

INDIA'S FOREIGN POLICY
AND
THE KOREAN PROBLEM 1947 - 1954

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INDIA'S FOREIGN POLICY
AND
THE KOREAN PROBLEM 1947-1954

By
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AN ABSTRACT

Submitted to the College of Business and Public Service
of Michigan State University of Agriculture
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Approved

H. J. Friedman

The purpose of this study is to examine the background and implementation of India's foreign policy during the Korean War.

When war came to Korea on June 25, 1950, India supported the Security Council resolutions of June 25 and June 27 which called for the withdrawal of North Korean aggressor forces and for the lending of support to the Republic of Korea. She did not, however, furnish combat troops to the United Nations forces.

India's record of voting in the U. N. on matters relating to the Korean crisis reveals a consistency with her basic foreign policy. She voted with the Soviet bloc on all issues dealing with Red China; she voted with the West on any issue attempting to give status to the North Korean government; she voted in the negative on any accusations that were not substantiated by investigations; and she abstained on issues that were repugnant to her basic foreign policy. On votes that could be tabulated she voted with the West twenty-four times, with the Soviet bloc nine times, and abstained fifteen times.

In order to understand India's action during the Korean War it is necessary to consider a number of factors in her development. She was indoctrinated early with the democratic principles of representative government by the British during their occupation of India from 1600 to 1947. During these years, mass education was introduced, the Civil Service was founded, transportation by rail and highway was established, and communication was made easier by the use of one language (English), thereby strengthening inner unity.

The Indian National Congress was formed in the late 1800's to

keep the English informed of the feelings of the Indian populace. Under the leadership of Mohandas K. Gandhi, it became the driving force for India's independence and has since remained the majority party in the central government. In 1947 India gained her independence by following Gandhi's teachings and by exercising his policy of non-violence and non-cooperation.

India's present leader, Jawaharlal Nehru, adheres to the principles of Gandhi's teachings as closely as he deems feasible, for to follow these principles blindly, he feels, would be dangerous; hence he and the National Congress do not subscribe to them in toto.

There are certain basic principles underlying India's foreign policy which her leaders firmly espouse. These are as follows:

- (1) non-violence (a concept from Gandhi to which lip-service only is now given);
- (2) freedom of independent action;
- (3) self-determination for all peoples;
- (4) freedom from discrimination;
- (5) positive policy of peace;
- (6) resistance to alliances.

As India's leader and foreign policy spokesman, Jawaharlal Nehru strongly advocates that each situation be judged on its own merit as it arises. Because of this policy and because he frequently makes extemporaneous comments on dynamic situations involving foreign policy, he is often accused of making contradictory statements; for these situations fluctuate so much over a short period of time that his statement of today appears to deny his statement of yesterday.

India and the United States have differed so radically in their

foreign policies at times that it has caused an estrangement between them. Their differences revolve around a number of basic issues:

- (1) recognition of the People's Republic of China;
- (2) United States support of colonial powers;
- (3) United States unwillingness to have India attend the political conference on Korea;
- (4) United States dependence on military alliances for the halting of the spread of Communism.

India and the United States have differed sharply, on occasions, during the period of the Korean War, but India's foreign policy reflects her own historical circumstances.

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INTRODUCTION

India, a nation with a culture which dates back far beyond that of many of the advanced western powers, finds herself today at the cross-roads between the East and the West. Together with her charismatic prime minister, Jawaharlal Nehru, she is looked to by nations of the entire world, by the so-called Western and the Soviet blocs, as the nation that can be called upon to help settle problems which today confront the world. She has taken the lead in the fight to free nations from colonial domination; she has been chosen to serve on commissions within the United Nations; her members have been chosen to lead committees; and only recently it was suggested that Mr. Nehru should be invited to any summit conference of heads of states of the so-called great powers.

What gives India this unique role in world affairs?

By no means is she accepted without criticism by every nation; in fact, her independent role has caused scorn to be heaped upon her from both of the power blocs. Through it all, however, India has steadfastly refused to join any alliances or to be drawn into either of the power blocs.

Purpose and Scope of Study

It is the purpose of this study to examine some of the elements in the development of current Indian policies. To gain an understanding of these policies, I have chosen to view her performance in and outside the United Nations during the Korean crisis. This concentration may be

justified for the following reasons:

- (1) The Korean war episode contained many of the elements pertinent to India's foreign policy.
- (2) It involved elements of both of the power blocs.
- (3) It was a set of circumstances in which India was not directly involved, yet in which she played an active role.
- (4) It provided the necessary limits for the scope of this study, as it would be impossible to touch on all facets of a nation's foreign policy over an unlimited span of time.

One of the chief aims of the research was to examine India's voting procedure in order to try to clear away possible misconceptions regarding India's part in the United Nations action.

Sources of information

In order to paint a verbal picture of India's actions during a period of crisis in Korea, the present writer relied heavily on the Official Records of the United Nations. Because this paper is a library study, resource material was drawn from a cross-section of Indian, British and American writers. A great part of India's foreign policy is the result of the thinking of Mohandas K. Gandhi and Jawaharlal Nehru, and their comments were often quoted directly to explain a given policy or belief.

The Official Records of the General Assembly and Security Council, the U.N. Bulletins and the U.N. Yearbooks were used on points regarding Indian actions within the United Nations. Although there was no attempt to interpret the historical background as given by Indian and British authors, the writer spent many hours discussing such viewpoints with

Indian students at Michigan State University so as to understand better India's current views on world affairs and her reactions to problems covered in this paper. The Information Service of India in Washington, D.C., made a great deal of material available to the writer consisting of such items as the Indiagram, pamphlets covering specific facets of her foreign policy, and a series of press conferences by Prime Minister Nehru.

Plan of Organization

Chapter I is devoted to the development of India's foreign policy, dating from British occupation and covering factors that have influenced directly or indirectly her stand today. Chapter II is a chronology of events in Korea. In the last chapter the writer has advanced some of his own interpretations of India's policies.

In the Appendices the reader may find the complete texts of major resolutions which deal with the Korean crisis. These have been added in order to offer reference data which will assure continuity in that part of the text relating to the actions of the United Nations during this period.

Works cited or otherwise referred to are listed in the bibliography.

Abbreviations Used

The following standard abbreviations have been used throughout this paper:

U.N.

United Nations

U.N.C.O.K.

United Nations Commission on Korea

U.S.S.R.

Union of Soviet Socialist Republics

P.O.W.

Prisoner of War

CHAPTER I

BACKGROUND OF INDIA'S FOREIGN POLICY

Importance of Underdeveloped Areas

The end of World War II brought to the fore, on the international scene, two giants, the United States and the Union of Soviet Socialist Republics. Allies in war, although thought by many to be strange bed-fellows in that world struggle, they were now all that was left of the great powers of the past. Great Britain was faced with the problem of a crumbling empire, with war in several of her colonies being fanned by the spread of nationalism; France was faced by much the same problems, and was experiencing, in addition, an unstable government at home. China, racked by Civil war, was soon to see the Nationalist forces driven off the mainland. Thus, the United States and the U.S.S.R. stood on a level, all alone, as the major powers.

Long before the war came to a close, many observers of international affairs were aware that there was little chance for the hoped-for cooperation between the two powers. The U.S.S.R., long isolated following World War I, and ringed by capitalistic nations, was moving to insulate her borders. War-time agreements on establishing democratic governments in nations such as Poland and Rumania were being disregarded, and Soviet Communist governments were being established under the protection of the Red Army. One by one, the neighbors of the Soviet Union fell under her sway. So-called spheres of influence were being estab-

lished. The United States, too, was busy countering the moves of the U.S.S.R. When, in 1947, Great Britain announced she could no longer meet her commitments in Greece and Turkey, the United States stepped in; and so was born the so-called Truman Doctrine, a doctrine of containment, a doctrine that was aimed at stopping the Soviets from spreading their influence by overt methods outside their borders.

The struggle between these two giants to gain supporting allies increased in momentum; their target — the so-called uncommitted areas of Asia and Africa that were shedding their bonds of colonialism, nations struggling for existence. Among these was India, a nation of some prominence in world affairs, an original member in the League of Nations, now a charter member of the United Nations, yet falling into the category of the underdeveloped.

India was not to see her desire for independence fulfilled until 1947. Before independence came to India, she was to strike a vital blow for one of the major goals of her foreign policy, namely, the end of all colonial domination around the world. The Asian Relations Conference, convened by the Indian Council of World Affairs in March, 1947, came out strongly for the ending of colonial domination. A great deal of political resentment was expressed. It was Nehru, however, who called for moderation in their demands.¹

India was a leader in focusing world opinion on the Dutch police action in Indonesia. She attempted to get support in the Security Council for Indonesian independence, and, as Phillips Talbot and S.L. Poplai wrote in their book, India and America, "... through the Conference on

¹K.P.Karunakarn, India in World Affairs 1947-1950 (London, 1952), p. 84.

Indonesia called by Prime Minister Nehru at New Delhi in early 1949 the Indian government underlined the weight of public opinion in Asian and African countries on the matter and stiffened the attitude of the Security Council at a critical point."² In this meeting, because of his leading role and his determined stand, Mr. Nehru, in particular, and India, in general, received a great deal of recognition; and, desiring it or not, India became the nation looked to as the spokesman, the leading force of the so-called underdeveloped nations of Asia and Africa. This situation developed despite the fact that she did not seek a leading position.

The British Come to India

Before looking further into India's foreign policy and the role she plays in today's world, let us roll back the years and see what forces have played on Indian development that may have affected her current outlook on world affairs. Though, no doubt, the long cultural heritage that is India's has had its effects, this study, due to its limited scope, takes up India's development from the time of her first coming under the influence of England by way of the East India Company. The British purpose for coming to India was simply one of conducting profitable trade. On December 31, 1600, the London East India Company received a charter from Queen Elizabeth. Traders with the company soon made contact with the Mughal emperor and established trading posts along the coast of India. As business grew, so did the numbers of traders and protective armed forces. Out of this developed the British Indian Empire.

²Phillips Talbot and S.L.Poplai, India and America (New York, 1958), p. 158.

With the growth of this business enterprise and the crumbling of the Mughal empire, the Company became more and more involved in the political aspect of India. Thus, through business manipulations, most of which were not totally legitimate, the Company gained political control, a fact which allowed it to collect revenue to maintain the civil and military forces. With these forces the Company could be assured of internal order and protection from external aggression. It was from these roots that the Indian Civil Service has grown. In 1833, Indians were first allowed to enter the service, but many restrictions limited them to only minor positions. Selection by competitive examinations dates back to Lord Cornwallis' reforms of 1853.³ This branch was, from the time of the reform, one of the most honest and efficient branches of the administration which guided Indian affairs. It formed the basis for the Indian Civil Service which helped greatly to smooth the transition from British to Indian control in 1947.

The Crown Takes Control

The Crown of Britain grew more and more interested in India in the 19th century; it placed greater restrictions on the Company, mostly aimed at reducing the great profits being derived by it. Following the so-called Indian Mutiny of 1857, The India Act of 1858 transferred the full control of India to the Crown.⁴ It created a position of Secretary of State in the British Cabinet, who had full control of Indian affairs. To him a Governor General (Viceroy) was made responsible.

³W. Norman Brown, The United States and India and Pakistan (Cambridge, 1953), p. 39.

⁴Ibid., p. 40.

This turn of events meant a great deal for India. The people of India, for years the subject of greed, corruption, anarchy and disorder, were now to experience a great deal of improvement in conditions. This is not to say, of course, that at once Indians were put on a par with the British. Men with great foresight, such as W.E.Gladstone and Lord Dufferin, realized the injustice of the rule as it had been and was being carried on. The following excerpt from an article attributed to W.E. Gladstone is said by V.P.Menon to describe the feelings of the British Liberal:

Here is tutelage unexampled in history. It embraces from one-fifth to one-sixth of the human race: the latest German reckonings of the population of the globe carrying it beyond fourteen hundred millions. Over this population and the vast territory it inhabits, we hold a dominion entirely uncontrolled, save by duty and by prudence, measured as we may choose to measure them. This dominion is de jure in the hands of a nation whose numbers as compared with those of its Indian subjects are one to seven, and whose seat is at the other end of the world: de facto, it is wielded by a handful of their agents, military and civil, who are not as one to three thousand of the peoples spread, as an ocean, in passive obedience around them.... Of the seventy thousand Anglo-Indians, not one except waifs and strays strikes root in the country and all but a handful have their stay limited to a very brief term of years. At home still less provision is made for the adequate discharge of a gigantic duty. It depends upon a Cabinet which dreads nothing so much as the mention of an Indian question at its meetings; on a minister who knows that the less his colleagues hear of his proceedings, the better they will be pleased; on a Council, which is not allowed to enter into his highest deliberations; and on a Parliament, supreme over them all, which cannot in its two Houses jointly muster one single score of persons, who have either a practical experience in the government of India or a tolerable knowledge of its people or its history.... The truth as to India cannot too soon be understood. There are two policies, fundamentally different; and it is the wrong one that is now in favour. One of them treats India as a child treats a doll, and defends it against other children; the other places all its hopes for the permanence of our Indian rule in our good government of India. Sound finance and moderate establishments, liberal extension of native privileges, and, not least of all, an unfailing regard to the sacredness of the pledge implied in privilege already given, these acts of government will secure the way to prosperity, to contentment, and to confidence in India. Let us only make common cause with her people: let them feel that we are there to give more than we receive; that their interests are not traversed and frustrated by selfish aims

of ours; that, if we are defending ourselves upon the line of Hindoo Coosh, it is them and their interests that we are defending even more and far more than our own. Unless we can produce this conviction in the mind of India, in vain shall we lavish our thoughts and our resources upon a merely material defence.... Between the two methods of procedure there could be no competition, were we as people free to give to the affairs of India anything like the attention which they demand, and which it may some day cost us many a fruitless pang never to have given.⁵

The suggestions made by the British for Indian movement toward independence were not always of the magnitude expected by Indians; but, in the case of most British Administrators of India, the aim was to better the lot of the Indian and prepare him for independent rule of some type within the British Commonwealth.

British Contribution to Indian Development

Perhaps the greatest contribution to India that British rule made was to give to India a heritage of western democracy. The Indian has long been indoctrinated in the idea of representation by elected members of any ruling group. Indians have long cherished the freedoms found only under a democratic form of government. We will find that when India wrote her constitution these freedoms were spelled out. During British occupation, the laws of India were codified and the democratic principle of equality before the law was established, much to the displeasure of the higher caste Indian. The concept of rule by law became imprinted on the minds of the educated Indian. The entire concept of human rights was introduced.⁶

⁵V.P.Menon, The Transfer of Power in India (Princeton, 1957), p. 2.

⁶Sir Percival Griffiths, Modern India (New York, 1957), p. 48.

Men, trained under the British system, continue to carry on in this tradition, regardless of the forces that come to bear on the decision-makers of the Republic of India. It can be said with a high degree of safety, after looking at the turmoil in other newly-freed colonial nations, that this heritage has much to do with the stability of government that India has experienced in these first eleven years of her freedom. Mr. Nehru stated in his book, Independence and After:

We stand for democracy, we stand for an independent Sovereign India. Now obviously, anything that is opposed to the democratic concept -- the real, essentially democratic concept, which includes not only political but economic democracy we ought to oppose. We will resist the imposition of any other concept here or any other practice."⁷

England contributed other factors no less significant to India's development. The raising of health standards and reduction of effects of the famine brought to India a tremendous increase in population. It was believed that when the British arrived in 1600 the population stood at about 100 million; by 1750 it had risen to 130 million, by 1872 to 250 million, and by 1941 to 390 million. Thus, this last census of 1941 showed an increase in the population of 56 percent in a 60-year period.⁸ Today's population, of course, is near the 400 million mark. Today, as shall be seen later, this problem of over-population is vastly affecting India's foreign policy. The present writer believes that England's role in this demographic development stemmed from a humanitarian desire to better the lot of the Indian peasant whose life expectancy was not much over twenty years of age.

⁷Jawaharlal Nehru, Independence and After (New York, 1950), p.217.

⁸Brown, op.cit., p. 43.

Public education was also introduced into Indian society during the British stay in India, this taking place in 1835. Up to this time there were but a very limited number of persons in India who could read and write. England first started educating an elite group in higher educational institutions. Later, as a result of pressures for general education, Britain established public education. England, however, used it for her own benefit by making it primarily training centers for minor civil service posts and clerkships. English was taught as the major language. The classical languages, literature, philosophy and art were left out of the program, an omission which was considered a great loss to the Indian student. He learned nothing of his own culture, but only that of England which was so far off that only a few would be able to take advantage of their learning. When we look at the statistics we see that, although a start had been made, the literacy of the Indian masses had not been greatly raised, even though public education had been in operation for over 100 years. The 1941 census cites only 15.1 percent of the population as literate (27.4 percent of the males and 6.9 percent of the females).⁹ Perhaps more important than the number educated was the fact that western ideas, technology, philosophy, and economic concepts were engrained in the Indian student, which, no doubt, is a contributing factor in the maintenance of a democratic heritage. The English that was taught gave a great mass of workers a common language. India being a nation with many languages, this one factor allowed for a rapid expansion of communication. Today, India is attempting to replace English with Hindi, and she is meeting a great deal of resistance. She is divided into provinces which mainly follow linguistic lines. This

⁹Ibid., p. 49.

fact is having an impact on domestic policies, and these in turn affect foreign policy. The use of the English language during British occupation allowed for an inner unity that had not existed at any time in the past history of India. Sectionalization along linguistic lines will do much to destroy this unity.

Another development accredited to the British in India was the development of transportation lines, primarily the railroad. Because of the commercial significance of India it was to the home country's advantage to have the major commercial centers connected by rail line. Lord Dalhousie was considered as the first to plan systematically for railroad construction in 1853.¹⁰ By 1848, India had 33, 984 miles of railroad;¹¹ however, the fact that it is built in three different gauges greatly limits its utility. As for highways, by 1947 India had 296,438 miles of highway, 95,054 miles of which were of the improved type construction.¹²

As stated before, all of the reforms introduced by the British were not looked upon with favor by the Indians, nor were many of the reforms considered adequate; however, as we look at British policies from 1858, it must be admitted that the British were moving toward giving Indians as great a degree of rule as they felt the Indians were capable of handling. They were training the people prior to placing them in positions of responsibility. The first of these reforms was the Govern-

¹⁰M. Arokiasamy, A Textbook of Indian Economic History (Tiruchirapalli, 1954), p. 414.

¹¹George B. Cressey, Asia's Lands and Peoples (New York, 1951), p. 419.

¹²Ibid.

ment of India Act of 1858, called An Act for the Better Government of India, August 2, 1858.¹³ This was soon followed by the Indian Council's Act of 1861. This act gave a wider range of power to the Governor-General who could then make decisions on the spot concerning some conditions, rather than having to wait for London to act. His executive council was increased from six to twelve. This proved to be not completely satisfactory as the years passed and a larger educated group clamored to be heard. It was out of this desire to let the British know the feeling of the people that, in 1885, the Indian National Congress was born. No more will be said of the Congress now as a later portion of this paper will be devoted to a close examination of the Congress.

In 1892 the Indian Council Act of that year was passed. This act increased the number of members in the legislative council, both Indian and provincial, gave the Governor General added power, and introduced a procedure for weighted representation among the minority groups in legislative elections. Lord Curzon, not a liberal in his views toward the Indians, stirred up a great deal of communal resentment by his acts while Viceroy. Perhaps the one most disliked of these was his division of Bengal into two sections along Muslim-Hindu population lines. Curzon resigned in 1905 and Lord Minto became Viceroy, and Lord Morley became Secretary of State for India. Lord Minto was asked by the Aga Khan for more representation for the Muslims. Minto agreed and gave the Muslims reserved seats and separate electorates, which action Lady Minto

¹³A.C.Banerjee, Indian Constitutional Documents, II (Calcutta, 1948), p. 9.

