input) is an output to domestic system.

In this perspective the concept of linkages is being discussed as to how input and output get linked together.

To begin with penetrative process occurs when members of one polity serve as participants in the political process of another and share the authority to allocate the values. For instance, the foreign aid mission influences the authority in allocation of values. In the case of India and Nepal, it has been calculated by many authors that in the 1950's ambassador of India to Nepal played a vital role in policy formulation and placement of personnel there. Thus, India established a linkage with Nepal through this process.

Further, a reactive process is brought by recurrent and similar boundary crossing and reactions rather than by sharing the authority. The actors who initiate the output do not participate in allocative activities of the other polity. However, the behavioural pattern of the latter is nevertheless a direct response to the behavioural pattern of the former. The process is an outcome of the interaction of the direct and indirect outputs with the corresponding inputs. For example, recurrent reaction to India's aid in Nepal falls in this ambit.

Emulative process is established when the input is not only a response to the output but takes essentially the same form as the output, that is to say the

political activities in one country are perceived and emulated in the other. The aspiration of modernization or development of the peripheral countries on the pattern of the core country is the type. The insurgents in one country are moved to emulate their counterparts in another when these successfully take over the reins of power. The desire of Nepalese leadership to emulate India like democratic process in Nepal may be considered as an example in this context.

Lastly, in fused linkage certain outputs and inputs continuously reinforce each other and are thus best viewed as forming a reciprocal relationship. It is a sequence in which an output fosters an input that in turn fosters an output.

The identification of linkages is also based on the variables like stability, functioning, institutions, goals and organization. However, it is significant to examine the linkage phenomenon in the environmental perspective and for the purpose two actors of South Asian sub-continent viz - India and Nepal have been chosen. It may be noted here that India happens to be a core country of the sub-continent whereas Nepal a peripheral one. The core-periphery concept is geographical one. Wherein core economically provides processing facilities and market ; politically decision making model ; strategically protection ; communicationally news and culturally educational facilities and means of autonomy to periphery. Besides this, India and Nepal has close geographic proximity, a shared history and intense social and cultural relations from time immemorial. Obviously in this perspective both the polities have found opportunities to traverse through all the six environments. Interacting with these environments the variables, namely institution, process and actor have created linkages which in turn has influenced the bilateral relationship. Which of the linkages operated in this perspective ? In what way it influenced the bilateral relations ? Does the linkage forecast the behavioural pattern and as such policy output is the objective of the present paper.

For instance, with the independence of India common people of Nepal started to aspire for a democratic system and as such they successfully challenged the century old feudal rule of Ranas with the active assistance of India. Similarly as a result of Delhi agreement between Ranas, King Tribhuvan and democratic forces led by B.P. Koirala, when King Tribhuvan could be put on throne, the people of Nepal started to aspire for adequate opportunity for development, clean administration and participation in the system. Obviously, all these expectations and activities were perceived by the people of Nepal from India and they wanted to emulate the same. Even today it wants to attain a level of development on the lines of India. Further, Indian leadership's utterances drawing Nepal in the Indian area of influence and thus challenging the independent entity of this Himalayan country, made the leadership of Nepal to feel that the mutual relationship may be jeopardised to considerable extent as

such it wanted to emulate a position equivalent to that of India so as to bargain with it and safeguard Nepal's independence and security.⁷

Coming to the penetrative linkage, the establishment and operation of Indian aid and now cooperation mission in Kathmandu, reorganization of administration and armed forces by Indian experts; organization of Planning Commission; presence of Indian experts, technicians on various Indian aided projects, development of teachers in the schools, colleges and university of Nepal by government of India to teach Nepali students, training them in different Indian institutions and universities, presence of pro-Indian leadership in Nepalese political system etc. are the clear examples of penetrative linkage as the members of these organizations participate in the political process of Nepal and thus influence it.⁸

Similarly, the general elections conducted in India had its reaction in Nepal and Nepalese leadership stressed upon the system to implement the Delhi agreement and conduct the election. Further, King Mahendra's dismissal of Koirala's government and flight of Nepali congress leaders to India for refuge are the examples of reactive linkages. In this context, flight of Dalai Lama from Tibet in 1950 in the event of China occupying it and grant of asylum to him by the Government of India affected India's policy towards Nepal and Nepal's policy towards India is also an example of the reactive linkage. Different reactions and criticism hurled by Nepali nationals about performance of Indian aided projects and actions taken by India in the context may also be kept in this category.⁹

