

CLUB DU BEAU LIVRE DE FRANCE



51, Rue de La Montagne Ste-Geneviève
PARIS (5^e) - DAN. 90-72

7 juin 1956

Mon cher René

D'accord bon le tableau. Venez faire chez
vous dimanche 10. Vers 19 heures. Vous
bavarderez comme des concubines et
vous pourrez prendre la fraîche en retour.
Nous avons absolument besoin d'un
artiste bon faire qq dessins. Il ne s'agit
pas de dessins originaux, mais de
s'inspirer d'après des modèles connus
comme vous avez fait bon la médaille
de Jean de Neval. Vous êtes certainement
très occupé, mais pourriez-vous
indiquer quelqu'un capable de faire un
travail valable. Je n'ai pas besoin

De vous rappeler l'état de vos finances!

Merci d'avance et à dimanche

Donnez-moi svp un coup de téléphone

demain à 9h-10h. Si je ne suis

pas là dites à la personne qui répond

si vous êtes libre ou non dimanche, vous

me devez pas de reste. svp

Toutes vos très sincères amitiés

Francis Petit-Durand

LIFE AND LETTERS

Tortured Paradoxes

By ADIB

DRIVEN to the verge of insanity by the hatred of the woman he once loved, a Strindberg character cries out: "If this is love, what is hate?" and is told "It is the lining of the coat." In fact he doesn't have to be told. He knows it already, for he has carried the cross of the hate which was once love. He knows he can do nothing about it.

We know there is no way out of the tortured paradox of love which has turned into hate. We suffer. We know nothing can abolish private tragedy—the suffering of a Hamlet or an Oedipus. But it is different with the tortured paradoxes of our social and political life. We see freedom stifled in the name of freedom and justice defiled in the name of justice and we protest. We know there must be some way to check this stifling and this defilement.

The ultimate horror of the speech in which Mr. Khrushchev detailed the crimes of Stalin lies not in the fate of the victims but in the silence of those who for twenty long years knew what was happening and said nothing. The Koestlers and the Silones may say 'we told you so,' but there is all the world of difference between an accusation and a confession. Mr. Khrushchev's is not an accusation. It is a confession, for he and his colleagues cannot disown part of the moral responsibility for what happened. A silent witness to a crime is also an accomplice. Mr. Khrushchev and his colleagues were not even silent. They applauded the man they now condemn and they condoned all he did. They were not psychopaths. They knew, they understood and even so they kept quiet.

QUESTIONS

They know they are fully implicated and that perhaps proves the courage of their confession and redeems their guilt. But only partly. For in the very process of confessing they have sought to cover up the guilt. They haven't told the full story. They haven't even asked the most pertinent questions. When did it all begin? Could one man do it all by himself? Could the caprice of one man pervert the entire system unless there was some soft spot in the system itself? Was there nothing wrong in a system which required every one on pain of death to toe the line once the line had been laid down? Was there nothing wrong in a system which set out to extend the area of man's freedom and in the process constricted it so woefully as to still the very voice of conscience? Was there nothing wrong in a system under which there could be no whimper of protest even in the face of so

much cruelty?

This is meant not to indict the system but to prompt a more searching inquiry into the rot. It is not enough to count the dead. It is not enough to declare that they were honest men. It is necessary to make sure that there are no living dead. It is not enough to re-introduce democracy within the party. It is necessary to ensure for the millions outside the party the right to say and write what they feel on the basic issues of the day. It is not enough to say that it is not likely to happen again. It is necessary to ensure that it does not happen.

It is true that the area of freedom has been visibly extended in the U.S.S.R. in the last three years. But this extension will have no permanent basis if the slick reasoning which led to subversion of freedom in the past continues to prevail. The ideas which nourished the tyranny must change. It is necessary, for example, to examine whether a one-party system can guarantee a free clash of opinions. It is necessary to find out whether the violations of justice which Mr. Khrushchev detailed can be prevented without an independent judiciary.