(in her diary) characterized as "nothing less than the pulling back of sixty-two millions of people from joining the ranks of the seditious opposition."¹⁴

The Indian Council Act of 1909 (the so-called Minto-Morley Act) was passed. It was felt by some that no one act did more to poison relations between the Muslims and Hindus in India than did this act of 1909.¹⁵ Needless to say a great deal of dissatisfaction on the part of the Indian populace followed the year 1909. There was an ever increasing clamor for more opportunity to govern their own destiny. Indian nationalism was on the upswing. Lord Montagu, the Secretary of State for India, was, to a large degree, in accord with the Indians' feeling because of the role they had played in World War I; however, Parliament now put a soft pedal on what promised to be too rapid progress in gaining desired home rule for India. In place of home rule, the India Act of 1919 was passed which gave the provinces a greater voice in their affairs, but which did not appreciably change central control of the government. However, the creation of a large, elected Indian legislature was a major step and had a marked effect on the administration. The act was attacked from both sides, the British feeling that the Indians were not prepared for this much rule, the Indians feeling that it was inadequate and unsatisfactory.¹⁶ Here British and Indian cooperation broke down. They found less and less common ground on which to work. Moves were now made toward the formation of a Federation of British-India and the Indian states. The India Act of 1935 provided for this federation but the act

¹⁴Menon, op.cit., p. 10.

¹⁵Daniel Thorner, "Hindu-Moslem Conflict in India," Far Eastern Survey, XVII, No.7 (April 7, 1948), p. 77.

¹⁶Menon, op. cit., p. 26.

called for retention of the same governing structure, except that the provinces were to become autonomous of the central government and the two were to act in mutually exclusive spheres of administration. Many of the provisions of the 1935 Act remained in force until the power was transferred from British India to India and Pakistan by the Independence Act of 1947. This act will be considered later when dealing with the transfer of power. For the moment, the Indian National Congress should be examined.

The Indian National Congress

No one organization in India has been more active in and responsible for the formulating of policies, both domestic and foreign, than has the Congress. For some twenty years it led the drive for independence, and since independence, has been the ruling majority party in almost all of the provinces as well as the central government.

It began as an organization for the expression of ideas regarding Indian feelings. It was the outgrowth of a letter by Allan Octavian Hume, a retired Indian Civil Servant, who was alarmed by the rising wave of discontent in India. He addressed himself to the graduates of Calcutta University, calling on them "to organize an association for the cultural, moral, social and political regeneration of the people of India."¹⁷ The first meeting was held on December 27, 1885, under the presidency of W.C.Bonnerji, a Bengali Christian barrister. The objectives of the Congress were expressed in modest terms as follows:

- (a) The promotion of personal intimacy and friendship amongst all the more earnest workers of our country's cause in the various parts of the Empire.

¹⁷Ibid., p. 5.

(b) The eradication, by direct, friendly, personal intercourse, of all possible race, creed, or provincial prejudices amongst all lovers of our country, and the fuller development and consolidation of those sentiments of national unity that had their origin in their beloved Lord Ripon's ever memorable reign.

(c) The authoritative record, after this has been carefully elicited by the fullest discussion of the mature opinions of the educated classes in India on some of the more important and pressing of the social questions of the day.

(d) The determination of the lines upon, and methods by which, during the next twelve months it is desirable for native politicians to labor in the public interest.¹⁸

The Congress became a very active organ and at once started carrying out its mission of keeping the English in touch with the feelings of the natives. Their first call was for more representation in the Provincial Legislative Councils. Another early call was for more Indian representation in the governing bodies. The Congress soon disappointed England, which had hoped that it would expend its major efforts on the social problems of India; however, it was the political aspect which was emphasized with little regard to the social. Perhaps the greatest bone of contention was the speeches in Parliament in which it was stated that the Indians were not capable of taking an active part in the legislative process.

Before the turn of the century, the Congress was considered by many as the driving force of nationalism, although at this time there was no other idea than to enjoy home rule within the British Empire. The Muslims wanted to reject the English language, but the Congress opposed this. As national aspirations in India grew, however, the fervor for ties with the mother country faded. The iron-fisted, centralized rule of Lord Curzon did as much as any one thing to alienate the Congress from British rule. Within the Congress there were two schools of thought

¹⁸Banerjee, op. cit., pp. 83-84.

expressed; one was that of the conservatives who desired that the change-over to Indian power come slowly; the other was that which was led by B.G.Tilak who insisted that swaraj (self rule) was the only acceptable goal of Indian aspirations. The first step in this direction was the 1904 call by the Indian National Congress for a United States of India, a federation of free and separate states to be placed on a fraternal footing with the self-governing colonies, each with its own local autonomy, cemented together under the aegis of Great Britain.¹⁹

According to Lord Minto, in 1906, the British felt that there existed a degree of disloyalty within the Congress. England, often accused of a policy of divide and rule, perhaps could now be so accused again. For at this time, when attention was centered on the action of the Congress, England was reacting favorably to the Muslims' call for more representation. And on December 30, 1906, the All-India Muslim League was formed, which was to act as a counter force to the Congress, with the following platform:

- (a) To promote among the Mussulmans of India feelings of loyalty to the British Government and to remove any misconceptions that may arise as to the intention of the Government with regard to any of its measures.
- (b) To protect and advance the political rights and interests of the Mussulmans of India and to respectfully represent their needs and aspirations to the Government.
- (c) To prevent the rise, among the Mussulmans of India, of any feelings of hostility towards other communities without prejudice to the other aforementioned objects of the League.²⁰

As mentioned before, the Minto-Morley reform caused a great rift between Hindus and Muslims, and caused unhappiness regarding British rule. In 1914, at the Madras convention, the National Congress came out for self-government within the British Empire. It is interesting to note

¹⁹Ibid., p. 203.

²⁰Ibid., p. 206.

that even at this point, just prior to the outbreak of World War I, India stood for continued service in the British Empire. In 1914, the Congress Resolution V at the Madras Convention expressed a vote of thanks for being able to send an expeditionary force to the theatre of war.²¹ In 1915, Gandhi was a loyal subject of the crown with no desire for a change.

In 1916, the two wings of the Congress had patched up their differences, and, at Lucknow, the Congress and Muslim League held simultaneous sessions and worked out a program of representation agreeable to both groups.

It appeared to all that India was moving toward self-rule within the Empire. India sent representatives to the Peace Conference following the war as a self-governing dominion. The Congress, taking, perhaps, its first actual step in foreign affairs, complained to the British regarding the treatment of the Turks of the Ottoman Empire.²²

The Congress and Foreign Affairs

The Government of India Act of 1919, as stated before, was considered inadequate. Swaraj now began, for the first time, to appear in Congress publications. In 1920, Mohandas K. Gandhi became the leader of the National Congress. With him at the helm we see a new era in the struggle, one of non-violence and of non-cooperation.

²¹N.V.Rajkumar (ed.), "Dispatch of Indian Expeditionary Forces Welcomed," Madras, 1914, Resolution V, The Background of India's Foreign Policy (Delhi, 1952), p. 38.

²²Rajkumar (ed.), "Appeal to British to Settle Turkish Question Fairly," Amritsar, 1919, Resolution XV, op.cit., p. 41.

In 1921, the Congress made its first foreign policy announcement.

It stated:

The All-Indian Congress Committee approves and adopts the resolution on Foreign Policy proposed by the Working Committee that the Congress should let it be known to the neighboring and other non-Indian States:

(1) that the present Government of India in no way represents Indian opinion and that their policy has been traditionally guided by considerations more of holding India in subjection than of protecting her borders;

(2) that India as a self-governing country can have nothing to fear from the neighbouring states or any state as her people have no designs upon any of them, and hence no intention of establishing any trade relations hostile to or not desired by the people of such states;

(3) and that the people of India regard most treaties entered into with the Imperial Government by neighbouring states as mainly designed by the latter to perpetuate the exploitation of India by the Imperial power, and would therefore urge the states having no ill-will against the people of India and having no desire to injure her interests, to refrain from entering into any treaty with the Imperial power.

The Committee wishes also to assure the foreign states that when India has attained self-government, her foreign policy will naturally be always guided so as to respect their religious obligations.²³

The Congress from this time forward became more and more loquacious about foreign affairs. It passed many resolutions supporting the Turks against British policies, and it sympathized with Egypt for her sufferings at the hands of Britain. In 1925, the Congress established a Foreign Department which had the two-fold function of looking after the interests of Indians abroad and of carrying on educational propaganda in the country regarding their position in the British and foreign countries.²⁴ In addition, the Congress objected to the use of Indian troops to further Imperialist gains, and contended that Indian troops should not have to go to war without Indian permission of the use

²³Rajkumar (ed.), "Congress Foreign Policy," Delhi, AICC, 1921, Resolution VI, op.cit., pp. 43-44.

²⁴Rajkumar (ed.), "Congress to Have Foreign Department," Cawrrpore, 1925, Resolution IX, op.cit., p. 45.

of such forces. Thus, from about 1920, the Congress and Great Britain found little area of agreement. From 1927 until 1929, the Congress aimed for Dominion status within the British Commonwealth, but, from 1929 on, the goal was set at Purna Swaraj, or, complete freedom.²⁵ The fight to achieve it would be through non-violence, non-cooperation, and widespread disobedience of the law.

India, while an original member of the League of Nations, often made statements of this type:

India may be an original member of the League of Nations, but all the world knows that this means an additional voice and vote for the British Foreign Office. The people of India have no say in the matter and their so-called representatives are nominated by the British Government. And so, inevitably the subject country concentrates on achieving national independence before it can think of playing an effective part in international affairs.²⁶

Jawaharlal Nehru saw the League as "... a tool in the hands of the great powers. Its very basic function is the maintenance of the status quo - that is, the existing order."²⁷

As World War II grew closer the Congress heightened her attack on Great Britain and any imperial force. In 1938, the Congress declared its policy on foreign affairs and war:

The people of India desire to live in peace and friendship with their neighbors and with all other countries, and for this purpose wish to remove the cause of conflict between them. Striving for their own freedom and independence as a nation, they desire to respect the freedom of others and to build up their strength in the basis of international cooperation and good will. But world co-operation is impossible of achievement so long as the roots of international conflict remain and one nation dominates over another and imperialism holds sway. In order, therefore, to establish

²⁵K.P.Karunakarn, op.cit., p. 62.

²⁶India and the U.N., Report of Study Group Set Up by the Indian Council of World Affairs (New York, 1957), p. 4.

²⁷Ibid., p. 5.

world peace on an enduring basis, imperialism and the exploitation of one people by another must end.

During the past few years there has been a rapid and deplorable deterioration in international relations, Fascist aggression has increased and an unabashed defiance of international obligations has become the avowed policy of Fascist powers. British foreign policy, in spite of its evasions and indecisions, has consistently supported the Fascist powers in Germany, Spain, and the Far East and must, therefore, largely shoulder the responsibility for the progressive deterioration of the world situation....

India can be no party to such an imperialist war and will not permit her man-power and resources to be exploited in the interests of British imperialism. Nor can India join any war without the expressed consent of the people.... In the event of an attempt being made to involve India in a war, this will be resisted.²⁸

The role of the Congress in this period was made more difficult by the fact that the Muslim League was again at serious odds with the Congress. The Government of India Act of 1935 wiped out many of the privileges held by the Muslims; consequently, by 1940, the Muslim League started pressing for a separate Muslim-Indian State.²⁹ Thus the on-again off-again relations between Muslims and Hindus had taken the turn of complete separation. It was summed up by Dr. Ambedkar when he analyzed the communal disturbances between 1920-1940 as a period of civil war between Hindus and Moslems, interrupted by brief intervals of armed peace.³⁰

World War II threw the Congress into a quandary when it found itself suddenly cast on the side of the British in the fight against Fascism. The Congress split three ways on the issue: Gandhi called for unconditional support; Subhas Chandra Bose called for a resistance

²⁸Rajkumar (ed.), "Policy in Regards to Foreign Relations and War," Haripura, 1938, Resolution VIII, op.cit., p. 55.

²⁹Phillips Talbot, "I Am a Pakistani," American University Field Staff Letter (November 28, 1956), p. 4.

³⁰Richard Symonds, The Making of Pakistan (London, 1949), p. 49.

against Britain; and a center group wanted some type of commitment in return for support. The middle ground was that chosen by the Congress. The British made efforts to negotiate with Gandhi and other leaders, but no policy could be worked out. Most of the Congress leaders were arrested and jailed for long periods of time, but no compromise could be reached. The Congress demanded that the British state clearly what their war aims were in regard to democracy and imperialism, and how these aims would affect India. India's demand was for a constitutional assembly and for freedom to set up a government; Britain, on the other hand, wanted a slow transfer of power. When, in 1945, the United Nations was organized at the San Francisco Conference, the Congress announced that the representatives from India were representing the alien government and in no way the people of India. To the brink of independence, the Congress would not concede to any change in their demand.

In summary, the Congress started out in 1885 in full support of the British and it aimed only at aiding the British to rule India better. It carried out its mission but soon stepped far beyond the bounds within which it was organized. Its original members were of the educated middle class. Today the party has a pyramidal organization, the base of which is made up of unpaid workers in white Gandhi caps, while at the top are the president and his fifteen-member working Committee. The three-man Central Parliamentary Board in the Working Committee makes most of the decisions for the party.³¹ The Congress, then, was the leading force for the freedom of India and the chief spokesman

³¹Phillips Talbot, "The Independence of India," Foreign Policy Reports, XXIII, No. 7 (June 15, 1947), pp. 81-82.

on foreign policy, and the two men who have been the driving force of the Congress have been Mohandas K. Gandhi and Jawaharlal Nehru.

Mohandas K. Gandhi

Gandhi was born of well-to-do parents but, in his lifetime, he renounced wealth and the aristocratic life for one of poverty and hardship in support of the downtrodden. He started his political life as a barrister in South Africa, where he was appalled by the treatment Indian laborers were receiving. It is believed that what he saw there sparked his life-long drive to help those who were oppressed. He achieved his aim to better the treatment of Indian workers in South Africa and returned to India just in time to see the Rowlatt Bill of 1919 come into being. Almost overnight India turned to Gandhi to lead her in her fight for freedom; and fight it was, though with new weapons -- non-violence and non-cooperation. His way was peaceful, yet not submissive. He took the leadership of the National Congress and made of it a mass party instead of one restricted to the upper class. Under his guidance the principle planks in the Congress were "national unity (which involved the solution of the minority problems), the raising of the depressed classes, and the ending of the curse of untouchability."³²

Gandhi's role with the Congress is hard to explain. Although he was considered the leader and the man looked to when a decision had to be made, his philosophy of life differed a great deal from the basic philosophy of the Congress itself and from that of almost all the men closest to him through the long years of his struggle to gain independence for India. To Gandhi non-violence was a dogma, a creed, an arti-

³²Jawaharlal Nehru, Mahatma Gandhi (Calcutta, 1949), p. 27.

cle of faith, even though many of his followers saw it as only a worthy means to an end.³³ Another area of difference lay in the realm of religion; Gandhi was devoutly religious. He placed a great deal of emphasis on the metaphysical approach to politics; his colleagues, Jawaharlal Nehru's father, Deshburdhu Das, L.L.Rai, and others tried to pattern after Gandhi, yet were not religious men in his sense and so would try to separate politics and religion. Gandhi's greatest disciple, Jawaharlal Nehru, likewise, is not religiously oriented. Perhaps one of the reasons Gandhi could work so closely in both religion and politics was his broad concept of religion. For to him all religions were good. He saw as much good in others' as in his own Hindu. In a speech he once said, "Our prayer for others ought never be: 'God! give them the light thou hast given to me!' but: 'Give them all the light and truth they need for their highest development!'"³⁴

In the economic realm Gandhi had no aspiration for a highly industrialized India. He once said, "Industrialization is, I am afraid, going to be a curse for mankind. Exploitation of one nation by another cannot go on for all time. Industrialism depends entirely on your capacity to exploit, on foreign markets being open to you, and on the absence of competitors."³⁵ His desire was to see a return to the village and with it a return to the craft industries. Gandhi saw industry as a menace because it was taking work away and not creating new jobs. In it he saw more poverty, the very condition which he was trying to eliminate.

³³Frank Moraes, "Gandhi Ten Years After," Foreign Affairs, XXXVI, No. 2 (January, 1958), p. 255.

³⁴Jawaharlal Nehru, Mahatma K. Gandhi, p. 20.

³⁵Mahatma K. Gandhi, Towards Non-Violent Socialism (Ahmedabad, 1951), p. 31.

He tied the idea of the big machine to the industrial, imperialistic west and reacted adversely to both.

Gandhi was considered the leader of the nationalistic movement in India, for he led the Congress through its trying years in behalf of independence. To Gandhi, however, nationalism meant more than just one superior nation developing. Note his following statement:

My idea of nationalism is that my country may become free, that if need be the whole of the country may die, so that the human race may live. There is no room for race hatred here. Let that be our nationalism. I do want to think in terms of the whole world. My patriotism includes the good of mankind in general. Therefore, my service of India includes the service of humanity.³⁶

Thus we see Gandhi, a man who gave his life for the betterment of others.

The independence, however, that came to India was not what he had hoped and worked for. India was torn by communal strife; she was a divided nation; untold thousands had lost their lives; added thousands were left homeless. Gandhi had, before independence, left the ranks of the Congress Party. The changes which he saw coming in the party at that time were incompatible with his philosophy. In this respect he said:

I expect that with the existence of so many material races in India, all of whom will have a voice in the government of the day, the national policy will incline towards militarism of a modified character. I shall certainly hope that all of the efforts for the last twenty-two years to show the efficiency of non-violence as a political force will not have gone in vain, and a strong party representing true non-violence will exist in the country.³⁷

Today it can be seen that, although Gandhi was philosophically at odds with most of his close associates, he, nevertheless, left his

³⁶J. Nehru, Gandhi, p. 36.

³⁷Mirmul Kumar Bose, Selections from Gandhi (Ahmedabad, 1948), p. 182.

mark on India -- his theory of non-violence, his determination of effort. He is India's symbol of freedom, of good-will toward all men, of cooperation with all nations, and of the hope for all oppressed. The name, Gandhi, to Indians, is a symbol of courage, morality, love, freedom, and democracy.

Jawaharlal Nehru

Now let us turn to Gandhi's greatest pupil, Jawaharlal Nehru. What Gandhi was to the Congress and India from 1920 to the early 1940's, Nehru has been since that day. Much different in their outlook and methods of operation, the same charisma surrounds both men. Nehru, the son of a wealthy lawyer and early leader of the Congress was raised in a political atmosphere where he became conversant with the affairs of India in his youth. Western-educated, a lawyer in his own right, he became involved with India's push for freedom early in life. He first met Gandhi in 1916 and followed closely in his footsteps throughout the remainder of Gandhi's life. In the early 1940's he took leadership of the Congress and has remained in that position ever since. It would be indeed difficult to try to separate the policies of Nehru from those of the Congress, for Nehru has been the final authority on policy matters both domestic and foreign for many years.

In his philosophy we must look at religion, economy and his view on non-violence as but a few of the areas wherein he differed from Gandhi. In the first place, Nehru is not a devout Hindu; he holds no strong religious ties. He is quoted as saying:

In fact, Hindu society is anarchistic. It is a very simple, curious combination of extreme social discipline and anarchism in thought. You can do what you like and think what you like, philosophy or any-

thing... you must behave according to the caste rules. But once you break the caste rules, it is all anarchy; unless you put something else in its place.³⁸

Although Nehru, like his father and others connected with the Congress, has tried to follow in the steps of Gandhi in the making of decisions, he feels it would be dangerous to do so blindly. This feeling is revealed in his following statement:

There is always a great difference between a prophet and a politician in their approach to a problem. We had the combination of a prophet and a great statesman (Gandhi), but then we are not prophets nor are we all very great in our statesmanship. All we can say is that we should do our utmost to live up as far as we can to that standard, but always judge a problem by the light of our own intelligence, otherwise we will fail. There is the grave danger on the one hand of denying the message of the prophet and on the other of blindly following it and missing all its vitality. We have, therefore, to steer a middle course through these.³⁹

In the economic sphere we can say that Nehru has emphasized industrialization, and development of technology both in industry and agriculture. India's main policy of peace is closely tied with the idea of industrial development. Nehru has often been attacked for his method used to advance industrialization, namely, that of Socialism. If, however, one looks realistically at the task that faced Nehru at the time of independence one would have to admit that if he were going to advance industry in India the only place that money could be made available was from the government. India had little with which to draw foreign capital. Nehru has made no effort to curtail private enterprise. Tata Steel, the largest industrial plant in India, is an example of this type of enterprise. India has made great strides in her development of industry under the leadership of Nehru. This may stem from the fact that

³⁸Tibor Mende, Nehru (New York, 1956), p. 34.