The fused linkage may be identified in the form of criticism unleashed by Nepalese bureaucracy and leadership against India on the count of its so-called hegemonic attitude, interfering in the domestic politics of Nepal by inciting anti-Panchayat elements, reluctance in providing adequate trade and transit facilities, turning down the zone of peace proposal etc. and internationalising the same through the propaganda of vilifying India not only helped in achieving international sympathy but helped in unifying the citizenry against India which was otherwise critical to the panchayat, system, leadership and bureaucracy of Nepal.¹⁰

These linkages are the resultant of predominantly contiguous, regional, cold war and resource environment. The racial and organizational have purposely been left from the purview of analysis for the reason that the first four environments have affected the other two environments.

To begin with, Nepal falls into the contiguous environment of India as well as China making it strategically significant for both the powers as a result of which it has become a compelling factor for Nepal to follow a policy of

equidistance in the case of India and Nepal. The fact can be substantiated from its behavioural pattern of last four decades also. However, this is also true that geographically Nepal is more proximate to India than China as such socially, culturally and economically it is closer to India. In this perspective, it is but natural that India's influence is more being felt in the polity. Such influence may eclipse the sovereignty, independence and entity as a whole at any time, with this apprehension in mind Nepal followed policy of diversification in the regional environment, while in the contiguous setting Nepal purposely followed the policy of vilifying India so that in the domestic politics unity may be achieved by creating an anti-India feeling.¹¹

In regional environment, Nepal has successfully played China against India and vice-versa to balance each other. In this process Nepal has exploited mutual difference and clash of interests of two giants in its own favour. Being a buffer state it may not be possible for India to subjugate Nepal nor Nepal could be out of the orbit of influence of India. Hence, Nepalese foreign policy is bound to remain Indo-centric with observations on one issue or the other for a time being. Further, in regional environment whenever one power or the other becomes dominant, Nepal tries to mobilise extra-regional support in its favour so as to ward off the pressure. The trend is very much visible from the present Nepali behaviour in relation with trade and transit or zone of peace issues with India. This indicates that Nepal's global policy has a direct linkage with its policies in regional environment.¹²

As mentioned in the foregoing paragraph to ward off pressures of regional dominant powers Nepal shun away the conventional policy of isolation and established diplomatic relations with two Asian great powers and other cold war actors, perhaps, with two objectives in mind. One, that it may exploit India and China in its own favour from political and economic points of view and two, that free play of divergent forces would neutralise one another hence mitigating the chances of domination by any regional actor. No doubt, this policy in cold war environment has paid dividends but at the same time it has turned Nepal into 'Cockpit' of international rivalry. Further, keeping into consideration the existing trend of global politics wherein the cold war environment is fastly diminishing due to a reproachment between the two superpowers and so between USA and China and between India and China, the opportunities for Nepal of playing one power against the other seem to have very limited options. In this perspective, in the long run it may be compulsive on the part of Nepal to crawl in the orbit of influence of one or the other regional powers. Taking into consideration the resource environment the chances of Nepal accepting India's dominance seem to be a *fait accompli*.

Being too close to India, the nearest littoral country for Nepal, Nepalese trade has only one outlet to external world. Besides this, India itself is an attractive market for unfinished Nepalese raw produce and this is the reason that even after pursuing the policy of diversification in trade India is Nepal's biggest customer. Even the policy of diversification of trade cannot be successful without India's constant and active support. Nepal is thus a part of the broader Indian economic and commercial system and will remain so in times to come due to the geographic reasons. Diversification has enabled Nepal only to secure better trade and transit facilities from India, that is to say, Nepal's economic interaction with India will remain higher despite the orientation of the elite in contrary direction.¹³ Similarly, in the sphere of economic aid India is the topmost donor country of Nepal, the impact of which may well be seen on the strategic and developmental sectors. Whether it is the construction of roads, railways, aerodromes and bridges or hospitals, educational institutions, irrigation facilities, rural development, industry, archaeology and scientific development etc., all where the testimony of India's aid is visible.¹⁴ By pursuing policy of diversification, of course, Nepal could attract more bilateral and institutional aid providing it a psychological satisfaction that it could avoid overdependence on India, however the fact remains that Nepal's dependence on India has not lessened a bit. In other words, in the resource environment Nepal's dependency on India may not reduce in the near future and that way resource environment may prove to be vulnerable to Nepal while desisting it from keeping out of India's areas of influence.

