

**REQUEST FOR COPIES OF PAKIS- I  
TAN PRESIDENT'S LETTER RE THE  
BERUBARI QUESTION**

SHRI BHUPESH GUPTA (West Bengal) : Sir, I have a little request to make now; otherwise it will be too late. Yesterday in another place the Prime Minister referred to a letter which he was reported to have received from General Ayub Khan, President of Pakistan, in connection with the question of Berubari. This is a very important material for our discussion because that would throw some light. I would request that this letter be circulated to the Members of this House before we take up the discussion of those two Bills tomorrow.

MR. CHAIRMAN: All right.

**MOTION RE INTERNATIONAL  
SITUATION—continued**

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS (SHRI JAWAHARLAL NEHRU) : Mr. Chairman, Sir, Shri Ganga Sharan Sinha in the course of his speech yesterday pointed out that these discussions and these resolutions that we have, tend to become mechanical and not connected with any immediate issue. I think that that criticism is justified. In fact, yesterday I myself pointed out that I was not satisfied with the wording of the resolution which I was putting before the House. There was nothing wrong in it but it just seemed rather stale. It would, I think, be a better practice if we could take up any important event that happens and I make a statement or there is a brief discussion instead of this wide range of the entire world that we consider from time to time. I would like to do it but there are difficulties in the way. I do make statements when something happens but something is happening every day, Sir, that I can hardly go on making a statement

about some foreign development every day or every other day. So I only come here when there is some particular information which has not appeared in the papers which I think the House should know or some particular development to which I want particularly to draw the attention of the House.

Now, Sir, in the course of the debate yesterday hon. Members said many things which either more or less agreed with the broad policies we have adopted or made some suggestions which did not affect the basis of that policy. Dr. Kunzru asked certain questions. I am sorry I was not present here for many of these speeches because I was unfortunately engaged with a Bill in the other House but I have taken the trouble to read the record of most of the speeches delivered here. Now, Dr. Kunzru asked me various questions. One of them was what I meant by saying that there should be three Deputy Secretaries or Assistant Secretaries in the U.N. I did not make any precise proposal; I had thrown out an idea but I had laid stress even then that the post of the Secretary-General could not be divided up into three because I could not conceive of any joint functioning, any effective functioning, if there were three heads of this great institution, but I thought that it might be helpful if we had some others—in my mind there was vaguely the idea of a small cabinet if you like; it is a bad word; I did not mean a cabinet but some people—associated with the Secretary-General who could bring to bear on his mind the reactions, the thinking, of various parts of the world. This House may remember that the whole concept of the United Nations when it started at San Francisco 15 years ago was to take the world as it is, with its conflicts, with its differences, and help bring them together. The idea of unanimity in the Security Council in regard to the five permanent members was based on this. It was realised that the five permanent members

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differed from each other, some of them very greatly. It was realised that it was not possible in the world as it is for some of the great powers let us, say, to condemn by resolution another great power, because that meant war. One great power may be condemnable. It is a different matter. But if the United Nations, at the instance of one or two great powers, puts in the dock the other great power, the result is likely to be conflict. Therefore, it was laid down in the Charter something that is not democratic, that is not in a sense logical, but nevertheless it was a practical recognition of the world as it was and as it is—what is called the veto principle. Veto, of course, is not technically a right word. The principle is unanimity of the five powers, and yet if one of them does not vote, it can be called a veto. So, it was this recognition and you apply that to the general working of the United Nations. The United Nations breaks up if there are two strong pulls in different directions among the great powers. You can put up with pulls so far as the smaller countries are concerned. But if there are strong pulls from the great powers, let us say, the United States and the Soviet Union, absolutely opposing pulls in regard to important matters, and neither will agree to some common enunciation of policy, well, they break, and that is why the danger. We have been living through this period of difficulty and danger because such pulls are getting more and more acute and one does not know when they might break. It is rather a secondary matter, if I may say so, as to who is in the right and who is in the wrong. Of course, it is basically important. Nevertheless, it is secondary in the sense that if something leads to that break and therefore it upsets the whole United Nations functioning, it is a very serious matter. Now, we have come up, in the course of the last six, seven or eight months, against these powerful pulls in every direction. Whether it was in the case of, coming out of the last

attempted Summit Conference, which upset so many things or what happened just before and subsequently, the African situation, the Congo situation, everything today is producing these tremendous pulls in different directions which are not easy to reconcile and therein lies the danger. Now, it may be that some hon. Members may be quite convinced that this party is right and some may be convinced that the other party is right. It may be so. But if they cannot reconcile themselves, well, it ends in danger or even disaster. That is the whole point. Now, how is the United Nations to function in such circumstances? On the one hand, as I said, you cannot have a great organisation like this without a head or with three heads. I do not think three heads can function. On the other hand, there is this risk and danger of this aspect, the picture of the pulls in the nations in the world not coming up adequately before the head of that organisation, except through resolutions of the General Assembly, etc. That is a different thing. Therefore, it seems important that some step should be taken by them to lighten the burden of administration and to create conditions so that these various aspects are fully considered before a decision is made. The decision ultimately has to be made, in so far as executive action is concerned, by the Secretary-General or by the Security Council. As a matter of fact, before Mr. Hammarhjeld became Secretary-General, to some extent that was the policy of the organisation in the U. N. under Mr. Trygve Lie. He had Assistant Secretaries-General. The names do not matter. What matters is the quality of the persons there. There are risks, as I think Dr. Kunzru pointed out, whether you call them Deputy or Assistant Secretary-General, and they come with fixed ideas from a fixed group to hold on to them, and not at all inclined to agree, to compromise, and the same difficulties would arise. These difficulties are in the nature of the situation itself that we have to face.

DR. H. N. KUNZRU (Uttar Pradesh): May I ask a question? Does the Prime Minister mean that one of the three Secretaries is to be in charge of the policies of the Western block and another . . . .