³⁹Frank Moraes, J. Nehru, p. 442.

Nehru believes that without this development India could not progress and that perhaps her first loss would be her democratic independence.

As to the role of non-violence, Nehru, though giving lip-service to this Gandhi concept, has openly admitted that it is, in fact, not a workable concept. In one of his speeches Nehru paid tribute to Gandhi for it, but explained its use in this way:

Undoubtedly he was a person absolutely committed in his way of thinking to what he called the non-violent approach in life and in everything. We have been powerfully influenced by him but in international affairs or, for the matter of that, in national affairs, it would be quite untrue to say that we have been able to adopt, or we have deliberately adopted fully, his line of action.⁴⁰

In retrospect, then, it can be noted that the program which Gandhi began Nehru is attempting to carry on in unbroken continuity, that both men are looked up to with great reverence by their subjects, though holding rather widely divergent philosophies. The net effect on foreign policy would seem to be an increased activity in the field of foreign affairs under Nehru. The best indicator for this hypothesis would come from the needs which Nehru's economic policy demands as compared to Gandhi's. This, of course, begs the question-- could Gandhi have continued the policy he expounded in the light of the changes that took place in the world following World War II, the reshuffled emphasis brought about by the sweeping force of nationalism?

Nehru, as leader of the Congress in the period just prior to independence, was faced with a multitude of problems. India, from the end of the war, was in near chaos. Indian leaders, having been in and out of jail during the war period, lacked the unity necessary to grasp con-

⁴⁰Jawaharlal Nehru, "Democracy and Disarmament," Commonwealth Parliamentary Conference (New Delhi, 1957), pp. 4-5. This text was released by the Information Service of India in mimeographed form.

trol. The Muslim League was now determined to take nothing short of a separate Pakistan. England was determined to hand over power, but now no one in India seemed capable of taking on the responsibility of accepting it. The interim government was proving unsatisfactory, as factions within the government were warring among themselves. When the Muslim League called for a "Day of Action" on August 16, 1946, a day planned for supposedly peaceful demonstrations, the most bloody communal riots yet known rocked India. This action sealed off all hope of working out the problem of representation in a unified India; partition was the only answer. This arrangement was finally agreed upon with a great deal of misgivings by many people. On February 25, 1947, Prime Minister Attlee announced that Britain would transfer power in India not later than June, 1948; it was, however, on August 15, 1947, that two dominions were born -- India and Pakistan.

Independence of India

For those uninformed persons who thought independence would be a panacea, it was a rude shock. The partition was beset with problems: the civil service had to be divided between the two; the military forces had to be divided. All this action started before the actual partition. Economic turmoil was caused by the dislocation of the long-established economic system and, the most taxing of all, by the refugee problem. Millions were moving in and out of both nations. Communal rioting was still taking a heavy toll. Those who reached the new land were destitute, for they had had to leave all they owned behind. This was a heavy burden for the new nation to have to shoulder; the problem could no longer be laid at the doorstep of the British. The initial shock of the par-

tition had not worn off when, in the last week of October, 1947, the tribal war started in Kashmir. This action again brought into sharp focus the strained feelings that existed between the Indians and the Muslims of Pakistan. After Kashmir asked for Indian aid, Indian armed forces moved into the area. The accession of Kashmir to India and the continued resistance by the insurgent forces brought the problem before the U.N. on January 1, 1948. India contended that Pakistan was an aggressor on Indian soil. Pakistan entered a counter claim of three points:

(1) The unlawful occupation of the State of Junagadh and other states by Indian forces.

(2) Mass destruction of Muslims in a prearranged program of genocide.

(3) The failure to implement agreements between the two countries.⁴¹

India was deeply disappointed by the reaction in the U.N. Pakistan was not branded an aggressor; and the last ten years have been spent in an uneasy peace trying to find a final solution to the problem. India now considers the Kashmir issue a domestic affair and looks with disfavor on any interference on the part of other nations.

Problems of Independence

When independence came to India she was deeply engrossed in domestic affairs. The highly effective civil service was in need of reinforcement. Of the 1060 key persons in the service, 520 were British, 150 were over-due for retirement because they had been held over during

⁴¹Year Book of the United Nations for 1947-1948 (New York, 1949), pp. 387-403.

the war.⁴²

Her military forces, depleted by the partition, lost many of their high ranking officers who were British. It was not uncommon to have an Indian major replacing British general officers. The communal disturbances were taxing to the maximum the security forces. With lack of experience the army was suddenly called into the Kashmir conflict, which was, besides being a trying experience for the limited amount of manpower, a highly costly venture, one which India could ill-afford at that time. National income for the year 1948-1949 amounted to 86.5 billion rupees (\$18.2 billion). India had been primarily a raw material exporter and had had to depend on outside sources for much of her manufactured product needs. This made it difficult for her to realize a foreign policy of independent action. As V.K.Krishna Menon stated, "Unless the economy of a country is sound and non-dependent on other nations, it would not be able to adopt an independent foreign policy, and was likely to be influenced even much against her will by the policies of other nations."⁴³

India had been, prior to World War II, the second largest economic power in Asia, but with the departure of the British her immediate economic potential suffered. Many of the machines had been worn out during the war, and India did not have the capital to replace them. To further magnify the problems, her leaders for independence lacked the knowledge necessary for running an industrial nation. Human failure was plaguing both her agricultural and industrial development.⁴⁴

⁴²Phillips Talbot, Independence of India, p. 76.

⁴³Karunakar Gupta, Indian Foreign Policy (Calcutta, 1956), p. 66.

⁴⁴W.S.Woytinski, India, The Awakening Giant (New York, 1956), pp. 54-55.

India was faced at once with the necessity for improving agricultural output and then for shifting a greater emphasis over to industrial production. In 1951, of a total work force of 143 million, 72 percent or 103.6 million were engaged in agriculture, forestry and fishing.⁴⁵ Of greatest concern was the low yield per acre obtained; in India, 500 kilograms per acre of grain crops was the average yield as compared to 1,870 in Japan.⁴⁶ Poor soil and lack of know-how were the two chief contributing factors which presented a dismal picture to the leaders of the new India.

Points of Strength

On the brighter side, however, India has great potentialities if she has time in which to develop. This factor has much to do with her great desire to see peace prevail in the world. Iron ore and coal are often used as the measure of strength of a modern industrial nation. India is blessed with a goodly supply of both of fine quality. Her coal reserves are estimated at between 54-79 billion tons. Iron ore deposits are estimated at five billion tons. India and the U.S.S.R. together have three-fourths of the world's manganese, and India has three-fourths of the world's sheet mica. She has the following minerals in export quantities: iron, tetanium, thorium, manganese, gypsum, beryl, and bauxite.⁴⁷ In addition, she has a power potential of twenty million kilowatts, using her three major Himalayan-fed rivers.⁴⁸

⁴⁵Ibid., p. 36.

⁴⁶Ibid., p. 38.

⁴⁷Cressy, op.cit., pp. 433-434.

⁴⁸Woytinski, op.cit., p. 46.

Financial Status

India's financial status at the time of independence could be considered solvent. Britain's war debt amounted to £1,160 million to her and Pakistan; she had a cash balance of £225,000,000 and her net (uncovered) public debt was about £375,000,000 with, however, an adverse balance of trade.⁴⁹ The years 1948 and 1949 were unprofitable ones for India; the partition cut off the land on which jute was raised, although the mills remained in India. This crop had been her chief source of hard currency, mainly United States dollars. Loss of grain areas and adverse weather caused famine conditions which meant a large outlay for the purchase of food grains, taxing the hard cash reserves. The unecological war in Kashmir cost some £116,250,000 (rupees 155 crores) in 1948-1949 and defense spending was £117,750,000 (rupees 157 crores) for 1949/1950.⁵⁰ Certainly everything seemed to be working against expansion, because the industrialists were not willing to expand in the face of a dwindling national reserve.

Illiteracy

Also, to make this new democracy work, much effort needed to be expended on education. As stated before, the British did not aid mass education, for, in the 1951 census, it was disclosed that 82.1 percent of the population was illiterate (70.4% male and 90.6% female).

⁴⁹Andrew Meller, India Since Partition (New York, 1951), p. 105.

⁵⁰Ibid., p. 119.

⁵¹Woytinski, op.cit., p. 125.

Outline of Foreign Policy

These, then, were some of the problems that faced the Congress. At first, law and order had to be established, then internal reforms had to be initiated, for, in a nation swept by nationalism, expectations run high, and if the new regime hopes to retain its position, it must display some actions to fulfill these expectations. The Congress moved to meet the national problem by emphasizing the need for close cooperation within its organization to bring mutual benefit to all. Note the following excerpt taken from the Handbook for Congressmen:

Today the Congress, through its President, reminds every Congressman of its high ideals and calls upon all to stand for nationalism, for national unity and for secular democracy. It calls us to a life of service and sacrifice in the cause of the people. It is the bounden duty of every one to respond to the call, to think and feel and act in terms of the nation, and to put our shoulders to the plan for plenty and prosperity to all.⁵²

At the same time, Nehru realized that India could not live in isolation, and he summarized her position in the following words:

I have said that we have no desire to play a leading role in the international sphere except when we are compelled by circumstances. People talk about India's desire for leadership in Asia. We have no desire for leadership anywhere. Our greatest anxiety and yearning today is to build up India and to solve somehow the problems that face us; and then, in as far as we can, to serve the other good causes we have at heart in Asia and in the rest of the world and to cooperate with other countries in the U.N. and elsewhere. Whether we want to or not, we realize that we simply cannot exist in isolation. No country can. Certainly we cannot. Our geography, our history, the present events all drag us into a wider picture.⁵³

Mr. P.A.Menon recently accounted for the philosophy underlying India's approach to foreign affairs in these words:

Observe good faith and justice towards all nations, cultivate peace

⁵²Handbook for Congressmen, The Central Publicity Board (New Delhi, n.d.), p. 13.

⁵³Jawaharlal Nehru, J.Nehru's Speeches 1949-1953 (New Delhi, 1954), pp. 116-117.

and harmony with all.... Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage and to be haughty and intractable, when accidental or trifling occasions of dispute occur.⁵⁴

We may recognize these words as those spoken by George Washington in his Farewell Address to the American people. India's policies, it is felt by writers such as former Ambassador Chester Bowles and Jawaharlal Nehru, resemble much those of the United States 150 years ago with allowances made, of course, for certain conditions which are now different due to technological advancements that have taken place in the interim. Perhaps the most concise statement of India's policy can be garnered from two resolutions passed by the Congress Party. They read as follows:

The National Congress has, even while it was struggling for the freedom of India, associated itself with progressive movements and struggles for freedom in other countries. India's liberation was viewed as a part of the larger freedom of all the countries and peoples of the world. In particular, the Congress has stood in the past for the ending of all imperialist domination and colonial exploitation of all countries or people, and has opposed Fascism and all other tendencies which suppress the human spirit.

The achievement of independence brought new responsibilities to India in international affairs and it became necessary to develop direct and closer contacts with other nations. The Congress welcomes these contacts and trusts that these will lead to mutual understanding and cooperation and the promotion of world peace.

The foreign policy of India must necessarily be based on the principles that have guided the Congress in past years. The principles are the promotion of world peace, the freedom of all nations, racial equality and the ending of imperialism and colonialism. In particular the Congress is interested in the freedom of the nations and peoples of Asia and Africa who have suffered under various forms of colonialism for many generations.

With a view to advance the cause of world peace and cooperation, India associated herself with the United Nations. This Congress declares its full adherence to the principles underlying the charter of the United Nations.

It should be the constant aim of the foreign policy of India to

⁵⁴P.A.Menon, India's Foreign Policy, pp. 4-5 (Information Service of India reprint of Mr. Menon's speech given to American Association in Bankok).

maintain friendly and cooperative relations with all nations and to avoid entanglement in military or similar alliances which tend to divide up the world in rival groups and thus endanger world peace. Maintaining her freedom of action in foreign affairs and in the economic development of the country, India should continue to function as a member state of the United Nations, cooperating with other states in the maintenance of peace and freedom.

In view of the attainment of complete independence and the establishment of the Republic of India which will symbolize that independence and give to India the status among the nations of the world that is her rightful due, the present association with the United Kingdom and the Commonwealth of Nations will necessarily have to change. India, however, desires to maintain all such links with other countries as do not come in the way of her freedom of action and independence, and the Congress would welcome her free association with the independent nations of the Commonwealth for their commonweal and the promotion of world peace.

India is especially concerned with her neighbour countries of Asia, and the Congress trusts that closer bounds of fellowship and cooperative effort for the maintenance of the freedom of Asian nations and their progress will be developed.⁵⁵

The great need of the world today is the avoidance of war which will inevitably bring irretrievable disaster to mankind. This Congress earnestly hopes that the great nations of the world, on whom rests a heavy responsibility, will pursue policies which ease the present tensions and lead to peaceful solutions of present day problems. The policy of interference with another country with a view to bring about political or economic changes there, as well as the policy of controlling another country and depriving it of freedom to shape its own destiny, must lead to conflict.

The Congress deeply regrets the continuing tension between India and Pakistan which injures both countries and poisons their relationship. India has and can have no aggressive designs on any country including Pakistan. But India has always to be prepared to meet any aggression that might be made on any part of her territories. The Congress would welcome a peaceful settlement of all Indo-Pakistan problems.⁵⁶

In these resolutions there can be picked out the main points of India's foreign policy: (1) liberation of all nations from colonialism, (2) promotion of world peace, (3) maintenance of friendly relations with all nations, (4) maintenance of freedom of action, (5) opposition to

⁵⁵N.V.Rajkumar (ed.), "Foreign Policy of Free India," Jaipur, 1948, Resolution V, The Background of India's Foreign Policy (Delhi, 1952), pp. 95-97.

⁵⁶N.V.Rajkumar (ed.), "Foreign Policy," Delhi, 1951, Resolution III, The Background of India's Foreign Policy (Delhi, 1952), pp. 100-102.

alliances.

The first point has been, over the years, one on which India has been most insistent, and one which has put her at odds with most of the western world, including the United States. Indian leaders have allowed for no justification for the retention of colonial empires. The United States has been forced by alliances or other commitments to support colonial powers against the rise of nationalism. Point number two is prompted by two major forces, one resulting from Gandhi's influence, the other from an economic need. Nehru, in a speech at Columbia University, spelled out the effect of Gandhi's belief:

Means and ends are thus intimately and inextricably connected and cannot be separated... The great leader of my country, Mahatma Gandhi, under whose inspiration and sheltering care I grew up, always laid stress on moral values and warned us never to subordinate means for ends.... After a generation of intense struggle with a great and powerful nation we achieved success, and perhaps the most significant part of this achievement, for which credit is due to both parties, was the manner of it.... That revolution demonstrated to us that physical force need not necessarily be the arbiter of men's destiny and that the method of waging a struggle and the way of its termination are of paramount importance.⁵⁷

India needs time to develop her great resource potential. Mr. Nehru admits that in the case of India "... foreign policy is the outcome of economic policy and until that time, when India has properly evolved her economic policy, her foreign policy will be rather vague, rather inchoate, and will rather grope about."⁵⁸

Point number three has been a policy of the Congress for many years. When Britain was using Indian troops in China and other areas, the Congress kept assuring those nations that they had nothing against any nation and wanted to maintain friendly relations with all. In to-

⁵⁷K.P.Karunakaran, op.cit., p. 24.

⁵⁸Lawrence K. Rosinger, India and the U.S. (New York, 1950), pp. 33-34.

day's affairs this point is of extreme importance to India. It has had a major effect on her China policy. For India has thousands of miles of either common border with China or borders separated by weak buffer states. Another factor to consider is that India is within easy flying time of the U.S.S.R. Together these two factors would seem to have greatly influenced India's reaction to the East and West. Mr. Panikkar said, "The policy of a state is determined by its geographical position, the object of all policy is territorial security and this is governed predominantly by geographical factors."⁵⁹ Mr. Panikkar's criteria apparently influence the course of India's policies.

Maintenance of freedom of action has been one provision on which India has also vigorously insisted. She has contended that she must be permitted to judge each incident on its own merit. She has steadfastly refused to join either of the two power blocs. Nehru, in a speech on March 22, 1948, admitted that India had "far closer relations with some countries of the western world than with others." He stated further, however, "We don't wish to place ourselves in a position where, politically speaking, we are just tied up with a particular group and bound down to it in regard to our future conduct."⁶⁰ Even in the U.N. India refuses to vote with any bloc, but casts her vote according to her own beliefs.

Lastly, her opposition to alliances follows closely her concept of independent action. The development of alliances has the effect of developing blocs, which, in turn, pits one bloc against another. This causes a type of war psychosis. Nehru further spells out another danger

⁵⁹Gupta, op.cit., p.i of introduction.

⁶⁰Rosinger, op.cit., p. 35.

in this respect:

It is presumed that great countries involved in these alliances are cautious, wise and restrained and that they will not act in a hurry. But some of those with whom they are associated are neither cautious nor wise and they are all the time ... as we know in the Far East ... threatening ... War and all that. Now, as it is, one of these uncautious and unwise participants of these groups of alliances takes a rash step — it is quite conceivable in the world — and suppose one step leads to another and a big country which is roped in, though not liking that step, will be dragged in with the result that something happens."⁶¹

This fear of anything that might lead to a war seems always uppermost in the mind of Nehru and other Indian leaders. Why this attitude? In Independence and After, Nehru says:

Whatever policy you may lay down, the art of conducting the foreign affairs of a country lies in finding out what is most advantageous to the country. We may talk about international goodwill and mean what we say. We may talk about peace and freedom and earnestly mean what we say. But in the ultimate analysis, a government functions for the good of the country it governs and no government dare do anything which in the short or long run is manifestly to the disadvantage of that country."⁶²

India hopes by maintaining her independent policy, and by reason of her pivotal position, both geographically and by virtue of her long association with both the East and the West, that she can serve as a bridge over the chasm of misunderstanding to which she attributes much of the difficulties now facing the world. Her effort is not to organize a third force of neutrals, but rather a third force for peace which, in some way, will keep the two major blocs from drifting so far apart that it will leave no ground for negotiating on problems that are bound to arise.

⁶¹Jawaharlal Nehru, "Dangerous Approach to Peace," Military Alliances (New Delhi, April, 1957), p. 5.

⁶²Jawaharlal Nehru, Independence and After, pp. 204-205.

India and the U.N.

India joined the U.N. with the fervent hope that it would provide the organization by which peace could be maintained, and the down-trodden be lifted. The League of Nations had failed, for, as Nehru has stated, it was the instrument by which the major powers planned to maintain the status quo. India has thrown her full weight behind the U.N.; in it she has been very active in attempting to put her foreign policy into practice. This action has not made her too popular with either bloc. Nehru has said, "We have sought to avoid foreign entanglements by not joining one bloc or the other. The natural result has been that neither of these blocs looks upon us with favor."⁶³ India has been critical of the U.N.'s admissions' policy, fearing that it is leading the U.N. down the road toward being an organization of like-minded members only, a situation that helped cause the failure of the League of Nations.⁶⁴ "I think the Charter is a very fine thing, but it is true that the world is not living up to it,"⁶⁵ Nehru has commented. And, though India has often been rebuffed by the U.N. (the Kashmir problem is one example, some of her efforts on the Korean situation are another), she has not lost faith, but has continued a very active role in her attempt to maintain peace and to bring independence to all nations, and above all to reduce the causes for tensions throughout the world. In this respect, Phillips Talbot and S.L. Poplai have written, "India's participation in the U.N. is based on the concept that soft-pedals

⁶³Ibid., p. 201.

⁶⁴F. Moraes, J. Nehru, p. 431.

⁶⁵J. Nehru, Speeches, op.cit., p. 225.

its enforcement functions and emphasizes its usefulness as a world forum for negotiation, compromise and discussion."⁶⁶

Summary

How, then, can India's approach to world affairs be summed up?

These words of Nehru offer a good coverage of the many points involved:

When one is faced with the possibility of complete disaster, then war is not a solution.