The broad assumption that linkages may be used for the analysis of bilateral relations has been proved beyond doubt and so the hypothesis that fused linkage has constantly regulated the relationship between the two countries. As far as linkages role in defining the domestic goals and identifying and pursuing them in the area of foreign policy is concerned, it is not preferably applicable in the case of Nepal. A contradiction may be observed in the behavioural pattern of Nepal on these two counts and so in the case of mobilization of resources and implementation of the decisions for different domestic reasons, stresses and strains.

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POLITICS OF IDENTITY IN ASSAM

Girin Phukon

The history of north-eastern region is chequered with the struggle for regional, linguistic and cultural identity of the nationalities inhabiting this region. Some of them have been fighting for the right of self-determination, and others launching movements for the creation of separate state on the basis of their cultural identities, while some others are pressing for special constitutional safeguards of their respective identities. The Assamese who had been the dominant group of this valley ever since the British rule of Assam is facing the crisis of their lingua-cultural identity as a result of continuous flow of immigration from outside the region and feel a sense of deprivation of their "legitimate" share in respect of economic development. This in turn, gives a fillip to the rise of regional sentiment. The movement on the issue of foreign nationals (1979-85) was the manifestation of such a sentiment. Similarly, ethnic groups of this region are not prepared to merge their culture completely with the "national main stream" and want to maintain their distinct identity. This ethnic assertion have been a living phenomenon in the politics of this region. In some quarters it is believed that various regional, sub-regional and secessionist move of this region are being spearheaded by foreign agents with an ulterior motive, while there may be some substance in it in the sense that different foreign agents, might have taken advantage of the ethnic sentiment, nevertheless the activities of the foreign agents are not the real source of movements for maintaining distinct ethnic or regional identity. The ingredients of ethnic assertion may be understood in the context of legacy of the past.

Assam has been the meeting place of different races of mankind - Austric, Mongolian, Dravidian and Aryan, who entered the region, particularly, the valley of Brahmaputra from time to time. In the course of time, all of them contributed their respective share towards the growth and development of a composite Assamese society. There began a process of socio-cultural fusion among the divergent groups. Unfortunately it received a set-back under the British rule in Assam. In order to run the company administration, the British had further thrown open the doors of Assam for free flow of people from the rest of India and neighbouring countries. Perhaps, the British did not find the elite of aboriginal groups of Assam suitable for colonial administrative and take them into confidence. Therefore, the British brought clerks and officers from Bengal and imported a large number of working hands to work in the tea plantation, road construction, oil fields and coal mines. The Nepalis were also welcomed to work as chowkidar and peon. The Marwaris and few Biharis came

to fill the necessities of trade and commerce. More importantly, a large number of land-hungry immigrants from Bengal came to Assam during the British rule.² As a result, Assam's population became more heterogeneous in character than ever before.² On the other hand, the ethnic groups, failed to take advantage of economic avenues created under the British administration. It seemed to them that the situation was exploited by the people from outside the province and to some extent by the dominant Assamese elite who are of Aryan origin.³ In effect, the various groups such as the Ahoms, the Bodos, the Kacharis, the Mikirs (Now called the Karbis), the Misings, the Deories, the Chutias, the Koch-Rajbanshis, the Moran, the Muttaks, the Tea Tribes and other hill tribes remained much more backward socially, educationally and even politically than other groups of the province. The emerging elite of these tribes and races rightly or wrongly began to feel that they were being "deprived" of their "legitimate right" and "exploited" by the British as well as the dominant section of the Assamese society. They, therefore, felt the need of organizing their respective communities on the basis of distinct lingue-cultural traits so as to remove socio-economic backwardness and to maintain their identity which culminated in the formation of organizations such as *the Ahom Association* (1893), *Kachari Students' Association* (1922), *All Assam Tribal League* (1923), *All Assam Tribes and Races Federation* (1944) and so on. In the late forties, when the constitution was being framed, these organizations pleaded for adequate constitutional safeguards in order to protect their interest.⁴ But it appeared to them that no adequate constitutional provisions were made in the new constitution.