SHRI JAWAHARLAL NEHRU: No, no. I am going to deal with this. The idea is not that there should be allocation of work in the sense that he suggested. Of course, not. I have not considered it in any precise detail and I did not put it forward that way. I was pointing out that the way it is done at present is not very satisfactory, that is, at the top levels of the U. N., apart from the Secretary-General. I was pointing out that and there is a tendency for these aspects not to be brought up properly, apart from these heated discussions in the U. N., and some method should be found to have those aspects discussed before they are subjected to those heated altercations in the General Assembly. In the early days, as I was pointing out, there was some such thing—not allocation of work and all that. There was this to some extent, which sometimes helps, not always.

Then, Sir, a point at the present moment is this. Apart from the inner dangers in the Congo situation, the real dangers, whether it is the Congo or whether it is Laos, arise from this fact of the clash between the great powers there. And the local leaders or whatever they are—they may be important or not—really become symbols of this great power struggle. Take Laos. In Laos, broadly speaking, there were three groups, which are referred to in rather colloquial language as rightists and leftists and somebody in between. The Prime Minister, Prince Souvanna Phouma, was a little while ago there and he tried to follow a policy of having some kind of Government with representatives from each side. It is not for me to say whether his government was a good government or a bad government. But the attempt was to re-

solve these conflicts there by constituting a government following a middle-of-the-road policy, without inclining to any military group. Now, on the other side, there was the Pathet Lao, backed up to a large extent by the North Viet-Nam Government, which is a communist government. Pathet Lao is not communist, but it has communists in it and it is an extreme nationalist force with a considerable affiliation with the communists of the north. On the other hand, there are the other groups which are called, shall I say, not precisely, rightists, whatever that might mean. Now, in this context of things, the communist powers of the north are interested and would like Pathet Lao to be represented—that is nearer to them—while the United States especially and may be other powers are anxious that the rightist group should prevail. That is the essential conflict and it is to avoid that conflict the Geneva Conference passed some resolution that Laos and Cambodia should not attach themselves to any military grouping like this and broadly follow a neutral policy. These pulls are there all the time. Now, what has happened is that ever since the Supervisory Commission went to sleep there or was made to adjourn indefinitely, one check on these different pulls was removed. Of course the Commission could not do very much by itself, but its mere presence was a check, and sometimes it was disliked by even outside powers—"It is there and comes in our way". Ultimately, the then Laotian Government asked the Commission to disband itself. We did not agree to this proposition that the Laotian Commission could do so, because we were there, the Commission was there under the authority of the Geneva Conference. Nevertheless, if the local Government says "no", it is difficult for any Commission to function, and we agreed not to its ending but to its indefinite adjournment, to be called back at any time when needed. Also one of the members of the Commission, the Canadian member, was withdrawn by the Canadian Government. As soon as the Commis-

[Shri Jawaharlal Nehru.] sion went out of functioning, these different pulls became stronger and stronger and gradually, apart from the internal pulls, arms began to flow-in from outside. It is difficult to say who started this business of giving arms, because it is easier for Pathet Lao to get arms without any fuss because it is an adjoining territory. Arms coming for the other side, say, from the United States, have to come much more publicly, and they did come publicly, and they went on coming, there is no doubt about it, and because of objections being taken, of the public outcry, it was announced that the United States Government would stop sending arms. Stop when? On the 30th November, last month. That is of course after a great deal had come in. In today's newspapers it is announced that the United States Government have decided to renew supply of military and other aids to the Laotian Government. All these are disturbing factors. I cannot tell the House what arms are coming on the other side to the so-called leftists, but I have no doubt they have come in. When precisely, what, I cannot say. They have come, so that you find this situation arising that great powers are helping the local contestants for power. When great power prestige is involved, then the thing may grow, more and more arms may come and there may be more and more fighting. Naturally, a situation to avoid which the whole Geneva Conference came to decisions is being built up. We have suggested that this Commission should meet again, and Dr. Kunzru rightly asked what it could do. I do not know what it can do, and it may not be able to do very much, but its mere presence is some check, because it becomes a symbol of the world community, of the eyes of the world looking on, and there is some check. Of course, it cannot do very much by itself. Some days ago, may be a month or so ago, speaking in this House or in the other House I think I expressed my earnest desire that the government should not be attacked, should be encouraged to function that is Souvanna Phouma's

Government, and I still think that the only future safety for Laos is not to adopt extreme courses, and Prince Souvanna Phouma represented that policy. Unfortunately, that could not be done, and we have arrived at the stage when a few days back more or less a change-over took place in the city of Vientiane after a severe battle, not battle, that would not be correct, but after a severe killing—"There is no harm in killing just right and left anybody who came in the way". Now, a strange doctrine has arisen of the interpretation of law, about the legal government. We have seen that applied in the Congo. We see that in Laos. That is, something happens illegally and that is given the cover of law, then you are helping the law. Ten days ago there was one government in "Vientiane. Four or five days later some force came and captured Vientiane. Immediately after they are referred to as the legal government. Now, that is a very dangerous way of dealing with governments. That is, any strong body of soldiers can upset a government, and then that body has all the clothings of law, vestiges of law as though that is a legal government. Another party may say that somebody who holds out is a legal government. I do not think it is a fair way of dealing with such situations.

Take the Congo. The question was raised about the legal issues, issues of the interpretation of the fundamental law governing the Congolese Constitution. Who is the legal authority? 13 Prime Minister Lumumba—Prime Minister he was—the legal authority or President Kasavubu or Col. Mobutu or somebody in Stanleyville or somebody in Katanga? Well, lawyers can argue about these matters, but as far as we could see it seemed to us that President Kasavubu certainly had the garb of law. He was selected as the President. Also, although Mr. Lumumba is not functioning, he is in prison, no step has been taken legally to remove him from his position of Prime Minister in law. But it is true that in actual practice he has not

