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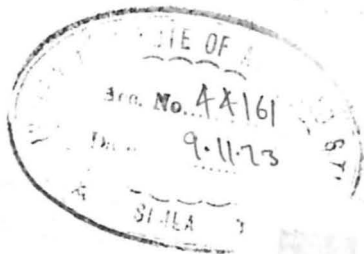


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The Dress Rehearsals

The black curtain of Presidential proclamation has, at long last, been drawn on the Kerala scene. The 'insurgents' have won even before their decisive battle scheduled for August 9. The Central Government have succumbed to blandishments and threats from the Vimochana Samiti. Sri Mannam wears Senator McCarthy's mantle triumphantly, having performed a successful South American stunt in a pro-Communist South Indian State. Democracy, at the State level, has been given a long, grim leave. The Indian Constitution has proved ineffectual against Congress absolutism. Those who burnt the Constitution in Madras did but destroy sacred paper; those who burked it in Kerala have done far worse.

The defenders of the Constitution have surrendered to its violators. Or, was it all a plot of both together? Sri Nehru's name is on many Kerala lips now. The Indian people put their implicit trust in *him* to fight for democratic institutions, for peaceful coexistence of ideologies and parties, for resisting the intolerant, reactionary tendencies in his own party. 'He has betrayed us, has failed history, and has to be written off as the lost leader'—this is the bitter comment of many trusting democrats uncommitted to any party and who even dislike the Communist faith.

The Constitution, which is the living symbol of the political and economic aspirations of the common people, silently speaks to Sri Jawaharlal, even as it lies wounded in Kerala, et tu Brute !

India's democratic destiny cannot depend merely on the courage and personality of a Nehru. The people must save themselves from the present peril, from the crisis of faith. Eternal vigilance of the people is the price of liberty. What are the lurking dangers and fundamental issues implied in the Kerala coup? What are the political and economic prospects for Kerala? The genesis and prognosis of the Kerala malaise must be studied because this malady may spread by metastasis to other parts of the Indian body politic.

The last general elections in Kerala resulted in the Communist Party (together with those independents whom it had backed) emerging as the single largest party having an absolute majority in the legislature. Since the cabinet 'shall be collectively responsible to the legislative assembly' the majority party has to assume office. The Nambudiripad ministry was thus sworn in and was running the Government within the framework of the Constitution since April 5, 1957, till July 31, 1959.

The present political tumult in Kerala is, perhaps, of recent origin. It would be more right to say that it is the final, intensive phase of a comprehensive programme already drawn up when the Communists came to power in the State. A study of the political and other skirmishes in the past in and out of the legislature discloses that hardly had the ministry been formed when the plan to overthrow it had been forged broadly and put through piecemeal over these two years. The last few months witnessed but the fulfilment of the same political objective through a

paroxysm of violent action in which the 'central' leadership played a clever and effective, though *sub rosa*, role. Just a brief survey of this big subversive 'project' in its past phases is given below, sufficient to serve as a background and a connecting link.

The Prophetic Tune

April 5, 1957, found Sri Namboodiripad in office and *hardly three days thereafter* came the statement of the general secretary of the All-India Congress Committee raising the cry of lawlessness and insecurity on the Kerala coast. A tearing and raging campaign was led by the local Congress leaders taking the cue from Sri Shriman Narayan, against the government of the State on the ground that law and order had broken down. The deteriorating situation in Kerala on the score of law and order making the administration more and more difficult is the precise ground relied upon by the President and the central cabinet to remove the Namboodiripad ministry from power. Is it not more than an accident that the Congress general secretary Shriman Narayan, right at the birth of the Communist ministry, piped the prophetic tune which became the dominant note in President Prasad's obituary Proclamation?

In the very first session of the Kerala legislative assembly which was held *in the same month of April 1957*, the opposition leaders raised this question of law and order and *expressly invited central intervention* on the ground of law and order breakdown. Looking back in retrospect now, we see a certain identity of political purpose and moves of the Congress-led opposition within weeks of the Communist ministry's birth and the intensive struggle

climaxed by 'central' intervention enacted during the last 'deliverance scene' of the Kerala drama.

The political cry of breakdown of law and order raised in the early days of 1957 was a bogus one. The basis was that a number of prisoners had been released and that the police had ceased to beat. The Andhra government, when the State was formed, released a hundred-fold more and yet the slogan of insecurity had not been raised in that Congress-run State, nor is third-degree by the police the method of maintaining tranquillity in the State. The arguments urged by the opposition leaders had no supporting facts and so failed. That was the first round of attack by the intolerant top men of the Congress and their Kerala fellow travellers.

Preparing for the 'Liberation'

The powerful forces which have driven forward the opposition movement against the Communist government include the Congress Party, Praja Socialist Party, the Muslim League and the RSP. Another dominating force behind the move was the Catholic Church whose bitter hostility towards Communism has served to supply the 'liberation struggle' right from the beginning, i.e., April, 1957, with men and material in plenty. The Church in a sense has spearheaded the agitation, the political control of which has been with the Congress, nonetheless. For all practical purposes, it is sufficient to know that what was being built was an *anti-Communist Maginot Line* in Kerala.

The Congress Party had the hegemony over the whole group because of the political prestige it carried with it and the great pressure it could bring to bear upon the central government when the proper occasion arose. The

Praja Socialists have earned distinction for a pro-American approach and for the hatred and use of violent language against the Communists. The RSP has enjoyed a notoriety for actual violence and proved it by their action against the Communist government. The Muslim League, while being somewhat tepid in its opposition to the ministry, has always joined hands with the other parties in fighting the Communist ministry on the score of godlessness and totalitarianism.

Thus, even at the very start (in April 1957) all the parties in Kerala were against the Communist government. It is wrong for anyone to suppose that there was any single party which made common cause with the Communists at the beginning of the regime but dropped off later on account of any so-called undesirable and insular policies of the Party. In starting struggles, agitations, strikes and what not, all the opposition parties had made their individual and collective contributions. The RSP strikes in government factories; the agitations (1958) started by the Congress-led Highland Karshaka Sangham against alleged eviction of persons from government forests; the joint campaign of trespass into government land in Kattampally (1957); the collective support and instigation of the students' struggle in 1958; the Congress-led strike in the Sitararam Mills; the Praja-Socialist-sponsored food agitation—these are some among the numerous instances of a continuous programme of keeping the State in a kind of tension, so that it could be developed into a big drive to destroy the government itself if propitious circumstances offered themselves.

Meanwhile the 'central' intervention theme was also worked up in a variety of ways. Dr. K. B. Menon and before him Sri Asoka Mehta—both stalwarts of the PSP—

brought up motions before Parliament complaining of a breakdown of the Constitution based upon certain allegations. Both the motions proved unsuccessful, not because of 'central' kindness but because of intrinsic baselessness of the motions. Of course, the aspersions made against the Kerala ministry were adequately answered in its reply sent to the Home Minister, since a State government had no direct opportunity to meet charges made against it in Parliament.

Next, Sri Dhebar flung a string of the same or similar charges against the Communist ministry in the hope, apparently, of proving his thesis of a breakdown of the Constitution, on grounds of alleged discriminatory 'Red' misrule and a collapse of law and order. His charges were met in a spirited reply by the Chief Minister and so that effort also petered out.

Meanwhile, the Church came into the open showing its 'teeth' and launched the big agitation against the Kerala Education Bill. There were demonstrations on the other side too and eventually the Bill was passed into law, thus foiling the Catholic attempt to give a blow to the Communist ministry. The Church, however, organised a large para-military force called Christophers to be used in any emergency against the Communists and, presumably, against the then government. Inspired by similar motives, the political parties and the Catholic Church were acting in unison both inside and/or outside the assembly, presenting a sort of 'united display of backs'—a phrase used by Sri Nehru in his *Autobiography* to describe reactionary tie-ups.

Inside the assembly, the political parties went to the extent of even opposing the Kerala Anti-Dowry Bill because the measure was disliked by the Catholic Church.

Outside the assembly, one could see the 'direct action' tactic with all its law-breaking and violent features being worked up. The Kattampally agitation is an instance in point. At Kattampally, a seven and a half acre plot of land belonging to the Kerala government, was made the scene of one of the early encounters between the government and the opposition parties. In the name of Harijans, a so-called satyagraha was started in a rather violent way. The facts relevant to this purpose are that a police guard had been posted on the government land from which certain encroachers had been evicted, in August 1957. A large number of Congress and PSP volunteers forcibly entered the plot of land at night ignoring the police pickets and with all show of violence. The removal of these trespassers led to daily incursions of Congress and PSP volunteers into this bit of government land thus giving a law-breaking trespass campaign a *political* status.

In this series of ceaseless naked aggression by force on government land, labelling it satyagraha, we see the emergence of the 'direct action' technique which paid the 'liberation struggle' leaders rich dividends in June-July 1959. In a note issued by the government as early as 1957 we see the observation: 'It is patent that the purpose of the present venture of the two parties (the Congress and PSP) is to break the law and thereby to break the credit of the State government. What is more significant is the further development that has now taken place, of undiluted goondaism and unvarnished vulgarity.' Even in that miniature struggle, Christophers had been employed and plenty of money had been poured, as stated on the floor of the assembly in those days. Does it not all read fresh today, in the light of the recent 'struggle' and the techniques adopted therein?

The students' struggle of 1958 is another striking example of political 'direct action' resorted to by the political parties, in this case dragging in student organisations under their control. The students' agitation admittedly assumed violent forms and was an experimental struggle launched by the Congress and other parties as a precursor to the final operation to overthrow the Communist ministry. The pretext for the students' agitation was that one anna per trip was being unjustly and newly levied from the students by the Water Transport Corporation despite protest.

But a retired High Court Judge who enquired into the claim of the students that they were enjoying previously a general concession held: 'I find that the concessions as propounded in the first issue did not exist. I find that the concessions allowed by the Corporation is appropriate and adequate.' Under guise of supporting this flimsy students' agitation, a Statewide direct action 'dress rehearsal' was attempted by the political parties. When the struggle failed and there were criminal cases against the agitators all the opposition parties pressed the government to withdraw the cases and remit the sentences, giving excellent proof of their great interest in the student organisations which had toed the line of these parties. The same student organisations played a criminal role in the picketing of schools, buses and offices launched during the last 'deliverance struggle.'

Yet another instance of violent means being adopted to overthrow the party in power was the labour agitation in the Trichur Sitaram Mills (1958). This strike was started by a Congress-led union whose president is Sri Panampilly Govinda Menon, ex-Chief Minister of Travancore-Cochin. This labour agitation flared up into vio-

lent clashes but the more significant feature was that the union president and ex-Chief Minister Sri Panampilly himself proclaimed, in his daily speeches in support of the agitation; that it was a 'liberation' movement against the Communist government.

The most remarkable feature of the Kerala developments during the last two and odd years has been the determination with which the Church got ready for the 'operation overthrow.' Each priest incited the fanaticism of his flock and the Church as a whole gave a call to drive out the Communists. A regular volunteer corps was raised with considerable momentum all over the State. They were given training in fencing, using of lathis and sticks, using of daggers, etc., by ex-military men and such like trained coaches. This process has been going on for a long time. Christophers did take part in many agitations, including the Kattampally trespasses of 1957 and the student struggle of 1958. In many cases, where there were strikes or labour agitations the employers began to hire these Christophers. So much so, they became a sort of standing private army without, of course, deadly equipments. This force did play a decisive part in the 'deliverance struggle,' although it is not possible to pin down a specific group from among them as responsible for any specific occurrence.

Organised Conspiracy

The liberation struggle and 'central' intervention, according to some thinking, though extremist Communists, were part of a big plot hatched shortly after the 5th of April 1957. Whether in this extreme form it is true or not, one cannot say precisely. But from what has been stated in the preceding paragraphs, it is pretty certain

that there has been an organised programme to push the Communists out of office by means fair or foul—fair failing, foul certainly. The speech in the assembly made by the then Home Minister in December 1958 (many months before the recent 'deliverance struggle' was started) establishes conclusively that there had been some sort of conspiracy to get rid of the Namboodiripad government in an unconstitutional and undemocratic manner. Extracts from that long speech are given below to substantiate this thesis. Incidentally, it has come to light that Congress leaders, as early as 1957, were in touch with some high police officers to secure help to oust the Communist government, at an opportune moment. They sought to infiltrate into police ranks also, as brought out in the Minister's speech. Here are excerpts (with some verbal changes):

'Sir, I rise with some trepidation to reply to the resolution moved by the leader of the opposition. I apprehend that this "law and order" motion has a deeper significance and a wider purpose than a mere discussion on the state of law and order in the Kerala State If we probe into the background, if we cast our eyes a little beyond to the all-India setting of this particular controversy, we can easily see that there is another deeper, more important meaning than what appears on the surface. I feel this is important because in the whole country, particularly in Kerala, *there is being planned what may be described in simple terms as an 'operation overthrow' against the present Kerala ministry.*

'I am sorry to say so. I am indeed sad to develop that theme, but hard and painful realities sometimes drive men to certain conclusions which have to be accepted however unpalatable and bitter they may be. We find a significant hint in the last passage of the speech of the leader of the opposition. He said: "If such things continued we would have to organise the

people to resist." He said, "to organise and resist." I ask, to resist what? I find in one of the newspapers this speech of the opposition leader featured in banner headline: "TO RESIST THE VICIOUS TENDENCIES OF THE GOVERNMENT AND THE PARTY IN POWER." How to organise? By counter force? So here is an implicit idea "we will organise to resist by force". This idea, if it is denied I should be the happiest man because there is none more anxious to see democracy flourish in this country than I,

'This idea of resistance and organisation for resistance has been given colour and profound meaning by one whom I may call the doyen of this assembly, whom I would not regard as fossilized but as one who is capable of giving sound political guidance. Sri Pattom Thanu Pillai said: "We must subvert." His words convey a deep meaning and a dangerous portent. The honourable leader of the opposition said: "We will resist." He was followed by the leader of the Praja Socialist Party who said, "We the people of Kerala have to subvert." In ordinary political language we know the meaning of "subversive activities." "Subvert" means to "overthrow." We know what is meant by subversion of a government; we know what is meant by subversion of a constitution; we know the hon'ble member who used that term is a seasoned politician who has a long political career. In political language it means violent overthrow of a government. I charge the hon. member with giving a lead to the people of this country for violent overthrow of a legally constituted government

The other day, it was stated here that for the liberation of Kerala a "Vimochana Samaram" was to be started. The liberation struggle has been amplified by a leader of the Congress in the State at a press conference in Bombay. The reference is to Sri Panampilly Govinda Menon. I do not wish to make reference to any names here. I wish to point out that a 5-lakh force is being organised "to resist the goondaism of the Communist Party and its followers in Kerala"! What is its purpose? Pious and peaceful visits to

churches and praying that the Communist mind may change and goondaism may go down and at the same time that democracy may flourish? They say it is for that sort of thing that the 5 lakh force is being organised. It is impossible to believe that.

'Our democratic sense is outraged when we hear that 5 lakhs of men are to be organised—5,000 men for each DCC or so—these innocent persons praying: "May goondaism go down and the Communist Party go down into the Arabian Sea five fathoms deep" ! Is it for defence? It is difficult to understand the talk of defence when you are getting ready an army of 5 lakhs and getting them trained by some retired MSP man—to have a *Pattala* (soldier) *Thomman* as the guide, trainer or coach . . . We have to take all these things in the wider context of certain developments overtaking the whole country. We may just take note of the motion in the parliament which the parliament in its wisdom and the Speaker there, in his wisdom, will dispose of.

'Now I ask, what is the purpose of this force of 5 lakhs? These 5 lakhs of saints and ascetics—they are organised so that violence could be put down by their philosophic approach! That is the background, Sir, which I want this House to understand in regard to this "operation overthrow."

'Now let us know how this operation overthrow is being worked out in this State. It is done in various interesting ways. People's attention is distracted from the constructional, building-up operations in the State by means of this continuous tension and agitation. There is hardly any cause, small or big, which does not have a guardian or godfather in the opposition parties here and outside—guardians and godfathers for all kinds of unmerited causes. And there are satyagrahas and black flag demonstrations to keep the people's attention and activities distracted, away from constructive purposes which are so badly needed in this country. Kerala requires umpteen developmental activities. We want to stimulate the various nation-building operations here. Even for the student agitations, leading the immature young students to make unreasonable de-

mands and preposterous claims, we find champions. That is the way in which we are going on—in a state of agitation and tension. All I want to say is we cannot keep idle without looking into this planned effort that is going on.

There is yet another thing that is going on. It is a smear campaign against ministers and against other leading persons of the Communist Party, of a horribly degrading and vilifying sort that nobody in India has known and no journalist of self-respect can tolerate. This press campaign has been unleashed in this city which makes Kerala and its culture blush in humiliation. That *Bhagwan Macroni* monologue, often figuring in Congress Party platforms, after their public meetings, smearing the Chief Minister and other ministers and party-men, a debasing burlesque shown up as a display of culture, has brought down the name of Kerala; it is an outrage against decency and democratic grace.

Then look at the press. Such a horrible, gutter-type of journalism, which it is difficult to imagine. It is a calculated political campaign. *A very large number of newspapers have been cornered by the opposition parties.* At the same time I must also say that some newspapers have been standing distinctly aloof from this kind of activity The press is indulging in vulgar language and vituperative epithets. There are editorials written in newspapers in such language as to distract people away from the normal methods of functioning and from creative activities. There are also other things going on here which, according to me, are dangerous.

The most dangerous thing that is taking place in our State, particularly having relation to the major parties, is the para-military organisations coming up community-wise and otherwise. The Christopher organisation has been there. It might have certain pious purposes or religious objectives; its announced purpose is to protect the people who have an anti-Communist bent or tinge from the Communist tyranny. Men in blue shirts, in white uniforms, some others in other

uniforms do drill and practise with lathi and things of that kind. If we imagine that Christophers are there for the Christians, Nairphers for the Nairs and Ezhavaphers for Ezhavas, where are they leading the country to? We should never do such things which are of a very destructive character. But then, people here are encouraging it. Then there is the Santi Sena. People join these organisations. Is it for Santi (peace) purposes? Then there are other organisations under some other names.

'Remember what would be the condition if such things are allowed to take place in the 13 other States of the Union where one party is in power. I hope the democratic-minded people inside the Congress Party and in all other parties would desist from encouraging this tendency which is very dangerous. If these things are allowed to take root, they will be like the Frankenstein's monster tomorrow and per chance, the monster will consume the very persons who produced it.

'Sometimes we are asked, why don't you take legal action? Our Constitution is broad and liberal and what we depend upon is not the law, but healthy democratic conventions and practices to cry down and make these para-military organisations wither away. Let us desist from encouraging it. There will be RSS, Nair organisations and Christian organisations and the country will be broken up into narrow, domestic walls and liberty will not be worthwhile. I want this House to realise that speeches have been made to overturn or subvert the established Government.

'Here I want to point out a very dangerous tendency—and I wish to sub-score that—namely, to tamper with the loyalty of the police force of the State. There is what is called the ex-Policemen's Association which has been recently revived. I know that ex-ministers of the Congress Party and some leading PSP members are actively associating themselves with this ex-Policemen's Association. It is not merely an ex-Policemen's concern. The ex-Policemen's Association has among its objectives one, that is, to concern themselves with the

fight for the welfare of the live policemen, not the extinct ones.

'I have got the invitation issued to the public by the association to attend meetings where public speeches were made. I should mention the name of Sri Pattom Sukumaran Nair and Sri Madhavan Nair who were making speeches. On the side of the Congress there are names which I do not want to divulge. *The active sponsors of this Association include ex-ministers, artists and literary men.*

'The Association has been organising public meetings at which demands have been put forward by some of these persons that there should be trade unions and agitation for the welfare of policemen, for more emoluments and better pay and all sorts of things calculated to instil into the policemen a sense of unrest for the purpose of making certain demands in an organised way. They take care to call themselves an association of ex-policemen. But in point of fact it is a bridge between the outside world and the inner ranks of the police.

'One of the meetings of the ex-Policemen's Association was held in the Trivandrum District Congress Office. I may also mention that the Association has been operating for some time in the police camp in Trivandrum and elsewhere. Rather unfortunate. Imagine our army and navy having their ex-Army Association and ex-Navy Association infiltrating into the ranks and organising army unions and navy unions and struggling for the betterment of the conditions of the navy and army. How dangerous it would be! All members may not probably realise the gravity of the situation when it is the Kerala ex-Policemen's Association. It is an harmful and dangerous trend. Nobody should encourage this kind of activity. It is not an isolated activity of some innocent and gullible men. I have materials with me to show that in the early days of this ministry's coming into power two or three top Congressmen who have the authority to represent this organisation were getting into touch with policemen. What was the purpose? They told the police that

when the time was ripe they would inform them when their assistance was required.

'This is the "Ayub" tendency which is being slowly brought into the Kerala clime—most dangerous, disastrous for the democratic development of the country. I say this because this ex-policemen's association should not be seen in isolation. What is the next turn that they are taking now in tampering with the police? They champion the cause of individual officers in public. Imagine political meetings and speeches against General Thimmayya, the Commander-in-chief or condemning an army chief or deputy chief—one man pro-Congress or pro-Communist, etc. This kind of activities in the armed forces of the State, can we allow that? Where then would be the defence of the country or internal order, where would be our immunity from external aggression.

'Now, I want to mention one other thing here, which again is a part of the "operation overthrow" that I mentioned earlier. There were speeches made by certain leaders of political parties inciting people not to pay taxes It is all done as a part of subversion

'Really speaking, as the Prime Minister has mentioned in a different context in a different house, in this country we have got to do great things. A Master Plan of our water resources is coming up for discussion before the House rises today. What a vision we must have before us! Kerala is just born; this infant State must have more vitality and joy. For that we must produce more wealth. That is what is required. On the other hand, if we are to dissipate our energies in squabbles, satyagrahas and demonstrations in season and out of season, and if we are to have this periodical "law and order" discussion, these things are not going to be helpful to a growing State. All of us have a great responsibility. Therefore, let us sink our differences and not bark at each other inside and outside this House or quarrel with each other on account of the desire for grabbing political power. Let us work for the good of the people. In the words of Tagore, I may

say: "The song we came to sing remains unsung to this day."

When we remember that many months before the actual inauguration of the 'liberation' struggle in April-May, 1959, which culminated in central intervention, most of the prominent features of the Kerala situation had manifested themselves and have been comprehensively covered in a lengthy speech in the assembly by the then Home Minister and that the same pattern of 'overthrow' tactics was being executed by the same set of persons and parties (except, of course, the NSS chief, whose entry was at once a windfall and gave a decisive turn), we may conclude, without much difficulty, that almost from the beginning of the Communist ministry the 'central intervention' project had been broadly figured out in Kerala and worked out step by step through 'operation direct action' leading on to 'destination overthrow.' Their destination has been reached but the destiny of the people lies in a different, democratic direction. 'Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially.' (Pandit Nehru, August 14, 1947). The pledge remains to be redeemed.

The 'Liberators'

The Ides of March this year witnessed the beginning of the last battle for 'deliverance' of Kerala from Communist rule. This was only a projection of what was being developed in the past but the techniques were more drastic and violent, the objectives were more nakedly aggressive and treasonable and the participation by the High Command of the Congress Party more openly helpful to the agitation. It is interesting to analyse the basic causes of this last intensified struggle, how it gathered momentum and expanded into a State-wide struggle, its character and composition and the methods by which irreconcilable and heterogenous elements were brought together under a unified leadership and front.

Sri K. Ranganaswami, political correspondent of *The Hindu*, specially toured the Kerala State during the later stages of the agitation. His analysis of the causes which led to the flare-up in the form of this agitation may be taken as an impartial though not incisive observation and is, therefore, reproduced in parts:

'The Kerala agitation had its origin in the decision of the Catholic church to keep its schools closed as a protest against the government's Education Act. There is, of course, the bitter hostility of the Church towards Communism, acting as the powerful motivating force behind the agitation. Soon, the Nair Service Society, a social service and non-political organisation, led by Mr. Mannath Padmanabhan, found common cause with the

Catholics. The NSS as such is not participating in the agitation. The Vimochana Samara Samiti is the new political wing. Mannath Padmanabhan, who has rendered meritorious service in the cause of the Nairs, has joined the agitation, and he has brought with him an influential section of the Nair community. The NSS had its own differences with the government on the establishment of an engineering college and reservation on a communal basis in the educational service . . .