After independence of the country, the flow of refugees from East Pakistan (now, Bangladesh) and migration of people from the rest of India greatly affected the demographic composition of Assam. The numerical as well as the organizational strength of different communities became important in determining the balance of political power of the State. Under this situation, even after independence, the same feelings and sentiments continued among the tribes and races of Assam. They increasingly realised that they were being deprived of their "Legitimate Share" of Political power.⁵ It appeared to them that unless they are organized on a sound footing nobody would care for their grievances. In view of this, since the sixties, they became more articulate and organised capable of challenging the dominant position of the ruling elite of Assam. As such these groups began to organize their communities with a new vigour which culminated in the formation of a number of socio-cultural group among them such as the Bodo Sahitya Sabha, Ban Ok Puplik Mung Tai, Mising Bane Kebang, Rabha Sahitya Sabha, Deori Sahitya Sabha, Chutiajati Sanmilan, Koch-Rajbansi Sanmillan, Tea Tribes Students' Association, Karbi

Students' Union and so on. More importantly, a section of the emerging educated elite of the ethnic groups began to feel that in order to establish their community into a rightful place they must be politically powerful and assertive. For this purpose, some of them started forming certain Political-platforms too, such as Ahom-Tai Mongoloid Rajya Parishad (renamed as Ujani Asom Rajya Parishad), Plains Tribal Council of Assam, Bodo Peoples Action Committee, Karbi Autonomous State Demand Committee, United Minority Front etc. Indeed, adequate share of political power, they believe, is necessary for the maintenance of lingua-cultural identity and all round development of their respective communities. At the same time, it appears to them that the maintenance of distinct identity is essential to bargain with the ruling elite for "adequate share" in the decision-making process of the State and to realise other benefits for their respective communities. Thus, the maintenance of *distinct identity and development of the community* appears to be identical and complementary to each other. At any rate the involvement of these groups into active politics obviously has given birth to ethnic, linguistic and communal politics in the State. In effect, *politics of distinct identity* has become a living phenomenon in Assam. It is therefore, obvious that the emerging ethnic elite of these groups consciously or unconsciously involve in the process of "politics of identity."

It is, however, generally assumed that the identity assertion of various groups has been a "threat" to the integration of Assam and the Assamese society. In this connection, it needs to mention that the "Assamese" is a composite society based on the principle of "Unity in Diversity." Since the Assamese society is the result of a long process of socio-cultural fusion of different groups, the growth and development of language and culture of its constituent groups would ultimately enrich the Assamese language and culture. In view of this, any move for maintaining distinct identity within the larger Assamese society and development of language and culture of diverse groups should not be treated as a "threat" to integration of the Assamese society but as a "process of integration." If the contradictions among the diverse groups are not properly handled and their feelings and sentiments are neglected continuously, it is not unnatural to develop disintegrating trend among them. However, it seems obvious that taking advantage of the plural society such as the Assamese, the emerging ethnic elite seek to capitalize the consolidation of their respective communities in the game of power politics.

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RULING CLASS POLITICS : A STUDY OF TENANCY REFORMS IN ASSAM.

R. Borgohain

The negotiated transfer of power from the British rulers to the Indian ruling class ensured the continuance of the hegemonic position of the latter in the Indian state and power has remained with them. The historically specific development of the Indian state and its economy has given rise to its "own ruling class(es) the industrial bourgeoisie and rich farmers and around them a coalition of other main beneficiaries, among them the landlords, professionals in the public and private sectors including the higher echelons of civil and military establishments, organised white collar workers and 'the political class', which serves as a varied broker in the system -----"¹

Politics may be regarded as the active expression of class interest and ruling class politics is that conscious activity through which it seeks to safeguard in every conceivable way their class interest(s). The ruling class not only justifies and maintains its dominance but manages to win the active consent of those over whom it rules. The different structures of the state its institutions and apparatuses are used by them to promote their own collective interest notwithstanding their internal conflicts which are often non-antagonistic in nature. Policies are formulated deliberately and consciously by them to promote their common interests. "Indian politics must be seen as the failure of the government and the party (parties) to move beyond their pre-occupation with the Ruling Classes and respond to the mass base."² Land reforms policies are a set of such policies which are the outcome of ruling class politics and deliberation.