functioned as such for a long time, for some months. Now, he is in prison. Before that he was in some kind of detention. So you can take any view you like. You can say that strictly in law he is Prime Minister. You may say that events have happened due to which he has ceased to be Prime Minister. But whatever the strict legal approach would be, the fact is that there are these personalities in the Congo representing sometimes tribal people, who are declared a tribe, sometimes areas, and if one wants peace in the Congo, they have to co-operate, all of them. If each one tries to crush the other and put an end to him, well, there is just a civil war on a big scale. Soon after the United Nations went to the Congo when they were invited, a chance arose when possibly this might have been done bringing them together. In fact, the very election of the Prime Minister and the President was an act of trying to bring them together, Mr. Kasavubu and Mr. Lumumba, who represented different areas and different tribes and to some extent perhaps different views. Nevertheless, the Parliament there selected them because it wanted them to pull together, because as I was told frequently by the African States apart from the Congo that the only hope for the Congo was for Mr. Kasavubu and Mr. Lumumba to "pull together. I do not know either of these gentlemen, I cannot say, but one must remember this. If one tries to liquidate the other, the Congo first of all splits out into numerous parts, and secondly, the civil war continues, whatever that may be. That would have been bad enough. But when outside powers come into the picture and encourage one group against the other, then obviously the difficulties are infinitely greater. That is what happened there. Outside powers—to some extent, even African powers and powers outside Africa—were constantly intervening and manoeuvring to encourage one of them to push out the other. Ambassadors there—there are ambassadors of many countries there—were very much outside the range of an ambas-

sador and they were indulging in the efforts to encourage one party or discourage the other. It is difficult for me to understand this "and I do not wish to mention names. But the whole place, Leopoldville, was an arena of ambassadorial pulls and pressures. And then the matter came

up before the United Nations\_\_\_\_\_ it was coming up constantly—and, as I said yesterday, in this situation it seems to me that the only way is to go ahead and have the Parliament. It seems to me so obvious, so patent. Otherwise, you might all pick and choose. If they want to have Mr. Lumumba, let them have him; if they do not want him, let them push him out. If they want Mr. Kasavubu or even if they want Col. Mobutu, gallant Mobutu, let them have him. So far as I am concerned, it is none of my business to push anyone out. But the curious part was that many big and small powers constantly went on resisting the idea of the Parliament meeting. It is very extraordinary, and I have as yet been unable to understand how these great powers went on resisting this obvious way and for the most trivial of reasons. Now, for the first time, it is being said on behalf of the United States and the United Kingdom that Parliament should meet sometime in future and that President Kasavubu should be helped to bring about conditions for the Parliament to meet. It is rather a roundabout way when one knows that President Kasavubu has no desire for the Parliament to meet. There are two or three things that stand out in my mind. One is this constant attempt to prevent Parliament from meeting. The second is, here was the representative of the United Nations, Mr. Rajeshwar Dayal, who presented a report to the Secretary-General, which was placed before the General Assembly and which hon. Members must have seen—it was distributed here. Here was a carefully drafted objective account by a person who ought to know, and it was a strong indictment of many things, more especially of Belgian activities there, how they came back in spite of the Resolution of the Security

[Shri Jawaharlal Nehru.] Council. And he stated in that report that these Belgians came back and were deliberately obstructing and coming in the way of the activities of the United Nations there, physically coming in their way and creating an atmosphere against them and inciting the Congolese to go against them from their base in Katanga especially, but you will notice that Mr. Tshombe of the Katanga Province is there. Of course, the whole of Katanga is being run by the Belgians, both in the military sense by the Belgian commanders and, of course, in the governmental and other sense. But even in Leopoldville, these Commissioners-General and Col. Mobutu, all of them have Belgians surrounding them, Belgian advisers and Belgian experts. Without possessing an intimate and deep knowledge, it is obvious that it is the Belgians that are running all these things and their nominees whom they are supporting are coming in the way of the United Nations properly functioning there. That has been the position and it has been growing. But somebody asked me, "You say so much about the Belgians in the course of the debate? What about the other powers?" That is a pertinent question because even Belgium would not have followed that policy unless it was encouraged or at any rate other powers put up with it. I have no doubt at all that if the big powers had said "No", Belgium could not have followed it; it does not require war for that. Whether this was the NATO link, or whatever the link might be, the fact is that these great powers encouraged them, encouraged the people in the Congo who were supported by the Belgians. See the chain of events. I am not for a moment saying that the supporters of Mr. Lumumba are free from blame or guilt. They have also indulged in various manoeuvres and the like. But who am I to suggest this? The main point is this that in the situation as it is in the Congo, the only safe way out is its Parliament meeting and deciding and the function of the United Nations I think, should be to

see that Parliament meets and to see to it, if I may use strong terms, even by using their force, if necessary, that is to use force against those who prevent people from coming to Parliament. Now, that involves inevitably the release of political prisoners, the release of not only Mr. Lumumba but others, that is Deputies of Parliament. Leave out for the moment other political prisoners; Members of Parliament must be released. Otherwise, some people might be in prison and you cannot call a meeting of the rump as a meeting of Parliament. Somebody asked in the course of his speech yesterday, "Why do you talk about the release of Mr. Lumumba and not other Deputies?" Well, it is for the obvious reason that his name is known. He was Prime Minister. He is the leader of a group. But the demand for the release of political prisoners applies certainly to all the Deputies, to all the Members of Parliament, and maybe others too. I see no other way.

Now, an attempt has been made, first of all, by various steps to give legality, a cover of legality, to the present regime of the Commissioners, etc., and to Col. Mobutu too. Again, you see an illegal act, an essentially illegal act, that is the coup *d'etat* of Col. Mobutu, gets a legal cover step by step directly and indirectly through President Kasavubu. Now, President Kasavubu and Col. Mobutu sometimes co-operate, sometimes oppose each other. It is not as if President Kasavubu controls Col. Mobutu. When they oppose Mr. Lumumba they hold together. As soon as something happens, then they oppose each other. So, in this confused situation, two Resolutions were placed before the General Assembly, and as you might have seen or read in the papers this morning, neither of the Resolutions could be passed. One was defeated and the other did not get the two-thirds majority. Now I do not propose to read out those two Resolutions to you; they are long ones. But I would like to refer to them briefly. The Resolution moved on behalf of some Afro-Asian countries plus Yugo-

slavia said, first of all, after the Preamble—

"Conscious of the inescapable and urgent responsibility of the United Nations both in the interests of the Congo as well as in the interests of peace and security which stand endangered and for the avoidance of the grave civil war, considers.