'The Muslim League, on the other hand, had not even minor grievances against the Kerala government. In fact it disagreed with some of the charges levelled by the other parties against the government, particularly in regard to the reservations in the services and the appointment of a Muslim to the State Public Service Commission. The Muslim League, of course, found that freedom was being stifled by the Communist government. There is a persistent report circulating in Kerala that the Muslim League has demanded recognition by the Congress as an all-India organisation as price for its participation in the agitation. What exactly the recognition would imply is not clear. There are 40 million Muslims in India. Many prominent leaders including some Congressmen, are apprehensive that the mere suggestion of an all-India organisation for Muslims would reintroduce in Indian politics the atmosphere which dominated the pre-independence era.

'The only complaint the Revolutionary Socialist Party has against the government is in regard to its labour policy. The RSP feels that the government followed a systematic policy of encouraging only unions sponsored by the Communists and adopted a completely hostile attitude towards other unions. Finally comes in the Congress party.

'Thus on a political struggle communal politics is super-imposed and the resulting situation is naturally one of serious complexity. Personal, communal, political and regional grievances have merged to form the major issue of the overthrow of the State Government . . . ' (*The Hindu*, July 31, 1959).

Mannam Arrives on the Scene

Sri Mannath Padmanabhan, the protagonist of the drama and the Supremo of the War Council, as he styled himself, has been the leader of the Nair Service Society, a caste organisation working for the uplift of the Nair community. He (like Sri Sankar, the present KPCC President) was a Congressman once, fell out with that body and went out of it. The story in Travancore is that he was an important leader (so also Sri Sankar) of an admittedly communal organisation of Travancore by name Hindu Mandal. He supported at one stage (and so did Sri Sankar), in a broad way, the independent Travancore movement which took the stand that, with paramountcy lapsing on the British exit from India, Travancore became an independent state. Of course, this attitude was counter to the entire national sentiment of India at that time. Travancore and Hyderabad and, perhaps, Junagadh claimed independent status at that time—a stand suicidal to national unity and running counter to the spirit of the entire freedom struggle of India and yet Sri Mannath Padmanabhan (and Sri Sankar) once supported it! It is said that through Nair MLAs he wielded considerable influence in Travancore-Cochin politics and could make and unmake ministries. When the Communists came to power he was vaguely on their side. He strongly supported the Kerala Education Bill and criticised the Church and its opposition thereto.

At a press conference (reported in *Desabandhu*, mouth-piece of the NSS, on August 28, 1957) Sri Mannath Padmanabhan said:

'Even now, there are some people who oppose the Bill. It will not be wrong to state that both the Hindus, and the Muslims welcome this Bill in its en-

tirety in the present form. Evidently, the Bill has thus gained the support of three-fourth of the populace. Press reports show that a considerable section of Christians also supports this Bill. It is quite clear that these ecclesiastics are frantically running about on account of the fear that, once the Bill is passed, they will not be able to continue their usual looting of other's purses. Those who support them are leaders belonging to certain political parties and their leaders who were ousted from power. Their only interest lies in sabotaging the communist regime at the earliest opportunity.'

Sri Mannath Padmanabhan added:

'If the government of today have passed the Bill, they would also enforce it. There is so much of public support and reasons behind the Bill. In my opinion this useless threat which may sow the seeds of unrest should be stopped.'

Early in 1959, he desired of the government to recommend to the Government of India his claim for a private engineering college to be started at Palghat under the aegis of the NSS. The State government could not accept this because there was an earlier application from the Palghat District Development Council which was an all-party body and included among its members the collector, the municipal chairman and other influential citizens. This body had also agreed to collect the necessary funds. This 'slight,' as he considered the rejection of his application to be, enraged him and he is said to have sworn against the Communists and their government. Anyway, whether there is complete truth in this version or no, a break with his past attitude to the government could be seen from about the early months of 1959.

Going back over the months we see Sri Mannath Padmanabhan, the progenitor of the movement initiating early in 1959, a *caste* campaign on behalf of the Nairs, a forward community, and against the Ezhavas (a backward com-

munity) and the 'Ezhava-ridden' Communist government. He inflamed Nair sentiment, attacked the principle of reservation for backward communities, criticised the Kerala Education Act which restricted the freedom of school managements (quite a legion of Nairs are managers) to exploit insecure teachers and the 'ceiling' and other provisions of the Kerala Agrarian Relations Bill (many Nairs are landlords).

Indeed communal feeling was so worked up to political ends that, at the crest of this wave, Sri Mannam felt obliged to declare at a public meeting at Thiruvalla on April 12, 1959: 'The *Nair* is going to take over the administration from the Communists. "Nair" is the simple reply to those who ask as to who will rule, if the Communists go.' (*Desabandhu*, April 14, 1959).

The Catholics have the most powerful communal organisation in Kerala and the Church, an inveterate enemy of the Communists, has been controlling the political life of Kerala in the past through its control over the Congress Party. Socialist Nehru has discovered now that the Nambudiripad government should have placated the Catholic Church! What appalling analysis of the dynamics of progress! The Kerala Congress has always played political second fiddle to the Catholic Church, as students of Travancore-Cochin political history during the last decade know. With the emergence to power of the Communists the clergy began to snarl at the government, especially when the Education Bill was brought up, because it touched the soft spots of the church, i.e., schools. When they found in Mannam an uncompromising campaigner, against the present government (with which, incidentally, he was on hobnobbing terms some time before), the bishops found a god-sent opportunity to use him as a stalking

horse. The reception meetings in his honour came to be widely publicised also in the pro-Catholic newspapers. His audiences swelled with Catholic listeners. The speakers at his meetings were mostly Catholics and large funds poured in to make for pomp and pageantry. They formulated a common agitational strategy and set up a joint action council. Gradually, the whole movement took on a political complexion.

In an open letter to the Chief Minister dated March 25, 1959, Sri Mannath Padmanabhan demanded the replacement of the Education Act with a new legislation in accordance with the wishes of the school managements, failure to do which would be visited with direct action. From this stage of opposing the Education Act the movement drifted to an anti-Communist and anti-government fight. In a sense it was not a drift; it was a deliberate direction given to accomplish the political objective. Step by step the bishops and the Nair Service Society leaders, together with the Congress leaders belonging to these two communities, imparted a definite political shape and objective to this movement. In a resolution adopted at a conference of these communal groups held on May 4, they declared that the fight would not stop with the termination of the Education Act agitation. In the words of Sri Mannam, 'It will not be possible for them (Communist ministers) to save themselves by effecting some change in the Education Act or Land Bill because our aim is to remove the Communist Government.' The plan, it was proclaimed, was not merely to close down schools run by the Church and the NSS but to prevent *all* the other schools in the State opening after the recess. The aim was not limited to redressal of specific issues, but somehow to overthrow the Communist ministry. Sri Mannam became

the 'Messiah.' And so his processions were arranged like a tinpot deity marching into battlefield in a chariot, installed on a peacock throne, with ceremonial umbrella overhead, a victory horse and elephants and other paraphernalia.

Here is a typical description from a 'Nair' paper which shows how the feudal-reactionary ideology of the movement was perfectly symbolised by the medieval trappings adopted :

'A cavalry horse was led in front of the jatha that came from Karimannur. On two sides of the horse, there marched in military style volunteers with swords unsheathed in their hands. Further, there was an escort of Christophers, dressed in khakki knicker, blue shirt and white cap, as though marching towards a battlefield. The battle song played by a band created the impression that preparations for a battle are going on. (*Desabandhu*, May 15, 1959).

June 1, Sri Mannam declared at his huge daily gatherings, was the 'Deliverance Day.' The land of Kerala, nay Bharath, would be 'liberated' from the 'Reds' and Mannam would tie up his war horse (*Ashwamedh*) in the Chief Minister's chamber !

Referring to the analogy of *Ashwamedha Yaga*, he said: 'There need be no doubt about it. Mannam himself will take his horse to the Secretariat building and have it tied in Chief Minister Namboodiripad's office room.' (*Malayali*, dated April 28, 1959).

This medieval march into public rallies with ancient Sri Mannam in a throne fits in well with the communal and reactionary vested interests whose cause he espoused.

Sri Mannath Padmanabhan had pressed three points throughout the early stages of his propaganda campaign. The first related to the Education Act. In the open letter to the Chief Minister already referred to he stated:

'I make the demand (for replacing the Education Act with a new legislation) in accordance with the wishes of other managements also. I want to inform you that in case it is not possible for you to withdraw it, we will be resorting to direct action.' (*Malayali*, March 29, 1959).

He also opposed the land legislation furiously; for example, in the course of a speech at Panmana, he is reported to have stated:

'The Nairs have the ability today to throw into the waste-paper basket Mundassery's law (Kerala Education Act), which has been passed and Gowri's law (Kerala Agrarian Relations Bill), which is going to be passed. We have decided to organise a law-breaking programme, if need be.' (*Malayali*, April 25, 1959).

Speaking again at Thiruvella, he is reported to have said:

'It is *not possible to send back alive* whoever comes saying that *excess land* will be taken away. That is why I am sorry. My wish is that all including these Communist Ministers should remain alive.' (*Dśabandhu*, April 14, 1959).

The third point on which he concentrated in order to inflame the Nair youth was the principle of communal reservation allowed under article 16 (4) of the Constitution. He demanded that the Kerala government should drop communal reservation. The vulgar language he used in attacking the Ezhava community (40 lakhs strong, though a backward community) produced, at one stage, an explosive state of tension and communal discord between the Nairs and the Ezhavas.

Kerala is notorious for a rigorous system of caste distinction which had, for centuries, kept the non-caste Hindus socially oppressed and backward. This applies to sections of Muslims and Christians also. The result was

that public service remained, till very recent times, virtually the monopoly of Caste Hindus and Syrian Christians. It was out of this reality that the demand emerged, in the former States of Travancore and Cochin, that there should be reservation for backward classes in government services.

This is a principle which was accepted by the State Congress movement in the former Travancore and Cochin States and endorsed by all the political parties as well as organisations of almost all the communities in the two States. This, however, has not been looked upon as something which will and should continue for all time, but as a necessary arrangement only for such a period as would enable the socially and educationally backward communities to catch up with the rest of the population.

The question, therefore, is, when, under what circumstances, and in what stages reservation for backward communities is to be reviewed and modified. Here again, all the political parties in the present State of Kerala have expressed their opinion that the time has not yet come to make any such review of the system. It is unjust and unreasonable to oppose the Communists for the 'reservation' principle except that they sincerely enforced it.

Church's Strategic Stroke

By a strategic stroke, the Church combined with the NSS chief Sri Mannath Padmanabhan and invigorated the campaign against the government. Sri Mannam's Nair campaign against the Communists was to the church the fall of Manna from heaven. The bishops had for some time been organising in an intensive way against the Communist danger in the Kerala State and Sri Padmanabhan came in handy.

A conference of the Catholic bishops of India was held in Bangalore on December 4, 1958. The most Rev. James Robert Knox, the Vatican Ambassador in India was present. The Conference seriously considered about 'material and spiritual ways' to overthrow the Communist government in Kerala.

The *Indian Express* reported on December 5:

'During its fifty hour deliberations, the conference spent most of the time to discuss reports on the Communist danger in India, especially the Communist danger in Kerala State. The conference sharply criticised the Kerala Education Bill and expressed its serious concern.'

A Catholic congress held in Kanyakumari in the same month, gave a call to defend religion against Communism, 'dedicating their life to the cause of religion.'

In March, 1959, a Kerala Catholic Bishops' Conference was held at Ernakulam. In this conference a programme had been charted out to launch a struggle against the Kerala Government which had piloted the Kerala Education Bill. This conference passed a resolution which reads in part:

'Under these circumstances we call upon our people to take all necessary action uniting with other communities to change the harmful clauses of the Kerala Education Bill.' (*Deepika*, March 20, 1959).

According to this decision to unite with other communities against the government, a convention of Christian and Nair school managers was held at Perunna on March 20, 1959. An Action Council to fight the Education Act and close down schools was formed with Sri Mannath Padmanabhan as president, Fr. Mannanali as convener and Sri V. O. Abraham as treasurer. This con-

ference took the decision to organise volunteer corps, around each school to defend their schools. A crusade was in the offing!

The Praja Socialist Wonder

The Praja Socialists, all over India, have been pro-American and anti-Communist to a degree. Their brand of socialism has been somewhat difficult to understand but their policies and contradictions have been more baffling. Sri Pattom Thanu Pillai, who was once a leader of the State Congress in Travancore-Cochin, (even a Congress Chief Minister) has had occasion to enter into an electoral alliance with the Communists after changing over from the Congress to the Praja Socialist Party. In 1955 January, he released quite a few Communist prisoners sentenced to life imprisonment with a view to see if his tottering ministry could be continued by winning the support of the Communist members of the assembly through this placating step.

Subsequently, the Kerala Praja Socialists have, like their all-India leaders, developed the hate-cult against the Communists and what is more surprising, have established a long lasting political pact with the Muslim League with a view to promote, it is claimed by the PSP leaders, Hindu-Muslim friendship. It is known in quarters close to Sri Pattom that his chief aim is to end up as Chief Minister of Kerala because it is his conviction that none higher than he to fill this post exists in that State. The fates are against him! The Communist Party standing four square between him and ministerial office has been treated by him as an anathema. In Kerala, Sri Pattom equals PSP and he has heartily rushed into any company which opposes the Communists fiercely. Naturally, he

and his party readily lined up with the Church-NSS movement.

Although in the earlier stages his party showed some hesitation to join a mere communal tie-up, in later days, as the movement swelled like a snow ball, it hastened to fuse with the new liberation council. If the end is good the means, whatever they are, must be deemed to be good, according to this purist party of Paraja Socialists. With characteristic fury Sri Pattom urged the use of force against the government at a public meeting:

'If you have manliness they (Communists) should be driven out of the Secretariat If only you exhibit your manliness they will not remain there even for three days, let alone the question of three years. And they are not going to remain there. This is Pattom Thanu Pillai who says so.' (*Malayala Manorama*, April 7, 1959).

Revolutionary Socialist Rage

Sri Sreekantam Nair, the leader of the Revolutionary Socialist Party was one with the liberation movement because his party had detested the Communists from the beginning of the regime and for good party reasons. The Communists are essentially a working class party and so is the RSP. If the Communists are in office naturally their working class base may get additional prestige and strength and to that extent the Revolutionary Socialists would find themselves worse off. Not only that; when the Congress or PSP comes to power they can be relied upon to prefer the RSP to the Communist Party whenever any case of preference of the one or the other union can be shown. As rulers, the Congress Party would try to boost the INTUC, failing which they may support the UTUC of the RSP or the HMS of the PSP and only lastly the

AITUC, which is supposed to have Communist leanings. In Sri Sreekanth's own interest, that is, his party's, it was necessary to keep the Communists out of office and, therefore, the RSP has bitterly and violently opposed the Communist ministry.

Their organisation, thus, entered into the fray and, indeed, have made a distinctive contribution of extra violence. Sri Rangaswami of *The Hindu*, rightly observed as follows:

' The Revolutionary Socialist Party which wants to claim a distinct entity disproportionate to its following in the State, organises its own campaign, and the police have a tough and anxious time with them. The men of the RSP do not stand and picket. They keep moving and the moment the police obstruct their march, they promptly lie down on the ground interlocking in each other's arms making as it were a solid chain of human beings. They would not get up and get into the police van even when told of their arrest. The police have to lift them from the ground and when one is lifted, simultaneously two or three more have to be dragged '

Muslim League Joins

The Muslim League was the last to join the 'direct action' deliverance struggle. They had a standing understanding with the PSP and naturally the Pattom group brought considerable pressure on the League to join the liberation movement. They were disinclined to direct action, being constitutionally averse to law-breaking activities. There was one sore point with them and that was exploited by the Congress Party to bring them into the agitation. As late as May 26, 1959, the President of the Muslim League, Sri Bafaki Thangal mentioned at Thirunavai (where Sri Kelappan, the Sarvodaya leader was on a fast) that while his party also agreed that the Commu-

nists should be removed from office they believed in constitutional methods and wanted to get rid of them through the polls by which they came.

Indeed, the Muslim League was trying to keep back the other parties from violent action and in the earlier stages they did succeed in part. It was only the Muslim League which declined to adopt the line of Sri Mannam and company of closing down all schools. They insisted upon the Muslim schools being kept open and so the Vimochana Samara Samiti had to give up its original programme of forcibly closing all schools, private or government, and had to confine themselves to government schools.

As mentioned earlier, the delicate point with the Muslim League related to its political status in the all-India set-up and it was suffering from an inferiority complex. Prime Minister Nehru and some other Congress leaders had dubbed the Muslim League as a dangerous, communal organisation which had brought calamity to India. The Prime Minister, every time he visited Malabar, described the Muslim League as a dead horse, as an organisation which he would oppose with all the strength he had, an organisation which had all but died elsewhere and should, therefore, vanish even from Kerala. He called it an exhibit in a political museum and recalled the unpleasant days when Jinnah's League produced all the mass slaughter in pre-partition India. Even during his last tour of Kerala in 1957, Sri Nehru animadverted on the League.

However, the Muslim League has a considerable following in that backward community; and the Muslims are a substantial minority in Kerala. Their political importance depends, largely upon the geographical distribution of the Moplahs which makes the League a balancing force which can tilt the results in many constituencies particu-

larly in the Malabar area. The Kerala Congress Party has, therefore, been loath to digest the high-principled utterances of the Prime Minister vis-a-vis the Muslim League. The Muslim League has always been demanding of its wooers, particularly the Congress, recognition as a political party and not as a communal calamity. The PSP had agreed to this stand and had got into a morgantatic and rejuvenating alliance with the League. But the blackmail and oppression of the Muslim League by the Congress and the central government during the police action in Hyderabad and every time Indo-Pak friction mounted and the party being castigated as a dangerous, fifth column organisation impelled the League to make peace with the Congress, as a political tactic. For this grace, shrewd political observers feel they may be prepared even to give up their legitimate claims to seats to a large extent.

Once the Indian National Congress deals with the All India Muslim League on political terms the latter can organise and revitalise the Muslims in the rest of India under the green banner with the crescent. Indeed the big All-India Convention held by the Muslim League at Calicut in February 1959 discussed minority protection through separate electorates or multi-member constituencies and resolved to revive its activities all over the country. The Kerala League leader Sri Mohammed Koya did attempt to organise the Muslim League in Bombay according to recent press reports. The Kerala Congress Party, it is said, secretly assured the Muslim League recognition as a political party and as part of the bargain the Muslim League joined the 'deliverance movement.'

The Muslim League has derived comfort from the utterances of Smt. Indira Gandhi who has classified it as a democratic party with which the Congress may form a

united front. The Prime Minister when he came to settle the Kerala mess recently invited the League leaders also and later the Muslim League assembly party leader met the Prime Minister in Delhi too. These acts and events are interpreted soothingly by the League as an admission, at last, by the Congress puritans that they were also a political party. Sri K. Rangaswami of *The Hindu* also has noted in his special article on the Kerala agitation that the Muslim League had demanded recognition by the Congress as an all-India organisation as consideration for its participation in the agitation.

Congress Participation—Decisive Factor

The Congress Party's association with the 'liberation struggle' was really the telling factor in the success of the movement although this involved the betrayal of every principle, sacred or secular, which had been interwoven into the fabric of our national life. Nevertheless, the Kerala Congress leaders did not blush to line up with the communalists because they thought that by 'stooping' politically they could 'conquer' electorally. Even the Prime Minister on his way back from Ooty early in June had stated at Coimbatore that the agitation in Kerala was largely prompted by the communal forces of the Nair Service Society and the Catholic church. He had stated that the Congress should keep out of such tie-ups and even condemned communal organisations entering a political conflict. The Congress Party in Kerala had never seriously bothered about Sri Nehru or the golden principles ineffectually uttered by him. So it boldly clasped the hands of the communalists.

Again, the Congress Party could not, on principle, agree to any of the three points raised by Sri Mannam,

viz., the abolition of reservation for backward classes, repeal of the Education Act and the withdrawal of the Kerala Agrarian Relations Bill. Nevertheless, they embraced Sri Mannam's leadership and joined the 'liberation struggle,' subordinating their disagreement with *all the primary issues* which motivated the struggle. Sri Nehru had advocated the supremacy of the legislature which implied that 'direct action' to remove a government otherwise than through the legislature was taboo. But the Congress leaders of Kerala had no difficulty in ignoring this constitutional claptrap. Closure of schools was also something which the high-ups in the Congress in Delhi frowned upon and yet the Congress Party joined the Vimochana Samara Samiti whose main plank was closure of all schools all over the State.

It is not difficult to understand why the Congress leadership here became a party to the political plot to overthrow the Kerala government. If the Church had decided to do so the Congress must be deemed to have decided virtually, because the Catholic Church through its leading lights had so infiltrated into the organisation of the Congress that the latter very nearly became its political instrument in Kerala. It is not wrong to say that the Congress Party in Kerala, honeycombed with Catholics, has been softened up to dance to the tune struck by the Church. Rumour has it, that in the years gone by, the Church had been able to upset Congress ministries 'bloodlessly' from within.

Just a few facts, among many which may be enumerated, will bring out the point made about the stranglehold of the church on the Congress in Kerala. The Andhra Pradesh government moved and got passed an Anti-Dowry Bill. The central government had several times announced

in Parliament its policy of support for an anti-dowry measure and, of course, has now brought a pucca bill in the Lok Sabha. But the Kerala Anti-Dowry Bill, 1958, modelled closely upon the Congress counterpart in the Andhra Pradesh, was opposed outside *only* by the Church and its faithful flock (it has a finger in the dowry pie) and was, *therefore*, opposed by the Congress in the assembly. The Kerala Education Act, which was in its entirety objected to then only by the church, was, *therefore*, opposed by the Congress from A to Z, to borrow the language of the leader of the Congress legislature party. Direct payment by government to teachers is the policy of many Congress governments in India. The Catholic Church does not like it and, *therefore*, the Kerala Congress dare not declare its active support of direct payment inside the State. Inheritance rights for daughters is part of the Hindu, Muslim and Christian succession law in India. The Catholic Church in Travancore-Cochin opposed this just principle and, *therefore*, the Kerala Congress also opposed the Travancore-Cochin Christian Succession Act Repeal Bill meant to confer these rights on daughters. Even the deletion of a rule prohibiting forcible proselytisation in schools was tabled by the Kerala Congress leader Sri P. T. Chacko. For whose sake was it, except perhaps of the Church that he moved the pro-proselytisation amendment?

Those who want India to be secular, those who desire Kerala not to be a *de facto* imperial possession of the Vatican should be concerned about events here. At present, (and this was proved by the intensification of the struggle since Sri Nehru's departure from Kerala, rejection in practice of the peaceful picketing prescribed by him and the hint conveyed by Sri Sankar at a Press conference in Trivandrum when Sri Nehru was in the city that if the

Congress High Command opposed the struggle it was open to Congressmen to leave the organisation and carry on the 'liberation struggle') the writ of Cardinal Gracias and not that of Sri Jawaharlal Nehru runs in Kerala Congress circles.

As was only to be expected even before the Congress Party formally agreed to enter the Vinochana Samara Samiti, leaders of the KPCC had gone to the extent of supporting the school closure agitation then sponsored mainly by NSS and Catholic leaders.

On May 1, 1959, a meeting of the leaders of communal forces in Kerala was held at Changanacherry. The meeting was presided over by Sri Mannath Padmanabhan, the Nair Communal leader and 'commander-in-chief' of the 'liberation struggle.'

The meeting passed two important resolutions, one of which pledged full support to the school closure agitation. This resolution was moved by Sri Kalathil Velayudhan Nair, a member of the KPCC and seconded by Sri P. S. George, treasurer of the KPCC.

The second resolution was moved by Sri Kumbalathu-Sanku Pillai (former Congress leader and present PSP leader) and seconded by Sri Cheriyan Kappan, another Congress leader. This resolution called upon the people of Kerala to overthrow the present government and liberate Kerala from communism, by all means in their power.