Now, so far as India is concerned... we must be judged by our own background. Our background in India has been one of ... well, of struggle for political freedom, for economic freedom, for self-realization and for developing ourselves according to our own way of thinking. We came into conflict with British domination in India and we challenged it; but we challenged it not on the military plane -- we couldn't -- but we challenged it in a peaceful way. Due to a large number of factors we succeeded. Therefore, we are apt to attach less importance to the military approach to a problem than to the peaceful approach -- apart from the fact that we have not got the military approach in our power.... So, both from the point of view of background and our habits, and of our way of thinking, we come to the conclusion that the military approach... is not the right approach under present circumstances. Inevitably we have come to this conclusion that the military approach should be avoided. And if war is avoided, thinking in terms of war, too, should be avoided as far as possible.⁶⁷

So it is that India has had many influences to bring about her present-day foreign policy: the early role of the British, the British reforms which were integrated into the government of the provinces first and the central government later, and which opened an entirely new field to the Indians in training them in the Civil Service and giving them active roles in the government. The Congress, we saw was organized to aid the British, but in the end became a political organ which led the long struggle for freedom. The Congress and its two great leaders, Mohandas K. Gandhi and Jawaharlal Nehru, can, perhaps, be labeled the

⁶⁶Phillips Talbot and S.L.Poplai, India and America, p. 11.

⁶⁷Tibor Mende, Nehru, pp. 74-75.

leading elements in the development of her foreign policy today. It has been through their influence that a democratic constitution has been set up which secures for all its citizens:

JUSTICE, social, economic, political;
LIBERTY, of thought, expression, belief, faith and worship,
EQUALITY of states and opportunity; and to promote among them all
FRATERNITY assuring the dignity of the individual and unity of the Nation.⁶⁸

From Gandhi, India drew her policy of non-violence, love of humanity, humility, emphasis and peace, and the peaceful settlement of problems. "Even in resisting evil and aggression, we have always to maintain the temper of peace and hold out the hand of friendship to those who, through fear or for other reasons, may be opposed to us."⁶⁹ These were the teachings of Gandhi.

Nehru continued the teachings of Gandhi, some in toto, others as they fit the needs of India in her moves following independence. How does he suggest they can be carried out? His oft repeated "Panch-sheel," the five principles for peace among nations, is his norm for international behavior:

- (1) mutual respect for each other's territorial integrity and sovereignty;
- (2) non-aggression;
- (3) non-interference in each other's internal affairs;
- (4) equality, mutual respect and mutual benefits;
- (5) peaceful co-existence and economic cooperation.⁷⁰

⁶⁸Mellor, op.cit., p. 93.

⁶⁹Nehru, Speeches, pp. 134-135.

⁷⁰S.L.Poplai, Temper of Peace (Indian Council of World Affairs, October, 1955), p. 11.

It goes without saying that Nehru's policies and those of the Congress do not go unopposed in India, for it would be a dangerous sign for India's democracy if they did. There are three or four groups that have definite policies that oppose the Congress. The largest is the Praja Socialist Party, the second largest party to the Congress. Their main criticism of Nehru comes in the belief that he is not neutral enough, their contention being that India should lead a third force for neutrality. They attack both of the other blocs, claiming that, although their methods may differ, they are, nevertheless, both expansionists.

The Hindu Mahasabha is a militant party that rejects the concept of non-violence, is anti-western in its approach, advocates universal military training for India and a much more aggressive line toward Pakistan.⁷¹

The Revolutionary Socialist Group (RSP) recognizes the U.S.S.R. as the base for the coming world Socialist Revolution. However, it interprets Internationalism as working wholeheartedly towards developing the revolutionary movement in one's own country.⁷²

Lastly, the Communist Party of India is the only party that controls a provincial government outside the Congress. For all intents and purposes it follows the Moscow line but shifts from it from time to time to insure its continuation in India. It has been the prime target of Prime Minister Nehru. The 1951 amendment to the Constitution, limiting freedom of speech, was aimed at curtailing the activities of the Communist Party; and, according to Ambassador Bowles, 8,500

⁷¹Myron Weiner, Party Politics in India (Princeton, 1957), pp. 172-173.

⁷²Ibid., p. 120.

Communists and fellow travelers were arrested and held in prison under the Dentention Act, which allows for jailing without trial for a period of up to six months.⁷³ Nehru developed a dislike for the Communist Party of India, when, in the midst of communal turmoil at the time of Independence, the Communists caused a great deal of trouble on the labor front, calling for strikes and demonstrations. Nehru said of the Communists.:

With respect to the Communist Party, I would like to repeat something I have often said before. I recognize the worth of many individuals in the Communist Party. They are brave people. However, I am compelled to add that they sometimes seem to be completely out of touch with the present day world. A strange thing to say of a party which considers itself to be the vanguard of human progress. I admit that there is something about their theories which, to some extent, justifies their claim. There is something about them which seems to recognize the direction in which, I think, the world will ultimately go; but they also have something which makes them rigid as the old religious bigots. So far as I am concerned, I have always refused to bow to the bigotry of any religion and I likewise refuse to bow to the bigotry of this new religion.⁷⁴

This chapter, then, has summarized some of the background for the formulation of India's present policies, the effect which time the people have had upon them. The next chapter will consider India's policy in action during a series of events covering the period of the Korean problem.

⁷³Chester Bowles, Ambassador's Report, pp. 107-108.

⁷⁴Nehru, Speeches, pp. 31-32.

CHAPTER II

CHRONOLOGY OF THE KOREAN CRISIS 1947-1954

Perhaps as fine an example as can be found of India's foreign policy in action is her reactions to the attempts of the United Nations to settle the Korean question. Bound up in this question are many of the ingredients with which India's foreign policy makers have often concerned themselves. Some of them are as follows:

- (1) The Korean conflict involved an Asiatic nation.
- (2) The colored and white races were involved in the dispute.¹
- (3) The basic difference in finding a solution involved the leaders of the two great power blocs -- the United States and the Union of Soviet Socialist Republics.

(4) The United Nations became seized with the problem, first, as a representative whose good offices were being used to settle a dispute, later, as an enforcing agency in an act of armed aggression. This armed aggression caused an explosive situation that could have led to a major world war.²

¹William O. Douglas, Strange Lands and Friendly People (New York, 1951), p. 291.

²Dr. J.C.Kundra, Indian Foreign Policy 1947-1954 (Bombay, 1955), p. 125.

(5) The People's Republic of China became involved, causing an even greater tension to grip Asia.

India's great concern over the problem stemmed from one of her greatest aims -- to keep peace in the area of Asia (or throughout the entire world, for that matter), so as to allow her to develop her great potential and attempt to raise the standards of living for her vast population. Statements by her leaders indicate that they feel the best way to achieve this goal is to have peace, for such items as machines, machine tools, and investment capital which India needs from other countries would be difficult to secure if war existed.

Background of Korean Question

The core of the Korean problem developed as far back as 1943, when the future of Korea was being pondered by the leaders of the Allied forces. On December 1, 1943, at the Cairo Conference, leaders of the United States, the United Kingdom and China stated that these nations, "mindful of the enslavement of the people of Korea, are determined that in due course Korea shall become free and independent."³ In the Potsdam Declaration of July 25, 1945, this declaration was reaffirmed. When, on August 8, 1945, the U.S.S.R. declared war on Japan it proclaimed that the Potsdam Declaration would be adhered to. However, dating from V-J Day, September 2, 1945, when Japanese forces above the 38th parallel surrendered to forces of the U.S.S.R., and those below the parallel to forces of the United States, Korea became a divided country. The proclamation of the Cairo Conference has never come into being.

³"A Korean Chronology," U.N. Bulletin, XV, No. 3 (August 1, 1953), p. 73.

At the Moscow Meeting of Foreign Ministers, an agreement was hammered out by the foreign ministers of the three great war-time allies -- the United States, the Union of Soviet Socialist Republics and the United Kingdom -- on how a united and democratic government would come to Korea. It was decided that a commission consisting of representatives of the United States and the U.S.S.R. forces would "... work out measures also for helping and assisting (trusteeship) the political, economic and social progress of the Korean people, the development of democratic self-government and the establishment of the national independence of Korea. The proposals of the Joint Commission shall be submitted, following consultation with the provisional Korean Government for the joint consideration of the Government of the United States, the U.S.S.R., the United Kingdom and China for the working out of an agreement concerning a four power trusteeship of Korea for a period of up to five years."⁴ The first meeting of the Joint Commission was held on March 20, 1946. Subsequent meetings dragged on for over a year, but no agreement could be reached, as the two great powers with vastly divergent political ideologies could not agree on who was to represent Korea in formulating the new democratic government. The Moscow Agreement specifically stated "In preparing their proposals, the Commission shall consult with the Korean democratic parties and social organizations."⁵ This one sentence proved to be only the first pitfall, for, by the summer of 1947, a stalemate was reached on all major issues

⁴James F. Byrnes, "Report on Moscow Meeting of Foreign Ministers," Department of State Publication 2448, Conference Series 79 (Washington, 1946), pp. 14-15.

⁵Ibid., p. 14.

Korean Question before the U.N.

On September 17, 1947, the United States, by letter submitted the problem of the independence of Korea to the General Assembly of the United Nations.⁶ India did not enter into the debate regarding Korea at once, but on September 19, 1947, Mrs. Pandit made her first statement in the United Nations as the delegate of sovereign India. In her statement she spelled out India's general views and concerns surrounding United Nations and world problems. For one thing, she saw the major powers drifting further and further apart. The tensions, suspense and anxiety that were building up could lead to a disaster rather than to a promise for the future. Throughout her speech she called for tolerance, wisdom and understanding in dealing with world problems. In the General Assembly she emphasized that there should be no categorizing of major and minor powers, for, according to the charter, the vote of each country is weighted equally. She then spelled out India's future participation in the United Nations in these words:

We, in India, for our part, are aware of no compulsions to identify ourselves wholly, or to associate ourselves systematically, with either or any of the different groups... Accordingly, we shall offer our support to, or withhold it from, the proposals submitted to us, solely in the light of our judgement of the merit of the case in question. We stand for peace, and will devote our resources and energy towards the abolition of all causes which lead to war... We are indeed more firmly convinced than ever that the only way to avert a catastrophe, the only road to peace and freedom and well-being for us all, is through our steadfast and wholehearted co-operation, at whatever inconvenience, within the framework of the United Nations and in the spirit of the Charter.⁷

She further called for the setting aside of conflicts of ideologies, and for the help of the suffering throughout the world.

⁶General Assembly Official Records, 82nd Plenary Meeting, 2d Session, Vol.1(New York, September 17, 1947), pp. 20-22.

⁷U.N.General Assembly Official Records, 2d Session, Vol.1 (New York), pp.134-138.

The Soviet representative bitterly opposed the inclusion of the Korean question on the agenda, stating that it was in violation to the Potsdam Agreement, thus in violation of Article 107 of the Charter of the United Nations, that the General Assembly could not legally hear the problem, and, further, that no action could be taken without Korean representation.⁸ The General Assembly, however, did place the item on the agenda, and on October 22, 1947, the First Committee took up the problem. The United States entered her proposal for the formation of an independent government, and the U.S.S.R. entered a counter-proposal that called for immediate withdrawal of all foreign troops. On the first vote concerning the two proposals, India abstained on the United States proposal, stating that it was too vague regarding formation of security forces and the withdrawal of foreign troops. On the Russian proposal, India voted against it, stating that a sudden withdrawal would throw the nation into turmoil. Mr. Sen, the Indian representative, proposed a compromise only as a suggestion, not as a formal proposal. In it he suggested:

(1) A general election should be held, not on a zonal basis alone, but on a national basis under the control of the United Nations Temporary Commission. This be believed was necessary in order to remove the political and moral barrier which had been created by the division of the country.

(2) It was important that the elections should be held on the basis of adult suffrage without any political discrimination, and by secret ballot. That would facilitate a free election and would avoid any attempt to deny the vote to certain classes of people considered

⁸Ibid., p. 276.

as undemocratic.

(3) The Assembly should meet immediately after it had been elected to form a national government.

(4) The national government immediately upon formation should constitute its own national security force and dissolve all military and semi-military formations not included therein.

(5) A definite time limit should be fixed for the withdrawal of occupation troops. (This he considered to be of primary importance.⁹)

Temporary Commission on Korea Established

Although these proposals were made only as a suggestion, it can be seen that many of them were incorporated into General Assembly Resolution (112 II),¹⁰ adopted at the Plenary meeting held on November 14, 1947, by a vote of 43 in favor, none opposing, and six abstaining. India voted for the resolution.

Perhaps of most importance in the resolution was the establishment of the Temporary Commission on Korea. The Soviet bloc at once announced that it would not cooperate with the Commission because there had been no Korean representatives invited to the discussion leading up to its adoption. The Ukrainian Soviet Republic, therefore, failed to participate; however, the following staff members were designated by the remaining nations:

Australia	-	Lt. Col. S.H. Jackson
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⁹General Assembly Official Record, First Committee, 91st Meeting, 2d Session (New York, October 30, 1947), pp. 284-286.

¹⁰See Appendix A for complete text.

Canada	-	George Sutton Patterson
China	-	Lin Yu-Won
El Salvador	-	Meguel Angel Pena Valle
France	-	Jean Paul Borcours
India	-	K.P.S. Menon I.J. Bahadur Singh
Philippines	-	Melecio Arranz R. Luna
Syria	-	Ziki Dzabi Y. Mughir ¹¹

The first meeting of the Commission was held in Seoul, Korea, on January 12, 1948, at which time K.P.S. Menon of India was elected permanent chairman. Mr. Menon, however, returned to his post as ambassador to China on March 19, 1948, and Mr. Singh became India's chief delegate. It was decided that the chairmanship of the Commission would rotate among all the members rather than appointing a permanent chairman.¹²

It was soon obvious to all that the Commission was not going to be able to fulfill its mission, as it was refused entry into North Korea. The Commission received close cooperation from authorities in South Korea, but as regards North Korea, Mr. Menon made the following report to the General Assembly on February 19, 1948:

Day after day the Pyongyang radio denounces the members of the Commission as 'hirelings of the American dollar, puppets consisting of henchmen of American imperialists, bent on converting Korea into an American colony, and bankers who want to fatten the pockets of the United States of America, as well as their own, by selling

¹¹Yearbook of the United Nations 1947-1948, p. 321.

¹²"Organization of the Commission," General Assembly Official Records, Temporary Commission on Korea, Supplement 9, A/575, 3rd Session (New York, 1948), p.6.

under false pretences the small nations of the world including Korea.¹³

This attitude continued and Mr. Menon and Assistant Secretary General Victor Hoo asked the Interim Committee if the Commission should proceed with the holding of elections in South Korea only. On February 26, 1948, the Interim Committee, by a vote of 31-2-11 (India voting in favor), authorized elections to be held in those parts of Korea accessible to the Commission.¹⁴ The Indian representative, K.P.S. Menon, expressed concern over holding elections in just the southern zone, knowing the evils of partition. India, however, as stated before, agreed with some misgivings, still hoping that the parties of South Korea could make some contact with North Korean political parties.¹⁵

The Republic of Korea Established

On May 10, 1948, Commission-observed elections were held. On June 25 the Commission resolved unanimously "that the results of the ballot of May 10 were a valid expression of the free will of the electorate in those parts of Korea accessible to the Commission."¹⁶ The Assembly chose as its president Mr. Syngman Rhee. Although India approved the resolution, she never officially recognized the government of South Korea.¹⁷

¹³Ibid., p. 22.

¹⁴"Elections Authorized in South Korea," U.N. Bulletin, IV, No. 5 (March 1, 1948), pp. 214-215.

¹⁵Karunakar Gupta, Indian Foreign Policy (Calcutta, 1956), Introduction II, p. ix.

¹⁶"The Mission to Korea," U.N. Bulletin, V. No. 3 (August 1, 1948), p. 615.

¹⁷Gupta, loc.cit..

Word was received by the Commission that in North Korea executive authority had been vested in General Kim Il Sung, established by the North Korean People's Council, that in April, 1948, a draft constitution for a Democratic People's Republic of Korea was approved, and on August 25, 1948, a general election was held to elect the representatives of a Supreme People's Assembly for all Korea. A Czech resolution asked that representatives of the North Korean government should be asked to attend any further sessions in which independence for Korea would be discussed. India voted against asking the North Korean representatives to the United Nations sessions.¹⁸

U. N. Commission on Korea Formed

By a resolution¹⁹ the General Assembly was asked to accept the report of the Temporary Committee and to form a new committee on December 12, 1948. The resolution passed by a vote of 41-6-2, India voting for adoption. A Russian counter-proposal was defeated 4-42-3 with India voting against it. The following is the organization of the new commission on Korea:

Australia	-	Patrick Shaw A. B. Jamieson
China	-	Liu Yu-Wan (Representative) Ssutu Ting Teh (Alternate)
El Salvador	-	Miguel Angel Magana (Representative) Fidel Sanchez Hernandez (Alternate)
France	-	Henri Costilhes (Temporary Representative)
India	-	Anup Singh (Representative)

¹⁸General Assembly Official Record, First Committee, 230th meeting, 3rd Session, Part I and Annex (Paris, December 6, 1948), p.955.

¹⁹See Appendix B for complete text of Resolution (195 III).

Philippines - Rufino Luma (Representative)
 Syria - Yasin Mughir (Representative)²⁰

The new commission immediately set to work in Korea but their first report, issued for the period January 30-July 28, 1949, had little of progress to report, as may be seen from the following text:

Commission Report Covering Period January 30-July 28, 1949

Commission observed withdrawal of United States forces completed. The embittered propaganda and hostile activities which now mark the relations between the two parts of Korea render the prospect of unification more and more remote.

2. As long as the opposition of the Union of Soviet Socialist Republics to the efforts of the United Nations Committee to achieve the objectives of the General Assembly resolution of December 12, 1948, continues, neither a relaxation of hostile propaganda nor any other measure can facilitate to a substantial degree the achievement of unification.

3. The world-wide antagonism between the Union of Soviet Socialist Republics and the United States of America continues to be, as it was when the Temporary Commission was in Korea, one of the basic factors underlying the present difficulties. Without a new effort by these powers to reach agreement on the question of Korea, no substantial progress toward the achievement of unification on the basis of the principles approved by the General Assembly can be made.

4. From its very inception, the newly formed Republic of Korea has been confronted with many difficulties. It faces insurgent uprisings from within and was menaced by continuous clashes on the 38th parallel. While making due allowance for these factors, the Commission believes that a broadening of the Government's political base would allow it to meet these difficulties more successfully and so enable it to play a more effective part in achieving unification.

5. The present Commission, like its predecessors, must place on record an acknowledgement that the situation in Korea is now no better than it was at the beginning, and that it has not been able to facilitate the achievement of the objectives set by the General Assembly.²¹

A resolution charging the Commission to continue its work and to observe and report all developments was adopted by a vote of 48-6-3 (India voting for its adoption). A Russian counterproposal to disband the

²⁰Year Book of the United Nations 1948-1949 (New York, 1950), p. 63.

²¹Ibid., p. 291.

Commission was defeated 6-42-5, with India voting against the proposal.²²

U.S.S.R. Leaves Security Council

On October 20, 1949, India became a temporary member of the Security Council for the first time.²³ At this same period, conditions on the China mainland were changing, a fact which would have a direct bearing on conditions in Korea and for all of Asia in the near future. The Nationalist Government was defeated in the civil war and had fled to Formosa and on October 1, 1949, the People's Republic of China formally came into existence. The problem of representation in the U.N. at once became evident. On January 8, 1950, the Foreign Minister of the People's Republic sent a cablegram to the Security Council claiming that the Kuomintang delegate was illegal and should be expelled. The U.S.S.R. submitted a resolution to the Security Council to that effect on January 10, 1950,²⁴ which was defeated by a vote of 3-6-2 on January 13, 1950 (India, the U.S.S.R. and Yugoslavia voting in the affirmative, Norway and the United Kingdom abstaining). The Soviet delegate walked out of the Security Council in protest at the decision.²⁵

Conditions in Korea had not changed to any great extent as regards the Commission. In answer to appeals by the North Korean radio for the unification of Korea, on June 10, 1950, the Commission attempted

²²Ibid., p. 293.

²³"Filling of Vacancies in Council," U.N.Bulletin, VIII, No. 1 (January 1, 1950), p. 15.

²⁴India and the United Nations, Report of Study Group Set Up by Indian Council of World Affairs (New York, 1957), pp. 64-65.