That the United Nations henceforth implement its mandate fully to prevent the breach of peace and security, to restore and maintain law and order and the inviolability of persons including the United Nations and diplomatic personal and property in accordance with the Charter and to take urgent measures to assist the people of the Congo in meeting their most pressing economic needs;

Urges the immediate release of all political prisoners under detention, more particularly, members of the Central Government of the Congo and the officials of Parliament and others enjoying Parliamentary immunity;

Urges the immediate convening of Parliament and the taking of necessary protective measures thereto by the United Nations including custodian duties;

Urges that measures be undertaken forthwith to prevent armed units and personnel in the Congo from any interference in the political life of the country as well as from obtaining any material or other support from abroad;

Draws the attention of the Government of Belgium to its grave responsibility in "disregarding the Resolutions of the United Nations;

Demands that all Belgian military and quasi-military personnel, advisers and technicians be immediately withdrawn in pursuance of the Resolutions of the United Nations and the repeated pledges and assurances given by the Government of Belgium in the interests of peace and security."

It was this Resolution that was moved by India, I think. Anyhow, India was one of the sponsors of this Resolution which has now been defeated. The other Resolution was the one supported by the U.S.A. and the U.K., which failed to get a two-thirds majority, and if one reads it hurriedly, to some extent one gets the impression that it is an attempt to approach the other Resolution—the Afro-Asian Resolution—but really there is a very great deal of difference. I do not think I should read the whole of it—it occupies a few pages—but this is the paragraph which I shall read. After saying that peace and order should reign there, etc., etc., the paragraph reads:

"Calls upon all States to refrain from directly and indirectly provision of arms or other materials of war and military personnel and other assistance for military purposes;

Requests the Secretary-General with due regard to paragraph 4 of the Security Council Resolution on 9th August to do everything possible to assist the Chief of State of the Republic of the Congo in establishing conditions in which Parliament can meet and function in security and freedom from outside interference.

This is the reference I said; this slight move forward by the U.S.A. and the U.K. towards a meeting of Parliament, but such a roundabout way of referring the thing back really to the Chief of State does not go very far:

"Declares that any violation of Human Rights in the Republic of the Congo is inconsistent with the purposes that guide the United Nations" etc. etc.

so that the Secretary-General has to assist the Republic of the Congo in ensuring respect for these rules and for civil and human rights of all persons within the country:

"Expresses the hope that the International Committee of the Red Cross will be allowed to exa-

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mine detained persons throughout the Republic.

Expresses the hope that the forthcoming round table conference to be convened by the Chief of State, and the forthcoming visit, for the purpose of conciliation, to the Republic of the Congo by certain representatives appointed by the Advisory Committee will help to resolve internal conflicts."

It is a two-and-a-half page Resolution which contains a number of pious hopes but it contains nothing you can get a hold of and which again comes up against the same difficulty which has been pursuing the United Nation's work in the Congo which is tying up the hands of the Secretary General as to what he can do and what he cannot do. This has pursued him almost right from the beginning. Originally, when the Security Council passed these Resolutions, this point was not so obvious, because it was taken for granted that they were sending 20,000 or 22,000 troops there to do something. Now, it appears that their chief duty there is to protect themselves—an extraordinary position—in self-defence. 'Self-defence' are the actual words used. That is to say, they can do many other duties of course, peaceful duties; they can do other duties which non-soldiers could have done, but where it is a question of any conflict, they must not indulge in any step in prevention or other except in self-defence. Now, surely in the matter of self-defence for which alone they might take steps there, they need not have gone there for this purpose; they could have remained in their home countries; they would have been completely safe, and the question of self-defence would not have arisen. But they were sent there to help, not to interfere, not to encourage any conflict, but surely, sometimes, when the need for it arose, to prevent wrong-doing. . . .

DR. H. N. KUNZRU: And to turn out the Belgians which they have not done so far.

SHRI JAWAHARLAL NEHRU: I would suggest to the hon. Member that it would hardly be necessary for the forces to do it if the big countries said that this must be done. There is no doubt about it. But cases have occurred repeatedly where the Congolese forces under Col. Mobutu have been functioning with great brutality, and the United Nations' forces have looked on very angrily being banned even to rescue the people who were being brutally manhandled or killed, because of the strict orders that they can only use force in self-defence. Now, this is a very extraordinary position and this position has become a little worse and worse. Previously if the House may remember, one of the chief things that the U.N. Representative, Mr. Dayal, did was where he had sought to control the so-called Congolese army, because that was let loose everywhere. They used to indulge in loot, arson, rape, anything, and repeatedly Mr. Rajeshwar Dayal reported to the U.N. that this must be controlled. Gradually, this control grew and ultimately the Congolese army was asked to march out of Leopoldville, the capital—to go outside. They did go. That is, the United Nations force was functioning to some extent by its prestige. They did not effect this by armed force, but it came about because of the fact that their armed force was there and of the fear that it might be used. So they were sent out—out of Leopoldville. Now, I do not know what happened after that, but a little while later, some weeks later, a couple of weeks or two or three weeks later came the United Nations Day, which we observed here too, and naturally the U.N. Representative in the Congo decided to observe the United Nations Day. There were the United Nations' forces there. So there was parade, etc. At that time Col. Mobutu was permitted to bring his troops—the Congolese troops—back to Leopoldville to join in this parade. I think it was a very very wrong step to take after they had been gradually, peacefully, pushed out. Well, they were back; since



then they have been there, very much there, and in fact aggressively there. Now, why have they been there in various fields? And in all these matters a great deal has depended on the attitudes of great powers and their representatives there, because they are powerful representatives representing powerful nations. But I do not know what happened. But one thing did happen which is public knowledge. Just at that time the question of a U.N. Delegation going there—the Afro-Asian delegation—had arisen, and it had been decided after much difficulty as to who was to go. Now, it was a 15 member delegation, and they were on the point of booking their passages and all that, and it was decided by the General Assembly of the U.N. not to consider the question of the Congo till the return of the U.N. delegation and the presentation of their report. That was decided. Now, within four or five days of this decision, in fact the Congo question was brought before the General Assembly in a different way. The way was whether to recognise, whether to allow President Kasavubu to represent the Congo in the United Nations or not. Now, I am saying that President Kasavubu—whatever else has happened—certainly has been a permanent factor and I believe, strictly in law, he is the President, is the Head of the State. But the Head of the State has got limited functions; he cannot do everything for the State when the State itself was in trouble for which the State sought the assistance of the United Nations; it is a question of the functions of the President, and Kasavubu was a matter in dispute in the circumstances. However, President Kasavubu came. Then there was in the United Nations a period of hectic activity, pressures, all kinds of inducements, etc. etc. Normally, it is not necessary whether he was put there or not. I do not quite understand how all that was happening. Ultimately, most of the African countries were opposed to it. But quite apart, from this, the attitude taken up by the Afro-Asian countries as a whole was: "We have just decided not to