It was well known to the Indian ruling classes that a thorough overhauling of the agrarian structure and speedy reforms in the land tenure system was an absolute necessity if the country wanted to record any progress. Yet the successful implementation of land reforms has proven to be one of the most difficult tasks for the nation. On the other hand, what is quite remarkable about the tenure reform model is its persistence inspite of the failures recorded. To be able to understand such contradictions one has to understand the nature of the Indian ruling class(es). The various partners of this alliance i.e. the national bourgeoisie and their allies in the rural areas have always tried to formulate policies which served their own class interest. To that end they skillfully exploited the peasant movement in their favour for they made only such demands on the landlord classes as would yield maximum benefits for the newly emerging economically rich and powerful agrarian class rather than to

the rural poor, and opposed any interpretation of land reforms in terms of redistribution of land in favour of the rural poor. The ruling class(es) however never failed to pay lip service to the need for land reforms and democratisation of the rural social order to legitimise their position and hegemony. What is true at the national level is equally true at the State level for the basic framework within which land reforms were carried out at the State level were stipulated and laid down at the national level.

In the Indian context, therefore, a clear distinction should be made between the ideology of land reforms on the one hand and the programme of land reforms on the other. The ideology of land reform is generally anti-landlord and represents an articulation of general peasant interest. The political leaders speak of the interests of the entire peasantry but the programme of land reforms serves primarily the interest of the superior tenants and peasant proprietors rather than the rural poors.³ The class bias of the rulers and the nature of power balance in India can thus be said to be important factors determining the class content of agrarian reform programme. The most important characteristics are 1) that they did not seek to attack land concentration but only to modify it and 2) they seek to extend protection not to all classes of tenants but to certain specified sections belonging to the upper layers of the tenantry.

Thus, the policies enacted by the ruling class(es) did not lead to the betterment of the tenants in any significant way, rather it worsened in many ways. The ruling party in Assam i.e. the Congress representing the ruling class interests frustrated the implementation of land reforms in the state in various ways. The main opposition parties and also their allies made some noise here and there, pointed out some of the lacunas and contradictions but were not able to make any impact for a Vigorous implementation of the land reforms on the State. The bureaucrats and other state agencies also played a similar role. Thus the collective policies and actions of the factions of the ruling class ensured that there were no upsets in the balance of power and forces.

Let us examine the tenancy reforms in Assam in the light of the above perspective. Although the Assam Government claimed at different stages its sincerity for uplifting the conditions of the peasantry it was seen that the actions taken by them lagged far behind and were quite ineffective. Shri Gauri Shankar Bhattacharya had pointed out in 1956 in reply to the Governor's address that though the Governor in his address claimed that to the landless people land had been provided in reality more people have been evicted than settled. Then in 1957 the Revenue Reassessment Ammendment Bill was passed although it was pointed out that such a bill would hit the bulk of the

peasantry hardest because although the prices of agricultural produce registered a rise, the prices of industrial and other products consumed by the peasantry registered a sharper rise resulting in the increasing impoverishment of the peasantry and in reality the earnings of the peasantry stood much reduced leading to their impoverishment. The Revenue Minister's stand that the charges were being made for the sake of uniformity for the whole country and that the State Government could not change its policy amply reflects the influence of class interest on policy making.

A number of Land Advisory Boards were constituted to look to the interests of the peasantry. A good deal of heat was generated as to whether the Kisan Sabhas, Kisan Congress, Hind Kisan Panchayats, Krishak Panchayats should be given representation in the Land Settlement Advisory Committee. The demand from the opposition parties was limited to pleading for representation from these bodies and even that the treasury benches totally opposed and stated that the Land Advisory Board as they were composed were doing their work sincerely and were carrying out their job of giving land to the landless fairly smoothly. Shri Hareswar Goswami pointed out however that "I have learnt that in the Committee there is much discrimination and that only people with Congress party are getting land. In Hojai also it is the same"⁴ He also stated that in Sibsagar, Mongaldai, Tezpu, Jorhat, Barpeta, Goalpara and Dhubri also such cases are to be found.⁵ Shri Dulal Baruah also pointed out that in the Jorhat Land Settlement Advisory Board since 1962 proposals had been set for settlement but till date in 1968 no approval of these recommendations had been sent to the Government for giving effect to it"⁶ Shri Giasuddin Ahmed pointed out that although Government had constituted circle level Land Reforms Advisory Committees because of the varied interest of the members they had not been able to import the necessary moment.⁷