²⁵"U.S.S.R. Representative Leaves Council as Proposal to Remove Dr. Tsiang Defeated," U.N.Bulletin, VIII, No. 3 (February 1, 1950), p. 117.

to meet representatives of the North Korean government. Contact was made, but the North Koreans would not accept the Commission's plan but would only transmit their own appeal.

War Comes to Korea

On June 25, 1950, the Commission reported that South Korea was being invaded by forces from North Korea. The United States requested that Sir Benegal N. Rau (India), president of the Security Council for June, call the Council into session. The following resolution was adopted by a 9-0-1 vote, the U.S.S.R. being absent. India supported the resolution.

U.N. Responds to the Aggression

Resolution Adopted by Security Council on June 25, 1950

The Security Council,

Recalling the finding of the General Assembly in its resolution of October 21, 1949, that the Government of the Republic of Korea is a lawfully established government "having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; and that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea";

Mindful of the concern expressed by the General Assembly in its resolutions of December 12, 1948, and October 21, 1949, of the consequences which might follow unless Member States refrained from acts derogatory to the results sought to be achieved by the United Nations in bringing about the complete independence and unity of Korea; and the concern expressed that the situation described by the United Nations Commission on Korea in its report menaces the safety and well being of the Republic of Korea and of the people of Korea and might lead to open military conflict there:

Noting with grave concern the armed attack upon the Republic of Korea by forces from North Korea,

Determines that this action constitutes a breach of the peace,

I. Calls for the immediate cessation of hostilities; and

Calls upon the authorities of North Korea to withdraw forth-

with their armed forces to the thirty-eighth parallel;

II. Requests the United Nations Commission on Korea

(a) To communicate its fully considered recommendations on the situation with the least possible delay;

(b) To observe the withdrawal of the North Korean forces to the thirty-eighth parallel; and

(c) To keep the Security Council informed on the execution of this resolution;

III. Calls upon all Members to render every assistance to the United Nations in the execution of this resolution and to refrain from giving assistance to the North Korean authorities.²⁶

India had thus without hesitation joined other members of the United Nations in calling a stop to aggression. It was not without opposition within India that Nehru took his stand. The Communist Party did not like India's stand on this issue; likewise, anti-American forces implied that the armed intervention on behalf of the South Koreans was another example of American imperialism. They further questioned how the United Nations could call this act aggression and yet not do so in the case of Pakistan's move into Kashmir. Nehru, however, stood his ground. In Parliament he met the charges, admitting that India still questioned the validity of the United Nations' ruling regarding Kashmir. He said, however, that there was still action being taken to correct that situation, but that this fact should not in any way alter India's action in Korea.

India was a member of the United Nations Commission in Korea which sent back the following report dealing with North Korea's action regarding the outbreak of the war:

Reports from Commission on Korea

"North Korean advances have created dangerous situation with possibilities of rapid deterioration. Impossible estimate situation which will exist tomorrow in Seoul. In view of Commission's past experience and existing situation Commission convinced North Korea will

²⁶"Resolution Adopted by Security Council on June 25, 1950," U.N. Bulletin, IX, No. 2 (July 15, 1950), p. 66.

to negotiate peace or requesting Member Governments undertake immediate mediation. Commission decided stand by in Seoul. Danger is that critical operations now in progress may end in matter of days and question of cease fire and withdrawal North Korean forces suggested Council resolution prove academic." (S/1503)

"Commission informed adoption United States sponsored Security Council resolution. It had contemplated action this direction and expresses unanimous gratification at Security Council move. Commission will be glad undertake task given by Council but likes to point out that its efforts to contact North during last 18 months met only with negative response." (S/1504)

((S/1505 dealt with background before outbreak of hostilities)

"Commission met this morning ten o'clock and considered latest reports on hostilities and results direct observation along parallel by U.N.C.O.K. military observers over period ending forty-eight hours before hostilities began. Commission's present view on basis this evidence is first that, judging from actual progress of operations, Northern regime is carrying out well-planned, concerted and full-scale invasion of South Korea; secondly, that South Korean forces were deployed on wholly defensive basis in all sectors of the parallel; and thirdly, that they were taken completely by surprise as they had no reason to believe from intelligence sources that invasion was imminent. Commission is following events and will report further developments. (S/1507)²⁷

This report, Nehru stated, India could not ignore.²⁸

Based on the Committee report, the Security Council decided to call for positive action to aid the Republic of Korea. It is felt by many that, because Indian Representatives helped write the Committee Report, it gave it validity and thus it disproved the many claims of Communist nations to blame the government of the unpopular Syngman Rhee for starting the war.²⁹

Following is the resolution adopted by the Security Council on

²⁷Security Council Official Report, No. 16, June 27, 1950 (Lake Success), p. 2.

²⁸J. D'Souza, "Nehru's Independent Course," Commonweal, LIII (October 27, 1950), p. 56.

²⁹Chester Bowles, Ambassador's Report (New York, 1954), p. 243.

June 27, 1950:

Resolution Adopted by Security Council on June 27, 1950

The Security Council,

Having determined that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace, Having called for an immediate cessation of hostilities, and Having called upon the authorities of North Korea to withdraw forthwith their armed forces to the thirty-eighth parallel, and Having noted from the report of the United Nations Commission for Korea that the authorities in North Korea have neither ceased hostilities nor withdrawn their armed forces to the thirty-eighth parallel and that urgent military measures are required to restore international peace and security, Having noted the appeal from the Republic of Korea to the United Nations for immediate and effective steps to secure peace and security, Recommends that the Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area.³⁰

The vote on this resolution was 7-1, Yugoslavia casting the dissenting vote. India and Egypt did not vote pending receipt of instruction from their governments. On June 30, they both explained what their vote would have been: Egypt abstaining, India announcing that she would accept the June 27th resolution. By cablegram the Prime Minister of India affirmed that India would oppose any attempt to settle International disputes by aggression. It was added, however, that the decision of the Government of India involved no modification of their foreign policy. This policy was to remain based on promotion of world peace and development of friendly relations with all countries. In addition, the Government of India stated that it earnestly hoped that even at this stage it would be possible to put an end to the fighting and to settle the dispute by moderation.³¹

³⁰"Resolution Adopted by Security Council on June 27, 1950," U.N. Bulletin, IX, No. 2 (July 15, 1950), p. 66.

³¹Security Council Official Records, No. 17, June 30, 1950 (New York), p. 2.

Nehru stated, however, that India could not furnish combat troops to the United Nations force. When questioned on this point he responded:

Any military assistance is beyond India's capacity and would make little difference. India's defense forces have been organized essentially for home defense and not for service in distant theaters of war. The best assistance India can render in this grave crisis is to help to limit the area of conflict, and in ending it.³²

India did furnish an ambulance company and a quantity of medical supplies. The United States was, of course, the largest contributor of forces, and besides furnishing troops to Korea, she also sent the 7th United States Fleet to isolate Formosa from the mainland of China, an action that was to cause considerable tension in and resentment on the part of many of the Asian nations. The naval maneuver led these Asian governments to believe that the United States was interfering in the internal affairs of China. India, for one, felt that the United States' action was aimed at dividing China and continuing the rule of General Chiang Kai-shek, whose leadership, she believed, had been repudiated on the mainland.

On July 4, 1950, Russia broke her silence and stated that the June 25th resolution was illegal because of the absence from the Security Council of two of its permanent members, the U.S.S.R. and China. This claim was not allowed as precedence had shown that permanent members had abstained on other rulings in the Security Council and that fact had not nullified the vote.³³

³²"Nehru's Ideas for Peace," U.S. News, XXIX (September 15, 1950), p. 32.

³³G.W. Keeton, "International Law in the Far Eastern War," 20th Century, CXLIX (February, 1951), p. 98.

U.N. Command Formed

On July 7, 1950, the Security Council passed a resolution introduced by the United Kingdom calling for the formation of a unified command under a United Nations flag.³⁴ The vote was 8-0-3. India abstained stating that since she did not have combat forces involved she did not feel she should take part in deciding the combat organization of the United Nations Command.

The resolution of July 7th was carried out and President Truman named General Douglas MacArthur as Commander of United Nations forces. On July 14, General MacArthur accepted the United Nations flag in Tokyo.

On July 15, Prime Minister Nehru made an attempt outside the U.N. to find a solution to the Korean problem. He wrote identical notes to Secretary of State Dean Acheson and to Marshal Stalin. In it he stated, "India's purpose is to localize the conflict and to facilitate an early peaceful settlement." To achieve this he made two suggestions:

(1) The deadlock should be broken in the Security Council by seating a representative of the People's Republic of China, enabling, thereby, the return of the U.S.S.R. to the Security Council.

(2) Through informal contacts within or outside the Security Council, the United States, the U.S.S.R. and the People's Republic of China should "with the help and cooperation of the other peace-loving nations" find a basis for the termination of the conflict and a "permanent solution of the Korean problem."³⁵

It was India's contention that number one, above, was necessary for the Security Council to discharge its obligation and to bring the

³⁴See Appendix C for complete text of resolution.

³⁵Kundra, op.cit., p. 130.

conflict to a peaceful conclusion. The proposal met diametrically opposite responses from the two nations. Mr. Acheson flatly refused, stating that the U.S.S.R.'s refusal to participate was of her own volition and that the question of admission of China would be considered on its own merit and not be tied to the Korean question in any way. The United States saw the entire proposal as a concession to the Communists; India saw it as a necessary concession to ease world tension.³⁶ Marshal Stalin's answer was as follows:

I welcome your endeavors on behalf of peace and fully share your views regarding the expediency of a peaceful settlement of the Korean question through the Security Council subject to the participation of the five great powers, including the People's Government of China. I believe that the prompt settlement of the Korean question would be promoted by granting a hearing in the Security Council to the representatives of the Korean people.³⁷

Thus with this wide divergence of opinion, Mr. Nehru's first behind-the-scene move to bring the two factions together failed.

Russia Returns to Security Council

As the battle on the field raged in Korea, a battle of words was about to break forth at United Nations headquarters. On July 27, U.S.S.R. representative Yakov A. Malik announced that he would return to the Security Council on August 1 to take his place as president of the Council. Before this took place, however, on July 31, 1950, the Council approved by a vote of 9-0-1 a resolution calling on the Economic and Social Council and other United Nations organs, the specialized agencies, and appropriate non-governmental organizations to provide re-

³⁶Ibid., p. 131.

³⁷Security Council Official Records, No. 21 (New York, August 1, 1950), p. 18.

lief for the civilian population of Korea.³⁸ Also on July 31, 1950, Mr. Austin, the United States delegate, placed before the Security Council a resolution to be considered on August 1, 1950, calling for a condemnation of the North Koreans for continued defiance of the United Nations. On August 1, 1950, the Soviet delegate, Yakov Malik, returned to the Security Council and assumed the presidency for the month of August. His first act was to rule "that the representative of the Kuomintang group, seated in the Security Council, does not represent China and cannot, therefore, take part in the meetings of the Security Council."³⁹ Sir Benegal Rau argued that an adverse vote on this ruling might disrupt the United Nations; he further stated that if it came to a choice between this and following past precedents, precedence should be forsaken.⁴⁰ However, when the ruling was brought to a vote, it was defeated by 8-3. India voted with the U.S.S.R. to uphold the ruling.⁴¹

Mr. Malik's next move was to omit the United States' resolution of July 31 from the agenda and, in place of it, to list the recognition of the representative of the People's Republic of China as number two item and the peaceful settlement of the Korean question as item number three. The debate as to the priority of items on the agenda lasted for three days, during which time Mr. Rau expressed his views, stating that there was no doubt but that the United States' resolution must appear on the agenda, but that the priority was a matter to be discussed. The

³⁸Security Council Official Records, No. 21 (New York, July 31, 1950), p. 7.

³⁹Security Council Official Records, No. 22 (New York, August 1, 1950), p. 1.

⁴⁰Ibid., p. 5.

⁴¹Ibid., p. 9.

first vote taken was for the placing of the United States resolution (a complaint of aggression against the Republic of Korea by North Korea) as item number two, and it was passed by a vote of 8-1-2 (India abstaining on the vote). Next came the president's proposal to have the recognition of China remain as number two item; it failed to pass, the vote being 5-5-1 (India voting in favor of the proposal). The next vote was for the inclusion of the peaceful settlement of Korea as item number three. This was defeated 3-7-1, India voting in favor of the resolution.⁴²

Thus, with Mr. Malik in the chair for the month of August, the Security Council proceedings came to a near standstill. Much of the time was spent in discussion on rules of procedure, and an even greater portion was spent in a dialogue between Mr. Malik as president and Mr. Malik as the U.S.S.R. delegate. During this one month Mr. Malik wrote seventy-two pages of speeches into the records.⁴³

Sir Benegal Rau made an effort in mid-August to break the deadlock by suggesting that the non-permanent members of the Security Council form a committee to study the problem of peace in Korea, to hold hearings and then report back to the full Council. This was made only as a suggestion and no vote was taken on it; but it failed to gain any support. Thus India's second attempt to settle the dispute had met in failure.⁴⁴ On August 25, the People's Republic of China requested that the Council take action to bring about withdrawal of United States in-

⁴²Security Council Official Records, No. 24 (New York, August 3, 1950), pp. 20-22.

⁴³Security Council Official Records, No. 31 (New York, August 22, 1950), p. 18.

⁴⁴"India and Peace in Asia," New Republic (August 23, 1950), p. 6.

vasion forces from Formosa. It was placed on the agenda in an Indian-worded resolution of "Complaint of invasion of the Island of Taiwan (Formosa)." The vote was 7-2-1, India voting in favor, as did the United States, the United Kingdom, and the U.S.S.R.⁴⁵ In conjunction with the inclusion of this item on the agenda the U.S.S.R. proposed that representatives of the People's Republic of China be invited to attend the Security Council meetings. This was defeated by a vote of 4-4-3, India voting in favor of the resolution.⁴⁶

On August 31, the People's Republic of China lodged a complaint of United States bombing of Chinese territory. This, also, was voted upon and placed on the agenda as follows: "Complaint of air bombing of the territory of China." The vote was 8-3, India, the United States, the U.S.S.R. and the United Kingdom all voting in favor.⁴⁷

September 1, 1950, found Sir Gladwyn Jebb of the United Kingdom president of the Security Council. His first act was to invite the representative of the Republic of Korea to the Security Council meetings. India joined in a 9-1-1 vote upholding the president's move. A Soviet resolution to invite the representative of North Korea to the Security Council was defeated 8-2, India voting against extending the invitation.⁴⁸ India explained her vote, stating that North Korea did not fit in the category of nations to be heard, as described in Article 32 of the Charter. Representatives of North Korea could not be heard until the with-

⁴⁵Security Council Official Records, No. 34 (New York, August 29, 1950), p. 12.

⁴⁶Ibid., p. 21

⁴⁷Security Council Official Records, No. 36 (New York, September 1, 1950), p. 8.

⁴⁸Ibid., p. 20.

drawal of their forces was completed.⁴⁹ India was committed by her approval of the June 25 and 27 resolutions not to hear the North Korean representatives.

On September 7 the Soviet representative introduced two long messages from North Korean representatives noting United States bombing of towns and subsequent killing of civilian population. The Soviets entered a proposal calling for "condemning the 'inhuman, barbarous bombing' of 'peaceful' Korean towns by American air forces."⁵⁰ The resolution was defeated by a vote of 9-1-1. India voted against the resolution, stating that without inspection to verify the reports they could not support the resolution despite their deep dislike for mass bombing.⁵¹

September 11, 1950, brought a vote on a Soviet resolution of 5 September, 1950, to invite the People's Republic of China to the Security Council meetings. It was defeated by a vote of 6-3-2 with India voting for approval.⁵²

In conjunction with the resolution to place on the agenda the charge of United States bombing of Chinese territory, the United States submitted a proposal to form a committee consisting of Sweden and India to make an on-the-spot investigation. When the two resolutions came to a vote on September 12, the United States resolution was vetoed by the Soviet Union. The vote was 7-1-2-1, with India abstaining. The Soviet

⁴⁹Ibid., p. 16.

⁵⁰"A Korean Chronology," U.N. Bulletin, XV, No.3, 1st Section (August 1, 1953), p.77.

⁵¹Security Council Official Records, No. 39 (New York, September 7, 1950), p. 15.

⁵²"A Korean Chronology," loc. cit.

accusation of the bombing was then rejected by a 1-8-1-1 vote, with India voting for the rejection.⁵³ India explained her vote by stating that no accusation could be upheld without an investigation first taking place.

U.N. Forces Move into North Korea

By late September and early October the battle conditions in Korea were changing, the U.N. forces having broken out of the Pusan pocket and the landing at Inchon having caught the North Korean forces by surprise, so that U. N. forces were rolling back toward the 38th parallel. Two major problems now faced the United Nations: (1) how to unify Korea, and (2) whether U.N. forces should cross the parallel and thereby unify Korea by force. On the latter point India was a leading spokesman for the stopping of the forces at the 38th parallel and for the finding of peaceful means whereby to settle the Korean problem. India contending that U.N. forces were fighting to stop aggression, not to unify Korea by force. Mr. Nehru took exception to President Rhee's statement that there was no 38th parallel.⁵⁴ Much of India's great desire to see U.N. troops stop at the original separation line came from the knowledge gained by their ambassador to the People's Republic of China, for he was told if U.N. forces crossed into North Korea, China would enter the war on the side of North Korea.⁵⁵ Nehru's greatest fear was having the U.N. forces do anything that might cause the war to spread,

⁵³Security Council Official Records, No. 43 (New York, September 12, 1950), p. 28.

⁵⁴Kundra, op.cit., p. 133.

⁵⁵Frank Moraes, Jawaharlal Nehru (New York, 1956), p. 444.

perhaps to the China mainland.

The bid for peaceful settlement had failed and on November 3 General MacArthur, discounting India's warning, sent his U.N. forces north of the 38th parallel. (Washington said Peking was bluffing when she threatened to enter the war.) On November 6, however, the Unified Command reported a new foe, Chinese military units deployed against the U.N. forces.

Three years of tension later and 96,000 added U.N. casualties found the U.N. settling for a truce almost along the 38th parallel,⁵⁶ where India previously had urged the U.N. to stop its drive.

On point one -- the method by which to settle the Korean problem -- the General Assembly, on September 30, 1950, started to study the various means open to this body. The resolution finally adopted was the so-called eight-power resolution.⁵⁷ The vote on this was 47-5-7, with India abstaining, although she was in general agreement with the resolution. She did, however, oppose Recommendation 1(d) as this would allow forces to advance and occupy areas north of the 38th parallel. Her position, as expressed by Sir Benegal Rau, was that the General Assembly should first of all declare or reaffirm its objectives -- the creation of an independent and united Korea by means of free elections and the economic rehabilitation of the country. He saw that the U.N.'s role should be that of "in victory, magnanimity," that the U.N. must win the hearts and minds of the Korean people, whether they be of the North or of the South.⁵⁸ The Soviet bloc nations introduced a reso-

⁵⁶ibid.

⁵⁷See Appendix D for complete text of this resolution.

⁵⁸U.N. General Assembly Official Records, 5th Session, 293rd Plenary Meeting (New York, October 6, 1950), p. 231.

lution known as the five-power resolution, dealing with the problem of independence of Korea. On this resolution the General Assembly voted on each paragraph separately. Its recommendations were as follows:

The General Assembly recommends:

1. To the belligerents in Korea that they immediately cease hostilities. (The vote was 6-46-8; India abstained)

2. To the United States and other governments that they immediately withdraw their troops from Korea and establish conditions which would secure for the Korean people the possibility of enjoying the inalienable sovereign right to settle freely the internal affairs of their State. (Vote 5-48-7; India voted against)

3. That after the withdrawal of foreign troops and for the purpose of establishing a government of a unified and independent Korean State, all-Korean elections to a National Assembly be held as soon as possible on the basis of free expression of the will of the population of Korea. (Vote 8-42-10; India abstained);

4. That a joint (parity) commission composed of the representatives of North and South Korea be elected at a joint assembly of the deputies of the Supreme People's Assembly of the People's Democratic Republic of Korea and the National Assembly of South Korea to organize and conduct free all-Korean elections to the National Assembly of all Korea; the joint assembly to elect an interim all-Korean committee to carry out the functions of governing the country and to operate pending the election of the all-Korean National Assembly and the establishment of a permanent all-Korean government. (Vote 5-47-8; India abstained);

5. That a U.N. Committee, with the indispensable participation in it of the representatives of States bordering on Korea, be established to observe the holdings of free all-Korean elections to the National Assembly. (Vote 6-45-9; India abstained);

6. That the purpose of rehabilitating Korean national economy which has suffered from the war, the Economic and Social Council immediately draw up, with the participation of the representatives of Korea, plans for providing the necessary economic and technical aid to the Korean people through the U.N. Organization. (Vote 16-33-11; India voted in favor);

7. After the establishment of the all-Korean government, the Security Council consider the question of admitting Korea to membership of the U.N. Organization. (Vote 22-25-13; India voted in favor).⁵⁹

India tried to bridge the gap between the two proposals by proposing the establishment of a sub-committee to explore the possibility of a compromise between the two resolutions. Needless to say, India again failed in her bid as peacemaker, for she received no support for

⁵⁹U.N. General Assembly Official Records, 5th Session, 294th Plenary Meeting (New York, October 7, 1950), pp. 234-235.

her proposal from the backers of the eight-power resolution.