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discuss the Congo for a short time till our delegation comes back; wait till then". Why? I think it was a right attitude. However, the General Assembly decided in favour of accepting President Kasavubu in the Assembly as the Congolese delegation. There was no harm in it as such, but in the peculiar circumstances of the Congo, with these claimants for power and with the United Nations itself struggling to exercise its authority somehow against the Congolese army, against the civilians, this particular incident shifted the balance of power psychologically and practically in the Congo suddenly. The United Nations Forces became very ineffective because now it is said that the General Assembly has recognised President Kasavubu; he is the authority there and because he, for the moment, favours Col. Mobutu, therefore, he—Col. Mobutu—is also a legal authority even though he might have come in through illegal methods. So, all this centre of gravity of the situation changed because of that.

You will find another thing. Just before that, a little before was this poor Report presented by Ambassador Dayal, the U.N. Representative, in which he had pointed out what the Belgians had done, what Col. Mobutu and the Congolese army had done. Suddenly this is hidden away, put away somewhere. Here is the most important Report about the Congo from an apparently impartial, objective authority. It does not come up for discussion. It is just pushed away and generally it is said that "O, yes. It is a difficult situation. We must not be hard on Belgium and we must not be hard on so and so". If you look at the whole context of events, how by gradual pressures a situation has been created in the Congo which we now have to face, which was on the way to gradual solution if the Belgians had withdrawn, if the Congolese army had been kept out, the U.N. Force could have functioned there but they have been put in a most difficult position. They have been humiliated

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At the back of this, a large number of African countries have been infuriated by all this. I am not defending the African countries in regard to what they might have or might not have done, but the patent fact is that many of them, not all,—in fact, the only countries that did nothing in this business are the ex-French colonies; they stand apart; they sympathise. Perhaps, it is not very wrong for me to say that they are tied up to some extent still in their foreign policy to their parent colonial power. So, it is difficult for them to line up with others but—most of the African countries are angry at the personal insults often given to their Ambassadors or to them and, generally, at the turn of event. They started withdrawing their forces from there. Ghana has withdrawn, the U.A.R. has withdrawn, Yugoslavia, not an African country, has withdrawn and—I forgot Ceylon—Ceylon has withdrawn. Ceylon, of course, did not have many—it had a token, maybe a dozen persons; it is immaterial. There are several others on the point of withdrawing. About Morocco, I am not quite sure. This produced an extraordinary position that the very countries which have supplied forces there are withdrawing. The people who voted, the people who voted for the United Nations' action there to continue, are people—let us say, the people in South America, large number of them voted, 22 or 21 of them or whatever their number—who have no responsibility. They have no forces there. They have, of course, responsibility as members of the United Nations, otherwise, the people who are most intimately concerned with Africa—other people, certainly Asia, certainly Europe and essentially the people of Africa—except outwardly the French ex-colonies, broadly speaking, are opposed to what is happening there.

Today, we hear that the Orientale province has declared a separate Gov-

ernment, not for itself but for the whole of the Congo. It is quite possible now that the great powers will pour in their arms and materials, some in favour of the Leopoldville authorities now, some in favour of Stanleyville authorities, and that is what is called a reversion of what happened many years ago in Spain, that is local conflicts being backed by great powers, with a big difference today because big powers are much bigger, more powerful today, arms are more powerful, everything is more powerful, and we live in a state of extreme world tension. So, all this is happening, whether it is in Laos or whether it is happening in the Congo, at a time when the world is suffering from extreme tension" between these great powers and the situation has been progressively deteriorating. That is very relevant because if the situation had not been so bad, it would have been much easier to handle it.

Now, we have this triple aspect of this situation there in the Congo. One is the internal conflicts between the tribal leaders each of them with some authority in his own region. There is the conflict as between the African countries, *inter se*, to some extent and in their relations in the situation in the Congo, and there is the conflict of the great powers coming into the picture and trying to influence this group or that group. And, finally, there are the Belgian authorities who, after going away, have come back with greater assurance than ever and are supported by some of the great powers. Naturally, India cannot do very much. When one cannot do very much positively, one tries to avoid doing something bad negatively. We hold on there; we do not want to come away, because we realise that India's coming away will give a tremendous shock to the United Nations functioning in the Congo. As it is, it is becoming difficult because of the withdrawal of these people and for financial reasons and the rest. So, we stood on and we hope to stay on because we attach great importance to the work of the

United Nations. Even though it may make mistakes, it is basically the omj organisation that can, in theory or in practice, deal with such a situation. If we break with the United Nations on this, then I am afraid, the chances of continuing peace in the world would be very strictly limited. So we are there.

An hon. Member—I think it was Mr. Ganga Sharan Sinha—referred to India's, well, very good policies, but its inability to carry them out and not playing an important part in these world affairs. I am surprised to read this because the usual complaint made is that India throws its weight about elsewhere. The fact of the matter is, no country, big or small, can be isolated and can refrain from doing its job in the world today. Our 1 P.M. entire approach always has been not to get entangled in foreign problems but at the same time not to run away from some duty cast upon us by circumstances or otherwise. So we follow that here. As a matter of fact, I should have thought that hon. 'Members of this House knew that what India says, without arms and without money, counts a great deal in the world and influences other countries. They seek our advice—I do not mean to say that they always follow it because our advice is always one which neither group likes and so we may be slightly unpopular—but we are respected all round and what we say counts. It is difficult for me here to reproduce the atmosphere of the United Nations in regard to the Congo because that atmosphere, even when I was there, was tense, exceedingly so, was angry and since I have come away, all these developments have taken place, and it has grown infinitely worse. People are infuriated against each other. Now, in such circumstances, for a country like India, naturally, it is difficult to function helpfully. We do not wish to be swept, by a gust of passion, into doing something which, even though it might be justified, does not help in the situation. On the other hand, when a situation is deteriorating, one has to say things forcefully and forcibly as to what should be

done. We speak gently usually. But sometimes we have to express ourselves with force and that is what has been happening and broadly speaking, some of these resolutions which we sponsored, are resolutions which, with a considerable effort on our part and after friendly consultations, we have tried to tone down, that is, from what some of our colleagues of other nations would like them to be, because, they are angry and there is reason for thsii anger but anger is not a good guiu—anyhow. The series of developments there have angered the African countries. Now, they expressed their anger in much stronger terms than we are used to and they demanded many measure.' which perhaps, we think, are not feasible. So, always our attempt is to put forward something that we think might avoid this element of anger as much as possible and be feasible and possible of giving effect to.