SOCIAL BASE

The argument that in a society which has done away with classes there is no room for more than one party was never quite convincing—for even in an integrated society there is room for honest differences of opinion on basic issues. But what has happened has completely destroyed whatever validity the argument ever had. For the nightmare described by Mr. Khrushchev was by no means the picture of an integrated society. Indeed the terror raises the question of the social base of Stalinism which Mr. Khrushchev slurred over. Is there no connection between the terror and the pampered bureaucracy—administrative and industrial—which had a greater vested interest in the regime than others? The moral is plain. If political democracy by itself is no guarantee of freedom from want, economic democracy which gives every one the opportunity to make a living is by itself no guarantee of freedom from fear. Apparently we need a richer and more complex concept of democracy.

This does not mean that freedom is something abstract and has to be striven for for its own sake. Freedom always means freedom in specific circumstances and with the constraints implicit in those circumstances. It demands an extension of our control over our environment as also self-control. It demands, in

other words, a recognition of necessity which is blind only insofar as it is not understood. That this concept of the freedom of necessity should have been abused to justify what had now been proved to be naked terror points to the need for a more precise definition. To identify necessity with the will of the majority faction in one party is to sully the idea of freedom at its very source. What is necessity in any given situation can only emerge in a debate in which bullets do not take the place of arguments.

CONSCIENCE

What place has the writer in this debate? He may not be as versed in the laws of historical or social development as some politicians. But he knows better than they the working of the human mind. He knows best how external circumstances press on a man's inner world. He knows where a man feels exalted or humiliated, free or crushed. And he can report on what he sees in a way others can understand. As M. Sartre has said, "the writer presents society with its image; he calls upon it to assume it or to change itself. At any rate it changes; it loses the equilibrium which its ignorance had given it; it wavers between shame and cynicism; it practises dishonesty; thus the writer gives society a guilty conscience; he is thereby in a sort of perpetual antagonism towards the conservative forces which are maintaining the balance he tends to upset." Is it a mere accident that the Soviet writers failed to show the society in which they lived its true image?

In any case there can be no excuse for their not speaking out now—and not saying all that they want to say. They need not shrink from the dark side of the truth. Truth alone can redress the old wrongs. They must have the integrity to confront the truth of their own feelings. There is no room for make-believe. The words of the Polish poet, Wazyk, are a warning:

*It is true,
when these farthing boredoms
hovel down the great aims
of education,
When the vultures of abstraction
pick out our brains,
when students are enclosed
in text-books without windows,
when language is reduced
to thirty incantations,
when the lamp of imagination
is extinguished,
when good people from the
moon deny us our taste,
then truly
oblivion is dangerously near.*

Oblivion was near. It need not be so now.

Bombay-Veraval Launch Service

INAUGURATION IN "PLAN WEEK"

"The Times of India" News Service

RAJKOT, June 28: A launch service between Veraval and Bombay was among the many commercial and industrial enterprises inaugurated throughout Saurashtra to mark the commencement of the "Plan Festival Week" in the State.

The Minister for Industries, Mr. G. C. Oza, inaugurated the carpentry section of the Central Workshop at the Industrial Estate here today.

He said that the progress made by small-scale and cottage industries in the State had been appreciated by the country. With the greater facilities now available to the State, industrial progress could further be quickened, he added.

NEW POLICY EXPLAINED

A meeting was held here in the evening when several speakers explained the country's new industrial policy.

Weavers' co-operative societies were declared open at Morvi and Wankaner. A jari workers' co-operative society and bandani manufacturers' co-operative society were opened at Jamnagar by the Chairman of the Jamnagar Municipality, Mr. K. P. Shah. Similar societies were also opened in other parts of the State.

Cultural programmes and symbiosis on labour welfare were organised in 15 towns.

STEEL BOARD PLANNED

Statutory Corporation

"The Times of India" News Service

MADRAS, June 28: The Union Minister for Commerce and Industry, Mr. T. T. Krishnamachari, said here today that the Government had under consideration plans to constitute a Steel Board, after the Bhilai, Rourkela and Durgapur plants were set in motion.

The Board, he said, would be a statutory corporation and would be "over-all" charge of production and distribution of steel.

Mr. Krishnamachari, who arrived here today after visiting Bhilai, said the Government would set up a State Trading Corporation for distribution of cement.