Further resolutions were introduced with the five-power resolution, the first of which, calling for cessation of the barbarous bombing of peaceful inhabitants, town and inhabited centers by United States armed forces in Korea, was defeated 5-52-3 (India voting for defeat); the second, a resolution to disband the U.N. Commission on Korea was rejected 5-55, India voting for rejection.⁶⁰

Red China Enters War

On November 8, the Soviet delegate to the U.N. introduced a resolution in the Security Council calling for the invitation of the Representative of the People's Republic of China to all discussions on the complaint of aggression against the Republic of Korea. This resolution, S/1889, was defeated by a 3-2-6 vote, India abstaining. A resolution, introduced by the United Kingdom, proposed that an invitation be extended to the People's Republic of China to send a delegate to the Security Council while discussion of the U.N. Commander's report of the new foe was before the Council. The resolution passed by a vote of 8-2-1, India voting in favor. The People's Republic of China refused the invitation. However, the delegation did arrive in New York to take part in discussions regarding the resolution on the armed invasion of Taiwan (Formosa) that was passed in September.⁶¹ The U.S.S.R. at once introduced a resolution condemning the United States for her act of aggression, an infringement in the internal affairs of China. The reso-

⁶⁰Ibid., p. 235.

⁶¹Security Council Official Records, No. 48 (New York, September 29, 1950), pp. 4-5.

lution was defeated by a 1-10-0-1 vote.⁶² India did not take part in the voting.

This was followed by a U.S.S.R.-sponsored resolution of the People's Republic of China, which patterned the above resolution, but asked for condemnation of the United States for its "criminal acts of armed aggression against the Chinese territory of Taiwan, and armed intervention in Korea." The vote was 1-10-0-1, India, again, not voting.⁶³ Next, a resolution sponsored by Cuba, Ecuador, France, Norway, the United Kingdom and the United States which called attention to the intervention of Chinese forces in Korea, and called upon all nations to prevent their nationals from giving aid to the North Koreans, failed to pass, because of a Soviet veto. The vote was 9-1-0-1; India, again, did not vote, as she had not received instruction from the home government.⁶⁴

"Uniting for Peace" Resolution

On November 2, the General Assembly took a step that was considered by some members as the most constructive action since the San Francisco meeting that brought the United Nations into being. This was the day the United States-sponsored "Uniting for Peace" resolution was passed. The vote was 52-5-2, with India abstaining. It was stated in the resolution that

From now on, if there appears to be a threat to, or breach of, the peace or an act of aggression, and the Security Council fails be-

⁶²Security Council Official Records, No. 72 (New York, November 30, 1950), p. 21.

⁶³Ibid., p. 22.

⁶⁴Ibid., p. 25.

cause of lack of unanimity among its permanent members to exercise its primary responsibility,

The General Assembly may be summoned on twenty-four hours notice; it may then make recommendations for collective measures by Member States, and these recommendations may, in cases of a breach of the peace or act of aggression, include the use of armed forces.

Furthermore

a Peace Observation Commission has been set up to observe and report on any area of tension where peace is likely to be endangered; Member states have been recommended to maintain elements within their national armed forces trained, organized and equipped for U.N. service, and

a Collective Measures Committee has been established to study ⁶⁵ methods which might be used to maintain and strengthen world peace.

Here an attempt was made to get around the progress-killing veto without amending the U.N. Charter. It, however, shifted a great deal of responsibility to the General Assembly where the vote is of equal weight regardless of the size of the nation. India abstained on the voting for the resolution, for, as Sir Benegal Rau stated, she had some misgivings about placing so much stress on the military aspect of the United Nations. India felt that at present "we should rather concentrate on improving the machinery of the U.N. for the tasks of peace."⁶⁶ India, likewise, could not approve of the section calling for the maintenance of national troops for U.N. use.

On December 6, 1950, the "Uniting for Peace" resolution was put into effect. On this date a six nation resolution calling attention to the intervention of the Central People's Government of the Republic of China in Korea, similar to the one introduced in the Security Council and vetoed by the U.S.S.R. was introduced in the General Assembly, and the General Assembly, by a vote of 51-5-4, decided to place the item on the agenda.

⁶⁵"Uniting for Peace," U.N. Bulletin, IX, No.10 (New York, November 15, 1950), p. 498.

⁶⁶Ibid., p. 514.

General Assembly Appoints Cease-fire Committee of Three

The First Committee set to work on this problem and an Indian-introduced resolution co-sponsored by twelve other nations read as follows:

The General Assembly,

Viewing with grave concern the situation in the Far East, Anxious that immediate steps should be taken to prevent the conflict in Korea spreading to other areas and to put an end to the fighting in Korea itself and that further steps should then be taken for a peaceful settlement of existing issues in accordance with the purposes and principles of the U.N.,

Requests the president of the General Assembly to constitute a group of three persons, including himself, to determine the basis on which a satisfactory cease-fire in Korea can be arranged and to make recommendations to the General Assembly as soon as possible.⁶⁷

This resolution was passed by a 51-5-1⁶⁸ vote in the First Committee, and by 52-5-1⁶⁹ in the General Assembly, India voting in favor of the resolution in both cases, setting up the cease-fire group.

The Assembly president, Nasrollah Entezam, of Iran, designated Lester B. Pearson of Canada and Sir Benegal Rau of India to act with him on the cease-fire group. The cease-fire group set to work but met with little success. On December 23, they received a cable from Foreign Minister Chou En-Lai declaring the group illegal, and insisting on the withdrawal of all foreign troops from Korea and Taiwan, settlement of Korean domestic affairs by the Korean people, and recognition of the legitimate status of the People's Republic of China in the U.N. as the basis for negotiation. On January 2, 1951, the Cease-Fire group reported

⁶⁷U.N. General Assembly Official Records, 5th Session, First Committee, 415th Meeting (New York, December 12, 1950), p. 433.

⁶⁸Ibid., p. 451.

⁶⁹U.N. General Assembly Official Records, 5th Session, 324th Plenary Meeting (New York, December 14, 1950), p. 660.

failure despite its best efforts to pursue the satisfactory discussion for a cease-fire arrangement.⁷⁰ On January 11, the Group submitted five principles which called for an immediate cease-fire, followed by a movement to restore peace, with Korea being unified by free elections. This, in turn, would be followed by a staged withdrawal of foreign forces, during which withdrawal the U.N. would help in maintaining peace and security, and would aid in the administration of Korea. Then, as soon as a cease-fire could be achieved, representatives of the United States, the United Kingdom, the U.S.S.R. and the People's Republic of China, along with the representatives of other nations, should meet to settle outstanding problems of the area in accordance with international obligations. Foreign Minister Chou En-Lai again rejected these proposals and submitted a counterproposal consisting of a reiteration of his basis for a cease-fire (stated above) and a demand for the holding of a seven nation conference in China to attempt to reach agreement.

Red China Branded an Aggressor

With this rejection of the principles for peace of the Cease-Fire Group, the United States introduced, in the First Committee, a resolution branding the People's Republic of China aggressors in Korea. Sir Benegal Rau, now the leading figure in an attempt to negotiate a cease-fire, did not see Chou En-Lai's rejection and counterproposal in the negative light that some other representatives did. He saw in it a great area in which negotiation might take place. He, at once, had the Indian ambassador in Peking get clarification on some points that he felt had not been clear before. The reply indicated that China would

⁷⁰"A Korean Chronology," op.cit., p. 108.

take the responsibility for the volunteers in Korea, and that the cease-fire could come in two stages during the seven-nation discussion: (1) a temporary cessation for a limited period; (2) followed by complete peace which would include such items as leaving the Korean internal problem to the Korean people, withdrawal of United States forces from Taiwan, and settlement of the problems of the area according to the World War II agreements, and, lastly, a definitive affirmation of the legitimate status of the People's Republic of China in the U.N.⁷¹

Sir Benegal Rau tried to find reasons for China's action in Korea by suggesting it was a result of her fears for her territorial integrity which, in turn, stemmed from events in history. Furthermore, he saw in her action a rebellion against the U.N., but he did not attempt to advance a reason for it. Instead, he contended the U.N. must be willing to deal with a rebel. Lastly, he insisted that condemnation of aggression could serve no useful purpose. In fact, there was a great deal of question in the mind of Sir Benegal whether China's action was taken with a mind to aggression or, as mentioned above, from fear for her territory. On January 30, 1951, Sir Benegal informed the Committee that information had been received by his government from the highest sources in China, that China considered the original twelve-power proposal, introduced by India, as providing a genuine basis for a peaceful settlement. This resolution, when revised, read as follows:

The General Assembly

Viewing with grave concern the situation in the Far East,
Considering that the continuance of this situation is likely
 to endanger the maintenance of world peace and security,
Noting the reply of the Central People's Government of the
 People's Republic of China to the resolution of the First Com-

⁷¹U.N. General Assembly Official Records, 5th Session, 429th Meeting (New York, January 22, 1951), p. 525.

mittee, dated January 13, 1951, Desiring to continue its efforts to secure a cessation of hostilities in Korea and a peaceful settlement of the Korean and other Far Eastern problems in accordance with the principles of the purposes of the U.N.,

Recommends that representatives of the Governments of France, the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, Egypt and India and of the Central People's Government of the People's Republic of China meet as soon as possible for the purpose of seeing all necessary elucidations and amplifications of the above-mentioned reply and of making any incidental or consequential arrangements toward a peaceful settlement of the Korean and other Far Eastern problems.⁷²

When put to a vote the resolution was defeated 28-17-13.

This vote was followed by a vote on the United States resolution branding the People's Republic of China an aggressor in the Korean war.⁷³ The resolution passed by a vote of 44-7-9 in both the First Committee and the General Assembly; India voted with the Soviet bloc against the resolution.⁷⁴ This resolution carried as its last paragraph that the U.N. would form a Good Offices Committee of three persons to continue efforts to achieve U.N. objectives by peaceful means.

With the passing of the United States resolution, the U.S.S.R., at once, introduced two resolutions, one accusing the United States of aggression against the People's Republic of China, the other accusing the United States of violation of Chinese air space. The first was rejected by a 49-5-2 vote, and the latter by a 50-5-2 vote. India voted against both resolutions, declaring that mutual recrimination only destroys the chance of fruitful negotiation.⁷⁵

⁷²U.N. General Assembly Official Records, 5th Session, First Committee, Agenda item 76, A/C 1642 Rev. 1 (New York, January 24, 1951)

⁷³See Appendix E for complete text of resolution.

⁷⁴U.N. General Assembly Official Records, 5th Session, First Committee, 438th Meeting (New York, January 30, 1951), p. 602.

⁷⁵U.N. General Assembly Official Records, 5th Session, 328th Plenary Meeting (New York, February 13, 1951), p. 704.

On January 31, 1951, the General Assembly was notified by the Security Council that it was removing the complaint of aggression against the Republic of Korea from the list of matters with which it was seized.

On February 2, Foreign Minister Chou En-Lai declared that the Assembly's resolution was "illegal, slanderous, null and void," and that the Peiping Government would pay no attention to the Good Offices Committee. Despite this report, Assembly President Nasrollah announced that Sven Grafstrom of Sweden and Dr. Luis Padilla Nervo of Mexico agreed to serve with him on the Good Offices Committee.

Stalemate

During the early summer little was done to break the deadlock. On the ground, U.N. forces had been driven below the 38th parallel, but the U.N. forces, now under the command of General Matthew Ridgeway, had regrouped and were holding defensive positions across central Korea. On May 18, a United States-sponsored resolution calling for an embargo on all materials usable by the People's Republic of China and North Korean authorities for war production or for implements of war was passed by a 45-0-9 vote.⁷⁶ India abstained, adding that an embargo of this type was now in effect and that the resolution would add nothing but a psychological block to be crossed in negotiation.

First Step toward Peace

Little further was done in the way of bringing a cease-fire; the forces of Red China and North Korea were slowly being rolled back.

⁷⁶ U.N. General Assembly Official Records, 5th Session, 330th Plenary Meeting (New York, May 18, 1951), p. 742.

On June 23, 1951, however, the first break in negotiations came when, in his "The Price of Peace" speech, Soviet Representative Yakov A. Malik stated:

The Soviet people further believe that the most acute problem of the present day — the problem of the armed conflict in Korea— could also be settled.

This would require the readiness of the parties to enter the path of a peaceful settlement of the Korean question. The Soviet peoples believe that, as a first step, discussions should be started between the belligerents for a cease-fire and an armistice providing for the mutual withdrawal of forces from the 38th parallel.⁷⁷

This speech was followed by a high level diplomatic exchange between the U.S.S.R. and the United States. Andre Gromyko informed United States ambassador Alan Kirk that negotiations should be between field commanders. On June 29, General Ridgeway sent a message asking if a meeting could be arranged; thirty-nine hours later he received a favorable reply. On July 10, armistice negotiations opened at Kaesong, near the 38th parallel. Admiral C. Turner Joy became the U.N. Representative to the cease-fire meetings. The two sides soon agreed on an agenda, but, further than that, negotiations proved fruitless. Negotiations broke down on several occasions due to allegations of violations by one side or the other.

On October 23, 1951, the meetings were moved to Pan Mun Jom. Here little more success was experienced than had been at Kaesong. In the year of 1952 little was accomplished by the Cease-Fire Group. In the U.N., likewise, little progress was made, until October of that year. Up until then, there was approved in the General Assembly only one resolution set forth by the U.N. Commission for the Unification and

⁷⁷Yakov A. Malik, "The Price of Peace," U.N. Bulletin, XI, No.2 (New York, July 15, 1951), p. 86.

Rehabilitation of Korea.⁷⁸ The U.S.S.R. brought charges of germ warfare against the U.N. forces. Because they would not agree to an on-the-spot investigation of the charges they were disapproved in the Security Council. India no longer held a seat in the Security Council.

Deadlock on P.O.W. Question

On October 8, 1952, the U.N.Command broke off the negotiations because of the continued disagreement on prisoner repatriation. The U.N. opposed forced repatriation; the Chinese and North Koreans demanded the return of all P.O.W.'s. On October 18, the U.N.Command sent a report to the General Assembly describing their sixteen months of negotiations and reporting that throughout the period, although there were no major offensives, there had been a great loss of life on both sides. Following this report, five proposals were submitted for bringing a cessation to hostilities; they included one from each of the following countries: Poland, Peru, United States, U.S.S.R., and India. Although the Indian proposal was submitted last of the five, the First Committee of the General Assembly, on November 26, 1952, decided to give it priority. After several days of debate, on December 1, it passed the First Committee by a vote of 53-5-1 and on December 3, was passed by the General Assembly by a 54-5-1 vote. This, then, became the U.N.'s proposal to bring an end to the Korean war.⁷⁹ It was believed that a draft of the proposal had been shown the Peiping government before it

⁷⁸U.N. Document A/2114 (February 5, 1952).

⁷⁹See Appendix F for the complete text of the resolution.

was published,⁸⁰ and had been received with a favorable response. However, on December 14 and 17, the Chinese and North Korean governments rejected the Assembly-passed proposal as being "illegal, unfair and unreasonable." Mr. Menon speaking for India labeled the decision indeed regrettable.

On December 22, 1952, the General Assembly rejected, by a vote of 5-45-10,⁸¹ a U.S.S.R. complaint against United States military forces, accusing them of mass murder of Korean and Chinese prisoners of war. India abstained from voting because of the lack of any investigation of the charges.

Disabled P.O.W.'s To Be Exchanged

On February 22, 1953, the then U.N. Commander, General Mark Clark, sent word to the opposing forces that the U.N. Command remained prepared to discuss proposals for the exchange of sick and wounded P.O.W.'s. On March 28, he received a favorable response and on March 31, he proposed that liaison groups meet to work out arrangements for the exchange. In the meantime, on March 30, the president of the General Assembly received a communication from Foreign Minister Chou En-Lai that they and the Representative of the government of the People's Democratic Republic of Korea had studied General Mark Clark's proposal on exchange of sick and wounded prisoners of war. He added, "It is, therefore, our view that the time should be considered ripe for settling the entire question of prisoners of war in order to ensure the cessation of hostilities in Korea

⁸⁰Chester Bowles, op.cit., p. 243.

⁸¹U.N. General Assembly Official Records, 7th Session, 411th Plenary Meeting (New York, December 21, 1952), p. 530.

and to conclude the Armistice Agreement."⁸² On April 11, 1953, agreement was reached for the exchange of the sick and wounded prisoners of war, and on April 20, the first prisoners of war were exchanged. On April 16, the First Committee of the General Assembly passed by a unanimous 60-0 vote a Brazilian resolution which provided that the Assembly should, among other things, note with deep satisfaction the signing of the agreement. The exchange of sick and wounded P.O.W.'s continued and by May 3, 6,670 North Korean and Chinese and 684 U.N. men were exchanged. On April 26, armistice negotiations were resumed after a recess of some six and one-half months. The Chinese and North Koreans presented a six-point proposal in which all P.O.W.'s desiring repatriation would be returned within two months; all not desiring repatriation would be sent to a neutral state where, for six months, their home state could make explanation to them. If they still refused repatriation, a political conference upon which the parties had agreed would decide their final disposition. However, on June 8, 1953, after a series of secret meetings, an agreement on P.O.W.'s was worked out. The text of the agreement was to be used to guide the operation of the Commission.⁸³

Armistice Signed

In the text of this agreement, it can be noted that India, even though she had often been rebuffed in her effort to bring about a peaceful settlement in Korea, had, nevertheless, been chosen by both sides to hold the key role during this most important phase of the operation of repatriation of P.O.W.'s. Likewise, the armistice agreement put into

⁸²U.N. Document A/2378 (March 31, 1953).

⁸³See Appendix G for the complete text.

practice, in a degree, almost all of the recommendations of the Indian proposals passed by the General Assembly on December 3, 1952. (For the complete text of the Armistice Agreement on Korea, see U.N. Bulletin of August 1, 1953, pages 115-122.) Before the armistice agreement could be put into effect, some 25,000 anti-Communist P.O.W.'s broke out of U.N. compounds. Collusion between the Republic of Korea guards and the P.O.W.'s was at once suspected. Nine prisoners were killed and sixteen others wounded by the attempt of other U.N. forces to stop the mass break. It was later reported from statements attributed to high officials in the Republic of Korea "that the action had been secretly planned and carefully coordinated at top level in the Korean government."⁸⁴ The General Assembly president, Lester B. Pearson of Canada, sent a letter of rebuke to President Rhee for his "unilateral action" which threatened to destroy all that had been achieved to bring peace to Korea. President Rhee, bitterly disappointed over the settlement, threatened to unify Korea by force with or without U.N. assistance.

North Korean and Chinese forces demanded military safeguards from the U.N. for carrying out the terms of the armistice before they agree to set a time for the armistice to come into being. Having received this assurance, at 10:01 A.M. Monday, July 27, 1953, the armistice agreement was signed. Signing for U.N. forces was General William K. Harrison, and for the North Korean and the Chinese, Lt. General Nam Il. Thus, a strained peace came to Korea after more than three years of war. As stated before, the lines of demarcation for the armistice were roughly along the 38th parallel where Prime Minister Nehru had asked the U.N. forces to stop in the fall of 1950.

⁸⁴"A Korean Chronology," op.cit., p. 114.