There is no doubt that our broad attitude is in favour of this Afro-Asian approach. That does not mean that we agree with everything they say because sometimes, as I pointed out yesterday, in connection with the formation of an all-African force or something like that, we have been unable to understand or accept. I do not understand it because that can only mean pushing out the U.N. and once you push it out, then it would not be the all-African force that functions there by itself. That means the great powers directly functioning there and then all kinds of other difficulties will arise.

I think Dr. Kunzru, in the course of his speech, referred to the speech delivered by our Defence Minister, who is the Leader of the Indian Delegation there. I presume it was the speech that was reported 3 days ago with big headlines, when he said something to the U.N. people like "You must either govern or quit or get out" probably. I was rather surprised, listening to Mr. Santhanam's speech yesterday, that" even Mr. Santhanam gave expression to some

[Shri Jawaharlal Nehru.] such sentiments, not exactly in the same language. It is a thing which one can understand, whether the Defence Minister says it or Mr. Santha-nam says it. That is a forceful way of saying that the U.N. must function there and not be helpless spectators. His argument is—which may be correct in law or not—that the authority given to the U.N. by the Security Council was adequate, if correctly interpreted, for them to take many steps which they should have taken.

SHRI BHUPESH GUPTA (West Bengal): He is absolutely right.

SHRI JAWAHARLAL NEHRU: Some people think so. The fact of the matter is that the Security Council Resolutions are drafted in the grand manner of the U.N. but they have a remarkable way of being interpreted in many ways. They are not clear. Logically it is clear to me, apart from the Resolution, that you send 20,000 people to do something, not for self-defence which has no meaning to me, but practically the Resolutions are vague and people have taken shelter under that and advance the theory that the U.N. forces should not interfere. I have not seen Mr. Krishna Menon's speech as the full report of his speech has not come but I read carefully, after hearing Dr. Kunzru, through the speech as in the newspapers. Apart from the fact that it is strongly expressed, what he says has been our policy throughout and is our policy today. I just do not understand how we can get out of this dilemma, unless the U.N. people there are permitted to function where it is necessary. That does not mean interfering in everything. Take for instance this. If we take that there should be a meeting of the Congolese Parliament, well, it should be the function of the U.N. Force to see that it meets, that is to see that people are not prevented from coming to it. I think that I would repeat this that throughout this period, of the many

documents and papers and speeches that have come out, the one document which is of solid importance is Ambassador Dayal's Second Report about the conditions there. Most of our troubles have arisen there because, for reasons which I may guess at, this Report is not allowed to come up for discussion anywhere. It has just been pushed away. It is a most extraordinary thing for me to understand. Thus, that mere act of pushing it away has reduced the authority of the representative of the U.N. there. He reports, he wants certain things done and nobody listens to him. In fact, people whispered that something exactly the opposite to what he says should be done. How can the U.N. function there with authority when some of the major sponsors at the U.N. disown their own representative's Report?

Shri Ganga Sharan referred to—I read the speech—a speech I delivered at Bombay. According to him, I said "Goa will become free when African territories of Portugal became free". That, of course, is very very far and very different from what I said. I had said the exact reverse. I had said that the freedom of Goa depends on us and on the people of Goa but I had said that all these world, developments, these colonial developments, anti-colonialism and all that, are making the whole background different, are changing it and that will no doubt have a powerful effect on developments. That is what I said. I have no doubt that they will have that effect, undoubtedly. I think that the Resolution passed by the General Assembly about colonialism or rather anti-colonialism—it is a very good Resolution—will certainly encourage these forces at work in that direction. Of course, I saw this morning, I saw it somewhere, that the Portuguese Government had taken up this attitude that it does not matter what happens in the rest of the world or what the United Nations does or says, we are in our territories abroad and we shall remain there. Well, that remains to be seen.

I am glad that Dr. Kunzru mentioned the Central African Federation. There is no doubt about it that in this great drama of Africa, what is happening in Central Africa is of the highest importance also and we are watching it with the closest interest and with some anxiety.

Just one or two words and I shall have done.

Dr. Raghu Vira spoke almost in the manner of sensational novels, with some mystery attached to them somewhere which he was unravelling for the benefit of the House.

SHOT BHUPESH GUPTA: He read out a speech, he did not speak.

SHOT JAWAHARLAL NEHRU: After hearing this unravelling, I found at least that I knew much more about it than he did. It is obvious and it need not be repeated in this House, that more especially in the last two years, or a year and a half, the relations of India and China have been powerfully affected by various events and those who had followed these even expected—shall I say—a better attitude on the part of China, more than two years ago. But even so they knew that in the nature of things, and among the nature of things is the powerful factor of geography and the changes that had occurred in China, a new situation had arisen and was arising which would create all kinds of difficulties for us and for others too. maybe. That was an obvious fact to any observer. It is true that the manner in which this came was not exactly what we had envisaged, or the timing of it. And it was affected very much by the events in Tibet. Anyhow, the fact remains that our future will be powerfully affected by our relations with China. Now, first of all, quite apart from our liking or disliking what is happening in China, it must be remembered that China is a powerful country, and it is to the Interest of India and China that we should not irritate each other too much, we should not run into major