The action council to lead this 'liberation struggle' was constituted at the same meeting and it is important to note that among the eight members of the council *three* were leading congressmen, viz., Sri K. M. Chandy, former Congress MLA, Sri Cheriyan Kappan, former Congress MLA and present Congress municipal chairman, Palai (both Catholics), and Sri Kalathil Velayudhan Nair, former

Congress minister, (now a member of the KPCC and interpreter of Sri Mannath Padmanabhan wherever the latter goes). The executive committee of the KPCC, on May 8, decided by a majority of votes to support the campaign against the Education Act so as 'to put an end to the Communist misrule.'

On May 23, 1959, the Kerala Congress President Sri R. Sankar held a press conference at Delhi. The following is what he said about the attitude of the Kerala Congress towards the anti-Education agitation sponsored by Nair-Christian communal leaders :

'We have informed matters to the Central Parliamentary Board. *The Board has not given any instruction that the Congress should not have any connection with the agitation.* The Kerala Congress has not taken any decision on this issue. *The Congress will have sympathy towards this agitation so far as it helps to create anti-government feelings among the people and thus facilitate to oust the Communists from power.'* (Mathrubhoomi, Congress daily, May 24, 1959).

Sri Panampilli Govinda Menon, the former Chief Minister of Travancore-Cochin (Congress) and now a member of the AICC, Sri P. S. George, treasurer, KPCC, Sri-C. M. Stephen, a member of the AICC and the president DCC, Quilon, and other leading Congressmen had also pledged their support to the 'liberation movement' which was primarily planned to be an all-State school closure movement.

The Congress High Command, obviously, must have been aware of what was taking place and must have secretly encouraged it, taking care to see that openly there was no support given to it by the organisation *as such*. On May 23 Sri Sankar had, after confabulations with the Delhi leaders, expressed Congress sympathy towards the agitation. The

High Command tried to be too clever by declaring that the Congress, as an organisation, would not join this school closure movement but that Congressmen as individuals were free to join it. There was obviously a conflict of conscience or fear of Indian public opinion. To close schools in the state by compulsion is to ruin a generation of students. As a national organisation the Congress Party could not openly advocate such a course but the object of such a movement, however unrighteous and injurious to the people, was to hit the Communists below the belt and thereby bring them down. This was a desirable prospect.

The means were wrong but the end was attractive and in a cunning way the conflict was resolved by giving *freedom to all Congressmen as individuals* to join the movement. If all Congressmen were, as individuals, allowed to support Sheik Abdulla's stand on Kashmir, but as an organisation to support Sri Bakshi Gulam Mohamed what would be the absurd consequence? If all Congressmen were allowed the liberty individually to oppose 'service cooperatives' and 'joint farming' without committing the organisation what would be the ridiculous position? But in an unconstitutional overthrow of the Communist government the Congress Party was willing to hush up its political qualms in order to seize easy opportunities to reach the goal. A short cut for Kerala, the Dhebar-Indira leadership failed to see, might prove a wrong cut for India.

There were many in the Congress organisation in Kerala who were hesitating to join the unconstitutional movement. But when they found the High Command itself giving half consent (and due to tremendous pressure from the influential wing) they plunged into the battle. Hardly a public reception held for the NSS chief without

local Congress leaders, office-bearers or MLAs being on the reception committee or addressing the meeting! In fact, 25 Congress MLAs jointly appealed to make Sri Mannam's 'liberation movement' a success! A political struggle to 'liberate' Kerala from the Communist ministry was thus propelled by the Congress Party (unofficially) and the Church and the NSS. The high priests of the Congress High Command must have known how their party in Kerala was playing the role of 'insurgents' to overthrow constituted authority and yet played hide and seek with the issue. They wobbled and the local leaders construed it as approval for the 'declared war.' The Kerala Congress leaders and all the newspapers under their influence boosted the 'deliverance struggle' of Sri Mannam and his Catholic companions. The gang-up is evident from the spate of speeches and actions of these parties and groups, of which a few excerpts are given below.

The 'Liberators' Speak!

Here is the voice of Sri Mannam :

The present propaganda is that Mannathu Padmanabhan and bishops are in alliance. Yes, Mannathu Padmanabhan and the arch-bishops have decided to stand together. And we have already combined (*Pothujanam*, May 25, 1959).

Ours is a liberation struggle for freeing ourselves from the Communist *Sarkar*. We had stated many reasons at the beginning of the struggle. But now there is only one reason. This Hiranyaksha rule should end. The battle starts on June 1. The first step is to close down the schools (*Malayalarajyam*).

You have vested in me the leadership of the liberation struggle. I accept the honour. I will be with you till my death. The duty of a soldier is to obey orders. Our liberation struggle starts on June 1. If

need be you should boldly face firing when you are asked to do so (*Malabar Mail*, 25 May, 1959).

And now the Church speaks :

There should be committees in all parishes for taking up the leadership of the fight and volunteer corps for action. It will not be too much if at least one young man from every house is encouraged to come forward and enlist himself as volunteer. (Statement by the Action Committee in the Changanacherry diocese, reported in *Deepika*, mouthpiece of the Catholic Church, 24 May, 1959).

Yesterday (24 May) a meeting of the Marthomite community was held at the Syrian Christian Seminary School and arrangements for raising volunteers, etc., finalised. Instructions have been given that armed volunteers should guard the schools and that medical men of the community should be ready to render medical aid.

Addressing a meeting in connection with the school closure agitation at Thiruvalla His Grace Metropolitan Mar Dionysius characterised the agitation as a 'liberation struggle' and said that 'the fight against the Education Act is really *religious*' (*Deepika*, 28 May, 1959).

The move effected by the Kerala Government against the minorities and the believers in God is causing great concern..... O God! Almighty! Give every one of us plenty of blessings to face this crisis with courage and self-sacrificing zeal (excerpt from a pastoral letter jointly issued by 16 Catholic Bishops of Kerala on May 7, 1959).

In the chorus, the voice of the Kerala Congress is also heard :

Sri P. S. George, treasurer, KPCC, also addressed the meeting which was attended by priests and other clergymen and managers of the Niranam diocese (*Deepika*, 28 May 1959).

There are 10,000 schools in Kerala of which 7,000 are private schools and 3,000 government schools. Our decision is to close down *all these schools* (*Deepika* report of a speech at Thodupuzha by Sri K. N. Chandy, Congress leader).

We are now getting ready for a fight different from those of the past. The object of this meeting is not merely to express our protest against the Education Act or to get it withdrawn. But our object is to force the communist government to resign. I wish to inform you that Kerala is going to create a precedent in pulling down a government through means *other than the ballot box* (Reported speech made by Sri P. S. George, treasurer of the KPCC, inaugurating a meeting in connection with the school closure agitation at Ranni).

Today there is only one slogan: this government should go. The education agitation is, not at all an issue today. It is only one of the means. It will not be possible for a political party to remain as mere spectators of the people's march (Report of a speech made by Sri C. M. Stephen, AICC member and president of the DCC Quilon at Kundara, in *Deepika*, 28 May 1959).

Sri Panampilly, a former Congress Chief Minister and present AICC member spoke at Trichur. 'The time has come for a freedom fight so far as Kerala is concerned. I am telling you, Communists, that a liberation struggle has been started against you' (*Malayali*, 16 April 1959).

The Congress naturally secured the hegemony of the whole movement and Sri R. Sankar spoke not merely as the president of the KPCC but also as one of the 'warlords' of the Vimochana Samaram.

A joint standing committee of the political parties and other organisations was formed under Congress leadership early in June with a view to launch direct action to end Communist rule in Kerala. Here is an extract from the *PTI* message of Sri Sankar's talk to the pressmen:

The Joint Standing Committee of the Congress-PSP-Muslim parties tonight decided to launch '*direct action*' to end Communist rule in Kerala.

The decision was taken at a meeting of the Committee at which Sri Mannathu Padmanabhan, Nair Service Society leader and Chairman of the Action Council of the 'Deliverance Movement' and other members of the council were present (These other members are Catholic leaders).

'Direct action' will be launched after the observance of the 'Deliverance Day' on Friday, June 12.

Sri R. Sankar, President of the Kerala Pradesh Congress Committee, told pressmen after the meeting that 'direct action' on which representatives of the opposition parties had agreed unanimously would take 'all forms.' He said there were only two alternatives now—the resignation or the removal of the Communist ministry—and that there could be no compromise on this issue....

Sarvasri R. Sankar, P. T. Chacko, Panampilly Govinda Menon and C. M. Stephen (Congress); Pattom Thanu Pillai, P. K. Kunju and A. Sreedharan (PSP) and K. M. Seethi Sahib and B. Pocker Sahib (Muslim League) attended today's meeting....

Sri Sankar, the PCC Chief, explaining the implications of the Committee's decision, said that they were getting ready for a prolonged agitation until the objective was achieved. He added that there were only two alternatives—the resignation or the removal of the Communist ministry. There was no compromise on this, he said.

The 'direct action' on which the representatives of the opposition parties had agreed unanimously would take 'all forms', Sri Sankar added.

Sri Sankar did not amplify his reference to 'all forms.'

From reports, official and non-official, it is gathered that an Action Council had been formed by the representatives of all the elements in order to execute the operation 'overthrow' by 'paralysing' the government. The programme included :

- Obstructing schools, transport buses, public offices, etc.
- Secretly manoeuvring 'students organisations' under the control of these political parties into the fray.
- No-tax campaign and no subscription for loans floated by the State government.
- Creating violent situations by supporters in the rear but keeping the volunteers in front 'non-violent'.
- Boycott of developmental activities of the government.

Thus the Kerala Congress became, in the beginning of June, an official partner of the 'overthrow' enterprise.

High Command's Encouragement

The KPCC was, in this participation acting only as the local agent of the junto at the top in Jantar Mantar Road, New Delhi. The determination to do away with the Namboodiripad government had been shown by the Delhi-level leaders, like Shriman Narayan and Sri Dhebar even when they, in 1957-58, brought up wild but unsubstantiated charges against the Communist Party and the Kerala Government. Some democratic ground, some constitutional pretext was what they were after, as the past attempts traced briefly in the previous pages have shown. No good reason was available for the central government to intervene. Desperate remedies had, therefore, to be tried because the more the popular measures the less the chances of eliminating the 'Reds' at the polls.

Delay was dangerous and a fine opportunity in the anti-Education Act offensive offered itself. As a mere anti-Education Act campaign it was both embarrassing and unsatisfactory, for, the Congress party, as such, could not risk its popularity by mere opposition to a rather progres-

sive legislation. Secondly, their political purpose was to show the gates of Cliff House to Sri Namboodiripad. If, with the frenzy and driving force of the anti-Education Act agitation, the NSS-Church combine could pollinate the political wishes of the Congress, the flower of presidential 'taking over' would blossom! There *must* have been some definite deal between certain key men in the Congress High Command and the agitators even in April-May 1959 (long prior to the formal entry of the Congress) before the 'liberation council' was formed and 'deliverance' from Communism and the removal of the Communist ministry by 'direct action' were declared.

The fearless entry into this *ex facie* unconstitutional and undemocratic struggle, of Congressites like Sarvasri Panampilli, Stephen and a host of others could be explained only on that hypothesis. Without that assurance, the central government and particularly Sri Nehru would have turned the broadside on these 'invaders' of the Constitution. This thesis is doubly confirmed by the ready way in which extra-constitutional 'direct action' was allowed to be carried on by the KPCC in conjunction with communal organisations by leaders like Sri Dhebar and Smt. Indira from Ooty on June 1. The successful career of the agitation was convincing proof, for the Delhi leaders, that the time was ripe to strike and not to vacillate on principles and Gandhian scruples! 'Conscience makes cowards of us all'! A set of opportunists, willing to sell their democratic souls for a mess of political pottage were in charge of the Kerala Congress and, thus, the KPCC sought and secured a permission to lead the 'deliverance' movement by unconstitutional methods in active collaboration with the NSS, Church, Muslim League and others. When Indian public opinion became aware of this outrage it reacted vehe-

mently. And so the story was put out of 'some misunderstanding' between the High Command and the Kerala Congress leaders, the insistence on 'peaceful' direct action, the avoidance of school picketing by Congressmen (both these injunctions were more honoured in the breach than in the observance as tons of evidence would show.) What was the agitation like? Was it peaceful or violent? Was it merely constitutional or admittedly unconstitutional? Let us have a look at the facts.

The Creed of Violence

The newspapers of Kerala, through which the leading political parties and personalities involved in this liberation struggle express themselves, have brought out the criminally violent character of the 'Operation Overthrow'. A few excerpts out of a large number from the *Deepika*, which is the mouthpiece of the Church and the *de facto* organ of the 'deliverance struggle,' as it were, will serve the purpose:

Ankamali is the place, where on the spur of the call for the formation of a volunteer corps, 5,000 youngmen instantaneously came forward and lined up.

A big crowd armed with spades, knives, pickaxes and other implements surrounded the police station and consequently there were no further beating. What is more, the arrested persons were produced in the court without loss of time and at once let on bail. This Ankamali incident goes to show that the very presence of a big crowd can arrest police highhandedness and injustice even without their resorting to violence (*Deepika*, June 2, 1959).

In its editorial under the title 'Warning' the paper said:

It is the need of the people that this government should be tamed into accepting democratic methods. If something has to be bent and it refuses to bend, it may break under the pressure. Hence if the govern-

ment is going to remain firm against the wishes of the people surely that will result only in the use of force between the people and the government' (*Deepika*, May 3, 1959).

The crowning piece is contained in the special contribution of the *Deepika* (June 22, 1959) with the caption 'Guatemala and Kerala':

- 'It was in the month of June that the people of Guatemala marched towards its capital and captured the State machinery from the hands of the Communist government. . . . Guatemala is the first country which broke out of the clutches of Communism. Kerala is going to create history. Let this small country show us the way. We will see how communism retreats with all its cowardice.'

The *Deepika* dated May 12, 1959, referring to criticisms levelled against the paper for having advocated a subversive policy, editorially commented:

The Communists do not consider it wrong to do anything for attaining their object. Is it wrong in these circumstances if we think in favour of being prepared even for shedding blood? The Communists will not hesitate to do anything if they find that there is no preparation on this side. On the other hand, the Communists might give up their mischief if they find there is, on this side, readiness to meet that and even more. That is why we say that volunteers should be raised in all places. In Ankamali alone 5,000 persons have arrayed themselves. It is not possible for the Communists hereafter to try to inflict pain on their (Catholics) institutions. Such volunteers in lakhs would be raised in Palai, Changanacherry and every place where people with self-respect and courage reside.

Open Incitement to Violence •

A new political philosophy justifying 'domestic violence' to do away with Communist governments even if constitutionally established was openly propounded by

Congress and Catholic leaders! Woe unto Indian democracy!

Likewise, strange constitutional arguments were being put forward by 'liberation' journals (edited by influential Congressmen) like the *Malayala Manorama* and *Kerala Bhushanam*, approving of resort to unconstitutional and undemocratic expedients to remove Communists from office since Communists, *ex hypothesi*, are faithless to the Constitution and democracy.

Again the speeches of the leaders, some of which are given here selected at random, elucidate the violent character of the enterprise. As early as April 26, 1959, Sri Mananath Padmanabhan warned from the capital city as follows:

I appeal to you, (Communist Ministers) to quit voluntarily without giving room for unrest and bloodshed. I give you the warning that if you try to stick on to the ministerial chairs, the consequence will be terrible. If the people wrest power from these ministers and subject them to trial, their ears and noses will have to be chopped off or they will have to be whipped in public.

A later statement at the Trivandrum airport, hot upon his return from Delhi on the July 22, 1959, reads:

Mr. Mannath Padmanabhan, leader of the Vimochana Samara Saniti, told pressmen here today that he would give a call for intensifying the agitation in every village, taluk and district in Kerala so as to bring about a 'total paralysis of the administration at all levels.'

He said Communist rule in Kerala could be ended 'in a week or two' even without central intervention, if thousands of people were ready to plunge into the struggle.

'I am going to ask my colleagues to launch a much more intensive struggle to pull down the Communist Government' (*Indian Express*, July 23, 1959).

Another leader of the 'liberation struggle', Sri P. S. George, who worthily fills the 'office of the treasurer, KPC, stated:

We are now getting ready for a fight different from those of the past. The object of this meeting is not merely to express our protest against the Education Act or to get it withdrawn. But our object is to force the Communist government to resign. . . . I wish to inform you that Kerala is going to create a precedent in pulling down a government through means other than the ballot box. (*Malayala Manorama*, May 24, 1959).

The KPC president has also shed light on the aim of the struggle. He announced that the Kerala ministry would be removed, if they did not resign. 'If government refused to read the writing on the wall, other steps would be taken to paralyse the administration' (*PTI*). The climax was reached with the pronouncement by the Vimochana Samara Samiti that their unrelenting objective was to give a knock-out blow to Communism and towards that end to drive out the Communist ministry from Kerala. They had proclaimed the starting of the 'Save India' struggle from August 9, 1959, as a higher form of the 'liberation' movement. That is, 'Save India from Communism.'

If the end of the struggle was overthrow of a lawfully established ministry, the means resorted to were admittedly unconstitutional. The leader of the Congress legislature party, Sri P. T. Chacko, has stated that Dhebarji had permitted *extra-constitutional methods* to remove the present ministry in the special circumstances of Kerala. All constitutional pundits will agree that the Indian Constitution does not provide for a removal of government by 'direct action.' Thus, the *modus operandi* of the present agitationists is unconstitutional. Whether unconstitutional means are permissible is a different question.

Was the 'struggle' really peaceful, or at least meant to be so?

Right from the beginning, the language of violence and war has been adopted and this tone of *blood and iron* has been kept up to the last. Excerpts from the speeches of the Vimochana leaders establish the macabre methods accepted by the agitationists. Sri K. M. Chandy, a Congress leader, speaking at a meeting at Kottayam is reported to have said:

'Chief Minister Sri Namboodiripad is reported to have said that certain people were getting ready for a civil war. Whatever may be said, that will not affect us. Well, if it is a civil war, we will resort to that to drive away this Government' (Malayali, May 4, 1959).

Sri Pattom Thanu Pillai has often exhorted the people to use even force to put an end to the Communist government. Sri Mannath Padmanabhan and his followers have threatened officers, urged them to disobey the Communist government and warned the ministers of the forcible removal from office that was awaiting them. Speaking at Quilon, Sri Mannath Padmanabhan said:

I doubt whether they (the police) have the ability to beat. Is it that government alone can beat? Beating can be from our side also We will courteously ask them (the ministers) to quit. If they are not prepared to go, we will send them, all the eleven, to the jail (*Desabandhu*, May 12, 1959).

At a press conference held during the agitation in Trivandrum, he welcomed the assault on the Law Minister at Quilon and lamented that it was not violent enough.

The turbid river of direct action flowed violently as the current of daily incidents has shown. Just a few out of the legion may be seen:

The Trivandrum district collectorate was *almost in a 'state of seige'* for about an hour and a half this morn-

ing when anti-government agitation demonstrators entered the premises in batches and shouted slogans in chorus. Demonstrators went upstairs to the first floor of the building and hoisted three party flags as the police armed with lathis and rifles looked on. The doors of the office rooms in the Collectorate remained closed and the demonstrators began shouting 'collectorate has surrendered.'

• • •

About 300 demonstrators who had arrived at the collectorate in a procession as usual *broke the police cordon*. Shortly after the first batch of picketers was taken to custody, they entered the premises and took up positions at the doorways to the various offices in the building. Some others *scaled the walls and jumped in*.

A section of the demonstrators shouted protests and pelted stones when policemen reached the terrace to remove these flags.

• • •

Some of the volunteers *obstructed the passage to the judicial district magistrate, who was driving to the collectorate where the court is situated* (*The Hindu*, July, 21, 1959).

The Congress members of the assembly—Sri K. K. Viswanathan at Fort Cochin, Sri T. O. Bava at Alwaye, and Sri K. M. George of Kothamangalam—were among the *820 persons* who courted arrests today by picketing the Ernakulam collectorate and other public offices and educational institutions in different parts of Ernakulam district.

The Congress-PSP-Muslim League opposition carried on a *day long and continuous picketing of the collectorate* by sending 70 volunteers in 14 batches of five each at intervals of every 15 minutes from 11 a.m. to 5 p.m. (*PTI message as reported in the Indian Express* July 21, 1959).

When anti-Communists lay down across gateway into the district collector's offices here they could scarcely hope to look convincing. This was known to be a

token action Moreover, constant yelling of virulent anti-Communist slogans and fist-shaking would not seem to be consistent either with non-violence or that total absence of hatred on which the Mahatma insisted (*The Observer*, June 21, 1959).

Paralyse the Government !

Burning of school buildings, damaging of government transport buses, waylaying of even private cars and collecting money, throwing stones at the police and pro-government processionists, rushing into schools and public offices *vi et armis* were calculated, though only sporadic occurrences in the course of the 'liberation struggle'—limited only by the inability to organise 'paralysing' steps outside urban centres. Of course, when the police used force to disperse crowds, it could not be nicely measured; the leaders of the 'liberation struggle' and Congress high-ups hastened to the press to condemn 'excesses,' but turned the blind eye on all the ugly antecedent violence from the other end. Indeed, it is impossible to achieve without large-scale violence the object of wresting power from any government. The conclusion is inevitable that the struggle was oriented on a violent basis and battle pattern.

The RSP, which was a leading element in the 'deliverance struggle' brought out glaringly the objectives and operational tactics of the 'liberation struggle' when it declared:

Some 5,000 volunteers of the Revolutionary Socialist Party will 'invade' the secretariat of the Kerala government on August 10, according to a provisional programme.

This 'invasion' will be the culmination of a protest march by the volunteers starting from Cannanore, the northernmost district of the State.

The jatha holding aloft burning torches will trek

the 350-mile route in two batches and meet at Trivandrum on the evening of August 9.

On the following day they will march into the Secretariat and 'occupy' the seat of administration, it is said.

The party circles hope that the number of 'invaders' would go beyond 10,000 if by that time the proposed indefinite strike by all the non-Communist workers materialised (*Indian Express*, July 23, 1959).

The final stroke which left no doubt about the character of the movement was the declaration of the Vimochana Samara Samiti that they would organise a full-fledged occupation of the government offices by the 'liberation forces', Sri Mannath Padmanabhan being chosen as the generalissimo. Here is the *Indian Express* report in its issue dated July 26, 1959, of this decisive march:

The Liberation Action Committee which held its meeting at Changanacherry this evening has decided to start a 'Save India Struggle' for the banishment of Communism from Kerala and India on August 9—the memorable day when Gandhiji launched his 'Quit India' struggle.

It is learnt on that day over one lakh of volunteers from different parts of the State will march into the capital and completely paralyse all activities of Government at all levels.

The Samiti is determined to achieve 'liberation' to the people of Kerala by Independence Day—August 15—it is said.

The one lakh odd volunteers will be in the capital on August 9. It being a Sunday, they will enter the Secretariat on the following day, when 5,000 Revolutionary Socialist Party volunteers in Red uniform starting their trek from Cannanore tomorrow would join them.

Even a moderate observer like Sri Rangaswami of *The Hindu* commented:

The campaign of picketing, not being modelled on the Gandhian pattern of direct action, undoubtedly throws a heavy strain on the administration. But at the moment while law and order has not broken down, a spirit of lawlessness is rearing its ugly head. Initially the three targets chosen for picketing are the government offices, schools and transport buses. In the Gandhian days, picketing of government offices would mean that disciplined volunteers would peacefully persuade those attending office to keep away. Neither would there be coercion exercised on those attending office nor would there be numerous occasions for clash with the police. But, in Kerala what is happening in the name of picketing of government offices is that a group of picketers attempt to march straight into the building. If there is no resistance by the police the picketers infiltrate inside the premises through all conceivable openings, do some damage to the furniture and papers and hoist some party flag even as the Indian National Flag flutters on the top of the government building. Stampede and confusion naturally follow and the police must clear the premises of all intruders which include women also (July 30, 1959).