In various other ways the deprivations of the peasantry was being perpetuated. The tenants e.g. were registered as an employee of the landlord in order to avoid giving his tenancy rights.⁸ Besides, there were hardly any record of rights and settlement of land to the landless had been made a mockery. As Shri Giasuddin Ahmed pointed out that although in 1968 the Government had adopted a policy regarding settlement of land with the landless, where the Gaon Panchayats were asked to prepare lists of landless people, the lists prepared by the Gaon Panchayats were lists of all well-to-do people and few landless peoples' names were there. He also noted that if land was to be distributed on the basis of those lists the actual landless people will be deprived.⁹

The 1971 Assam (Temporarily Settled Areas) Tenancy Act was meant

to be a fairly revolutionary step in the programme of land reforms in the State; a big leap not only in confirming the rights of the tenants over their lands but also to eliminate intermediaries by making provisions for the acquisition of rights of ownership of land by the tenants: However even here it was seen that the Act made a distinction between an occupancy and a non-occupancy tenant where the latter does not enjoy the privileges of the former and the landlord can take full advantage of the vulnerability of the non-occupancy tenant in various ways. For e.g. for a non-occupancy tenant to acquire the land of an occupancy tenant he has to hold the land for 3 years. But the land-lords are able to manipulate in such a way as to frustrate the acquisition of occupancy land by the tenant by taking recourse to the personal cultivation clause. The tenants are forced to quit, new tenants are inducted and they too meet with the same fate apart from the fact that no financial institutions are willing to fund them in any way. Therefore the entire provision of the Act becomes redundant, worse still when the Land Reforms Commission interviewed some landlords they openly stated that the 3 years clause should be lengthened to at-least 10 years. In fact the same Commission also points out that even for occupancy tenants the procedures are so elaborate that they are hardly conducive for the tenants as they are too cumbersome for them.

The Act has been so formulated that it even encourages the emergence of new landlords in the rural areas.¹⁰ Again although some provision was made for the payment of penal compensation by the landlord in case he fails to issue receipts for the rent he gets from the tenants it is seen that more often than not landlords do not issue any rent receipts¹¹. In fact the provisions regarding how or in what manner the tenant is to enforce this provision seems to have been kept deliberately vague. If a tenant is to go to the Civil Court it will cost him such money and time that the entire purpose will be lost.

It is also seen that although provision was made to avoid the illegal termination of cultivation of land by the tenants or under-tenants the landlords evade the provisions by going to the Civil Courts and by filling title suits and obtaining interim injunctions and are thus able to defeat the very purpose of the Act. Apart from these and many other such lacunas in the tenancy legislation it is also seen that there were serious limitations in its implementation. In 1974 e.g. Shri J.C. Khound pointed out the incident of a tenant Shri Baliram Sheel (under the Nalbari Police Station) who was killed by the Landlord. Shri Khound stated that "not only are the landlords trying to evict thousands of tenants but the Government departments like the Police are siding with the landlords and that in Teok Landlords "with gun in hand" evicted the peasants¹² and that "the peasants came to Court and the Additional District Magistrate instructed the Police to submit a report which inspite of a specified date given

had not been submitted till then." Then Chief Minister in-fact had to clarify on the floor of the House that the Inspector General of Police had issued a circular to all Superintendents of Police to see to 1) the genuine interests and rights of the tenants and not to unnecessarily harass them; 2) in order to ascertain the actual rights of tenants, investigating Officer should if necessary consult the Local Revenue Officer or Panchayat Members and 3) Provision of this law and its spirit should be brought to the notice of all Investigating Officer etc.

Further, as Shri Giasuddin Ahmed¹³ pointed out the Revenue Officers could put their own interpretations (as they would no doubt want to do) as to whether they are tenants or under tenants as there was hardly any proof of ownership. one study had to accept that though ejection is not a very big problem in Assam, where it takes place, the ejected tenant is hardly able to set the machinery for remedy in motion. The Land Reforms Commission had opined that although the 1971 Act had a provision for acquiring ownership right by the tenants as far as they could find, no headway had been made although 8 years had elapsed since the coming into force of the Act. Even the preparation of tenants record of rights had not been completed in all the plains districts of Assam.¹⁴ It was also pointed out that as far as fair rent was concerned, non-conformity with the regulatory provisions of law was not uncommon.¹⁵

Thus, we see that for these and many other reasons the conditions of the tenants did not improve in any big way in Assam. Although the Government no doubt showed their keenness for the betterment of the conditions of the peasantry the various incidents cited in the Assembly and the lacunas brought out by the Government and Reforms Commission and other factors cited above are a telling testimony on the motives of the rulers of the State. It is thus obvious that the class interest of the policy-makers took precedence over the interests of the tenants.