conflicts. Here I should like to say that I know, as I said, perhaps more than Dr. Raghu Vira knows, about the strength of China, militarily and otherwise, and I have a healthy respect for China's strength. It is a powerful country and growing in power. But when Dr. Raghu Vira talks about China or Chinese masses sweeping everything before them like a broom and descending upon India or anywhere else, I disagree with him completely. I disagree with him, not because I expect China to do this or that, but because strictly speaking objectively and not talking vaguely, I say it is an extremely difficult task for China to do with all her masses of five or six hundred million people. There is such a thing as India also, which he seems to forget, in spite of his love of India. There is such a thing as the determination of a nation. There is such a thing as a nation refusing to submit to any such challenge. But apart from all this, there is such a thing as the solid military aspect of a question. One cannot discuss these things here, but for the last year and a half, we have been very intimately connected with that very solid military aspect of the question of defence. Dr. Raghu Vira mentioned a number of names, of a road that has been built from here to there and from there to somewhere else and so on. To most of the Members here that might be news, for the simple reason that they cannot remember all those Chinese names which Dr. Raghu Vira has learnt. But as a matter of fact, all that is known very well and in the greatest detail. But he has forgotten—I may say quite frankly—that we have also built roads and are building them, and if I may add, they are much better roads than the Chinese roads.

So the whole question is this. A new situation has arisen, not now in the last two years, but several years ago, and it has become accentuated in the last eighteen months or more, following what happened in Tibet, and we cannot forget it. It is there all the time and we have to take such

[Shri Jawaharlal Nehru.] Steps as to meet any contingency and any eventuality, internally, externally, whatever it is. And more especially in so far as defence is concerned, we have to build it up for that particular purpose, keeping that in view. Defence really means not guns only, but as I said, communications and all manner of things. I cannot just take pride in the fact that I can ignore the Chinese army. Of course, no. It is a great power. How can I say that? And because it is a great power and a dangerous power, if it acts against us, we have to be very wide awake and vigilant to take steps. But one thing is quite clear. Great or small, so far as India is concerned, whatever our inner differences might be, there is going to be no yielding to any threat of any power across our territory, and I do feel confident in the Indian people, more especially in the capacity of the Army, Air Force, etc. to face any such contingency—that might arise, with credit and advantage to ourselves. In all these matters, naturally, there is the aspect of what one talks or does in the military sense, air sense, communication sense and all that. But behind all that, always basically, the question of the determination of the people is the biggest factor of all, a determination which is not built up on momentary excitement of the day for a short period, which goes off in some demonstration, with some slogans, some shoutings, some denunciations. That may happen sometimes, but it is not a sign of strength. It is a reaction, may be an angry reaction, to events. But one must base one's determination on more important and fundamental characteristics, it is that we have to build up. It is there to some extent and we have continuously to build it up. It is the cohesion of the nation. It is wise to recognise the nature of the challenge regardless of what is said or done by the leaders because to us it is a challenge inherent in the circumstances regardless, I say, of even the present big leaders of China. That is how we have to look upon it. Of course, the big leaders may make

a difference this way or that way, undoubtedly they do, and in this connection I wish to add—I do not try to condemn anybody or any group but the fact remains—that some people in India, some groups or parties in India have tried always to tone this down and have sort of made out as if all that has happened in the last six or seven months is some imperialist conspiracy, to keep friction between India and China. I am all with them or with anybody else who want to fight imperialism but it does seem to me very extraordinary that the occupation of Indian territory by Chinese forces should be connected to some imperialist conspiracy in India or some capitalist conspiracy. I fail to understand this. It is sought to be made out that the conspiracy is because they want this tension to continue. Well, they may want it or not, I do not know, but whether they want it or not, there are certain facts regardless of their wanting to. The facts are, and these are straight facts, always to be remembered that the territory of India is occupied by the Chinese forces. The Chinese, I admit, have denied that but that is our case and that is our belief, and what is more, a fact which cannot be challenged, I say, even by the Chinese Government, is—whatever the past history might have been—that during the last many years, at least since independence, that territory was in the possession of India. That is the basic fact. Therefore, something has happened, some change has occurred over this frontier area. That change has not occurred because of us; therefore, it has occurred because of some steps that the Chinese Government or the Chinese authorities took. These are basic facts. History may show that in some part, in some little part here and some little part there, some mistake was made in the map or something. It is not a question of a little patch here or a little patch there but it is a question of large areas, of a territory. It does not occur accidentally. There it is, but how should we react to it? Some hon. Members say, "Why don't you take it back?"

March your army there." Others get hysterical about it. Well, it is neither hysteria nor folly that is going to pay us in such matters. We are up against, nationally speaking, one of the biggest problems that a nation can face, not this minute, but broadly speaking, and we have to be strong, of course, but wise also in our actions and not get hysterical. Hysterical people waste their energy. We are trying to take such steps as we can to add to our strength but I again repeat that the basic thing is cohesion and the right approach in the country and a fixed determination. I have been criticised because once or twice I spoke here in this House, I think, and elsewhere about the Communist party in this connexion. What I said was ■based on, I think, correct information, as to the kind of propaganda that is being carried on. The language may vary here and there but I shall quote presently a sentence or two of a well known leader of the Communist party from the speech made at a public meeting made at Mau in Uttar Pradesh ■on the 6th December, not long ago, two weeks ago. There is nothing wonderful in it but I am merely quoting it to show that an attempt is being made to confuse people about the situation on our borders and to make them think that all is well there. Well, all is not well there. This is •what he said:

"China would never attack India as no socialist country can ever dream of committing any aggression."

TTow, this argument itself indicates the state of mind of some individuals or groups, that is, when a country becomes socialist, it becomes automatically so virtuous that it is impossible for it to commit any error. That is a dangerous approach and that means that whatever China may do, they would think it is right because it is a virtuous country. This inevitably follows from this argument. We are often in error. This is not helping in building up cohesion, in facing the situation

with courage and determination. We shall require plenty of courage and plenty of determination and not merely a resolution or a speech in the Rajya Sabha or the Lok Sabha is going to meet the situation or a procession in the streets but it does require clear understanding of this problem and I want to say it perfectly frankly to this House that I do not propose to be hustled about this matter. It is too serious to be hustled or any step to be taken lightly. We have just got, as I said yesterday, the report of the official meeting, a report which runs to a thousand pages. The report itself with its appendices runs to three thousand pages, the detailed report of the meeting. First of all, we have to study these and then decide, after studying, what further steps we should take. We shall have to give it very serious thought. Of course, as this is a joint report, the other party has also to study it and we have to give them time for that and see what happens. It is not an easy matter to deal with but broadly speaking, I can tell you even now, that the report is really two reports, our men's report and their report, rarely anything common between the two, anything practical. Nevertheless, it is interesting, I think, because it brings these problems before us and puts them in relation to facts which is very important. It is no good our just claiming something without putting forward factual basis and it is no good China doing it either. In this matter of our frontier, we must view it in its historical perspective as something, some development, which is very serious, with a long-range point of view and build up our strength and cohesion, to face any difficulties that might arise.