Clerical Outpourings

Of course, the Catholic Church had also adopted a distinctly violent line. Its organ the *Deepika* had editorially exhorted people to use violence, as early as August 14, 1958. Here is an extract:

Mere agitations embodying complaints, criticisms and emotional display of the opposition will not be heeded by them. That is why we announced even at the beginning of the students' struggle that Newton's first law of motion is applicable to the Communists who believe in materialism. This law says that a body in motion continues to move in a straight line until it is affected by the impact of external forces. In the present context, till they received the impact of the students' struggle, the government proceeded without hin-

drance in their anti-student mové. They retreated on the impact of the mighty force of the students and the students emerged victorious.

From this, one factor stands out. If the people want any of their rights or privileges to be conceded by the Communist government, they will have to resort to the use of force in such a way as to impede the administration.

Through pastoral letters and pulpit speeches the bishops organised violence. Passion was also whipped up in the name of 'religion in danger.' Just a few out of the multitude of such efforts are given below. In a pastoral letter jointly issued by 16 Catholic bishops of Kerala on May 7, 1959, the Church dignitaries said:

The move effected by the Kerala government against the minorities and believers in God is causing great concern. Let us try our best in this grave juncture to defend our precious faith, taking refuge in God, the merciful. We will have to suffer difficulties, discomforts and torture. Let us be inspired by the words of the Divine: 'Blessed are those who are tortured in the cause of justice, for their's is the Kingdom of God.' And in the end darkness is gathering around us. But we should not be frightened. This is darkness before dawn. Every member of our society is responsible to protect our rights and institutions.

O God Almighty! Give everyone of us plenty of blessings to face this crisis with courage and self-sacrificing zeal!

A PTI report in *Kerala Janatha*, the organ of the PSP said:

The Archdiocese of Changanacherry has requested volunteers under the education council to protect schools if they are opened by force and get ready to be arrested if necessary. In each council under the Archdiocese, committees and volunteer corps have to be organised. He had instructed in a circular that every family should set apart one young man to be

sacrificed in the struggle. The volunteers should not leave their places if the officials come to open the schools with the orders of the district collector. When they are arrested, other volunteers should take their place (May 27, 1959).

In a printed leaflet published by the Mar Thoma Education Act Committee, Kottayam, containing seven instructions, it was stated that volunteers should be *recruited only from among brave young men*. 'Identity cards should be given and a complete list of all volunteers has to be kept.' 'Relief committees are requested to approach private medical practitioners and *get ready with arrangements for first aid*.'

The actual incidents themselves tended to be violent, what with all the attacks on the police, public vehicles, girls' schools, public offices, etc. The Congress Party as well as the other organisations in the Vimochana Samara Samiti never condemned or so much as uttered a harsh word against all this violence and other criminal conduct. They not merely acquiesced in it but approved of it and adopted the whole action as part of their struggle. Thus, the conclusion is irresistible that the whole 'liberation movement' was conceived in violence and hatred, couched in the language of violence, inspired by religious and political fanaticism and manifested itself in many forms of violence.

Such a campaign normally ends up in lathi charges and police firings, the more so when the people incited are fanatics (as in this case, the poor Catholic fisherfolk and workmen), who sincerely offer to die at the bidding of their priests for entering the kingdom of heaven. The moral responsibility for such casualties squarely rests on those cowardly leaders who keep themselves safely behind, but egg on ignorant masses with the slogan 'the Deliver-

ance Day is in sight, sacrifice yourselves and enter the kingdom of heaven.'

The first phase of the struggle was recruitment of volunteers in thousands to get ready for a civil commotion and to 'paralyse' government by marching into the secretariat. Subsequently, there was some change in the strategy—picketing of some schools by force, obstruction of public offices, throwing stones at buses, varied occasionally by a sort of guerilla tactics of sneakily throwing stones from unexpected places at buses, puncturing up tyres, demanding money from passengers so waylaid and showing a clean pair of heels when the police turn up. As for schools, goondas were hired to rush in and scare away the pupils, or to set fire to the thatched school buildings at night, etc. Creating confusion in the public offices on the sly was also being tried.

All this was called 'peaceful patriotic picketing' activities, by Sri Mannam and the Congress and the PSP! Not a word of censure against such activities was ever uttered either by the Kerala Congress leaders or by the great men (and women!) in the High Command; the inference is that all the anti-social mischief have had the blessing of the Congress, tacitly at any rate. Whenever the police have had a go at such mercenary or political mischief makers, the Kerala press and leaders of the opposition shrieked about police excesses. Propaganda in Kerala has beaten Geobblers! Truth became an early casualty.

Crusade Against Democracy and Progress

If the movement has not been peaceful did it, at least, display any other democratic virtue? Faith in the ballot box, belief in the method of discussion, tolerance of differences or opposite views are some of the aspects of a democratic outlook. None of these was possessed by the sponsors of the 'liberation' struggle.

As a matter of fact, elections were despised by the leading spirits of the struggle. Here is P. S. George, treasurer, KPCC, inaugurating an 'agitation' meeting at Ranni on 5 May 1959, speaking: 'But our object is to force the Communist government to resign I wish to inform you that Kerala is going to create a precedent in pulling down a government through means other than the ballot box.'

The call of the *Deepika*, the organ of the Kerala Church, to wrest power from the Communist government by force, *a la* Guatemala has already been quoted. Similar writings in other papers betrayed disbelief in the dilatory processes of elections. Moreover, the democratic way of life involves tolerance, preparedness to see the other man's

point of view and to settle differences by peaceful negotiations. But in Kerala intolerance became the besetting sin of the movement. At the Prime Minister's behest the managements were invited by government to discuss the controversial provisions of the Kerala Education Act. Likewise an offer to negotiate and settle all the points that the Vimochana Samara Samiti might have against the government was made, going to the extent of indicating that differences which could not be settled would be referred to the Prime Minister for decision.

The basis of these suggestions has been that democracy is government by discussion; a democratic outlook implies peaceful approach through exchange of facts and arguments, and not a clinching of issues by stones and sticks. But the Kerala leaders spurned the suggestion for negotiation and settlement. He who shies at discussion has probably no convincing case to present. The 'liberators' had only one dogmatic demand: 'The Government must get out, or we will kick it out.'

This intolerance has been manifested in many other ways. When the Governor appealed that the agitation should be led along peaceful lines, he was violently criticised by the leaders of the Vimochana Samara Samiti, hardly remembering that the head of the State was entitled to a more kindly treatment! When Rajaji expressed his view about the unconstitutional nature of the struggle, he was told to keep out of Kerala affairs by Sri Pattom from a Travandrum platform and was rudely handled in low language by the pro-Congress *Weekly Kerala*, insinuating that his personal pique for not having been made the President induced such anti-Congress statements! The Defence Minister, who had very correctly declared in Bombay that if there was mob violence the army would have to go to

the aid of the State government, was attacked in the press and on the platforms at Trivandrum.

The Prime Minister in his speech over a year ago, while unveiling the statue of Shivaji (and who had been greeted with the black flags of the Samyukta Maharashtra Samiti demonstrators) stated emphatically that India's policy and mission in the world was based upon peaceful co-existence and settlement of conflicts by negotiations and discussions instead of by war and violence. The authentic voice of India was heard when he said that the same policy should inevitably be adopted in the domestic affairs of the country and appealed to the people that all internal problems should be solved not by shouting slogans but by sitting to discuss; not by fighting or demonstrating in the streets, but by negotiating in the chambers; not by coercion, but by persuasion. What is good for Bombay is good for Kerala. But he never secured compliance with these golden rules from his own party in Kerala which had the political leadership of the struggle.

The Prime Minister spoke in similar strain in Srinagar just about three days before the central intervention in Kerala. If Kashmiris should not waste their energies in shouting slogans and demonstrating before him but should bend them to develop the country, why was Sri Nehru not prepared to enforce the same wholesome advice on his own partymen in Kerala. Actually, he strengthened their hands by acquiescence in their mad methods and finally by obliging them with timely central action under Article 356!

Sabotage and Destruction

At least, was the Kerala 'struggle' considerate to that State's progress? Not at all. On the other hand, the

Vimochana Samara Samiti, politically monitored by the Congress party, adopted an anti-national line. They organised, directly and indirectly, an *anti-food production drive* in sorely deficit Kerala, in the shape of a 'no-cultivation' campaign in Kuttanad, the granary of the State! The Congress-led landholders' organisations resolved on a 'leave lands fallow' policy till the Communist ministry was dismissed. Who but the hungry millions starve if such moves succeed?

They organised, directly and indirectly, the bankers of Kerala to boycott the national development loans to be floated by the State government and they even tried to run down its credit and solvency. Under the Vimochana Samara Samiti impulse the Kerala Bankers' Associations resolved not to subscribe for State loans till the Communist ministry was dismissed? Who but the hungry millions suffer if the projects and progress of the State are halted because government loans fail?

They organised, directly and indirectly, *mob picketing* of government offices, including even block development offices. If public business is paralysed by continuous nuisance and obstruction who but the public are punished?

They arranged, surreptitiously, for State transport buses to be obstructed, stoned and damaged by the 'liberation' goondas and student 'fractions' so as to scare passengers away and inflict loss on government. Two students of the Trivandrum Mahatma Gandhi College (managed by the Nair Service Society) were caught while throwing stones at buses and they stated before the police that they hoped to wean away passengers thereby, leading eventually to the drying up of the government's transport income and ultimately disable it from paying the salaries of government servants and ending up in paralysing the government!

Who loses if public property is destroyed and the transport systems paralysed?

The Vimochana Samara Samiti *as such* conducted the school closure movement and school picketing resulting in many hundreds of schools remaining closed and many thousands of children with 'the satchel and shining morning faces,' wasting their never-returning year. If the Congress, the senior partner in the 'struggle', had insisted on the 'liberators' abandoning school picketing and closure the Samiti would have given up. But the Congress secretly wished the success of the school closure move as their press propaganda line demonstrated. Many Congressmen participated in the closure move. Who but the people suffer if the young generation goes to thistle?

The student population, even little children and girls, were used in the 'struggle' by the 'deliverance' council of action contrary to the loud policy of the Congress elsewhere in India. As late as on 26th May, 1959, the political parties comprising the Vimochana Samiti gave an express assurance to Sri Kelappan, Sarvodaya leader (who was fasting at that time with the object of clearing the political atmosphere of violence and other foul methods) that they would not only not use the student organisations for political struggles, but would positively discourage students' participation and yet this promise was no sooner made than was broken. If the student population of the State are distracted into such destructive conduct who is doomed in the end?

The 'liberation' council, including the Congress, claim to boycott the national development activities organised by the State. If national development is thereby blighted who pays dearly for it but the people?

The Ambalapuzha block advisory committee with the

majority made up of representatives from the opposition parties went to the extreme extent of passing a resolution to stop all developmental activities till the communist ministry was removed.

The tragic irony of the situation was that the KPCC charged the government with neglecting Plan fulfilment work and simultaneously refused to cooperate with the government in these activities. The request to make the *kharif* campaign a success found the Congress, and other parties making up the Vimochana Samara Samiti, cold. National reconstruction did not appeal to them. Sri Sankar, KPCC President, actually remarked to pressmen on June 14: 'Not only will developmental work be obstructed, but the entire work of the State government will also be paralysed' (*Kerala Janatha*, PSP organ).

Look at the Kuttanad move. There were four main organisations of landlords, viz., the Kuttanad Karshaka Sangham, Central Kuttanad Karshaka Sangham, Kari Land Association, Upper Kuttanad Karshaka Sangham, all under the guidance of the local Congress Party. Under the chairmanship of Sri M. K. Antony (a prominent Congressman), a meeting was convened at which it was decided that *no cultivation* should be done in the entire Kuttanad area—this means a loss of nearly a lakh tons of paddy—*till the Communist government was removed!* From the newspapers it is seen that a Congress MLA, Sri Thomas John, presented a memorandum to the governor that the Communist ministry must be removed so as to create conditions for rice cultivation in the Kuttanad area! All this indicates that egged on by the Congress Party the farmers of Kuttanad, were probably hitting back against the land legislation and minimum wages for agricultural workers

put through by the government, by threatening an anti-rice-production drive to pull down the ministry.

If the Communist Party had to be removed from office, there were other methods; but under no circumstances could they be allowed to starve a whole people by a campaign of anti-production, holding society at ransom for political reasons, as it were. Whichever party rules in the State, internal production of food should be kept up at the highest level. To permit such perverted means to attain political ends is execrable. That leading Congressmen should have helped to organise this campaign of anti-food-production is shocking. Party first and country afterwards does not square up with democratic claims! The Vimochana Samara Samiti, including Sri Nehru's Congress, practised a 'scorched earth policy' in Kerala and, eloquent as the Prime Minister is, on national development everywhere else, he distinguished himself by sphinx-like silence on the occasion. Courage is the seat of all virtue, said Gandhiji!

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Congress is the Chief Culprit !

Perhaps, the most crucial question one has to ask in connection with the Kerala imbroglio is about the responsibility of the Congress Party both at Kerala and all-India levels for the terrible doings of the Vimochana Samara Samiti. Did they manoeuvre this unconstitutional, violent insurrection to gain a pretext to throw out the communist ministry? The role played by Sri Sankar and others in forming a joint action council with representatives of other parties, the Church and 'Marshall Mannam', to carry on the 'struggle' imply general approval by the Congress leaders of the various deeds done by the several groups of people in response to the call of the Vimochana Samara Samiti. Necessarily, there is joint responsibility on all the 'Vimochana' parties for the whole venture and all that was done in pursuance of the common object by any member of the Samiti.

In law and in morality the Congress Party cannot shake off its liability for all the acts, criminal and otherwise, done by volunteers and others in the course of the 'deliverance' struggle. The Congress Party has not disowned or dissented from any of the specific acts done by any of the parties or organisations working towards the so-

called deliverance of Kerala. In fact the central leadership of the Congress must, if it has a sense of moral responsibility at all, bear the blame for all that has been done in Kerala by the Vimochana Samiti. Sri Sadiq Ali and Smt. Sucheta Kripalani and quite a few others from the top have actually, visited the State during the agitation and spoken appreciatively of the 'liberation' model 'direct action' without a word of reproof for any deeds done in the name of the agitation. The Congress, it must be remembered, was not 'going it alone' but acting in concert with others and consequently bearing joint responsibility. No expulsion or disciplinary proceedings against and no sincere condemnation of those who had overstepped the limits of non-violence or overran the Trivandrum collectorate, tore open bus tyres or stoned police vans have taken place at the instance of the Vimochana Samara Samiti or the Congress Party. On the contrary, every such act of hooliganism has been relied upon by the Samiti leaders as indicative of the intensification of the struggle. Not only that. When such acts of hooliganism have been followed by police action the Samiti leaders have hastened to criticise police excesses which obviously implies adoption of those actions which have culminated in lathi charge, etc.

Thus, the blame for all the violent deeds committed in pursuance of the deliverance object has to be shared squarely by the Vimochana Samara Samiti including the Congress Party, the senior political partner. Even the school closure movement has been supported by Congress leaders. An outstanding instance—there are many such—of Sri Kunjukrishnan Nadar, Congress MLA, having 'mob-picketed' two government schools in Neyyattinkara taluk (in June 1959) was much publicised by the Congress news-

paper *Mathrubhoomi*; nor has the Congress Party either condemned the school closure movement or demanded of the Vimochana Samara Samiti to give up this anti-social step. It follows, therefore, that morally and even factually the Congress has been party to all the forms of agitation including the school closure programme.

Criminal Liability

In Indian criminal law, liability attaches to a person not merely if he does it directly but also if some one in the unlawful assembly (in this case the other organisations) does it in furtherance of the common object of the assembly (in this case the forcible removal of the ministry established under the Constitution). The seige of the Trivandrum collectorate, the planting of a flag there, side by side with the national flag, the shouting of the slogan, 'the collectorate has surrendered,' the threatened march into the secretariat on August 9 by lakhs of people under the leadership of the Congress and other organisations of the Vimochana Samara Samiti are not exactly 'peaceful picketing.' Hysterical mobs incited by speeches of leaders have been employed all through the agitation, for picketing of public offices with some VIPs of the Congress or some other party courting arrests. Invariably mass resistance to entry in public offices has been the tactic. It has also continued for hours instead of stopping with the first batch of five as naively mentioned to the pressmen by Sri Nehru.

Even this 'peaceful picketing' expressly permitted by the Prime Minister and the Congress Party very nearly approximate to a violation of the law and of the oath of office under the Constitution. This form of peaceful picketing, perfectly executed, consists of five persons being sent to an office to picket; they stand and peacefully obs-

tract for a little while to be arrested by the police and there the matter ends. People can be and are arrested by the police only if they commit an offence. They do commit an offence, in these cases, as all the Congressmen including MPs and MLAs have pleaded guilty in and convicted by court. What then is the offence that is committed in law by those who offer peaceful though momentary physical obstruction by way of picketing?

If a person offers obstruction to the entry of others into a public office he commits wrongful restraint within the meaning of the Penal Code. Section 339 thereof reads: 'Whoever voluntarily obstructs any person so as to prevent that person proceeding in any direction in which the person has right to proceed is said to wrongfully restrain that person.' Every citizen has a right to go into a public office and any person who obstructs such a citizen from such entry commits, wrongful restraint. Yet another section might be recalled with advantage here. It has been stated by the Prime Minister himself that five persons ordinarily go to offer picketing. Often times they are frenzied and violent. But let us take an ideal case of five peaceable gentlemen or gentlewomen. They go and offer resistance. What follows is that they commit an offence of being members of an unlawful assembly. Section 141 of the IPC which defines an unlawful assembly says 'an assembly of five or more persons is designated unlawful, if the common object of the persons composing that assembly is, among other things, to commit any mischief or criminal trespass or other offence.' Therefore, any assembly of five or more persons whose object is to commit any offence constitute themselves into an unlawful assembly. Being a member of an unlawful assembly itself is an offence under section 143 of the IPC. From this study of the penal law, it is

pretty clear that the Indian National Congress has directed its members to organise unlawful assemblies and in pursuance of the unlawful object of the assemblies commit an offence, viz., wrongful restraint (section 339 of the IPC).

Motives are irrelevant in the law of crimes and the Prime Minister's plea that the Congress sanctioned commission of the offences to keep down greater violence is not, if true, exculpatory. Under the Indian Constitution, every Union minister, has taken the oath of office that 'he will bear true faith and allegiance to the Constitution of India as by law established and furthermore that he will do right to all manner of people in accordance with the Constitution and the law.' They have, therefore, sworn to do right to all manner of people in accordance with the Constitution and the law.

It is certainly not doing right to those who want to enter offices to permit others to prevent them. It is certainly not right, but utterly unlawful for the Indian National Congress and its leaders to approve of their members organising themselves into unlawful assemblies for this purpose. One would not have bothered about it, but when the Prime Minister of our country, the chief executive of the nation, states in effect that 'unlawful assemblies' have been permitted by his party-men it is far away from upholding the Constitution and doing right to all manner of people in accordance with the law. One is a little scandalised to see such things but perhaps the Congress Party is above the law, like the sovereign. Are all our oaths of office subject to the paramount condition of adjustments to suit the political exigencies of the parties? If we permit offences being organised by a political party, which is expected to enforce the penal law of this land all over India (being in power in all but one State) it

becomes a matter of conscience, a matter of faith in the Constitution and a matter of democratic rectitude.

The rule of law must prevail and there should not be any organised challenge to it. Every free country has treated as treason any rioting or other violent movement aimed at overthrow of the government established by law. 'All persons who perform any act, however minute or however remote from the scene of action and who are actually leagued in the general conspiracy are to be considered traitors.' The Indian Penal Code section 121 (a) also penalises any venture by way of use of force or show of force to overawe or overthrow a state government or the central government.

The object of these picketings and other forms of struggle is stated to be to 'paralyse' government in its functions and thereby drive out the ministry. To put it in cold terms, peaceful picketers use 'force' because they cause cessation of motion by standing in the way of other persons, i.e., by their own bodily power. Such 'force' is used intending to cause annoyance and obstruction to persons wanting to enter the office. The result is that the picketers use 'criminal force' with a political object, to wit, to overawe the State government and thereby to induce the ministry sworn in under the Indian Constitution to quit. This course of conduct takes a party perilously near a treasonable conspiracy punishable under section 121 (a) of the Indian Penal Code. What then is the conclusion?

In plain common sense and the language of the law the Kerala agitation is at least quasi-treason and it is a great pity that the Congress Party should have its lions in this fire. The President by his oath of office undertakes to *preserve, protect and defend* the Constitution and the law; the Prime Minister swears to *do right* to all manner

of people in accordance with the Constitution and *the law*. 'Direct action' on the lines outlined above, and launched by a political party, is a programme violative of the constitution and the penal law and the President and the council of Ministers are bound by their oath of office to put down and not suffer such an organised illegal political enterprise.

Congress Conspiracy

Let us go back to the role of the Congress Party in promoting the Kerala 'insurrection.' One has to remember the background of abortive attempts made by the Congress Party to get rid of the ministry during the past two and odd years. Sriman Narayanan's visit to Kerala and raising the political cry of lawlessness in the state hardly three days after the swearing in ceremony suggests that the blueprint of the plan to remove the Communists from office through projected central intervention was being slowly and broadly drawn up even then. The same slogan of insecurity and central intervention was raised in a debate in the legislative assembly within weeks of the formation of the ministry (30 April 1957). 'Direct action' was resorted to, without objection from the central leadership, by the congress and other parties at Kattampally and in the government forests in the ranges. The Statewide campaign to dismiss the ministry on account of the findings of the Andhra Rice Deal Enquiry Commission was also led by the Congress Party notwithstanding far more damaging findings by the Vivian Bose Commission. The commission did not find proof for even a naya paisa of malversation by the Communist Party or any ministers but 'avoidable loss' of a lakh and odd rupees. Kindly compare and contrast this pronouncement with the "scandals" and findings about the

Congress governments all through the last decade. Yet the Congress Party did organise a campaign for removal of the Kerala Ministry on such a flimsy basis. It failed to cut ice.

In Parliament the PSP brought up two motions, ably supported by Congress members, contending that there was a breakdown of the Constitution in Kerala, which contention if accepted would lead to central intervention. This also failed. Sri Dhebar, after a tour of Kerala, to lend a colour of reality to his charges, repeated Dr. K. B. Menon's charges but was silenced by a comprehensive rejoinder from Sri Namboodiripad. The Christopher and other para military organisations, thousands in number were being got up and drilled and trained in the use of sticks, etc., Whenever this dangerous force was criticised from the government benches in the assembly the Congress leaders defended such organisations as innocent, defensive instruments. The most profoundly significant point is that some of the Congress MLAs at the end of the last session were telling their counterparts in the Communist benches that it was pretty certain that the assembly would never meet again and that they were taking final leave. Although this was mentioned in a friendly way, they all had the idea clearly in their minds that central intervention had been assured by some one who could deliver the goods; perhaps not the Prime Minister but some powerful ring in the Congress High Command.

Bearing in mind the above materials one is not surprised that the Catholic Church-cum-NSS group asserted with confidence that they would start a '*liberation struggle*' from June 1, which would end only with the overthrow of the ministry, by force, if need be. The central government has its intelligence department, the State government

sends its fortnightly reports and even otherwise the Congress at the top and the home ministry at the centre could not be unaware of all these 'insurgent activities.' The Governor, an ex-Congress Chief Minister, was sending his regular reports. By about May, the momentum of the movement had reached a high level. To knock out the ministry by force was their plan, their declaration and their preparation. Such a step, organised on a mass scale, was a challenge to the Constitution which the President, under oath, was bound to defend.