India and P.O.W. Repatriation

It is extremely difficult at this time, when conditions still remain in a turmoil, to conclude which of the two forces was correct. The bitterness that was generated between Mr. Nehru and President Rhee at this time of decision was now to plague Indian forces as they prepared to carry out their mission in the prisoner repatriation agreement. Mr. Rhee, claiming that India was biased in favor of the Communists, vowed that not one Indian would be allowed to set foot on Korean soil. The U.N. forces, having no jurisdiction over the government of the Republic of Korea, had to abide by the ruling. Thus, India's 6,200-man custodial force had to be airlifted by helicopter from the transports in Inchon harbor to the no-man's land between the two forces. India, despite this adverse feeling toward her, accepted this most difficult task. Mr. Nehru summed up India's feelings in these words:

We, in India, are rather reluctantly participating in the Neutral Commission for the repatriation of prisoners and sending troops for guarding prisoners of war. It is a heavy responsibility which we normally do not take outside India. However, it was a very great compliment to India that the great countries, who have been fighting each other should jointly invite India to undertake this responsibility. It will be improper for us to avoid it, and so we have accepted it.⁸⁵

India Accepts P.O.W.'s

Mr. Nehru's hand-picked choice to lead the force in Korea was Kodendern Subayya Thimayya, a six-foot, 200 pound Indian Lieutenant General, who had distinguished himself in his work with the refugee problem in the Punjab, following the partition of India. He was a man known not to trust the Communists and one who had led the building of

⁸⁵"Home and Foreign Affairs," The Indian Review, LIV, No. 8 (August, 1953), p. 46.

defense fortifications along the border facing Tibet, while he was serving in Kashmir.⁸⁶ The Indian general was to distinguish himself again in his handling of the P.O.W.'s in Korea. This was the first time in history that a man was called upon to carry out this type of task. He was a military commander, yet he had to make political decisions in carrying out the armistice agreement. On September 11, 1953, 8,000 North Korean, 14,500 Chinese and 349 U.N. troops that refused repatriation were turned over to the Indian custodial force. Every effort was made by General Thimayya and his assistant, General Thorat, to assure the P.O.W.'s in their custody, that they would not be sent any place they did not wish to go. The success they had in handling the P.O.W.'s was considered a miracle; only once was there a riot in a southern camp and it was met sternly with a loss of three lives and ten wounded. Force was never needed to be used again.

The Indian forces met with a great deal of resistance on the part of the P.O.W.'s when it came to attending the explanation meetings, but for the most part they were persuaded by the two Generals to at least go in to the tent and listen. When, for a fifteen day period in October, North Korean P.O.W.'s refused to go to the meetings, General Thimayya cast the deciding vote to refuse the Czech and Pole delegations their demands that force be used to make the P.O.W.'s attend. Methods used by the Communist forces were thought by many writers to be a rude shock to the Indian forces. It was believed that they came to Korea under the impression that there were no real anti-Communist P.O.W.'s,

⁸⁶"Thimayya of India and Korea," Newsweek, XLII (November 16, 1953), p. 40.

that they were, instead, being held against their will.⁸⁷ The National Herald, a paper edited by Mr. Nehru's favorite editor, was reported by Time magazine as stating that "the U.N.Command was actually obstructing the neutrals' work."⁸⁸ Yet, at one point, General Thimayya stepped in and called the Communist explanations "inhuman". This was, perhaps, India's first opportunity to see Communist tactics in action.⁸⁹ On November 5, General Thimayya entered the discussion fray when Communist forces were spending as high as three hours per P.O.W. in the explanations while hundreds of men waited restlessly outside. The General demanded that 500 men a day be processed. When the explanations broke down, General Thimayya endorsed the Swiss-Swedish version of the reason, naming the Red tactics as the cause. Mr. P.N.Haksar, the General's Indian adviser, wrote the Communist's version which named the anti-Red P.O.W.'s as the cause; and, according to Newsweek magazine, it was this version, on Mr. Nehru's insistence, which the General was forced to sign.⁹⁰

India Completes Work with P.O.W.'s

December 23 came and only a small percent of the prisoners had been spoken to; but, nevertheless, according to the P.O.W. agreement, the General cut off explanations. However, no political conference had

⁸⁷"Indian Village: Prisoner Exchange," Commonweal, LIX (October 30, 1953), p. 75+.

⁸⁸"Towards Disenchantment in India," Time, LXII (November 23, 1953), pp. 35+.

⁸⁹"India Learns about Reds," America, XC (November 14, 1953), p. 167.

⁹⁰"The Inside: Nehru Must Take Sides in Korea Row," Newsweek, XLIII (January 18, 1954), p. 36.

met to determine the fate of the remaining P.O.W.'s. January 24 was approaching, when all P.O.W.'s were to revert to civilian status. General Thimayya sent his report to Prime Minister Nehru, expressing his opinion -- to return the men to their captors. Mr. Haksar suggested that the P.O.W.'s be held as requested by Chou En-Lai, for Mr. Haksar feared the release would put India in a bad light in the eyes of China. General Thimayya said he did not have the forces to hold the group. General Maxwell Taylor of the United States stepped in and stated that any attempt by the Communists to hold up the release of the P.O.W.'s on January 23 would be met with force.⁹¹ Thus, on January 22, General Thimayya asked the North Koreans to be prepared to accept 350 P.O.W.'s who refused repatriation; the U.N. forces had already accepted theirs. The Communists failed to respond and, on January 28, Indian guards unlocked the gates and gave a list of names to Red Cross authorities. Eighty-eight men refused repatriation to either side asking to be allowed to go to the United States; the Indians refused to grant this, ruling that the United States was not a neutral; thus, most of the eighty-eight went to India with the custodial force. On March 4, 1954, Indian troops, after an overland trip from Pan Mun Jom, loaded on transports to return to India, their work completed, drawing much praise from all concerned, including most elements in the Republic of Korea.⁹²

⁹¹Ibid., p. 36

⁹²"Indians Guarding Prisoners in Korea Praised for Neutrality, Discipline," U.N. Bulletin (New York, April 1, 1954), pp. 262-266.

Question Concerning Political Conference

One knotty problem still remained before paragraph 60 of the armistice agreement could be carried out, - namely, that of the political conference.

The greatest problem was to decide on who was to serve on the political conference. In all, four proposals were introduced:

(1) a fifteen-nation resolution naming the sixteen nations that furnished combat troops for the group;

(2) a U.S.S.R. proposal calling the the United States, the United Kingdom, France, U.S.S.R., People's Republic of China, India, Poland, Burma, the two Korean governments, Czechoslovakia, Egypt, Indonesia, Mexico, and Syria to make up the conference;

(3) an Australian proposal calling for, in addition to the sixteen combatants, the U.S.S.R., if the Chinese and North Koreans desired it;

(4) a Commonwealth resolution adding India to the group of combatants.

The last proposal is of main interest. It was met by surprisingly strong resistance from the Republic of Korea and the United States. In the speech given by the Representative of the United States before the First Committee, Mr. Lodge stated, "We are not against India as such. On the contrary, we admire her and regard her as a leading democratic nation, but we feel that it is not right to put any one non-belligerent on a higher footing than any other."⁹³ The Representative of the Republic of Korea accused India of appeasing the Communist ag-

⁹³Times of India, August 22, 1953, p. 7, col. 2.

gressors, while not being willing to send a single soldier to defend freedom, yet ready to send thousands of guards for the Communist inquisitions where defenseless P.O.W.'s would be brainwashed.⁹⁴

The Commonwealth proposal came before the First Committee for a vote and passed 27-21-11. It was considered to be a victory by the United States forces because there was no chance of its receiving the necessary three-fourths majority when it came before the full General Assembly. There are those who question its being called a victory, however. Outside of the Latin-American bloc, less Mexico, who voted for India, and Argentina, who abstained, the United States got only the support of Pakistan, Greece and China. Nations such as Belgium, France, Israel, Holland, the Philippines, Turkey, and South Africa abstained, rather than vote against India.⁹⁵ India asked that the proposal not be voted upon in the General Assembly, a request that was granted. India abstained in all the debate and votes regarding the establishment of the political conference, except in that portion of the fifteen-nation resolution which welcomed the holding of a political conference and in the resolution which she helped sponsor, calling for the General Assembly's findings to be communicated to the Chinese and North Koreans. U.N. Representative V.K.Krishna Menon summarized India's position as that of one ready to serve if asked. He said that India is not a candidate for any activity and her view is the same as it was prior to her appointment to the Neutral Nations Commission. If asked to take on a

⁹⁴"Points from the Statements by Dr. Yung Tai Pyun, Foreign Minister of the Republic of Korea," U.N.Bulletin (New York, September 1, 1954), p. 180.

⁹⁵"Victory That Was a Defeat," Christian Century, LXX (September 9, 1953), p. 1013.

responsibility in the name of peace, she is a prospective draftee or invitee, he added.⁹⁶ (India has not as yet been invited.)

Uneasy Peace

The settlement of the basic problem -- division of the country-- seems as far from settlement as it did eleven years ago when it became a problem in the United Nations. In meetings in 1957, India attempted to have representatives of the two Koreas come to the General Assembly to try to reach a settlement. This bid was beaten down on the grounds that no legal government exists in North Korea. It has been reported by representatives of South Korea that North Korean forces have been built up with added armor, and an airforce which includes jet fighters and bombers. If these reports are true, there is no way of knowing how long the uneasy peace may last. The least provocation could set off a new war, and India's fear of war in Asia, with Asians fighting Asians, would again come to pass. According to the views of Burma's Premier U.Nu, Indian foreign policy revolves around a desire to abolish war as an instrument of diplomacy; and if war does come, it should be kept away from Asia, for nations just freed from colonialism need time to develop; and, lastly, if war comes to Asia, it should not involve Asians opposing one another.⁹⁷

⁹⁶"Points from the Statement by V.K.Krishna Menon, Representative of India," U.N.Bulletin (New York, September 1, 1954), p. 181.

⁹⁷"U.Nu's View on Indian Foreign Policy," Times of India, August 31, 1953, p. 5, col. 4.

Who Was Right?

There is still too much emotional involvement with the Korean question to make a final appraisal as to who was right and who was wrong in those decisions already made, and what should have been done or what could now be done to reach a satisfactory solution to this problem.

There have been both condemnations and praises of India's role.

She was accused of appeasement by the South Koreans, yet praised by many as being responsible for keeping the war localized. It must be admitted by all that her proposals were used by both sides in working out the P.O.W. agreements. During the discussions, her proposals were, at different times, incorporated into the resolutions passed by the U.N. India has often been accused of deserting the U.N. after the war once started, but she followed the proclamations of her foreign policy as consistently as could be expected of a nation in the throes of turmoil on her own soil and of a country that had achieved independence less than three years prior to the outbreak of Korean hostilities. At the conference tables at the U.N. her votes, likewise, followed a consistent pattern. The two types of resolutions on which India voted with the Soviet bloc were those concerning the invitation of Red China to the U.N., recognition of the People's Republic of China as an aggressor. Even here Prime Minister Nehru said, "I think it is true that there was aggression there, but it is also true that of the parties concerned none is wholly free from blame."⁹⁸

On the other hand, until after the repatriation of the P.O.W's, India voted against any Soviet bloc resolution giving reality to a

⁹⁸Kundra, op.cit., p. 51.

North Korean government; she voted against any accusation without inspection. On all other resolutions, if the resolution had paragraphs that did not agree with the ideals of her policy, India would abstain; if such types of resolutions were voted on by paragraph she would vote each on its merit, abstaining on those repulsive to her. Thus, any bald accusation of India's voting against the West on most issues is unfounded. In the votes taken in the Security Council, in the General Assembly, and in the First Committee, discussed in this paper, and broken down by roll call vote, India voted with the West twenty-four times, against the West nine times, and she abstained fifteen times. These are hardly grounds for a blanket condemnation of India's actions.

In the next chapter the writer will look at some of the areas of dispute that exist between the United States and India, and note suggestions of possible reasons for India's reactions to world problems.

CHAPTER III

SUMMARY OF FOREIGN POLICY AND CONCLUSIONS

If the policies of the United States and the Soviet Union are so designed that they will attract the uncommitted areas to their folds or at least designed so as not to alienate them, then it should be recognized that United States policy toward India has not been too fruitful. The "if you're not for us, you're against us" attitude of the United States has not been looked upon with favor by Indian political leaders. Mr. Nehru would rather delay India's economic development than follow a policy which would limit India's freedom of action and make her dependent on United States support.

United States and Indian Foreign Policy Compared

The United States-Indian differences in the realm of foreign policy revolve around a number of basic issues, foremost of which, perhaps, is the difference over recognition of the People's Republic of China. Other areas of contention are: United States support of colonial powers, United States unwillingness to have India attend the political conference on Korea, and, finally, United States dependence on military alliances for the halting of the spread of communism. (In this alliance system, the point of greatest concern to India is the military aid given to Pakistan by the United States and the support by the United States of Pakistan's alliance with nations outside Asia.)

The China Question

The policies of the two nations regarding China have acted as the major stumbling block to the realization of smooth relations between India and the United States. India saw in the downfall of the Kuomintang the defeat of a corrupt oligarchy that had exploited the masses. The United States, on the other hand, has continued to recognize and lend support to this group. India's reasoning is summarized in the following quotation:

The attitude of the Government of India toward these events in China has been one of scrupulous neutrality and non-intervention. It was not for India to tell the people of China what type or form government they should have or to which party they should give the reins of power. That was a matter strictly for the Chinese people to decide for themselves. In adherence to the principle of self-determination, the Government of India made no attempt to influence by word or deed the decision of the Chinese people one way or the other. As long as the Kuomintang Nationalist Government ruled over the large part of China and received the allegiance of the majority of the people, according to the canons of international law, India recognized it as the legal government of China. Once, however, the people of China had disavowed the Nationalist Government and the Chinese Communist acquired effective control of the whole of China, the Government of India had to consider whether it should continue its recognition of Chiang's Government at Formosa or whether to accord recognition to the new Government which was the de facto ruler of China.¹

India decided in favor of Communist China. She accorded recognition on December 30, 1949, her contention being that she could not ignore the fact that the new government was in effective control of the Chinese territory and enjoyed the support of the majority of the people. For this reason India extended recognition with the reservation that recognition does in no way imply approval of a particular governmental structure.

¹Vidya P. Dutt, India's Foreign Policy (New Delhi, 1950), p. 15.

India's government has, however, continued to be scorned by the Communist Chinese. In October, 1949, Mao Tse-tung made the following statement about India:

I firmly believe that relying on the brave Communist Party of India and the unity and struggle of all India patriots, India will certainly not remain long under the yoke of imperialism and its collaborators. Like free China, a free India will one day emerge in the Socialist and People's Democratic family; that day will end the imperialist reactionary era in the history of mankind.²

Despite India's recognition of the Mao regime, China has attacked India as being a nation controlled by imperialist forces.

The United States has refused to grant recognition to Red China. She has viewed the Peking government as one subservient to a foreign government. Furthermore, the United States government contends that United States citizens were maltreated by representatives of the Red government. The United States government does not consider the Red government as meeting the criteria for recognition. The following criteria were those held for the recognition of a new revolutionary government.

When, by reason of revolution or other internal change not wrought by regular constitutional methods, a conflict of authority exists in another country whereby the titular government to which our representatives are accredited is reduced from power and authority, the rule of the United States is to defer recognition of another executive in its place until it shall appear that it is in possession of the machinery of the state, administering government with the assent of the people thereof and without substantial resistance to its authority, and that it is in a position to fulfill all the international obligations and responsibilities incumbent upon the sovereign state under treaties and international law.³

The United States refused to recognize the new government of

²K.P.Karunakarn, India in World Affairs August 1947-January 1950 (London, 1952), p. 101.

³Herbert W. Briggs (ed.), The Law of Nations (New York, 1952), p. 122.

China despite the fact that American policy-makers deplored some of the actions of Chiang Kai-shek's government. This stand was expressed in some parts of the White Paper on China released in August, 1949.

Dean Acheson, who was Secretary of State at that time, also has contended that there may have been some justification for the change of government in China. According to V.P.Dutt, Acheson's views were made known in the following statements, part of which were made in a letter of transmittal on the White Paper and part as a statement before the National Press Club:

The important but inescapable fact is that the ominous result of the civil war in China was beyond the control of the government of the United States. . . . It was the product of internal Chinese forces, forces which this country tried to influence but could not. What has happened in my judgement, is that the almost inexhaustible patience of the Chinese people in their misery ended. . . they took the solution of their immediate village problems into their own hands.⁴

A similar viewpoint was held by Chester Bowles, who said, "The hard fact is clear that Mao is in full control of China and like it or not all future dealings will have to be with him."⁵ These statements indicate that some important people connected with the United States government believed that there might have been some justification for recognizing Red China, but official government policy did not and has not shared that view.

Indian spokesmen have advanced reasons for her stand regarding China:

(1) Sir Benegal Rau said, "Whatever may be the complexion of that government, surely it would be an advantage to have it represented

⁴Dutt, op.cit., p. 30.

⁵Chester Bowles, Ambassador's Report (New York, 1954), p. 225.

in the U.N. and made to accept the obligations of a member; so that, if it failed to do so, we can call it to account."⁶

(2) Jawaharlal Nehru wants to offer China an alternative to close cooperation with Moscow. It has long been Nehru's contention that the Communist action in China is an independent nationalist movement and every effort should be made to allow China to follow an independent policy and not force her to become dependent on the U.S.S.R.

(3) Mr. Nehru wants to avoid the isolating of a nation as the U.S.S.R. was isolated following World War I. He put it in these words: "The cordon sanitaire around the U.S.S.R. following World War I failed but it left the U.S.S.R. bitter opponents of Western countries. It is unwise to do the same as regards China. To drive China into isolation will not produce any positive ends."⁷

On Communism

Closely tied to the recognition of China is the accusation often heard that Nehru is appeasing the Communists. This accusation is hard to substantiate when one looks at Nehru's policy regarding Communists in India. As stated before, Nehru has used the Detention Act to jail thousands of Communists and fellow travelers.

There is a difference in the reaction within India to the problem of international communism and communism as it affects the internal operation of Indian government. In this one area this particular fact

⁶Sir Benegal N. Rau, "India and World Peace," Nation, LXXI (December 16, 1950), p. 631.

⁷Norman Cousins, Talks with Nehru (New York, 1951), p. 55.

is perhaps the basic difference in the policies of the United States and India. The major portion of our effort is spent in stopping the spread of international communism, whereas India, because she has never viewed international communism as a threat to her, feels little or no concern over it.

Our policy of military alliances (another area of tension between the United States and India) is closely tied to our policy of containment, whereas India's policy of meeting and viewing each situation on its own merit is an outgrowth of her philosophy. Although there may be little difference in the common outlook that communism is a menace, the level at which it is viewed and the method of coping with it have led the United States and India along such divergent paths that it often puts them at almost impassable differences of opinion.

Supreme Court Justice William O. Douglas suggests that India adheres to the following teaching of Gandhi in her handling of communism: "I want the culture of all lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any of them."⁸ This is a pragmatic way of looking at all cultures, and, at the same time, is a consistent policy which has been applied to all cultures, and, at the same time, is a consistent policy which has been applied to all cultures as they have affected India since independence. India has steadfastly clung to her independent policy, not allowing herself to be swept into either bloc, and yet, at the same time, has carried on economic and diplomatic relations with most nations.

Alliances

⁸William O. Douglas, Strange Land and Friendly People (New York, 1951), p. 298.

Military alliances and military aid have been sources of irritation between India and the United States. India has maintained that military alliances cause a war psychosis which can lead to an outbreak of hostilities, and she claims that more effort should be placed on the positive side of peace. The United States, with a policy of massive retaliation, sees its policy being most effectively achieved by having many military bases ringing the Communist world.

A further source of irritation between India and the United States is the unilateral military agreements of the United States with Chiang Kai-shek on Formosa and Syngman Rhee in Korea.

Review of Relations

United States and Indian relations in the past ten years have varied in cordiality. In the years following independence, because of many economic ties, the United States and India worked closely together. The Red China issue was the first major wedge to come between them. Since that time relations have not been as cordial as one might expect them to be between two great democracies. The stand which the United States took in the Suez crisis against Britain and France was a great boost for India-United States relations, but it did not have any lasting effect, since old differences soon overshadowed United States opposition to the French and British intervention.