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THREAT TO INDIA'S SECURITY :

RATIONALE FOR HER DEFENCE PREPAREDNESS :

Biswajit Baruah

Inspite of the fact that India is the second most populated country in the world, she cannot rest content on that factor alone for her security. Being in close proximity to several countries both hostile and friendly, naturally, India cannot remain untouched with the developments taking place in the neighbourhood. Moreover, she had to face four wars in the past notably with China in 1962 and Pakistan in 1947, 1965 and 1971.

In the India-China Border War of 1962, India was fortunate as she received full support from the United States, Soviet Union, Great Britain, Canada and Australia,¹ and in the Indo-Pak War of 1971 from the Soviet Union. Despite the US support in 1962 war India was very much disturbed by fact that she was on the verge of losing the entire north-eastern region to China. This awakened India from her slumber and compelled her to purchase sophisticated arms for her deference. During the 1965 Indo-Pak War, sophisticated American arms like Patton tanks, Sabre-jets were used by Pakistan against India's obsolete Sherman and Centurion tanks and the Gnat fighters.² Though the war marked an improvement in terms of fire power and military capability, but it cost her very dearly in terms of life and property. This also forced India to think more seriously on modernisation of her armed forces.

India was also very much concerned when the Nixon Administration supplied Pakistan airplane parts worth \$ 563,000 as well as 10 F-104's just on the eve of the Bangladesh War.³

India's security was further threatened when on December 15, 1971 President Nixon sent the 7th Fleet headed by the aircraft carrier USS Enterprise to the Bay of Bengal in order to pressurize India to lift the blockade of East Pakistan.⁴

Further, India also could not be blind to the militarization of the Indian Ocean. The United States had already acquired Diego Garcia from Great Britain and turned it in to a full-fledged military and naval base. This encouraged the Soviet Union and other European countries to send their naval fleet to this ocean thereby affecting the security of India and other littoral states.

To Washington, the Indian Ocean was strategically very important as she could then protect the vital petroleum sea-lanes as well as sustain the Rapid Deployment Force.

Way back on August 28, 1981 India's External Affairs Minister, P. V. Narasimha Rao told the Rajya Sabha that President Reagan's arms policy would escalate and arms race and tension in this region.⁵ Close on the heels of this development, another factor affecting India's security was Washington's turning a "blind eye" to Pakistan's clandestine nuclear activities. Even when there were confirmed reports of Pakistan's nuclear programme, President Reagan waived the Symington Amendment, and thus paved the way for the supply of sophisticated arms like F-16's, harpoon missiles and M-1 Abraham tanks to Pakistan. India herself was not equipped with such deadly arms to counter Pakistan in the event of an attack.

In this context, Prime Minister Rajiv Gandhi raised the issue of US arms supply to Pakistan inspite of its nuclear activities to the US Secretary of State, George P. Shultz on November 3rd 1984. The latter only defended this policy by stating that the Soviet presence in Afghanistan constituted a threat to Pakistan and thus to her defence, US arms were being supplied.⁶

The US Defence Department and the Central Intelligence Agency (CIA) disclosed in September 1988 that Pakistan had developed at least four atomic bombs which could be easily delivered by her F-16 fighter bombers. The latter also test-fired a missile capable of carrying a nuclear bomb that could reach New Delhi and Bombay.

Latest reports state the China and Indonesia have also strengthened their naval fleet in the Indian Ocean. All these developments naturally constituted a grave threat to India. She, thus, could not remain complacent and has over the years taken necessary steps to strengthen her defence forces.