This threat of subversion of an elected government did not worry the central ministry to warn off the organisers who included some of the illustrious men in their party in Kerala. Even a telegram to the Home Minister in Delhi by some one in Kerala that he had been beaten by a Communist used to be promptly forwarded to the State government for enquiry and report! So anxious was the Union government about things in Kerala. The Congress Party which controls the Union government politically, went a step further in the sense that its leading members, including Kerala representatives in the AICC, supported the 'deliverance' struggle. Neither the Prime Minister frowned upon this attempt at a *coup d'état* nor did they direct, at least, the Congress leaders to keep out of the 'action council.' Nay, the various departments of the Union government like the P and T, Railways, the State Bank, asked for clear assurances for protection on the ground that from June 1 there was likelihood of violent outbursts in the State. This step was indicative of the attitude of the central government of increasing, not relieving the worries of the Kerala government. Is this line of the Congress High Command and the Union ministry not suggestive of the hypothesis that a sort of deal

between the Church-NSS axis and some at least of the Congress top-notchers had been reached to the effect that the former could freely and fearlessly go forward with their 'struggle' to 'liberate' Kerala from the Communist-led ministry and that all forms of backdoor shelter and assistance would be given? Of course, one can't swear that this is true.

Days later, when the situation was deteriorating and the Congressmen were participating more openly, the High Command, which could no longer play hide and seek, came out with a curious pronouncement which virtually helped the movement in a cowardly way. If a thing is right the Congress as a body can do it. If a thing is wrong, basically wrong, members of the Congress as individuals or otherwise cannot be permitted to do it. Otherwise, the Nagpur resolution may be opposed by individual Congressmen all over and the bilingual decision about Bombay might be resisted by individual Congressmen, all of them. And yet this diplomatic solution was reached by the Congress High Command to the vexed question of how to help an *ex facie* unconstitutional movement, without seeming to do so. The temptation to help the Communist Party out of office, somehow or other, overcame all objections. Individually Congressmen were permitted to join the school closure-cum-deliverance movement but the Congress Party as an organisation was asked to keep out of it! The local Congress leaders understood the signal and plunged into the 'liberation war' with gusto. This was their opportunity to overthrow the Communist government with the blessings of the High Command.

Sri Sankar's press interview from New Delhi after talks with the High Command as early as 23rd May 1959 is instructive. He says: 'We have informed matters to the

Central Parliamentary Board. The Board has not given any instruction that the Congress should not have any connection with the agitation. The Kerala Congress has not taken any decision on this issue. The Congress will have sympathy towards this agitation so far as it helps to create anti-government feelings among the people and thus facilitate to oust the Communists from power, (*Mathrubhoomi*, May 14, 1959).

Sri Panampilly Govinda Menon, former Chief Minister and present member of the AICC spoke about an imminent fight, at a meeting at Trichur on the April 13, 1959. He said: 'The time has come for a freedom fight so far as Kerala is concerned. I am telling you, Communists that a liberation struggle has been started against you' (*Malayali*, dated April 16, 1959).

A plethora of similar speeches from Congress leaders could easily be collected to prove the thesis that the Congress organisation, was *de facto* playing a dynamic part in the 'struggle' which was then being worked up. The attitude of the Congress High Command was one of 'willing to wound but afraid to strike.' At that time it was easy to nip the movement in the bud if only the Congress leaders and our puissant Prime Minister had turned a stern eye on it. By the beginning of June, the KPCC officially joined hands with Sri Mannam and the Church and together with the PSP and the Muslim League forged the Grand Alliance to overthrow the Kerala ministry. Sri Sankar announced, without mincing words, the objective to be to 'paralyse' the government by resort to 'direct action of all forms' and to remove the ministry by a 'short and swift struggle.' This is the language of rebellion, pure and simple. And yet what did the Prime Minister do to check this, particularly because his responsibility was great as his own

partymen were leading the show. He was informed early in June by the Kerala Law Minister, while he was at Ooty, about the violence, the communal and religious frenzy and the role of fanning up the flames played by the Congress leaders of Kerala. We have known Nehru the great national leader emitting patriotic fire when anything unconstitutional or disruptive was done to the country. But here in the Kerala instance he kept taciturn. He did not condemn the leaders of the Congress. He did not denounce the 'deliverance' movement—unthinkable in a constitutional set-up. Of course, he made some feeble and refined observations at Coimbatore and elsewhere against direct action and the communal forces in Kerala and the Congress having to avoid getting mixed up with them. In Kerala, it was not a case of mixing up but one of complete fusion between the Congress and the communal elements, particularly the Catholic Church. The fact remains—and history will record this to the ignominy of Indira Gandhi's tenure—that nothing concrete and stern was done by the Union Government or the Congress High Command to scotch the 'direct action' threat to the constituted government of Kerala. In any other State in India, the unity of India, the futility of slogans and demonstrations, the supremacy of the legislature, the dangers of dragging students into political battles would have been invoked by hysterical patriots to put down the menace!

'Direct action' in a democracy is disruptive of peaceful and orderly government. It is 'a direct challenge' to the concept of the rule of law. The Congress which is in power at the Centre and in all but one of the States must also see that principles apart, political realism demands that it desist from aligning itself with any forces committed to 'direct action.' In bilingual Bombay, the Prime

Minister orated against 'direct action' but in Kerala he all but approved it, adding a few pious platitudes meekly uttered against parts of it. Was he unwillingly conniving at the civil conflict which was brewing? If so, there must be some good reason for it. Some top men at Jantar Mantar Road had played a shady role, for, Sri Dhebar (still the *de facto* Congress president, vis-a-vis Kerala), according to Sri P. T. Chacko, is stated to have permitted unconstitutional methods. Here is Sri Chacko's telegram to the Congress president, early in June:

AFTER MATURE CONSULTATIONS CONGRESS ALONG WITH OTHER POLITICAL PARTIES STARTED PICKETING OF PUBLIC OFFICES. A STATEMENT DICTATED BY DHEBAR AT OOTY PERMITTED EXTRACONSTITUTIONAL METHODS IN SPECIAL CIRCUMSTANCES IN KERALA. I ASSURE STRICT ADHERENCE TO NON-VIOLENCE. PRAY BLESSINGS.

(The statement dictated by Dhebar at Ooty—released by KPCC president Sri R. Sankar from Quilon on June 5—stated: 'The Congress under normal circumstances would have followed the normal path of constitutional agitation. But having regard to circumstances explained above, it cannot be a passive spectator to the developments).

The 'special circumstances' of Kerala, anyone who runs and reads will know, is that a Communist ministry which had somehow to be got rid of is still in office there. The Congress Party had not reconciled itself, by a sense of democratic discipline, to the constructive role of an opposition in the Kerala State. Power corrupts.

Congress Schizophrenia

In this context, one may see the inner conflict inside the Congress Party, a sort of schizophrenia. There was a regular contradiction between what the leaders were saying from the top and what the Kerala Congress was asserting.

It looked almost a case of Dr. Jekyll and Mr. Hyde. Public opinion in India was furiously against the stand taken by the Congress leadership and so it was not easy for it to green-signal the violent movement in Kerala. At the same time, they did not want the struggle to die out and so while the leadership went on talking of peaceful picketing of public offices *only*, the local leadership went on asserting that they had full approval for their 'resign or remove' battle. Just a few instances will suffice to substantiate the point.

Sri R. Sankar, KPCC president, told Pressmen in Trivandrum on July 17 that the struggle in Kerala has the full approval of the Congress High Command.

Sri Sankar stated that the Communist ministers who are responsible for the police firing should have been shut down behind the bars along with criminal convicts in the central jail, had it not been for their official position. He denied reports in the press that direct action of the KPCC against the Kerala government has no approval of the Congress High Command. He said these reports are baseless and mischievous. *All our accepted programmes are with the full support of the Congress High Command (Kerala Janatha, June 18, 1959).*

To emphasise this again, his own paper *Dinamani* wrote an editorial on June 18 which said:

The very fact that the picketing of Quilon collectorate yesterday took place in the presence of Sri Sadiq Ali, Congress general secretary, would clearly show that the picketing has the full permission and support of the Congress High Command. But these are not understood by those in our country who are past-masters in old methods.

When the Kerala Congress leaders, after the Ooty palavers, were carrying on an unconstitutional struggle, Prime Minister Nehru had made his position mildly clear. He said,

'I am opposed to unconstitutional means at any time, anyhow, because once you adopt them (unconstitutional means) they would be justified in another context. You cannot judge things minus means,' and again he emphasised 'so far as I am concerned I do not propose nor intend nor look forward to nor expect governments falling down except through normal democratic processes.'

As far as the obstruction of public offices by picketing went, it may be recalled that Prime Minister Nehru in the past had many times called it unconstitutional. He once said 'satyagraha in free India has quite the opposite meaning of satyagraha under British rule.' The Prime Minister even disapproved of satyagraha against a foreign imperialist power like Portugal. About satyagraha in Goa he said in the Lok Sabha:

I have stated elsewhere that the ideology of satyagraha is dynamic, but that sufficient research has not been conducted into its nature. How far can it go and what are the limits beyond which it cannot go? I, for one, cannot answer that question. However, I can say that at any rate it is not appropriate at the present moment and that it would be a blunder to embark on it at this juncture, because it could be harmful for the country (Reply to debate on the international situation, Lok Sabha, September 17, 1955).

When Pandit Nehru holds satyagraha to be a harmful weapon against a foreign, imperialist power like Portugal, could he say that it was permissible against a government in free India, elected under the Constitution? Consistency is not a virtue? Any stick is good to beat Communists.

Kerala and the Constitution

The constitutional issues posed by Kerala have given rise to considerable confusion on fundamentals. Some had argued that Article 356 of the Indian Constitution would apply to the state of affairs here and central intervention should, therefore, take place. (It has taken place and a post mortem is useful to isolate the political virus). Others have relied upon 'the right of revolution' of the people citing the instance of the French people overthrowing their government; the colonists overthrowing the imperial yoke in America, the Britishers themselves rising in revolt against King John, and Mahatma Gandhi launching the Quit India Movement. The Communists have no faith in democracy, the argument runs, and, therefore, the people have a right to resort to undemocratic means to remove their rulers. 'Down with democracy to save democracy,' as *Shankar's Weekly* cynically cartooned.

If today Sri Mannath Padmanabhan and the lakhs of people who follow him are preparing for an anti-government agitation, the reason for it is that they sincerely believe that the present government are destroying democracy and the rights of the people. . . .

The spirit of the Constitution is supposed to be saved by the present struggle because it seeks to slay the murderers of democracy.

When a large section of the people believe that the administration today is maladministration, the right to agitate against the regime and if possible to oust it is derived from democratic principles and practices. The aim of democracy is good government which is beneficial to all.... If a government destroy democracy for its own party interests, is it the duty of those who love and esteem democracy to shut their eyes against it and keep quiet for three or four years until the next general elections? (*Kerala Bhooshanam*, edited by the Congress chairman of the Kottayam municipality, 31 May 1959).

Yet a third line of argument has become popular and has been put forward by a leading Congress MLA and advocate (in court in his own defence to a prosecution for public office picketing). He epitomises the usual amalgam of contentions urged against the continuance of the Kerala ministry:

Even though it may be right in law for the present Kerala government to continue in power it is wrong according to the Constitution to do so. The Communist Party has secured only 35 per cent of the votes during the last elections, and have only a narrow majority of two. During the last 27 months the government has been carried on for the benefit of the party and partymen; the people of Kerala were divided as Communists and non-Communists, the former deriving additional privileges and latter being denied them; thus, the government has violated the principle of the Constitution of equality before the law and equal protection of laws.

A large number of people who had voted for the Communist Party have, for the above reasons, become anti-Communists. The present legislature, does not represent the will of the people. Although it has legal sovereignty the electorate enjoy political sovereignty. If the legislature does not reflect the political sovereignty of the people even if there be a party with a majority in the assembly, a dissolution of the House should fol-

low. Failure to hold fresh elections becomes unconstitutional and undemocratic (*Deepika*, 25 July 1959).

The Munshi Doctrine

The 'Munshi doctrine,' if one may use that phrase, elaborated by Sri K. M. Munshi is a strange contribution to constitutional thought! He has evolved a theory to justify the ways of his 'clients' in Kerala in the eyes of the Constitution.

There is an extra-constitutional Communist state within, functioning under cloak of a constitutional government Behind the facade of a Government under the Constitution, the Communist Party has established a Communist state, run by the Communist Party for its own benefit and maintained by bribery, corruption and terror. All non-Communists in the State are, for all practical purposes, treated as instruments if they are willing, and hostiles if unwilling Some intellectuals, unaware of the facts of the situation, are indulging in constitutional hair-splitting. I do not think there is any way short of suspending this government, for the preservation of fundamental rights, for equal protection of law, free working of the administrative system uninterfered by the Party in power, and the government governing for the benefit of all citizens in the State.

He excels himself when he states that 'a non-violent resistance to misrules was always considered by Gandhiji as constitutional. Again, in a situation of the nature which existed in Kerala, where an extra-constitutional Communist state was operating, it would become the constitutional duty of every citizen to resist it in a non-violent manner.' Sri Munshi defined the extra-constitutional nature of Kerala Government as 'one wherein the administration of the State was conducted or influenced by the Communist Party in its own interests and not in the interests of all citizens.'

Sri J. B. Kripalani, with characteristic cynicism, states :

It is useless to argue that the Kerala government has broken the Indian Constitution. They are not bound by it but by their own Marxist philosophy and ideology. If they were not, they will not be Communists but only democrats. They believe in the Constitution as long as it serves them

The legalists who are talking about Constitution do not know what they are talking about. The Communist Party has everywhere thought itself above the Constitution

There can be no Constitution unless all parties in a democracy believe in its sanctity and are prepared to uphold it. If one party does not believe in constitutional action, and believes in revolutionary tactics, the other parties, try how they may, cannot uphold the Constitution. The Constitution has already been set at naught. Anyway, if the central government interferes because in its opinion the Constitution for any reason, has broken down in general in Kerala, it will be acting within its constitutional rights. The question is one of judgment and not of the Constitution being violated by central interference.

To put it in a nutshell, the original sin of allowing the Communist Party to assume office has put an end to the constitution and constitutional government is *ex hypothesi* impossible if the Communists run the administration. Central intervention is, therefore, permissible to avert a further breakdown of the Constitution wherever and whenever Communists rule !

The Congress Parliamentary Board, a more serious and responsible body, has mixed up its constitutional ideas and produced a jumbled resolution which starts off with the assertion that any steps to be taken 'must be in conformity with the democratic structure to which India is committed.' It refers to a deadlock in the affairs of the State and claims

that there is 'a vast upsurge of public opinion and feeling against the present government of the State due to a variety of causes,' good, bad and indifferent. The resolution is sure that a great movement of opposition to the present government is afoot and there is a widespread demand for a change of government. The Congress resolution treads on controversial, constitutional grounds when it states:

Normally, a government continues to function for the full period of five years as laid down in the Constitution. But the Constitution itself has provided for a change to be made if it is found that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution. If a State government fails to carry a majority in the assembly and no other government can be constituted which can claim that majority, then it is clear that the government has a majority in the State Assembly, but nevertheless is unable to function satisfactorily because of widespread opposition from the public. This is not easy to judge with any precision, even though such a situation may have arisen.

The present government of Kerala has a small majority of two in the assembly. It was elected by a vote of about 35 per cent of the voters. A minority vote in elections may lead to a majority in the assembly. This sometimes happens in any democratic set up and has to be accepted.

But in the present circumstances in Kerala State, it seems obvious that a big change-over has taken place among the people and many of those who supported the present majority party in the Kerala assembly during the last elections have changed over and are opposing it. It is a legitimate presumption that the Kerala government now in no way represents the majority opinion of the State. Normally, if there was no serious crisis, even this situation could continue till the time of the next general elections.

But the situation that has arisen in Kerala State

has become critical because of the widespread and almost passionate opposition to the State government. Conflicts have arisen and the government has frequently used the coercive apparatus of the State. This had led to great bitterness which is likely to grow and make the situation more and more intolerable. If a proper democratic solution is not found, conflict and insecurity to life and property will increase.

In such circumstances, the democratic way of meeting the situation is to have general elections in the State for the assembly.

The above views culled from the statements of the champions of the 'deliverance struggle' present all the possible constitutional pretexts and defences for the Kerala 'overthrow' agitation. The force of these arguments can be assessed not by dismissing them but by examining them in the light of the basic ideas and the actual provisions of the Indian Constitution as also the principles which form the bed-rock of parliamentary democracy.

Unsound Arguments

The factual foundations upon which the edifice of constitutional compulsion to seek a fresh mandate from the people is sought to be built are (a) the minority votes secured by the Communist Party; (b) the big shift among vast masses of people against the government, since the last elections; (c) the Communist Party's application of double standards, dividing the citizens into the classes and running the Government to the party's benefit; (d) the Communist Party's constitutional disbelief in the Constitution and democracy and its habitual running of an extra-constitutional state; (e) the existence in Kerala of great bitterness, conflict, insecurity to life and property giving rise to a critical situation; (f) fresh elections will give the people the opportunity to issue a clear mandate and produce more

stable and friendly conditions; (g) in the present state of two solid blocks of people divided by a wall of suspicion, a 'disengagement' through Presidential intervention and later fresh elections are the only penance (the Nehru thesis).

If wishes were horses, beggars would be the riders. If assertions were proof of themselves all the charges made above could be taken as established. The fact is that the assertions of fact about the Kerala affair and presumptions about the creed and strategy of the Communist Party are, every inch, in dispute. The story of 'mass upsurge' and shift in the majority has been denied. The claim that the Communists are showing discriminatory treatment to one class of citizens has been contested. The charge-sheet brought up by the KPCC against the Kerala government has been sought to be shattered in the latter's replication. The thesis that the Communists do not believe in the Constitution or democracy has been scouted by their top men who turn the tables on the Congress Party by stating that the 'invasion' of the Kerala government to 'throw it out' by the Congress-led cabal proves its betrayal of the Constitution and democracy.

Let us analyse the points and marshall the facts relevant to each.

The arguments advanced by the critics of the Kerala government are not all of constitutional soundness; some have a democratic look, yet others may seem well-founded according to British constitutional practice. A closer study will reveal the hollowness of these contentions. Various proposals and demands like central intervention, dismissal of the ministry by the Governor and even actual occupation of the secretariat and physical removal of the ministers were being facilely put forward by opposition leaders. But

when the Prime Minister visited Kerala, held discussions and returned to the airport at Trivandrum, he made some useful proposals which were rejected by his own party in Kerala and then he suggested a sovereign remedy for the Kerala malaise, viz., fresh elections. Thereafter, a nationwide chorus demanding fresh elections in Kerala was struck.

Apart from the legal aspects, let us examine the background of the proposal made by the Prime Minister from Kerala's capital. When he met the Kerala Congress leaders, they insisted that the Communists should quit. The Communists (ministry) naturally replied that their tenure was not over and they should, therefore, remain in office. But 'resign or remove' was obdurate Sri Sankar's crude demand. Polished Sri Nehru coming to Kerala politely hinted to Sri Namboodiripad, 'would you please quit?' You cannot have mid-term elections without the ministry's resignation before the normal period. Thus the seemingly democratic verdict of the Prime Minister in favour of fresh elections, bluntly put, comes to this: 'You Communists get out; don't ask why? My men want to get back. My compromise formulæ do not appeal to them.' Because the Prime Minister's sense of natural justice had got the better of his party loyalty he suggested at the first stage a sort of discussion between the opposition leaders and the ministers about the charge-sheet items. And what is more significant, to refer to him for decision matters which remained unresolved after discussion. Virtually, Sri Nehru the Congress leader was made the informal umpire, according to this proposal. The Chief Minister of Kerala agreed because 'conscience clear, never fear.' But the KPCC would not accept this suggestion. The opposition to the Education Act was sought to be resolved by the Prime Minister proposing suspension of the controversial clauses

and inviting all concerned parties for a discussion with preparedness for modifications. The Chief Minister agreed to this too. But the KPCC maintained their original 'resign or remove' stand and dissuaded, later on, even the managements from accepting the proffer for a negotiated settlement of the 'educational' dispute. This panacea of 'elections' is illusory apart from being unjust. In Bombay, Punjab, Bengal and UP, greater bitterness and polarisation of people, with more blood-letting and breaking of bones have taken place but no elections have been suggested. Why? Even in Kerala, Congress leaders like Sri P. T. Chacko are making ambiguous statements that if Communists come to power again through the polls, they will be bowled out again through similar forms of 'peaceful' agitation such as picketing of buses and burning of schools, now that the Nehru theory of mass upsurge and fresh elections is receiving recognition as a constitutional convention (the secret clause in the convention is, of course, that only the Congress, being utterly incapable of violence should lead such 'upsurge' and 'direct action').

The strongest argument against fresh elections is that it will surely be a remedy that aggravates the malady. Frayed tempers, explosive demonstrations, bitter attacks and what not, prevail in an exacerbated form during election season anywhere. The Prime Minister says that he saw and was greatly impressed by the hysterical display of mass feeling for and against government in Kerala and that there were two solid blocks of people mistrusting and looking like daggers drawn at each other. Normally, friends fall out, families break up due to election feuds, not to speak of the tremendous waste of human energy and money involved.

'Minority' Ministry

Now let us go over the various assumptions of fact and presumptions of law made by the opposition leaders and their supporters outside. The first one relates to the 35 or 37 per cent votes secured by the party in power in Kerala. The minority votes secured by the Communist Party is a matter of no moment when we remember that such 'minority' governments have been common in Britain and elsewhere; the Congress Party is ruling at the Centre and in 11 out of 13 other States with a minority vote. In Orissa, it has had to resort to ugly expedients to continue in power by resignation and withdrawal of it, coalition and what not. For far more unseemly was the U.P. episode.

Under the Indian Constitution and the People's Representation Act a candidate may secure a minority of votes polled in his constituency and may yet win the seat. The largest number of persons who have agreed upon a particular candidate is the test. If that be the law, there is no meaning in putting the blame on the Communists. A minority of votes may be sufficient to return a candidate and likewise to return a party to power, as the law now stands. Not only is that the law, but most Congress ministries are governing only with a minority of votes behind it. Those who accuse the Communist Party of being unworthy of governing because it has not secured at the elections an absolute majority of votes, adopt a double standard and argue bad law.

Has there been a big shift in the vast masses of people against the government since the last elections? Assuming, without admitting, that there has been such a shift, is it a ground to force a government to resign and to insist on fresh elections? No precedent in parliamentary democracy, nor principle of constitutional law enjoins such a course.

The nearest to this (and it does not dictate resignation or fresh elections) is the doctrine of mandate, whose validity is still doubtful, only lays down that it would be constitutionally improper for parliament to discuss and decide upon a question unless it has been submitted to the people at a general election. Even that doctrine has been modified by what is called 'the doctor's mandate' theory which gives the government of the day the power to initiate any measures in an emergency. Sir Ivor Jennings has observed :

There may indeed be circumstances in which it is the duty of the government to ignore its lack of mandate and even to act counter to the mandate which it has received. . . .

Nor is it his (the King's) business to anticipate the decision of the electorate. Every government takes decisions which would not be approved by the electorate. It is neither practicable nor desirable that an election should be held whenever it is suspected that a particular decision is not approved. The electorate is asked to approve not a particular decision but a course of policy. It is asked to approve such policy at intervals of four or five years, if not more frequently.

In India, unlike in England, the interval, as laid down in the Constitution, is a fixed term of five years.

It is interesting to note the constitutional position in England, as summed up by this eminent author:

But, even if a fundamental change of policy is made without a 'mandate,' all the considerations urged by Mr. Asquith suggest that it is not for the King to interevne, except by warnings and protests. It is inevitable that Sovereign who dismisses ministers or compels them to resign should be regarded as the ally of the opposition, and as such be made the subject of attack.

Lawrence Lowell, another constitutional writer, in his

book on the government of England has stated, while dealing with the doctrine of mandate, as follows:

Based upon a similar principle is the claim reiterated by the opposition during the latter part of Mr. Balfour's administration, that, although supported by a majority in the House of Commons, he ought to resign because a long series of bye-elections had shown that he had lost the confidence of the country. His retention of office under those conditions was said to be contrary to the spirit of the constitution Former cabinets have sometimes broken up on account of dissensions among their members, or the impossibility of maintaining an efficient government; *but there has been no previous instance of a cabinet, supported by a majority in Parliament, which has resigned apparently in consequence of a change of popular sentiment.*

In Kerala, the only Assembly bye-election and the local board bye-elections bear different testimony. The government party had enhanced its popularity, by this token.