I am sorry to have taken so much time. There is an amendment moved by Mr. P. N. Saprū which is so much in my favour that I have to accept it.

SHRI BHUPESH GUPTA: I want to ask only one question, Sir. I want to draw the attention of the hon. Prime Minister to this. We have got a paper cutting giving an account of the Defence Minister's speech on the 19th.

[Shri Bhupesh Gupta] Mr. Menon has said that the Secretary-General had been drawn into "political debate" and he has added that for the last two or three days that Mr. Hammarskjöld had been speaking, Mr. Menon had felt that he—Mr. Hammarskjöld—was speaking like Mr. Henry Cabot Lodge. We would be interested in getting that particular speech of Mr. Hammarskjöld and also Mr. Menon because after all, Mr. Menon is quite right in this matter and I agree with him.

MR. CHAIRMAN: The question is:

3. "That at the end of the Motion, the following be added, namely: —

'and having considered the same, this House regrets that the Government's policy of appeasing Pakistan and China having failed a long time ago, it continues to pursue its policy of appeasement which affects our interests adversely.'"

*The motion was negatived.*

MR. CHAIRMAN: The question is:

4. "That at the end of the Motion, the following be added, namely: —

'and having considered the same, this House regrets—

(i) that Government should have decided not to support in the United Nations the motion in respect of violation of human rights in Tibet, sponsored by Malaya and Thailand;

(ii) that Government should have allowed itself to be involved in the internal affairs of Congo;

(iii) that instead of pursuing strictly its professed policy of non-alignment between the two World blocs, India's moves at the United Nations General Assem-

bly in its current session gave an impression of leaning heavily towards one of the blocs.' "

*The motion was negatived.*

MR. CHAIRMAN: Mr. Sudhir Ghosti..

SHRI SUDHIR GHOSH (West Bengal): Sir, may I have the permission of the House to withdraw my amendment?

*\* Amendment (Wo. 2) was, by leave,, withdrawn.*

MR. CHAIRMAN: The question is:

1. "That at the end of the Motion, the following be added, namely: —

'and having considered the same, this House approves of the policy of the Government of India in relation thereto.'"

*The motion was adopted.*

MR. CHAIRMAN: The question is:

"That the international situation, with particular reference to the matters that came up before the United Nations General Assembly in its current session, be taken into consideration, and having considered the same, this House approves of the policy of the Government of India in relation thereto."

*The motion was adopted.*

MR. CHAIRMAN: It has been unanimous; no opposition at all. The House stands adjourned till 3-00 P.M.

The House then adjourned for lunch at thirty-three minutes past one of the clock.

\*Por text of amendment, vide cols, 2712 supra.



The House reassembled after lunch at three of the clock, MR. DEPUTY CHAIRMAN in the Chair.

**THE PREVENTIVE DETENTION BILL, 1960  
(CONTINUANCE)**

SHRI BHUPESH GUPTA (West Bengal): Sir, before he takes it up, I have to raise a point of order. As you know, we demanded, in order to facilitate discussion, that a number of charge-sheets made under the Preventive Detention Act should be made available to the Members of the House, so that we could consider how the measure was being applied. Repeatedly we had asked for the charge-sheets and up to date we have got nothing but the statistical report, which gives practically no information. We want to understand from the Government through such material as to how the charge-sheets are made, on what grounds they are being applied and the Members are put in a ...

MR. DEPUTY CHAIRMAN: You can make it a ground for the rejection of the Bill.

SHRI BHUPESH GUPTA: That I will see. But the Government should give an explanation. In this House they did not introduce the Bill.

MR. DEPUTY CHAIRMAN: You can make it one of your grounds for the rejection of the Bill.

SHRI BHUPESH GUPTA: I do not want to fight for their detention . . .

MR. DEPUTY CHAIRMAN: Order, order. The House is not yet in possession of the Motion.

SHRI BHUPESH GUPTA: There is no introductory stage and, therefore, we could not raise it.

MR. DEPUTY CHAIRMAN: There is no point of order in a blank House. We have no business now. Unless he moves the Motion, you cannot raise any point of order.

SHRI BHUPESH GUPTA: It is not a point of order. I did not raise a point of order. I only drew your attention to the fact how the Members are treated.

MR. DEPUTY CHAIRMAN: You can make this as one of the grounds for the rejection of the Bill.

SHRI BHUPESH GUPTA: That I will make. I have many more grounds. They have to offer an explanation before the House.

MR. DEPUTY CHAIRMAN: Home Minister.

SHRI BHUPESH GUPTA: Why is the wise man wasting his time on the Preventive Detention Act? He is a very wise man.

MR. DEPUTY CHAIRMAN: OrJ order.

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT): Sir, I move:

"That the Bill to continue the Preventive Detention Act, 1950, for a further period, as passed by the Lok Sabha, be taken into consideration."

As the very name of the Bill indicates, it is only a measure which seeks to continue the Preventive Detention Act that is in force today. In substance it purports to seek extension of the measure by three years. Identical and allied Bills have been the subject of full-dress debates and close scrutiny in this House on several occasions. They have been thoroughly discussed in the other House too. This Bill has come to this House after being very minutely examined in the other House. It has been our endeavour to the maximum extent feasible to enhance the liberties and the rights of the people of the country. We have adopted a number of measures towards this end. Hon. Members may be remembering that we have repealed the Press (Objectionable Matter) Act, the Whipping Act, and we have also passed the Probation of Offenders Act and also taken other measures such as the overhaul of the entire Arms Act. So, it is not palatable to me to be connected with any measure that may even remotely have a restricted tinge. But we owe a duty to the