Before 1962, India spent on defence only 2% of the gross national product. Until 1973, defence spending amounted to 3.6% of G.N.P. Then it dropped to 3% of the G.N.P. till 1978. In the 1979-80 defence allocations it rose to 4% of the G.N.P. These allocations were modest compared to 6% of Pakistan's and 10% of China's during the same period. Since 1971, the budget allocated for the Army, Airforce and the Navy were 70%, 20% and 10%. By 1975, the navy received 9% of the total allocation which showed that India was giving more and more importance to strengthen this arm.⁷

After acquiring the first aircraft carrier, 'Vikrant' from the UK in 1961, India bought the Leander-class anti-submarine frigates. Then the Soviet-made Kashin Class guided missile destroyers joined the Indian Navy.⁸ She also purchased the F-class submarines, Petya-class destroyers and OSA- class missile boats from the Soviet Union. In 1978, the Sea Harrier planes were bought for the aircraft carrier.⁹

The 1985-90 Defence Plan laid stress upon modernisation and

replacement of equipments. The Sea-Harrier Jump Jets, Sea King Helicopters, Sea-Eggle missiles, SSK submarines were added to the Indian Navy.¹⁰

The second aircraft carrier "Viraat" formerly the "Hermes" was purchased from Great Britain.

India also bought submarines like the INS Shankush, Sishumar, Sinbhugesh and Sindhudhwaj in 1986. Five indigenously built ships including the new Landing Ship Tank-INS Magar were commissioned. INS Veer the latest and most lethal missile ship also joined the Indian Navy.¹¹ In early 1988, Moscow leased to the navy a cuise-missile equipped Charlie-1 class nuclear attack submarine-a key step in India's effort to build a blue-water navy.¹²

So far the Airforces was concerned, India purchased mainly the MiG-21 from the Soviet Union in 1964 and later got a license to produce it indigenously. She also got license from France to produce the HALSA-315 'Cheetah' and SA-316 B 'Chetak' aircraft. A large number of SU-7 combat aircraft and helicopters were also bought from the Soviet Union in 1971-72. Production of Gnats, MIG's and HF-24 were also accelerated in the seventies. In the eighties, India purchased the Jaguar deep penetration fighters and Sea Harrier ASW and trainer aircraft from Great Britain. MIG-23 and MIG-25 were subsequently purchased from the Soviet Union. The Mirage 2000 fighters were purchased from France.¹³

The programme of production of MIG-27 series was also under active consideration, besides procuring MIG-29 from the Soviet Union.

Prime Minister Rao's visit to Moscow on June 1994 was very significant in the sense that an agreement was made to form a joint venture company in India to service and provide spares for military aircraft of Russian origin. This joint venture company would include India's Hindustan Aeronautics Limited (HAL) and Industrial Credit and Investment Cooperation (ICICI) and Russian armanent firms — the Rosvoo-rouzhevie, ANPK, MIG, MAPO and Ryazan State Instrument Plant.¹⁴ This would make India self-reliant in the military field. The indigenously built state-of-the art light combat aircraft (LCA) would be ready by June 1996. So far the army was concerned, India enjoys the fourth position in the world. The fire power of India's defence force has been greatly increased with the acquisition of tanks, artillery and small arms. Mention may be made of the T-72 tanks, Bofors Gun, Tow anti-tank missiles, Schilka missile launchers armoured personnel carriers etc.

From 1986-89, India spent Rs. 35,785 crores on overseas arms purchase, In February 1988, she test-fired the 250 Km. range Surface - to-Surface missile "Prithvi". On May 22, 1989 the Intermediate Range Surface-to-Surface missile "Agni" of 2500 Km. range was also fired, thus making India join the

Intermediate Range Ballistic Missile Club along with the USA, the then Soviet Union, China and France.¹⁵

Thus, from the above analysis, it has been observed that the security of India and her defence modernisation programme is inter-related. India's strategic location, rich natural resources, regional superpower status, internal and external security always being at stake, hostility mainly with Pakistan—all were grave risks which she could not afford to ignore. Moreover, China, Pakistan and recently Thailand and Myanmar were also gradually strengthening their defence forces. All these developments have compelled India to spend more and more on her armed forces. The two phenomena-security environment and arms build-up would naturally act and react on each other, and this would be a significant feature of India's posture in the near future.

TABLE
Indian Defence Expenditure (in Rupees crores.)

Year	India	Percentage
1981-82	4327	3.2
1982-83	5408	3.6
1983-84	5823	3.7
1984-85	6661	3.5
1985-86	7987	3.7
1986-87	10,477	4.3
1987-88	11,967	4.3
1988-89	13,341	4.1

Source : *Asian Survey*, Vol. XXXII, No. 10, October, 1982, p. 939.

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DECLARATION

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