The provisions in the Constitution of India, even if there were a shift in popular opinion, do not call for or justify removal of a ministry. The right of recall does not exist. The legislative assembly of every State, unless sooner dissolved, shall continue for five years. The Governor shall have the power to dissolve the legislative assembly at any time. The Governor, however, is *bound to act on the advice of the council of ministers*, with the result that even the dissolution of the House can be ordered by the Governor only on the advice of his ministers. The right to choose the most favourable time to dissolve the House is regarded as a valuable privilege possessed by the Prime Minister, *not the King*, even in the United Kingdom. The King in Great Britain enjoys certain prerogatives which cannot be automatically imported into India where there is a written constitution. But even there, the King can do

nothing except on the advice of his ministers. It has been pointed out by many leading constitutional writers that if the

King were to intervene on one side or in one case—which he could only do by dismissing ministers in *de facto* possession of a parliamentary majority—he would be expected to do the same on another occasion and perhaps for the other side He would, whether he wished it or not, be dragged into the arena of party politics; and at a dissolution following such a dismissal of ministers as has just been referred to, it is not exaggeration to say that the Crown would become the football of contending factions.

This is a constitutional catastrophe which it is the duty of every statesman to do the utmost in his power to avert.

A sovereign who dismisses ministers should be regarded as the ally of the opposition.

Such are the views of the learned writers on the British Constitution. The President has played that role in Kerala!

The prerogative of dissolution has been 'atrophied by disuse,' in England.

The *Times* remarked, in an earlier controversy on the subject, 'it is a first principle of our constitution that the King acts solely on the advice of his ministers.'

The argument vaguely suggested in the Congress Parliamentary Board's resolution, viz., that the House does not represent the democracy of today and therefore the King could dissolve the House was also brought up in the controversy relating to the Home Rule Bill in 1913 and the Unionists demanded a dissolution and fresh elections based on the doctrine of mandate. And yet Mr. Asquith's ministry was not dismissed. Even in the dominions, a Governor-General *cannot* act now except on the advice of his ministers.

Dealing with the question of dismissal and dissolution, A. B. Keith says: 'If a Governor-General forces a dissolution or dismisses his ministers without their consent or against their advice and they are subsequently sustained by Parliament or the electorate the recall of the Governor-General will almost certainly be sought by them and almost as certainly granted by the King.' If such an error of judgment were made by the King himself in Britain it would place the whole institution of monarchy in jeopardy and abdication from the throne may be the only solution!

Constitutional theory, thus, rules out dissolution of the Legislature or dismissal of the ministry against the latter's advice. Improper dismissal may imperil the throne or the Governor's office. There is no basis for importing loss of popularity of the government as justification for mid-term scuttling of a ministry.

The 'Mass Upsurge'

The shift in the vast masses of people, the creation of two solid blocks of men for and against the government together blend into the 'mass upsurge in Kerala' frequently referred to by Sri Nehru. There is some measure of upsurge pro and con. The Communists claim a considerable landslide in their favour, thanks to their progressive measures benefiting the workers and peasants, teachers and other have-not sections. Unfortunately, this is not a particularly vocal section of the community although its strength at elections should not be underrated. On the other hand, the Communists have antagonised some of the more vociferous classes and hence all the sound and fury against them.

The planters who are unhappy about the high rate of agricultural income tax and the labour policy of the Government are broadly against them. The contractors, who used to make large profits through PWD contracts, are being progressively eliminated at the lowest and middle levels by labour contract societies and the BSS (to which almost the same concessions as are given to labour contract societies have been extended). They naturally grumble against the Communist regime. Having influence among the petty bourgeois people, the toddy renters who used to mint money formerly have been robbed of their intoxicat-

ing profits in areas where toddy tappers cooperatives function. They, therefore, bear a grudge. The landlords, petty and large, as a class are spread over the whole state and have a great hold upon middle class, even lower middle class opinion. They are hit by the new agrarian bill abolishing landlordism and introducing ceilings. The large landlords, whose wealth and influence are considerable, have almost sworn to destroy the government. The big landlords of Kuttanad went to the extent of leaving all their lands fallow till the Communist ministry was given the boot. The school managers, quite a few thousand of them, are influential in their own way. They have been organised against the government by interested persons, thanks to the Kerala Education Act. The regulation, within moderate limits, of interest levy, provision of instalments and scaling down of debts had angered the numerically and financially strong banking community of Kerala. They supported the 'liberation' of those who tried to liberate their indebted customers.

The Kerala State loan was seized upon as their opportunity by the Vimochana Samara Samiti and the Kerala bankers. The Samiti leaders like Sri Panampilly (Congress ex-chief minister), Sri Pattom (PSP ex-chief minister), 'Marshal' Mannam and others were regularly campaigning to see that the bankers and others did not subscribe to the state loan. They were prepared to cut the nose to spite the face. The Kerala Bankers' Association and the Travancore-Cochin Bankers' Association resolved not to subscribe to the State loans, and the State loan floatation had to be postponed. Now, after central intervention, when the political purpose of this money-lending community and the Vimochana Samara Samiti had been accomplished the associations came forward to subscribe to the loans and the

President's regime has decided to float a four crore loan.

It is portentous that the Debt Relief Amendment Bill, fiercely opposed by the bankers but still passed by the assembly is pending long with the Union government. May we hope that the bankers, by *now* promising to subscribe for the State loan are not expecting from the Union the price of Presidential non-assent to this bill? The bus owners were none too happy with the nationalisation of routes policy of the Communist government nor were the water transport owners pleased because the government took away their trade virtually by forming a water transport corporation consisting of employers, employees and the State government.

The most powerful of all, in men and material resources, is the Church, which apart from being an inveterate enemy of international Communism has been raging and surging against the Communist ministry of Kerala and its Education Act. The business community found the Communist government rather strict in tracking down evaders of sales tax, particularly at the borders of the State like Palghat. Even otherwise the employees and workers under them had a greater sense of support from the government whenever there was any dispute between the two groups. This prejudiced the merchants, to some extent, against the Namboodiripad regime with the result that certain chambers of commerce and merchants associations offered to observe hartal when the Vimochana Samiti made an appeal. But the bulk of the trading and industrialist classes favoured the ministry for its reasonably good government.

A somewhat surprising factor was the legal profession in the mofussil. Litigation in Kerala is really land-based. If there is no litigation on land the lawyer finds the

morsel taken out of his mouth. Likewise, litigation relating to agrarian debts had provided some livelihood for the middling type of lawyers. Legislation granting moratorium on debts and other benefits to indebted agriculturists, the prevention of eviction by law and the virtual suspension of land litigation on account of Agrarian Relations Bill found the legal profession all but prosperous and hence all but kindly to the government responsible for such measures. Moreover, such litigation as filled the pockets of lawyers came from classes which had already been embittered by the Namboodiripad government's policies. When this group of interests joined together to back up this 'liberation' struggle they put pressure upon their legal advisers who were none too unwilling to sympathise with their cause. Thus we find the extraordinary spectacle of lawyers, merchants, planters and their wives throwing themselves into the direct action fray. However, one must sound a note of caution. Even from the various groups mentioned above the government had plentiful sympathy.

All the above elements in society are a force, financially and otherwise. They knew that it was a sound and necessary investment if thereby an enterprise to overthrow the Communist rule could be got going on in a big way. When the Communists undertook these progressive measures they automatically created a rich harvest of 'class' enemies, not singly or in stages but in a battalion and more or less simultaneously. "It is dangerous to be too good" said Bernard Shaw. Of course, this criss-cross of interests reconciled under a negative objective of getting rid of the Communist ministry was, in the nature of things, unstable. The past attitudes of the groups and parties and the inherent conflict of interests they represented naturally made their alliance on the basis of a programme well nigh impos-

sible, even after making allowance for the fact that politicians do not make much bones about principles. Intelligent and intriguing politicians and leaders of groups ranged in the opposition, saw, with a sense of enlightened self-interest, the consequences of wrangles over issues. By a strategic stroke they decided to sink all their differences on issues and programmes, if returned to power and presented, for the time being, one political programme only, viz., 'overthrow' of the Communist ministry. However, now that the battle for 'overthrow' has been won, people cannot be fooled into forgetting their economic and social interests. Inevitably, the socio-economic complexion of the old assortment of parties and groups must begin to disclose contradictions and the heterogeneous will surely prove evanescent.

The real character of the 'mass upsurge' as one created by reactionary vested interests aligning themselves with political parties, the nexus being anti-Communism, is manifest when we see the sort of persons who have been leading the struggle. The Catholics are there galore; the planters, the landlords, the lawyers, businessmen, contractors have also donated martyrs.

It is not right to underestimate nor to exaggerate the people's upsurge. But the masses who have come into the agitation fall under two categories. The church has its blind following. The Muslim League, too, has its own followers. The PSP, of course, has more leaders than followers. The RSP has a localised working class base. The KSP has more than 10 members on its rolls in the State. The Congress Party is a large party. A united front of these parties and groups, backed by powerful vested interests, could create the impression of being a mass movement and

the 'do or die' struggle they launched imparted the appearance of a 'mass upsurge'.

Kerala has a large unemployed population. The monsoon months of June to August are notoriously lean period. Mercenaries could be had in abundance for picketing and other agitational activities provided a day's wage were paid. It is widely felt that a copious flow of money has been irrigating the agitational fields. Any number of hired pickets had been brought into action. Even when the Prime Minister visited Trivandrum hordes of demonstrators had been got on wages according to credible reports. It is true that the various organisations which had joined to blow up the Communist government have themselves considerable resources. But a major share of the sum of 50 lakhs of rupees admitted to have been spent on the 50-days 'liberation' struggle, must have come from foreign sources.

There is a persistent impression in the mind of the public that American money has come through subterranean sources. Dame Rumour has it that money from the United States has come to Bombay from where it has been distributed through the church in Kerala. Direct channeling into Kerala of dollars has also taken place according to some sources. The food parcels, including butter, oil and milk powder have come under an innocent garb from the United States to the Kerala churches in enormous quantities. They have been used for political purposes, one may assert almost without doubt. The great interest evinced by the Americans in the Kerala battle is natural and well known. An American embassy official from Karachi is stated to have come to Trivandrum during the agitation period without previous notice. This is a matter well worth pursuing—his doings in Kerala at that time. Quite a number of pressmen and cameramen from the

United States have been sojourning in Kerala for months. Even a priest trained in Spain in the art of overpowering Communists, it is said, has been working on the 'liberation front.'

Thus, the cumulative effect of the mass and mercenary combination had produced some semblance of 'people's upsurge.' A hysterical and coercive spirit had also been introduced into the whole movement. Many Congressmen who disagreed with the violent and unconstitutional agitation in the earlier stages were under political duress, as it were, and lest they should lose their standing in the party had to offer themselves to be arrested. It became the vogue for various partymen to hasten to public offices for getting arrested so that their credentials might be clear when a future opportunity for scrutiny arose. Leaders and followers stampeded into police arrest with an eye on the coming State-wide elections to panchayats, municipalities and the assembly. The apparent popularity of the agitation was traceable to another powerful stimulus for which the High Command and some central ministers must bear political responsibility. Closing of schools is a somewhat unpopular cause and an agitation in support of it must wane after some time. Even the other issues like land legislation and communal reservation cannot excite people or continue the frenzy. Thus, there was a spinal weakness in the entire movement.

Central Intervention Carrot

However, the various vested interests mentioned above ganged up together and started an anti-Communist *jihad*. All the passion and fanaticism of the Christians and the Muslims, all the communal rage of the Nairs and all the political vendetta of the opposition parties did create a

kind of upheaval in the towns. The agitation did not penetrate the rural parts of the State for want of sympathisers and manpower. With some initial success it began to flag and fail. But every time it was on the down grade, some artificial stimulus was imported by fixing a D-Day and threatening intensification of the struggle in a severer form from that date. The secret sustaining power was the hope held out to the fighting elements that central intervention had been definitely assured. The Prime Minister making ambiguous statements to the press about presidential taking-over only encouraged the people particularly the doubting elements into the feeling that President's rule would sooner or later come. The political leaders made frequent pilgrimages to Delhi, Ooty, Madras and other places and held discussions with the High Command on the Kerala question. Immediately after such confabulations press conferences were held by them wherein they dramatically announced that central intervention was imminent. Occasionally the Congress high priests from Delhi also took the press into their confidence to state that the situation in Kerala was so serious that central action was inevitable. By this process of holding the carrot before the agitators' eyes and creating jitters among the neutral people the movement and its tempo was artificially kept up. Nothing was done by the central government or its spokesmen to cool down the agitational temperature. Now, quite the contrary was the effect of their doings. There was no legal ground for the application of article 356 at that time. Nevertheless the mystic attitude of leaving people to guess whether there would be central intervention or not was consistently adopted by eminent leaders; what was worse the Prime Minister and the finance minister almost indicated that President's rule was also under

consideration. Meanwhile, the officers of the State were being threatened at public meetings by the Congress leaders thereby demoralising the 'services'. If only there had been a clear announcement on behalf of the Union government that creation of civil commotion by agitators was certainly not a ground for them to invite central intervention, the situation would have been different. No person or party can benefit by his own wrong. By way of illustration as to how the promoters of the liberation movement intended to create a lawless situation with the specific object of attracting central intervention, here are two extracts which are illuminating:

Mr. Mannath Padmanabhan, leader of the Samyukta Vimochana Samara Samithi of Kerala told a mammoth meeting at Matunga in North Bombay last night that the deliverance of the people of Kerala was not far off and the central government would have to intervene to restore law and order in the State (*P.T.I.*, 27 July).

The purpose of the present agitation is "to demonstrate to the President that a 'situation' demanding his constitutional action has arisen" (*Deepika*, 24 June).

Supporters of the Ministry

Before striking the balance-sheet about the shift in the majority one way or the other, we have to take note of the credit items claimed by the Communist government. Of course, the by-elections at Devicolam and other local board by-elections prove, if anything, that the popular wind was blowing in their favour.

The administration during their 28 months of rule had been better and cleaner than any in the past. Many uncommitted persons of the middle class and even the upper class had really appreciated their sincerity of purpose and

hard work. The services had a feeling of justice and fair play. Developmental and other departments of Government were moving faster than before. On the whole, the Kerala administration had improved and this factor had produced many silent friends for the Communists. Chunks of common people had also gone over to them. But then how could the Communists display their side of the 'mass upsurge'? The opposition could picket, obstruct, throw stones and create confusion. The party supporting the government had necessarily to adopt restraint because clashes were their own headache and law and order the responsibility of their Government. They naturally could not picket opposition leaders' houses, nor stone 'opposition' vehicles. All these are handicaps for any party in power. Perhaps, this is one of the reasons why the massive support of the government has not been fully appreciated by the public outside.

There was yet another important factor, viz., the press of Kerala and outside. While it is true that when violence and 'direct action' strategy were resorted to by the 'oppositionists' the all-India press outside Kerala criticised it, it is wrong to assume that the press barons were generous to the Communists. Obviously, their bread is buttered the other way. Inside Kerala there are about 33 or so dailies of which, perhaps, barring half a dozen or less, all the rest are controlled or managed by the opposition parties and the communal organisations referred to above. Throughout the regime of Namboodiripad, they had been spitting venom upon the Communists and boosting the liberation struggle. The highhandedness of the agitators and the demonstrations and rallies of the Communists were blacked out. Petty police actions were frightfully exaggerated as terrible repression. False stories damaging to the govern-

ment were featured and violence against government was incited. Artificial horror was produced by the hostile but powerful press. It is very wrong to conclude in the light of the above analysis that there had been a shift in the masses of the electorate *against* the government. There had been currents flowing either way. The real fact is that with the enormous resources at the command of the opposition and the strident section of society being with them they were able to vociferate and make a tremendous impression. The toiling masses, the peasantry, the backward classes, people interested not in political battles but better government only have tilted towards the Nambudiripad regime, but they are less demonstrative and little known outside.

The question arises now that there has been central intervention, what the Union government would do if the Communists are returned in a majority? Healthy conventions would require the Union government's resignation for having mis-advised the President and thereby deprived the people of Kerala of their democratic set-up at State level.

8] Communist Rule : Prejudice Vs. Facts

The catchy propaganda against the Communist Party that they have been dividing the people into two classes of citizens, running the government for the benefit of the Party and denying fundamental rights to others is not supported by tangible facts. The same 'old wine' is poured into new bottle when the theory is propounded that the Communist Party has created an extra-constitutional state within the normal constitutional state with party bosses turning the wheels of government from behind. Allegations of this sort are easy to make and have a certain fascination because they are against the Communists. Certain pet prejudices have been cultivated by American propagandists against international Communism and this is one such.

Charges have been levelled against the Congress governments that they have been abusing their position at the helm of office to benefit their party, that there are two classes of people in the eyes of the Congress government, the favoured class being Congressmen. Indeed, a string of charges has been already flung at the W. Bengal ministry, against the UP ministry and it is reported in the papers that the Madras ministry, too, is receiving shortly similar treatment. One may even quote in this connection Sri J. B.

Kripalani who observed in one of his critical articles against the Communist Party that Congressmen also have been indulging in abuses:

There are instances where it is alleged that they (Congressmen) have interfered with the administration, not excluding the police and the judiciary. Criminal cases are said to have been withdrawn at the instance of Congressmen. There have been political murders in Congress-ruled States. The Congressmen try to do many things that are undemocratic to perpetuate Congress rule (*The Mail*, 23 July).

Likewise did not Rajaji, the oldest living associate of Gandhiji, certify that 'long and continuous enjoyment of power by the Congress, unchallenged by anybody had corrupted by long exercise of power under conditions where power was likely to be corrupted.' He further said that:

If one wanted to buy a typewriter or if one wanted to increase one's newsprint, one must find out somebody in the Congress Party for assistance. This showed what a vested interest it had become.

We all know how power corrupts. It is a cliché but it is true. There are two types of this corrupting power in action. At the top the ruling party and its chiefs have secured position and power to make or attempt to make the basic changes in the structure of society, imagining that they can achieve a revolution without a revolution

The second type of corruption by reason of power was at the lower levels of the party where bosses and important elements in the political machine interfered with justice in the executive administration.

Officials had lost their old courage in standing up to political pressure. I need not expatiate on this. It is one of the most widely felt evils, and *if there is one reason more than another which has brought the Congress into public disfavour, it is this* (*The Mail*, 3 August).

Apart from all this it is common knowledge that the khadi-clad political people are a superior caste for whose benefit the state machinery has been systematically turned. From public prosecutorship to Planning Commission membership, from Public Service Commission seat to State Trading Corporation chairmanship, a wide range of posts including those of governors and ambassadors have been exclusively reserved for unwanted Congress leaders, defeated candidates, ex-ministers and the like. The Bharat Sevak Samaj is more a Congress monopoly than the toddly tappers cooperatives are a Communist institution. The cooperative movement, the Khadi and Village Industries Board and a number of like organisations enjoying government patronage are controlled by Congress 'patriots.' The accusation that the Communists have misused the state apparatus really fits the Congress Party. But the Congress has got power at the centre and a powerful publicity machinery in all the States and whatever they say about the Communist ministry will sell but not vice versa.

If fundamental rights have been violated in specific cases the High Court could be approached for redress as the Vimochana parties well know; if discriminatory policies have been adopted there is the political forum of the assembly, which is the grand inquest of the nation within the State. It is significant that no no-confidence motion has ever been brought in the House, so that grievances, if any, could be ventilated and charges established by debate. On the other hand such charges as have been put forward in the charge-sheet presented by the KPCC, have been effectively negatived by the reply of the government; nay more, when the Prime Minister came to Kerala he suggested the democratic solution of mutual discussion. 'Here are charges against you,' he said. 'Discuss them and place

all the materials before the opposition representatives and if yet there is any dispute refer them to me.' The Communists agreed, but the Congressmen did not. In fact, if only there were an enquiry into the destructive designs and doings of the 'opposition' over the last 28 months, unbecoming of any party in a parliamentary system, if only there were an enquiry into any 28 months, of rule by the Congress, or the PSP in Kerala in the past, the contrast would be exceedingly favourable to the Communist ministry. However, merely charging a government at a time when similar charges have been hurled at the same party which is making the charges does not appeal to sense, if the accuser is not willing to have a discussion and ascertainment of the truth or otherwise thereof. The fact of the matter is that in committees and other bodies created during the Communist regime, better representation has been given to the opposition parties than any government in any other State in India, including the centre, has given to the Communists.

Communism and India

Why then this clamour about 'cell' rule? The reason is simple. Communists have been a downtrodden class, who were just dismissed as political low caste people, against whom the doors were jammed against membership in committees or even right to represent to officials as partymen. For the first time in Kerala this ban of untouchability or inequality of treatment has been lifted. Even as Congressmen approach, the Communists are allowed to do. This emergence to equality of status of Communists who were despised till the other day has become an unbearable thing for the upper classes and Congress bosses. They have, therefore, invented a story that the Communists are

lording it over officers and dictating to ministers. It cannot be denied that there may have been some misuse of position by the Communists of their newly-won State power. But it is much smaller in proportion to what the Congressmen have been doing all these years and are still doing everywhere in India.

Marxist philosophy and Soviet practice are relied upon by the anti-Communist theorists to propound the thesis that for the Communists one-party rule is the right thing, the party is equal to the government and, therefore, the party bosses as of right issue directives to State officials and ministers. One might straightway state that this is an un-Marxist approach to the Marxist philosophy because Marxism is a scientific analysis of the interplay of socio-economic forces obtaining in a given society and the adoption of a method of changing, under those circumstances, the relations of the classes to production so as to promote the greatest good of the greatest number and eventually to eliminate the exploiting and exploited classes. In a loose sense, it is a march towards the fulfilment of economic democracy.

The political means to attain the objective will naturally depend upon the actual environs, the traditions and genius of the people, and not on any abstract theories or copy book creeds. In a country like the Soviet Union, where Czarist despotism *could* be changed (and changed only) under the then conditions, by the violent revolution of an organised group, certain methods were adopted. The internal explosiveness created by World War I helped it. Even so the Quit India movement took a course conditioned by the prevailing circumstances, including the World War II, the bitterness produced by the British police state apparatus and the Indian determination to

destroy overlordship. Leaders like Gandhiji and Lenin and Lincoln do shape the nature and course of a struggle but prove successful *only* if they select their tools to tackle the the hard facts and rock-like realities of society about them. That is why we say Gandhiji was a great realist.

One-party rule came to be established in the Soviet Union as a product of the political and economic factors, including the organised leadership of the Communist Party, the aspirations of the common masses, the equalitarian upsurge behind and the conditions created by the revolution etc. The conditions in other countries have been different and the resultant methods adopted to produce a socialistic change have been adjusted to the circumstances there. India is an ancient country with a culture noted for its tolerance, religious and other. The British traditions of liberalism and parliamentary democracy have also sunk into our consciousness. The bureaucratic, broadly non-political apparatus of administration and the capitalist base of our economy are also realities. The internecine strifes and consequent facility for foreign infiltration and eventual domination which make up Indian history have made us regard national unity and strength as the most sacred patriotic principle. The political institutions we have inherited, imbibed and eventually adopted are the multi-party parliamentary system as in the United Kingdom. Discussion and debate, public inquest of people's grievances in Parliament, universal franchise, elections fought periodically on the manifestoes of parties setting out their economic programme of action, a written Constitution laying down the powers and patterns of political institutions—these are part of our political outfit. The major religions of India have taught us the equality of all men. Our freedom struggle has also given us an economic

bias towards socialism. God appears to a hungry man as a loaf of bread, Gandhiji said.

All these are realities of the Indian political stage and any Marxist approach implies consideration of these factors. The Communists, if they adopt the Marxist philosophy, must bring to bear a sense of realism, a scientific analysis which includes within its calculations the multi-party system, the Indian Constitution and its socialistic and individualistic limitations and conditions, the limited state autonomy flowing from the need for the unity of the country and the ultimate sovereignty of the Parliament. So viewed, it will be apparent that whatever takes place in the Soviet Union or elsewhere (say, in China) cannot be mechanically reproduced here. No Indian Marxist would ask for or accept this any more than he would require the Polar bear to be reared in the Thar desert. Political climate conditions our sociological institutions even as geographical climate influences the biological species. Where there is the right to vote for all and periodical elections the need for violent change is substantially reduced; one might even say, axiomatically, it is absent if only the vote can be cast free from fear and ignorance. When Indian Communists abjured violence and accepted the parliamentary system at Amritsar, they merely reacted to the realities, the 'ethos' of India.