He said that the Government had proposed to invite tenders from all over the world for the import of nearly 100,000 tons of cement during the current year. A barter arrangement through which the Government could get cement for ores was also being contemplated. If that was not successful, the Government would endeavour to secure a substantial reduction in the freight charges. "Once we get the business, we will

PLEA TO QUASH COMMITTAL ORDER

Application Dismissed

By A Staff Reporter

A special criminal application filed by Arunachalam Swami and three others challenging the validity of Section 207A of the Code of Criminal Procedure, was dismissed by the Chief Justice and Mr. Justice Dixit at the Bombay High Court.

The petitioners were produced before a Presidency Magistrate on a charge of murder. The Magistrate, after following the procedure laid down in Section 207A of the Criminal Procedure Code, came to the conclusion that the accused should be committed for trial and thereupon he passed the committal order.

Before the order was passed, the accused applied to the Magistrate that they should be permitted to lead evidence to disprove the allegations made against them by the prosecution. The application was turned down by the Magistrate on the ground that there was no provision in law to lead defence evidence. The petitioners, thereupon, made an application before the High Court under Article 227 of the Constitution, praying that the committal order be quashed on the ground that the new procedure followed by the Magistrate under Section 207A was contrary to the Constitution, inasmuch as it offended against Article 14.

MAGISTRATE'S RIGHT

The petitioners urged that under sub-section (4) of Section 207A of the Criminal Procedure Code, the only right the Magistrate had was to take the evidence of the witnesses produced by the prosecution, and further, in the interests of justice, to take the evidence of any one or more of the other witnesses for the prosecution. It was pointed out that sub-section (4) clearly prevented the Magistrate from recording evidence on behalf of the defence, even though such evidence like that of an alibi witness might be in the interests of justice. In contrast to this, under Section 208 and the following sections which provided for procedure to be followed in proceedings instituted other than that on a police report, that is, on a private complaint, the accused had been fully safeguarded by vouchsafing to him the right to call evidence in defence.

It was urged that the amended Code deprived the accused, who had been proceeded against on a police report, of a substantive right of defence, and in so depriving him, Section 207A offended against Article 14 of the Constitution, because the right of defence had been secured to the accused in a private complaint.

"PRIMA FACIE" CASE

tice even if the Magistrate wanted to hear evidence called by the accused he was precluded from doing so.

Their Lordships said that the law was well settled that it was not open to the prosecution or to the police investigating an offence only to place before the court witnesses who supported the prosecution story. If there were other material witnesses who supported the defence or the accused, it was equally the duty of the prosecution to call them.

ESSENTIAL EVIDENCE

Further, Section 540 of the Code conferred upon every criminal court at any stage of an inquiry, trial or other proceeding under the Code to summon any person as a witness or examine any person in attendance, though not summoned as a witness, or recall and re-examine any person already examined if his evidence appeared to the court to be essential.

Their Lordships, therefore, held that the Magistrate was wrong when he rejected the application of the petitioners to call evidence on the ground that there was no provision in law for a defence witness.

They said that the ordinary powers of the High Court to revise any order passed by a criminal court subordinate to it or the power of the High Court under Section 561A remained unaffected as far as the committal orders under Section 207A were concerned. Apart from these sections, the accused had always the right to approach the High Court under Article 227 of the Constitution.

IMPORTANT RIGHTS

Their Lordships held that on both the grounds, namely, the right to approach the High Court and the right of calling defence evidence, which were both important and substantive rights, no prejudice whatever was caused to the accused in contradistinction to an accused person, who, though charged with the same offence, was being proceeded against at the instance of a private complaint and not on a police report.

Their Lordships said it was impossible to accept the contention that there was no case to go to the jury and they, therefore, upheld the committal order on merits. In the result, the application was dismissed.

Mr. S. S. Kavelekar and Mr. P. K. Nair appeared for the applicants. The Government Pleader, Mr. H. M. Choksi, appeared for the State.

DEATH-ROLL IS PLACED AT 15

Santhal Village Riot

DUMKA, June 28: Fifteen Santhals were killed in Tuesday's police firing in village of Kirta in Santhal Parganas, latest reports received at the District headquarters here today said.