It is not the superior spiritual virtue of the Congress which made it accept non-violent non-cooperation against the British; it was a reaction to the realities then obtaining as the 'only way.' The Avadi resolution on socialism and the Nagpur thesis about cooperatives are equally the result of hard facts which have moulded the outlook of political parties. Understood this way, the Communists rightly plead for civil liberty, they oppose the indiscrimi-

nate use of the Preventive Detention Act; they react powerfully against police firings, execution without fair trial, etc.

Under Russian conditions where there is not the same class and caste cleavages that we have here, where an extraordinary measure of internal criticism is allowed within the Party, where the Party operates far more comprehensively and the common people *who are not members*, and organisations *which are not controlled by the Communist Party* have all a right to come into Party gatherings and offer their criticisms, where the CPSU has striven so much for the country's betterment as to have come to be looked upon as the leading cadre of the nation, a one-Party system, still with serious limitations, may work, perhaps. Even conditions inside the Soviet Union have changed in response to international changes. The 'iron curtain' and the 'personality cult' are cracking up inevitably by the impact of international and national developments. Marxism is not a stale system of blind beliefs but a dynamic direction towards a free and unexploited society achieved through a scientific study of politico-economic forces. We are on Indian soil, where there are many parties contending for political power through the peaceful means of the polls. We have classes, castes, religions and different official machinery. No sober Communist can or will ask for or accept in India that the Party is equal to government or that the wheels of the governmental machinery are meant to be steered to suit the party interests. If they do so, persons outside the Party and other political parties will rightly criticise it and at the next polls they will fare ill and will be changed. That is the natural corrective in a parliamentary system. Congressmen misuse their powers in office for the sake of the party. May be that the Communists also do likewise, here and there. But to put on a philo-

sophical pose and argue that in the ideological context of Communism, Indian Communists will pervert the instrument of political power to suit the party caucus is to argue that Indian Communists are insane. For sanity, individual or group, consists in behaving in harmony with the given environs, physical, economic, social and political. Progress consists in promoting the happiness of the miserable millions by methods which are realistic enough not to produce more misery as an aftermath. What is our Yuga Dharma? The Yuga Dharma of today is the peaceful, democratic transformation of society to improve the social and economic lot of the backward and suffering millions of India. The Congress is failing to fulfil this mission. No use suppressing the Communists if they seek to carry out the mission. People want to give them a trial.

As for actual misuse, during the tenure of the Praja Socialist Party in the former Travancore-Cochin State, withdrawals of cases, transfers of officers and other governmental actions have been motivated by party interests as a close study would disclose and this is sufficient to disprove Acharya Kripalani's cavalier criticism. In fact, the Communists in Kerala have on the whole behaved better. Without going into elaborate details a few extracts are given below bearing upon the familiar themes of tampering with police loyalty for party purposes, of interference with the judiciary and of the functioning of cell courts. The quotes speak for themselves. In a speech addressed to the district collectors and superintendents of police on 7 September 1958, the law minister emphasised :

I wish to state clearly and categorically that there should not be any political interference tolerated by officers whether the party be communist, congress or

other. Nor can any officer escape liability for failure to do his duty by alleging political influence or fear of displeasure of the party in power. Such considerations are irrelevant and will never be accepted by government, since the fact that one political party is in power should not be confused with the high duty of the officers to maintain law and order impartially, fearlessly and vigorously even against the members of that party. Whether the complaint be from opposition party men or no, whether the accused be of the Communist Party or no, the course of the law must run undeflected so that people may feel confident of getting help, if they are entitled to it, when they approach the concerned officers. I would, therefore, like you gathered here to impress upon all the subordinate police officers and executive magistrates in the state to discharge their functions energetically and impartially without being allowed to be influenced by any parties, Congress, Communist or other.

It must be mentioned, in fairness, that the police have prosecuted Communists whenever information has been laid against them. As early as September 1958 as many as 392 cases under the Indian Penal Code, are reported to have been registered by the police against Communists or persons said to be Communists during the period after the Communist Party assumed office. It is significant that two Communist MLAs were arrested by the police, even though the offences were relatively unimportant. One of them was later on acquitted. The police have never relaxed or soft-pedalled cases where information has been laid against Communists. If at all, they have been a little too stiff, to show off their impartiality.

Equally worthy of mention is the fact that many Congress MLAs have made written representations to take action in regard to criminal occurrences, and quick action has been taken thereon. Sri P. P. Ummer Koya, MLA, Smt. Leela Damodara Menon, MLA, Sri Karthikeyan, MLA, and Sri K. R. Narayanan, MLA (all Congress), Sri P. M. Joseph and Sri Joseph Podipara (Congress MLAs who are Catholics), Sri N. Ganapathy, Con-

gress MLA (Tamilian), Sri Kunhambu, Congress MLA, (Harijan), Sri P. M. Kunhiraman Nambiar, PSP, MLA, Sri Moideenkutty Haji, MLA (Muslim League) are among those who have made specific representations regarding criminal cases or investigations where suitable action has followed. It is an eloquent testimony to the impartiality of the government that a case, almost certain to end in conviction, against a priest was directed to be withdrawn by the government, because the circumstances of the case warranted the concession (CC No. 264/59 of the Sub-Magistrate's Court, Pathanamthitta)

Before taking leave of this subject, it may be usefully mentioned that the Kerala government anxiously pursued the allegations about cell courts, whenever they were made, with a view to put an end to them if they existed. The chairman of the Praja Socialist Party, Sri Sinha, MP, while he was touring Kerala, referred to the activities of 'cell courts.' Whereupon the Kerala Law Minister wrote to him on 5 January 1958 :

I might have dismissed these allegations as baseless propaganda stuff if it had come from a lesser personality. Holding you as I do in high esteem and attaching as I do weight to your statements, I am anxious to know the materials which you have in support of these grave charges. Specific data inducing you to hold that Communist cells are usurping the functions of courts will be valuable indeed for me to direct an investigation thereinto through very responsible IAS or IPS officials. The result of the enquiry will certainly be made known to you and the opportunity for providing the veracity of your material will be given to any person you suggest on your side. Likewise, in regard to the imputation of interference with officials in their regular work. I am not writing this on behalf of the Communist Party, but as minister in charge of law and order. I am concerned to see that the official machinery is not interfered with by any political party to their own advantage.

Your help and co-operation in this matter will, I hope, be extended to me.

Unfortunately, the chairman of the Praja Socialist Party replied on 21 January 1958 :

Whatever I said in my public utterances was on the basis of information given to me by my colleagues and other responsible persons and a general feeling of anxiety and apprehension that was voiced by many.

Democracy and Direct Action

The Kerala agitation in the shape of 'direct action' has been criticised by eminent political and constitutional personages on the ground that there is no room for removing a government established under the Constitution except through means laid down in the Constitution. 'Direct action' not being a constitutional process is, therefore, ruled out.

There has been some play upon political sovereignty which rests with the people or the electorate as distinguished from 'legal sovereignty' which resides in the parliament and assembly. Even if the political sovereignty is ultimately in the electorate the Kerala agitation carried on by non-electors like students and even urchins cannot be approved. Moreover, the electorate which is the political sovereign elects its representatives, but does not instal them by force. Thus 'direct action,' not being election, cannot be justified by any constitutional theory of political sovereignty. Apart from that, the political sovereign, viz. the people, have given unto themselves a Constitution. 'We do hereby adopt, enact and give to ourselves this Constitution,' runs the preamble to the Indian Constitution. Once a democratic constitution has been so enacted by the sovereign people, they thereby affirm their determination, once

and for all, to abide by and to exercise their political sovereignty only through the provisions of the Constitution which could be amended only in the manner laid down in the supreme lex. This means that even the electorate in a country like India, where there is no right of recall, has to await the normal opportunities of a general election to remove a ministry lawfully established. Forcing mid-term elections by duress of civil commotion is obnoxious to democratic and constitutional concepts.

A former Chief Justice of the Supreme Court deplored the direct action launched by the opposition parties to oust the Kerala ministry :

If people are allowed to start direct action, *in the middle of a term which the Constitution assigns for a government* that, I submit, goes against, all notions of democracy. . . . To say that these political parties have joined together, not for rectifying some error of administration, or some legislative mistake but for driving the government out of power, that means, to my mind, a practical negation of democratic rule. . . . The opposition parties had been allowed to form governments and they did not succeed in successfully running the government of Kerala, and President's rule had to be imposed. They are now jealous. . . . *Everybody could invoke the majority*, but there was no means of easy verification of the majority.

Sir Ivor Jennings, the British constitutional pundit, has himself stated that the only method of *removing* a ministry is a vote of no-confidence and any direct action to overthrow a government established under a constitution meant an end of democracy.

Rajaji's comment on the Kerala satyagraha brings out the real issues involved :

This wrong and short-sighted adventure on the part of Kerala Congressmen will have far-reaching evil

consequences for the future of parliamentary government in India. Democracy would rest on a feeble foundation if the provisions of the Constitution are to be bypassed by so-called satyagraha offered by any group that feels strong enough to put sufficient demonstrators in the field. The Constitution contemplates the possibility of peaceful government even on the basis of a majority of one at an election. It would be completely negatived by the doctrine now permitted by the Congress...

Commenting sarcastically on the role of the High Command and the Kerala Congress in the shady Kerala venture, Rajaji continued :

Permitting Congress on their own responsibility to do something which the Congress as such could not rightly undertake is an unworthy and unwise evasion. Much better would it be for the Congress to obtain a law from parliament that where any party other than the Congress wins in any general election, the governor can order a new election after such time as he thinks fit without awaiting a vote of no-confidence or the expiry of the period fixed for a fresh general election according to the Constitution. Such a law could be easily passed with the Congress majority in parliament. It might be indecent, but it would avoid the disorders we now see in Kerala.

Right of Revolution

The other ground urged by constitutional sophists to support the 'deliverance movement' is the right of revolution inherent in the people.

Every man in the state, said Śri Sankar, in Bombay, would march into the secretariat at Trivandrum on 9 August and would not return to their homes till the Communist government was thrown out. The right of revolution has been exercised by the people of the colonies and has, in a sense, been adopted by Gandhiji to remove the imperialist rule and establish self-government.

But once we have a Constitution it is supreme and cannot be allowed to be violated or departed from. Every citizen is bound by the supreme law. The Constitution does not bend to the force of circumstances. It may be amended according to its own permission; but while it stands it is law binding on all. Cooley says :

No doctrine involving more pernicious consequences was ever invented by the wit of man, than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the government within the Constitution has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority.

India is a Republic. So long as the government of the state remains republican there is no undermining of the Constitution. By republican government is understood a government by representatives chosen by the people; it contrasts on one side with a democracy in which the people as a whole wield sovereign powers of government and on the other with the rule of one man as King or that of one class of men as an aristocracy.

Unfortunately the 'republican democracy' of the Congress Party appears to be a thin veneer only. Otherwise it is not possible to understand how the Congress Party from Delhi could stir up trouble in Kerala and in the name of that very trouble the Congress-controlled Union Government (political control) walks in to overthrow the government of Namboodiripad.

Although there is not much similarity and there are basic differences yet one is reminded vaguely of the saga of Sudetenland. In Sudetenland, Hitler stirred up trouble

as a pretext for walking in. He then claimed that the fatherland of Germany could not watch idly the sufferings of Sudeten Germans and this was followed by a military occupation. Fantastically enough, Major General Kocher was flown to Trivandrum on the day of dismissal of the ministry, probably to be ready with military preparations! Extraordinary that the India government in dealing with the Kerala ministry should have made military arrangements! Yes, the methods in this case have been more or less of a military nature. Although there are major differences, some features of the Kerala episode have a seeming resemblance to Ayub's tactics. Ayub Khan announced himself to be the President one fine morning and asked Iskandar Mirza to quit. Nehru announced at noon by a message to Nambudiripad that he should quit by evening. Is it not shocking to know that the State ministry was kept in the dark about the move to introduce President's rule? And now the Prime Minister has the temerity to say that the surgery was done at the instance of, at any rate, for the relief of the Communist ministry! There is a strange likeness to Ayub's usurption of power! Even in Pakistan, section 93 government came in when parties of the opposition at the Centre were returned in a majority in the States. Thus began the indiscriminate use of Governor's rule culminating in absolute dictatorship. Does it all have to repeat in India? There is a tragic irony in remembering the noble speech of our great Prime Minister on the day of Independence, August 1947 :

'Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. . . . ' 'The appointed Day

has come—the day appointed by destiny, and India stands forth again after long slumber and struggle, awake, vital, free and independent.' One wonders whether the long slumber and struggle are over yet!

The abetment by the Congress High Command and the Union ministry of the unconstitutional agitation in Kerala by their partymen and others is clear from the fact that in spite of the declaration by the 'liberation' leaders that their expressed object was to 'paralyse' a lawfully established government in the State and to overthrow the ministry, constitutionally sworn in, despite the melodramatic fascist announcement of a march into the secretariat on 9 August, physically to stop the working of the government and to remove the ministers bodily, in spite of a foretaste of such forcible occupation of government offices and flying the banner of victory in the collectorate at Trivandrum, neither the Prime Minister nor the leaders in Delhi uttered a severe word against the Vimochana Samiti, threatening dire punishment for such treasonable activities. On the other hand, this very threat of overpowering the government on 9 August was relied upon by the Union cabinet and the President in claiming that a situation was developing in the State which made it impossible to carry on the government.

Thus, not merely were the treason-mongers received with great respect by the President and the Prime Minister and negotiations carried on in Delhi but their very act of near-treason was treated as justification for presidential overthrow of the State government.

The 'terribly immoral thing' in the whole Kerala episode was that the Indian National Congress participated in an 'upsurge' along with other organisations in the Kerala State and then used that very mob action to overturn the government controlled by another party. It was not merely the State PCC that had initiated the big offensive of marching on 9th August into the secretariat at Trivandrum. The Indian National Congress was directly involved in it. Because, in Bombay a public meeting on the famous Chowpathi sands was held under the auspices of the Bombay Regional Congress Committee whereat Sri Sankar, KPCC president, announced :

Mr. Sankar, president of the Kerala Pradesh Congress Committee declared here last night that the people of Kerala were determined to put an end to Communist rule in the State.

'That would happen in the course of the next few days, and not weeks', he told a mass meeting in Chowpathy sands. The meeting had been organised by the Bombay Regional Congress Committee, which observed yesterday as the *Kerala Mukti Din* (Kerala Deliverance Day). Mr. K. K. Shah, president of the Bombay Regional Congress Committee presided.

Mr. Sankar said that the people of Kerala would observe a Save India Day on August 9, when 'every man in the State' would march on to the secretariat at Trivandrum and 'we will not return to our homes till the Communist government is thrown out' (*PTI*).

The decision to march lakhs of people into the secretariat was taken by the Action Council here at a time when Smt. Sucheta Kripalani, the general secretary of the Congress Party, was in Kerala and perhaps was in touch with the 'action council.' Coupled with this was the pregnant silence of the Prime Minister and other top Congress leaders on this open declaration of civil war by a group, including

his own party. The Congress President publicly expressed impatience at the delay in central intervention and within a few days of it the proclamation came! The conclusion is irresistible that the Indian National Congress was determined to overthrow the Kerala ministry. The Government of India have virtually ratified the 'liberation' struggle by releasing the prisoners of the 'Vimochana' movement. Amnesty for the patriots on their victory! The then Inspector-General of Police has been *de facto* demoted and deprived of all powers save a few items like 'railway police' and 'fire service'! Federal constitutional history affords no parallel to such action.

It is rumoured in Trivandrum that Sri Mannath Padmanabhan and his interpreter Kalathil Velayudhan Nair (ex-Congress minister) are proceeding to the United States. Sri Mannan is now the bulwark of the anti-Communist front in India alongside Munshi, Masani, and Mehta. The Congress Party in Kerala has also given the call for the 'Save India from Communism' day. Sri Nehru has stated that his government and party are not against any particular 'ism' including Communism. Are we to understand the Kerala call of the Congress and others to be a deviation or that Sri Nehru is mistaken about his party?

One might also ask whether the central government would send its armies or apply 'intervention' if a non-Congress party in Madras, Bombay, Punjab or Kashmir starts a sufficiently big 'liberation struggle' against the State government. Would the Kerala strategy of Sri Mannath Padmanabhan be adopted against the centre itself by certain influential parties which claim that the Nagpur thesis is producing a 'mass upsurge' against the Union government?

Anti-Communism is no argument to suppress democracy.

The real issue is not whether Communists should be in power but whether the Constitution, and provincial autonomy can be violated. Many people are unconcerned with the fight against Communism as such but they are vitally interested in preserving our democratic institutions, whichever party is returned to power through the ballot box. The argument that the Communists have no faith in the Constitution is not a solution for those who are not Communists but who are insistent that a party assuming office through the verdict of the general elections can be removed only by the same process. As for the Communists believing in the Constitution one wonders why we should not accept them at their word. Trust begets trust and there is no reason yet to mistrust the constitutional allegiance accepted by the Communist Party of India. When they do violate the Constitution the vast masses of people who swear by the Constitution can show them their proper place. We need not battle with intellectual academic propositions. Moreover, what is the tangible material to prove that the pro-Communist government of Kerala has wrecked the Constitution? Decades ago Dr. Radhakrishnan had dryly remarked somewhere 'there is no evidence against it, but there is a theory against it!' The Kerala ministry was sacked unceremoniously not because there was proof or judgment against it but because, by Congress theory Communists cannot be good and must be deemed to have broken the Constitution!

There is a strong volume of opinion that the President has unjustifiably assumed to himself the powers of administration. The safety is that such a proclamation being non-justiciable could be politically upheld in parliament with a brute majority.

There are certain strange peculiarities about the

action taken under Article 356 in this case. Under the Constitution the Governor like the President can and does exercise his functions *only* on the advice of his ministry.

One of the functions of a Governor is to send a report under Article 356 to the President, if a situation arises calling for a proclamation. Obviously, the Governor should have consultations with and be advised by his council of ministers in the discharge of this function also. May we ask respectfully why there was a departure in the case of the report of the Governor of Kerala recommending central intervention?

Natural justice demands that any functionary, however great, acting on materials which affect some one else's rights should give a fair opportunity to that other to state his case about such materials. May we ask why the President has departed from this elementary principle of natural justice when relying upon the Governor's report and other materials warranting central intervention? The ministers were kept in the dark about all this and were unceremoniously informed about their removal, at the last moment. Forms of propriety, if not the substance thereof, demanded a different course.

Let us examine briefly the provision of Article 356 to see whether there is any justification for presidential proclamation in the Kerala case. Of course, the President's act cannot be challenged in a court. But that very judicial unassailability makes it necessary for the people and parliament to scrutinise the propriety of the action very closely.

Section 93 of the Government of India Act 1955, has been virtually borrowed in Article 356. If we go into the constitutional history thereof it will be apparent that the need to provide for carrying on administration when a

party which is returned in a majority at the polls declines to run the government led to Section 93. In short, the object of this provision is to avoid a political deadlock. Only extraordinary circumstances can justify the exercise of this wide constitutional power. Dr. Ambedkar stated in the Constituent Assembly while dealing with this article:

I may say that I do not altogether deny that there is a possibility of these articles being abused or employed for political purposes In fact I share the sentiments expressed by Gupte that the proper thing we ought to expect is that such articles will never be called into operation and that they would remain a dead letter I hope the first thing he will do would be to issue a mere warning to a province that has erred, that things were not happening in the way in which they were intended to happen in the Constitution.

The cases of the Punjab, the Pepsu, Andhra and Travancore-Cochin show that Article 356 has, in the past, been applied only where a government could not be carried on according to the provisions of the Constitution on account of a deadlock in the legislature. One of the most important provisions in the Constitution, indeed, the cornerstone of the parliamentary system is that the ministry shall be responsible to the assembly and from this follows the constitutional necessity for a party, before it assumes office, to be able to command the confidence of the House. If no party is able to secure this position in the assembly, there is a political deadlock and government cannot be carried on according to the provisions of the Constitution.

Where the government of the State cannot be carried on according to the provisions of the Constitution the President's jurisdiction is attracted. What are the circumstances under which one could predicate that the government could not be so carried on? When the State is in-

vaded and occupied by a foreign power probably the government thereof cannot be carried on under the Constitution as happened in the case of Burma. Probably even the Kashmir case may be brought in under that category, but in neither instance did the Indian Constitution apply. Secondly, we may contemplate a situation where no party is available to carry on the administration commanding the confidence of the House. There is then a political deadlock and a proclamation by the President becomes inevitable. All the precedents under the Indian Constitution have fallen under this category.

In the Punjab and Pepsu the ministry had *resigned* and there was no alternative party which could command a majority in the House. In the Punjab, the Governor tried with other party leaders to form an alternative ministry, but failed, thanks to the Congress High Command's *ukase*. In the Pepsu, no party had a majority in the House; what was more, a no-confidence motion and crossing the floor by a few opposition members provided a background of extreme constitutional instability. To cap it all, quite a large number of election petitions were allowed upsetting the seats in the House of the Chief Minister and most of his colleagues. All this was heightened by the deadlock faced by the administration because the budget had to be approved by the House but there was no other party which did or could command a majority in the Assembly and assume office. In Andhra and Travancore-Cochin, the ministry had resigned and no alternative party with a majority was available.

The real feature which distinguishes all these cases from Kerala is that the ministries there had resigned and there was no other party willing or able to run the government with the confidence of the assembly.

The only other conceivable situations to attract Article 356 are the following (even these are not free from doubt) :

When the legislature enacts a law which the courts held to be *ultra vires* and void but the government defying the verdict of the judiciary enforces the law it violates the constitutional provisions in the administration. Again, if the legislature gives certain directives to the executive by way of resolutions or otherwise but the executive does not obey the legislature there is a breakdown of the Constitution. Similarly, if the ministry which wields the political power issues orders which are defied by the executive staff of government then again there is a breakdown of government according to the Constitution. No other circumstance can be easily imagined and none of the above situations had arisen in the case of the Kerala State. Notwithstanding the improper attempts by the Vimochana Samiti people to threaten the police officers into defiance of the government's orders, the loyalty of the officialdom had been maintained at a high level. If there were an economic collapse that is provided for elsewhere in the Constitution.

A mere law and order situation can under no circumstances justify the President's intervention as is proved by the far worse Ramnad riots in Madras, the bilingual Bombay riots, the UP lawlessness, the Punjab linguistic and betterment levy struggles and the W. Bengal 'food' agitation. If at all, Article 356 constrains the Union government to make available the national power to the State which is in trouble and not to deprive the State of its own power on such occasions, that is like a judge going to the aid of the criminal. The extremely improper aspect of the Kerala intervention consists in the Congress Party being the accused (carrying on the violent, treasonable agitation), the accuser (submitting the charge-sheet against the Kerala govern-

ment and inviting central intervention in consequence), the judge (the Congress Parliamentary Board and the High Command had already pronounced an opinion adverse to the Namboodiripad government and the Union ministry which decides is controlled politically by the Central Parliamentary Board). Of course, the executioner in a political sense is also the Congress Party since the Union government which took over is under its control. This strange combination of roles of accused, accuser, judge and executioner is the worst part of the Kerala intervention. After all, civil liberties were not infringed and normal conditions prevailed in many places, since the disturbances were mainly in urban areas and under control, even though tension prevailed. The law and order situation was fully under control and no reasonable pretext existed for intervention even on that score. The phraseology in the Constitution was bodily borrowed and put in the proclamation, perhaps, actual grounds being unavailable. Give a dog a bad name and hang him is the line.

Ordinarily if fresh elections following upon a dissolution of the House takes place the same ministry continues as a care-taker government but here in Kerala the ministry has been sacked and the House has been dissolved. The Governor is exercising powers of administration as the President's proxy. It is elementary constitutional propriety that a non-elected regime temporarily carrying on till the next elections which are round the corner should function strictly as a care-taker government. This means that on policy matters changes should not be effected. Moreover, administrative continuity is the basic principle of parliamentary democracy. Reversals of policies or Tammany Hall tactics are very wrong in our system. Nor is it decent or just to take steps to placate a group, in this case the

Vimochana Samiti group. One would like to ask a few questions in this connection and leave it to others to answer.

1) The Vimochana Samiti leaders *including the* KPCC President demanded on the public platform at Trivandrum while celebrating the victory of their war, that the chief secretary, the home secretary and the IG of police should be removed. The leaders are believed to have demanded in Delhi that the Governor also should be removed. There are rumblings in the sky that these things will happen because the Congress Party is in power in the centre. The Inspector-General of Police has been shorn of most of his powers although he nominally retains his position as the Inspector-General of Police (Special). What is to happen to the home secretary and the chief secretary and the Governor?

2) There are a host of other officers, mostly police, who have been black-listed by the Vimochana Samiti and their fates are in the balance. Some DSPs have been reverted, probably there may be some little justification for it. But what is to happen to all those others particularly in the police department who have had the misfortune, while in the discharge of their duties, to annoy the 'villains' who have emerged as the 'heroes'? Is there going to be McCarthyism practised? Many officers, it is said, are apprehensive. There is some warrant for it from the few acts already done. But the question remains, as one of general policy.

3) The Education Rules, framed after great debate, are, it is said, being revised by a quasi-adviser to the Governor, if newspaper reports are to be believed. Are the managements going to be placated and the teachers sacri-

ficed? Or will the Education Act and the rules, fully considered by the legislature, be left intact?

4) School managements in defiance of rules continue to keep the schools closed for nearly two months. In some cases recognition had been withdrawn. It is stated that they are being restored. Does it mean that the Government of India sympathises with those who wanted to 'paralyse' the government by starting the school closure movement?

5) The Kerala government was charged by the KPCC with releases of prisoners when they came to power. The Vimochana Samiti leaders pressed the Governor and the Union government to release all those who were convicted of offences during the agitation and this was obeyed. They are also demanding the withdrawal of all cases which have been started under the Public Safety Act. There is no doubt that the agitation to 'paralyse' the government and to 'overthrow' the ministry was unconstitutional. The President's proclamation might have been wise or right. But there cannot be any doubt that the 'deliverance' movement was, in the eye of the law and the Constitution, an indefensible outrage. The Union government has already released all the prisoners. Does it mean the Union government, i.e., the President, who is bound to protect, preserve and defend the Constitution has condoned the crimes of those who were convicted for participation in a movement calculated to violate the Constitution?

6) The president of the KPCC presented a charge-sheet in regard to which the Kerala ministry issued a detailed reply and refutation. It is gathered that the Adviser regime is preparing a different reply. Are there two governments or one government succeeding the other? If

there is to be any enquiry into the charge-sheet is it fair to have it done through the back-door in this way? One does not know what other things are taking place behind the curtain, because it is said that Trivandrum city and other places in Kerala are honeycombed with central intelligence men now.

7) A liberal use of the Preventive Detention Act has been prescribed by the Union government against 'anti-social' elements. Who are the 'anti-social' elements in the eyes of the Congress Party? Civil liberties are in peril and we expect the Prime Minister to allay our fears.

8) Is assent to the Agricultural Debt Relief Amending Bill going to be withheld to appease the Kerala bankers?

More and more such questions will crop up as the days go by if policies are reversed and specific orders of the previous government are upset. They are being upset—many of them have already been. Mere beneficent acts like sending more rice to Kerala with an eye on the elections are welcome because at least the people benefit during the interregnum.

Right or wrong, President's rule has been established in the most advanced State in India! Instability, except during the 2½ years (nearly) of Communist regime, has been a feature of Kerala political life. It is difficult to prophesy whether disequilibrium will haunt the State for many more years to come. Political unrest and frequent change of governments hinder the State's progress and all national developmental activities. It is, therefore, the primary duty of the citizens of Kerala to choose decisively a stable and good government.

Which party is going to assure good government to

the State? The Congress Party has ruled for long and had made headway steadily backwards during the frequent general elections in T.-C. State and in Kerala. The Praja Socialists have dwindled by stages although 'talking like big whales.' The Muslim League may not aspire to be in office. It is too early. The RSP and the KSP only provide variety entertainment on the political stage of the State. Moreover, the personal and party ambitions and intrinsic hostilities make for the disintegration of the ephemeral unity based upon anti-Communism. For seats there will be squabbles. For ministerships there will be claims from various parties and personalities; for the number of seats to be allocated party-wise there will be wrestling. If the election campaign is to be carried on in a united way, there will be internal difficulties for the Congress party vis-a-vis the Muslim League.

More important than all these in an election is the programmatic agreement on a manifesto. There is the Kerala Education Act which confers considerable benefits on the teachers and for that very reason, opposed by the church and the managers organisations. What will be the attitude of the opposition parties to the enforcement of these provisions? There is the Debt Relief Amendment Bill awaiting assent of the President. The large community of agrarian debtors would like to have the Bill passed into law. Whom would these jumble of parties support? The influential bankers or the numerous debtors? Issues of this sort have to be faced and concrete solutions held out at elections. Difficulties will be encountered on major issues including even the Agrarian Bill and reservations for backward classes, so fiercely opposed by Sri Mannath Padmanabhan.

The prospects are bleak for the continuance of the

'united display of backs' formed by 'Marshal' Mannam. An election fight is different from a 'liberation' struggle. This does not mean that the Communists can have a complacent and confident time. There is no doubt that a measure of unity, though artificial, has been achieved on an anti-Communist basis.

The present polarisation on the basis of communal, religious and other considerations must vanish. The present excitement must subside. People must be made to act on reason instead of prejudice and passion. This is the task of the Party which has gone out of office because, by and large, the agitation has helped to throw up to the surface quite a lot of violent heat and passion. The Communist Party must reckon with the bitterness which has brought together the Nair Service Society (sections of it) and the Catholic church. The impression has gained ground that the Catholic community is disliked by the Communist Party. This is utterly wrong. The ordinary working class people in that community stand to gain by a regime of the sort we had. Religion is certainly sacrosanct and the Communists have no right to interfere with the freedom of religion. They have not done anything to raise such apprehensions. The minority must be convinced, if they ponder over the subject, that the Namboodiripad ministry has given special consideration to the backward classes of the State as compared to the former Governments. The prognosis is good for the Communists cum progressive elements although it is not easy.

The crucial issue, however, is whether the presidential intervention in Kerala was not a blow to democracy, was not doing violence to the Constitution, was not an assault on peaceful, orderly government because the intervention actually gave constitutional blessings to a violent move-

ment). What will happen if any party not relished by the Union were to be returned in a majority? Have the people the freedom to choose their men or can the results of general elections be undermined by periodical presidential proclamations? The elections must really be fought on the presiding factors which have led to this unnatural mid-term elections. Was direct action right? Was the civil commotion to secure political ends proper? Was the encouragement of unrest in the State and use of that very circumstance to deprive the people of provincial autonomy just? Can we make sure of the inviolability of parliamentary principles?

This is the basic issue that the electorate faces. The Kerala episode has roused the whole of Indian democratic opinion not because they were so interested in the Communist Party. It was largely because of the tremendous, almost militant, reaction to the naked aggression on the Constitution, peaceful coexistence and parliamentary democracy. India is awake and is marching on. Her struggles are not over. Politically she has to fight for democracy still and the battle is on, in Kerala between democracy and fascism, between the efficacy of elections and the arrogance of absolutism. Those who pose the issue as one of democracy versus Communism draw the red herring across the trail. India is not against any 'isms' nor has adopted any particular ideology. Everyone who feels that his vote must not be cast in vain must cast it in favour of those who although returned to power by the votes of the people were deprived of the normal period of exercise of such power by a non-democratic intervention. Let people's franchise assert itself. That is the Kerala question.

Postscript

What is truth? said the jesting Pilate
and did not wait for an answer.

The Prime Minister's press conference early in August has caused jolts in the minds of those who had great faith in his impartiality, intellectual integrity and democratic convictions. Sri Jawaharlal Nehru is still the best Indian salesman of views and ideas at national and international levels. His recent statements on Kerala have done serious violence to the cause of 'ends and means,' 'peaceful co-existence' and his own capacity to assess facts independently of party leanings. Why did this great man debunk himself by such statements, one is prone to ask?

Those who asked Sri Nehru about his somewhat strange views about the Kerala situation have been told to visit Kerala for he claims this experience to have helped him to size up the feelings of the 'vast masses of people.' In justification of his nostrum for Kerala he speaks of two solid groups of men with practically no contacts; he asserts that what was going on in Kerala 'was not only a mass upsurge, but an amazing movement which I have seldom seen in India.' Of course, he refers to the astonishing failure of the Communist government. He has discovered that the Catholic Church is a great force, that the vested interests are powerful and that the Communist government could

not, unlike the Congress, carry these many enemies with them and so ended up in failure.

When questioned about the circumstances which necessitated the intervention in Kerala, he was profoundly vague and answered, 'the reason for the intervention was the situation that had arisen and which could no longer be tolerated. The totality of circumstances was such that every one concerned, whether they said it or not, wanted this to be done.' He adopted the mystic pose that neither the charge-sheet (which he dismissed as 'only some kind of historical document') nor the 'mass upsurge' weighed with the Government of India. With felicitous evasiveness he made the broad observation, 'It was a broad situation that we had to deal with.' Apparently the Prime Minister was persuaded to intervene, by 'a situation which was approaching conditions of a civil war. It was getting worse and worse.'

He denied the popular impression about the Ooty conspiracy between the High Command leaders and the KPCC wing of the Vimochana Samara Samiti, to intervene after a propitious confusion had been created by them inside the State. Maybe, Sri Nehru was not cognizant of it but there is excellent evidence to justify such a conclusion. More things in the Congress are wrought by prayer to Sri Dhebar and Smt. Indira than the world dreams of Sri Nehru is aware of. Asked about the charge-sheet, he was kind enough to state, 'An enquiry dealing with these charges in the present circumstances in Kerala, a high level enquiry, would certainly not be a measure to bring about peace there but to keep up passions.' If that be correct, general elections in the present inflamed conditions will exacerbate passions and yet Sri Nehru has given the call for fresh elections. As for an enquiry, it is a tonic

step to be welcomed and not shied at, provided (*and only then*) it is applied to the other States where nepotism, graft and political discrimination flourish and charge-sheets have been presented or are under preparation. It will incidentally prick the bubble of the Kerala charge-sheet and prove the 'corruption' in the Congress governments.

'Any party that wins the elections will be entitled to have the fruits of the election.' Many will shake their heads sceptically at these words because the current unjust and unjustified and arbitrary dismissal of the ministry is testimony to the contrary! If the Congress lose again they will start the same or similar unconstitutional 'stunt' Nehru notwithstanding.

Asked about the impression whether the religious and communal and financial vested interests have not won the race on account of the central intervention, the Prime Minister parried the question by asserting that people of various types of religious and political opinion, including conservatives and reactionaries had joined the movement. 'There was a great deal of fanaticism. About money, he had no information.'

The Prime Minister asserted that he had himself seen and been impressed by the 'mass upsurge' in Kerala. What did he see? His personal experience consisted of seeing serried ranks of what may be called a pre-fabricated crowd lining up the road from the airport to the Raj Bhavan. Of course, representatives of both sides, and some impartial men met him in the course of his two or three days' stay. The crowds that came were not present on his way back from the Raj Bhavan because they had been brought to create an impression in his mind and not because they wanted to see Sri Nehru. Evidence by demonstrations having been given and the necessary 'impression' produced the witnesses

(viz. the pre-fab crowds) left. The purpose was obvious. But nobody could have believed him to be so gullible as to be moved by the yellings and fist-shakings of poor Catholic fishermen from the coastal areas of Trivandrum and other human 'imports' from the outlying districts, demanding the dismissal of the 'rice deal robbers' by display of the same dull placards distributed by the Church to the lined-up crowds early enough with necessary coaching about how to gesticulate and what slogans to shout.

Sri Nehru saw nothing else in Kerala. If people in Bombay or Punjab lined up like this and shouted with more excitement at central ministers with similar placards with the writing 'LIC swindlers—dismiss them!' one wonders whether it would produce a feeling of terrible 'mass upsurge' in the mind of the Prime Minister! The argument looks too thin to appeal to intelligence. There was a bigger Communist demonstration even when the Prime Minister was in the city but apparently he did not see it from Raj Bhavan! The more important thing is to note that he did make three valuable suggestions as a solution of the impasse and Sri Namboodiripad accepted them more or less. But it was only after he met the Congress Party of Kerala and they took an adamant 'remove-the-ministry' stand that he wilted, abandoned the compromise conditions virtually and started the meretricious slogan of fresh elections. Sri Nehru knows that democracy works by persuasion and not coercion, that peaceful co-existence implies negotiations on trust and settlement of issues without force. Having failed to try these principles at home in Kerala with his own party, he has forfeited the moral authority to preach them to other nations or to other parties. This is a great loss to India.

Immediately after the intervention, the Prime Minis-

ter reported to the Congress parliamentary party that the central government had intervened in Kerala as it had '*absolutely no other choice.*' He supported the statement by adding 'He would like to go a step further and say that even Kerala government wanted central intervention.' Sri Namboodiripad promptly repudiated this terminological inexactitude and then Prime Minister shifted the ground and said, 'I know the Communist Chief Minister has said that the Kerala government never asked for it. Of course, they never asked for it.' This is an admission of temporising with truth and it is unfortunate.

The Prime Minister went on further to assert that 'he never said that they asked for it.' But only stated 'at the Congress Party meeting that the difficulties of the situation were becoming so great that they wanted someone to relieve them of those difficulties. It is not a question of their asking for it but they made it quite clear in other words that in the circumstances this was probably necessary.' This statement again is a serious one though again it unwittingly contradicted facts induced by the wine of wishful thinking! It is incredible that the Prime Minister should say such things. The fact is that the Kerala government of Sri Namboodiripad consistently asserted that there *should not be* central intervention, that there was no ground for it, that the situation was clearly 'under control' and that the agitation was confined to limited areas and that it was petering out but was kept boiling only by the unseasonable repetition of the possibility of central intervention by the leaders of the Congress from Delhi or on return from there. The Prime Minister forced, for his party's sake, to 'argue still.'

The Prime Minister has told the press that the situation was approaching the conditions of a civil war. Offi-

cial and non-official reports show that till 31 July the normal business of government and of the community in most areas in the State was going on without interruption. Many schools were functioning and public offices too were doing their job. The people were going about their work. In the urban areas there were occasional disturbances. Here and there, some sudden tension developed and conflicts came about. One cannot confuse the sporadic or localised troubles, spread over the State though, with *civil war* conditions; unless it be that some frightful phraseology was felt necessary to justify the unwarranted central intervention. Just a few firings took place, a few lathi-charges and Sec. 144 orders; this was but a small fraction of what had been done by the police and a tithe of the tension during days of agitation in other States ruled by the Congress. No preventive detention, no curfew orders, no large-scale clashes. This is the surest evidence to discredit the theory of 'near civil war.' But the Prime Minister failed to see civil war conditions in those States where outbursts of violence, incomparably more frightful, occurred and so it is more casuistry to state so with reference to Kerala alone.

Moreover, Sri Nehru must have been 'in communion with divine providence' (to use his own phrase) to have guessed that the Kerala government would not have been able to keep down the situation on 9 August when *his own party* had threatened a march into the secretariat to throw out the ministers! Who was responsible for the pseudo-civil war? Admittedly, a cabal, of which his party was the senior partner, led the commotion. What was his primary duty as the guardian of the Constitution and the law? To support those who waged the civil war or the established government which resisted it? Is it not

the elementary obligation of the central government, if it wanted to appear fair to ask the State government (which means the council of ministers) whether the situation was so serious that they would like to have some kind of central assistance to ease the situation at least? Should not Government of India have asked for the views of the Kerala government and a factual report about things, if they had reports of widespread internal disturbance or overwhelming domestic violence?

Article 355 directs the national power to be placed at the disposal of the State whether the State government asks for it or not. Moreover, civil war conditions and similar emergencies are specifically provided for by Article 355 and perhaps Art. 352-3 and do not fall under the provisions of Article 356.

The Prime Minister stated that central intervention was not prompted by the mass upsurge nor by the charge-sheet. What then was it due to? The totality of circumstances was such, in his own language, that everyone concerned whether they said it or not, wanted it to be done. This is quibbling par excellence and considerably reinforces the rumour current that the central intervention having been decided upon by the key-men in the Congress, grounds were sought and since no convenient grounds could be found which would not embarrass the chief ministers of Congress States, it was finally decided that the bare phrasology in Article 356 might be borrowed into the proclamation. There was absolutely no other choice, says Sri Nehru. Yes, the party bosses left him no other choice as anyone could infer from the impatient statements urging "intervention" of Srimati Indira speaking the stern language of President of the Congress Party.

The mass upsurge has been described as an 'amazing

movement.' The chemistry of the liberation struggle, if one may say so, is strange. The communal and political elements, normally hostile to each other, have compounded themselves into a broad anti-Communist front. It was violent in character and used all methods. The terrific propaganda of the Kerala pro-agitation press kept back or played down the acts of hooliganism and coercive procedures adopted by the Vimochana Samara Samiti—erection of road blocks, waylaying and demanding of money for the 'struggle,' stoning of buses and police vans, setting fire to government school buildings, tearing up public transport tyres, rushing into public offices, ridiculing lawyers who did not sign resolutions supporting the agitation, coercing every party-man whether he agreed with the method or no, to court arrest lest he should be ostracised, shouting unutterably vulgar slogans villifying Ministers, etc. The police were very restrained, by and large, and yet were pictured as violent beasts. Falsehoods calculated to discredit the government were imaginatively put out. The Kerala crucifixion has shown that truth is only falsehood coaxingly, convincingly and overwhelmingly advertised.

The same set of persons went into jail over and over again, because it was a paid job and the jails were fairly comfortable. A leading Congress MP from Bihar who had visited Malabar jails at the crest of the agitational wave testified to this. On the whole the Kerala jails are, under Indian conditions, too comfortable to deter jail going for flippant causes. One lakh of persons said to have courted arrest is a misleading figure; men who were merely taken into temporary custody and let off later in the day without prosecution; men who were merely removed by the police have been included in this exaggerated reckoning. Some persons have come up over and over

again and they have been counted as several persons. Thus, the bloated impression about the dimensions of the agitation is far from true.

By far the most significant circumstance is the resources of the agitation. The Namboodiripad regime preserved civil liberties to a perilous point. No preventive detention was resorted to. Other States in India under far less provocation have used the Preventive Detention Act. Wholesale clamping down of Section 144, a common feature in other States during times of tension, have been more or less absent in Kerala. When one learns about the colossal subsidy for the agitation there need be no surprise about the number of persons who had gone into the fray. The police were more or less mild; the jails had a pervasive air of comfort. With the result that the usual deterrent influences of both were absent.

There was also a big appetiser of 'wages.' Many picketers were paid tempting wages. Even some lawyers are said to have made decent money for politico-legal activities in connection with the agitation, including in a few cases going to Delhi and to jail. A veteran journalist of Calicut by name Sri Ramaswami was offered Rs. 5,000 by a Vimochana leader to send favourable reports to his paper, *The Hindu* of Madras! He refused but some others have perhaps succumbed. It is common knowledge that a Nair Society chief in Trivandrum had a queue of picketers claiming their daily wages every day in front of his house. It is a notorious fact that picketers were being paid by the Bishops. Even some students were paid money. American gifts of milk powder served to 'contain Communism.' The Church discriminatingly distributed them so as to advance the cause of overthrowing the Communist ministry. American milk powder was also sold and the proceeds helped to

finance the agitation. The Prime Minister and his central intelligence department could not be unaware of these; rivers of funds were flowing in Kerala. A modest admission by the leader of the Vimochana Samiti Sri Mannath Padmanabhan, as reported by the PTI, shows that 50 lakhs of rupees had been spent during the period of agitation which lasted only fifty days or less! This excludes the funds of the parties. Over a crore is the estimate of many. A few crores of foreign money has come to the priests in India in the recent months as Pantji admitted in parliament and the Church in India had taken the Kerala battle as one against international Communism. Cardinal Gracias has given the proper crusading lead. India must beware of such heavily financed 'upsurges.' Any bad event is an ominous portent. Small minds forget this.

The measure of duress brought to bear upon various sections of the people to join the agitation is remarkable. The attitude of the central government was of great moral help because people did not know which way things would turn up. Just an instance or two of the methods adopted by the agitation organisers are tell-tale. The PTI correspondent who put out a report gathered by him about Ankamali firing was branded as a pro-Communist and 'direct action' was threatened against his person. One of the Malayalam announcers of the AIR Trivandrum faced a similar peril. Is it not all a sort of fascism?

Some of the members of the Ernakulam Bar Association who had signed an appeal *against* 'intervention by the Union' were offered old razor blades by the Vimochana wing of the Bar. A few lawyers at a place called Irinjalkuda who refused to court arrest by picketing had to face public ridicule when they went to court. Such incidents have occurred extensively bringing out clearly the 'duress

aspects' of the 'spontaneous mass upsurge' so frequently referred to by Prime Minister Nehru.

The Prime Minister has dealt with communal organisations in Kerala as something very peculiar. To many who are closer to the stage, his information and appreciation look very peculiar. Of course he has, surprisingly enough, exalted Sri Mannath Padmanabhan as a great man who has cut himself off from the communal organisation he built up and even (disbanded the NSS) and given up politics and now works for the noble cause of spread of education. Could any statement be further from the truth? The KPCC president himself virtually contradicted this statement about Sri Mannam by Nehruji while talking to pressmen at Calicut. How about the liaison between the Muslim League and the Congress Party! Nehruji sprung a surprise that it was the Communist Party and not the Congress which wooed the League in the past. This elicited a sharp refutation from the Muslim League leaders who, while asserting their eternal Islamic antagonism to communism, revealed that the Congress leaders were after their hand during the last general elections! A thousand pities that our great Nehru should allow himself to be tripped by truth in his valiant but vain fight to defend the indefensible role of his party. The beginning of the end of the Congress Party has begun, disowned by the Left and detested by the Right and playing the ropetrick too long. Has the Congress Party lost its individuality and merged into a mere anti-Communist front? It has, in Kerala. That brings the cold-war nearer to our country, notwithstanding all pious professions about Panchshila? What is the political LCM of the various quantities like the Congress Party, PSP, RSP, KSP, Muslim League, Nair Service Society and the RSS except anti-Communism? Now that central in-

tervention has made the 'liberation' of Kerala an accomplished fact would the Congress Party prove its individuality at the next elections or face the polls as a senior partner of the Action Council of Mannom and campaign on the same platform with the Muslim League which has, just last week, reiterated its stand that the Indian Muslims are a minority *with a separate religion and culture*, strongly reminiscent of the two-nation theory? Does the Prime Minister accept this contention? Or does he think that this is perilously nearer the two-nation theory?

'We face all manner of perils and the greatest peril is sometimes the lack of faith which comes to us, the sense of frustration that comes to us, the sinking of the heart and of the spirit that comes to us when we see ideals go overboard, when we see the great things we talked about somehow pass into empty words and life taking a different course.' This is a passage from a famous speech of Nehruji on Gandhiji.

Nehruji comments on Gandhiji again, 'Even we realise that his dominating passion was truth. That truth led him to proclaim that good ends can never be attained by evil methods That truth led him to confess publicly whenever he thought he had made a mistake. Himalayan errors, he called some of his own mistakes.'

Nehruji speaks elsewhere: 'I am proud of my country but I speak to you not in pride For events have humbled me and often shamed me and the dream of India that I have had has sometimes grown dim.

'If, as I believe, his spirit looks upon us and sees us, nothing would displease his soul so much as to see that we have indulged in any small behaviour or any violence.'

What tragic irony to read these noble words of Nehruji on Bapuji, after the Kerala crucifixion.

'My generation is a passing one and soon we shall hand over the bright torch of India to younger hands and stronger arms' (August 15, 1948). Kerala 1959 has only emphasised the need to hand over to others who will keep the torch bright or to stake himself off from the darkening company.