We can only speculate on what the future relations between the United States and India will be. It is fair to assume, however, that if the United States continues to emphasize military alliances, military aid and support of governments that retain colonial empires, to give support to governments which India considers to be reactionary,

and to withhold recognition from the People's Republic of China, there is little chance for more intimate relations between the two countries.

Conclusions

In reviewing the development of India's foreign policy and her application of it to world affairs, we must look at many facets of her development, among them her long history, her culture, and the effects of three great religions, Buddhism, Hindu, and Islam. As Sarvepalli Radhakrishnan put it, India as a nation "is a tradition, an order of thought and manner, a loyalty to certain fundamental values, fostered by all races and religions which have found a home in this land."⁹ There can be added to this long heritage the impact of some 300 years of British domination over the area.

The British implanted in India certain democratic principles, introducing, in stages, representative government. They introduced mass education, which, though not entirely successful due to economic causes, was, nevertheless, an improvement over what had been in existence before. (The British did, however, educate a middle class which in time became the leaders for independence,) Also during the British occupation, the Civil Service was founded, which greatly aided the government of independent India to become established without major disruption of administrative procedure during transfer of power and has been a major factor for the stability of her government. A single language, English, was introduced which advanced communication. Railroads and roads were built, giving India a transportation far advanced over other Asian nations.

⁹Sir S. Radhakrishnan, Education, Politics and War (Poona September, 1944), p. 197.

The impact of the British rule on India's development and the development of her foreign policy should not be underestimated.

The Indian National Congress and its two great leaders, Mohandas K. Gandhi and Jawaharlal Nehru, round out the group of factors influencing the development of India's foreign policy. The Congress, organized to aid British understanding of Indian needs, became the leading organization advocating Indian independence, and has, since independence, been the dominant party in control of the central government.

Gandhi, taking an active role on the Congress from 1920 until the early 1940's gave to India her desire to find peaceful means by which men should live with one another. He advocated the settlement of all difficulties, regardless of scope, without violence. Although not too many of his concepts are used today in international relations, nevertheless, he gave India a halo of sanctity. To many, Gandhi and what he stood for and India are held to be inseparable. This halo effect has often given even Indians a false concept of their actions; for while they give lip-service to the teachings of Gandhi, their actions are far from what Gandhi would have advocated or desired to see happen.

Jawaharlal Nehru is the present most important figure in directing India's foreign policy. It would not be possible, in this paper, to look at all the aspects of his personality and the place he holds in India's decision-making process. Rightly or wrongly, Nehru is responsible for most policy decisions, both domestic and international. On his shoulders falls the scorn or praise for India's stand. His task has not been an easy one; there are those who claim he appeased the Communists in his action on the Korean conflict, in his failure to take

a stronger stand against China when she moved into Tibet, and in his failure to take a more positive stand against the Russian intervention in Hungary. On the other side of the ledger, however, India is given a great deal of credit for keeping the Korean conflict from spreading, and she has received acclaim for her handling of the repatriation of prisoners of war. Nehru's stand on independence for all nations and for the end of colonialism has drawn the praise of Asian leaders. It is interesting to view Mr. Trygve Lie's appraisal of Nehru. In his book, In the Cause of Peace, he writes:

. . . I had followed his tireless work, admiring his decisive contribution towards the liberation of India. . . . Now, as the undisputed leader of 375,000,000 people, a statesman of world stature, he (perhaps because of his steadfastness in his original struggle) appeared to me to suffer from a narrowness in approach toward world affairs which might easily interfere with the magnificent contribution toward the solution of global problems of which he was otherwise capable.¹⁰

Lie believes that Nehru's narrow trend of thought results from Nehru's overwhelming preoccupation with Asian problems, his attempt to separate Asia from the rest of the world and to treat her problems as if she were an independent entity. In making this judgment, Lie took into consideration the total condition of India; for he stated further in this same book that it was the enormous poverty of India which was Nehru's most immediate concern, and that when outsiders demonstrate "increased understanding of India's internal problems," then Nehru would be able to broaden his perspective. As Mr. Nehru stated, and as was quoted earlier, the policy of any nation is the policy that seems best for her. As a result, whatever foreign policy he makes, he must do so in the light of what he thinks is best for India.

¹⁰Trygve Lie, In the Cause of Peace (New York, 1954), p. 361.

Here is a nation, newly-freed, that requires above all, time in which to develop her vast resources; thus, peace is a most urgent need. In viewing Nehru's policy regarding Communist China and the U.S.S.R. it must be remembered that India is dealing with both these countries from a position of weakness; it has miles of mutual border with China and it is within easy flying distance of the U.S.S.R. It would be extremely unwise for her to hold a policy antagonistic to these two powers. As regards Tibet, here again India was in a position of weakness and could not very well change a policy which had recognized Chinese suzerainty over Tibet for more than forty years. She could have, perhaps, taken a stronger stand if the Chinese government would have been recognized by most nations and would have been held accountable for her actions by world public opinion.

As for India's Korean policy, it is too early to evaluate it fairly. There is little doubt that India could have furnished at least a token force to the fighting units had she so chosen. On the other hand, had she chosen this policy, then some other nation would have had to take the lead in attempting to find a middle road on which both sides could compromise, as India did in the P.O.W. question. It would be hard to deny that Indian action in the U.N. and behind the scenes had an effect on bringing about a cease-fire.

In the U.N. halls, Indian action has reflected her foreign policy. The contradictions that appear from time to time come, perhaps, from her policy of viewing each incident on its own merit. Her policies often change as the fluid international scene changes. Because Mr. Nehru tends to make a great many statements without benefit of a written text, these statements sometimes seem to be contradictory over

a period of time. This is the danger of viewing each incident on its own merit and not maintaining a rigid line throughout a nation's policy. It is much harder to justify each decision in a type of policy which constantly shifts; and it is, perhaps, because of this that Mr. Nehru is so often criticized. Despite the criticism, however, Nehru no doubt feels that, in view of India's present economic condition and her great need for peace, the policy which he is pursuing remains the best policy for India.

This paper has reviewed India's foreign policy, emphasizing some of the factors concerning its development, who helped form it, how it operates on the world scene and how it differs from that of the West. Because India has borrowed from the West (she has used some ideas and discarded others), we can say that at least in part, the activities of India and the policies she follows are a blending of the ideas of East and West. Perhaps one of the needs today is a greater understanding to bridge the gap of misunderstanding between the East and West. F.S.C. Northrop felt that this problem was so urgent that he has devoted an entire book, The Meeting of East and West to its discussion. Will Durant offers the following as the part India can play in leading to this understanding:

As inventions, industry and trade bind the continents together, or as they fling us into conflict with Asia, we shall study its civilization more closely, and shall absorb, even in enmity, some of its ways and thoughts. Perhaps, in return for conquest, arrogance and spoliation, India will teach us the tolerance and gentleness of the mature mind, the quiet content of the unacquisitive soul, the calm of the understanding spirit, and a unifying, pacifying love for all living things."¹¹

¹¹George B. Cressey, Asia's Lords and People (New York, 1951), p. 425, as quoted in Will Durant, Story of Civilization, p. 633.

APPENDIX A

GENERAL ASSEMBLY RESOLUTION (112 II), NOVEMBER 14, 1947

A

"Inasmuch as the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and

"Recognizing that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population,

"The General Assembly

"1. Resolves that elected representatives of the Korean people be invited to take part in the consideration of the question;

"2. Further resolves that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea.

B

"The General Assembly

"Recognizing the urgent and rightful claims to independence of the people of Korea;

"Believing that the national independence of Korea should be re-established and all occupying forces then withdrawn at the earliest practicable date;

"Recalling its previous conclusion that the freedom and independence of the Korean people cannot be correctly or fairly resolved without the participation of representatives of the Korean people, and its decision to establish a United Nations commission on Korea (hereinafter called the "Commission") for the purpose of facilitation and expediting such participation by elected representatives of the Korean people,

"1. Decides that the Commission shall consist of representatives of Australia, Canada, China, El Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic;

"2. Recommends that the elections be held not later than March 31, 1948, on the basis of adult suffrage and by secret ballot to choose representatives with whom the Commission may consult regarding the prompt attainment of the freedom and independence of the Korean people and which representatives, constituting a National Assembly, may establish a National Government of Korea. The number of representatives from each voting area or zone should be proportionate to the population,

and the elections should be under the observation of the Commission;

"3. Further recommends that as soon as possible after the elections, the National Assembly should convene and form a National Government and notify the Commission of its formation;

"4. Further recommends that immediately upon the establishment of a National Government, that Government should, in consultation with the Commission: (a) constitute its own national security forces and dissolve all military or semi-military formations not included therein; (b) take over the functions of government from the military commands and civilian authorities of north and south Korea, and (c) arrange with the occupying powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within ninety days;

"5. Resolves that the Commission shall facilitate and expedite the fulfillment of the foregoing programme for the attainment of the national independence of Korea and withdrawal of occupying forces, taking into account its observations and consultations in Korea. The Commission shall report, with its conclusions, to the General Assembly and may consult with the Interim Committee (if one be established) with respect to the application of this resolution in the light of developments;

"6. Calls upon the Member States concerned to afford every assistance and facility to the Commission in the fulfillment of its responsibilities;

"7. Calls upon all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly; and thereafter, to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea."¹

¹General Assembly Resolution (112 (II)), Year Book of the United Nations 1947-1948, p. 88.

APPENDIX B

GENERAL ASSEMBLY RESOLUTION (195 (III)), December 12, 1948

"The General Assembly,

"Having regard to its resolution (112 (II)) of November 14, 1947 concerning the problem of the independence of Korea,

"Having considered the report of the United Nations Temporary Commission on Korea (hereinafter referred to as the 'Temporary Commission'), and the report of the Interim Committee of the General Assembly regarding its consultation with the Temporary Commission,

"Mindful of the fact that, due to difficulties referred to in the report of the Temporary Commission, the objectives set forth in the resolution of November 14, 1947 have not been fully accomplished, and in particular that unification of Korea has not yet been achieved,

"1. Approves the conclusion of the reports of the Temporary Commission;

"2. Declares that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea;

"3. Recommends that the occupying Powers should withdraw their occupation forces from Korea as early as practicable;

"4. Resolves that, as a means to the full accomplishment of the objectives set forth in the resolution of November 14, 1947, a Commission on Korea consisting of Australia, China, El Salvador, France, India, the Philippines and Syria, shall be established to continue the work of the Temporary Commission and carry out the provisions of the present resolution, having in mind the status of the Government of Korea as herein defined, and in particular to:

"(a) Lend its good offices to bring about the unification of Korea and the integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the resolution of November 14, 1947;

"(b) Seek to facilitate the removal of barriers to economic, social and other friendly intercourse caused by the division of Korea;

"(c) Be available for observation and consultation in the further development of representative government based on the freely-expressed will of the people;

"(d) Observe the actual withdrawal of the occupying forces and verify the fact of withdrawal when such has occurred; and for this purpose, if it so desires, request the assistance of military experts of

the two occupying Powers;

"5. Decides that the Commission:

"(a) Shall, within thirty days of the adoption of the present resolution, proceed to Korea, where it shall maintain its seat;

"(b) Shall be regarded as having superseded the Temporary Commission established by the resolution of November 14, 1947;

"(c) Is authorized to travel, consult and observe throughout Korea;

"(d) Shall determine its own procedures;

"(e) May consult with the Interim Committee with respect to the discharge of its duties in the light of developments, and within the terms of the present resolution;

"(f) Shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject-matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for distribution to Members;

"6. Requests that the Secretary-General shall provide the Commission with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per diem of a representative and an alternate from each of the States members of the Commission;

"7. Calls upon the Member States concerned, the Government of the Republic of Korea, and all Koreans to afford every assistance and facility to the Commission in the fulfillment of its responsibilities;

"8. Calls upon Member States to refrain from any acts derogatory to the results achieved and to be achieved by the United Nations in bringing about the complete independence and unity of Korea;

"9. Recommends that Member States and other nations, in establishing their relations with the Government of the Republic of Korea, take into consideration the facts set out in paragraph 2 of the present resolution."¹

¹"Resolution Establishing New Commission on Korea," Year Book of the United Nations 1948-1949, p. 290.

APPENDIX C

SECURITY COUNCIL RESOLUTION, JULY 7, 1950

The Security Council,

Having determined that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace,

Having recommended that Members of the United Nations furnish such to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

1. Welcomes the prompt and vigorous support which governments and people of the United Nations have given to its Resolutions of 25 and 27 June 1950 to assist the Republic of Korea in defending itself against armed attack and thus to restore international peace and security in the area;

2. Notes that Members of the United Nations have transmitted to the United Nations offers of assistance for the Republic of Korea;

3. Recommends that all Members providing military forces and other assistance pursuant to the aforesaid Security Council resolutions make such forces and aother assistance available to a unified command under the United States;

4. Requests the United States to designate the commander of such forces;

5. Authorizes the unified command at its discretion to use the United Nations flag in the course of operations against North Korean forces concurrently with the flags of the various nations participating;

6. Requests the United States to provide the Security Council with reports as appropriate on the course of action taken under the unified command.¹

¹Resolution Adopted by Security Council on July 7, 1950, U.N.Bulletin, IX, No.3 (August 1, 1950), p. 96.

APPENDIX D

GENERAL ASSEMBLY RESOLUTION, OCTOBER 7, 1950

The General Assembly

Having regard to its resolutions of November 14, 1947 (112 (II)), of December 12, 1948 (195(III)) and of October 21, 1949 (293(IV)),

Having received and considered the report of the United Nations Commission on Korea,

Mindful of the fact that the objectives set forth in the resolutions referred to above have not been fully accomplished and, in particular, that the unification of Korea has not yet been achieved, and that an attempt has been made by an armed attack from North Korea to extinguish by force the Government of the Republic of Korea,

Recalling the General Assembly declaration of December 12, 1948 that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; that this Government is based on elections which were a valid expression of the freewill of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea,

Having in mind that United Nations armed forces are at present operating in Korea in accordance with the recommendations of the Security Council of June 27, 1950, subsequent to its resolution of June 25, 1950, that members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

Recalling that the essential objective of the resolutions of the General Assembly referred to above was the establishment of a unified, independent and democratic Government of Korea,

Recommends that

(a) All appropriate steps be taken to ensure conditions of stability throughout Korea;

(b) All constituent acts be taken, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified, independent and democratic Government in the sovereign State of Korea;

(c) All sections and representative bodies of the population of Korea, South and North, be invited to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified Government;

(d) United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives specified in sub-paragraphs (a) and (b) above;

(e) All necessary measures be taken to accomplish the economic rehabilitation of Korea;

2. Resolves that

(a) A Commission consisting of Australia, Chile, Netherlands, Pakistan, Philippines, Thailand and Turkey, to be known as the United Nations Commission for the Unification and Rehabilitation of Korea, be established to (i) assume the functions hitherto exercised by the present United Nations Commission in Korea; (ii) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (iii) exercise such responsibilities in connexion with relief and rehabilitation in Korea as may be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. The United Nations Commission for the Unification and Rehabilitation of Korea should proceed to Korea and begin to carry out its functions as soon as possible;

(b) Pending the arrival in Korea of the United Nations Commission for the Unification and Rehabilitation of Korea, the Governments of the States represented on the Commission should form an interim committee composed of representatives meeting at the seat of the United Nations to consult with and advise the United Nations Unified Command in the light of the above recommendations; the interim committee should begin to function immediately upon the approval of this resolution by the General Assembly.

(c) The Commission shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to Members;

The General Assembly furthermore,

Mindful of the fact that at the end of the present hostilities the task of rehabilitating the Korean economy will be of great magnitude,

3. Requests the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly within three weeks of the adoption of the present resolution by the General Assembly;

4. Also recommends the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea, and meanwhile to draw the attention of the authorities which decide requests for technical assistance to the urgent and special necessity of affording such assistance to Korea;

5. Expresses its appreciation of the services rendered by the members of the United Nations Commission on Korea in the performance of their important and difficult task;

6. Requests the Secretary-General to provide the Commission with adequate staff and facilities including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per diem of a representative and alternate from each of the States members of the Commission.¹

¹United Nations Document A/1422.

APPENDIX E

GENERAL ASSEMBLY RESOLUTION, FEBRUARY 1, 1951

The General Assembly

Noting that the Security Council because of lack of unanimity of the permanent members, has failed to exercise its primary responsibility for the maintenance of international peace and security in regard to Chinese communist intervention in Korea,

Noting that the Central People's Republic of China has not accepted United Nations proposals to bring about a cessation of hostilities in Korea with a view to peaceful settlement, and that its armed forces continue their invasion of Korea and their large scale attacks upon United Nations forces there,

1. Finds that the Central People's Government of the People's Republic of China, by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against United Nations forces there, has itself engaged in aggression in Korea;

2. Calls upon the Central People's Government of the People's Republic of China, to cause its forces and nationals in Korea to cease hostilities against the United Nations forces and to withdraw from Korea;

3. Affirms the determination of the United Nations to continue its action in Korea to meet the aggression;

4. Calls upon all states and authorities to continue to lend every assistance to the United Nations to continue its action in Korea to meet the aggression;

5. Calls upon all states and authorities to refrain from giving any assistance to the aggressors in Korea;

6. Requests a committee composed of the members of the Collective Measures Committee as a matter of urgency to consider additional measures to be employed to meet this aggression and to report thereon to the General Assembly, it being understood that the committee is authorized to defer its report if the Good Offices Committee referred to in the following paragraph reports satisfactory progress in its efforts;

7. Affirms that it continues to be the policy of the United Nations to bring about a cessation of hostilities in Korea and the achievement of United Nations objectives in Korea by peaceful means, and requests the President of the General Assembly to designate forthwith two persons who would meet with him at any suitable opportunity to use their good offices to this end.¹

¹General Assembly Resolution of February 1, 1951, U.N. Bulletin, X, No. 4 (February 15, 1951), p. 151.

APPENDIX F

GENERAL ASSEMBLY RESOLUTION, DECEMBER 3, 1952

The General Assembly,

Having received the special report of the United Nations Command of October 18, 1952, on "the present status of military action and armistice negotiations in Korea" and other relevant reports relating to Korea,

Noting with approval the considerable progress towards an armistice made by negotiation at Pan Mun Jom and the tentative agreements to end the fighting in Korea and to reach a settlement of the Korean question,

Noting further that disagreement between the parties on one remaining issue alone prevents the conclusion of an armistice and that a considerable measure of agreement already exists on the principles on which this remaining issue can be resolved,

Mindful of the continuing and vast loss of life, devastation, and suffering resulting from and accompanying the continuance of the fighting,

Deeply conscious of the need to bring hostilities to a speedy end and of the need for a peaceful settlement of the Korean question,

Anxious to expedite and facilitate the convening of the political conference as provided in article 60 of the draft armistice agreement,

Affirms that the release and repatriation of prisoners of war shall be effected in accordance with the "Geneva Convention Relative to the Treatment of Prisoners of War," dated August 12, 1949, the well-established principles and practice of international law, and the relevant provisions of the draft armistice agreement;

Affirms that force shall not be used against prisoners of war to prevent or effect their return to their homelands, and that they shall at all time be treated humanely in accordance with the specific provisions of the Geneva Convention and with the general spirit of the Convention;

Accordingly requests the President of the General Assembly to communicate the following proposals to the Central People's Government of the People's Republic of China and to the North Korean authorities as forming a just and reasonable basis for an agreement so that an immediate cease-fire would result and be effected: to invite their acceptance of these proposals: and to make a report to the General Assembly during its present session and as soon as appropriate:

PROPOSALS

1. In order to facilitate the return to their homelands of all prisoners of war, there shall be established a Repatriation Commission consisting of representatives of Czechoslovakia, Poland, Sweden, and

Switzerland, that is, the four states agreed to for the constitution of the Neutral Nations Supervisory Commission and referred to in paragraph 37 of the draft armistice agreement, or constituted, alternatively, of representatives of four states not participating in hostilities, two nominated by each side, but excluding representatives of states that are permanent members of the Security Council.

2. The release and repatriation of prisoners of war shall be effected in accordance with the "Geneva Convention Relative to the Treatment of Prisoners of War," dated August 12, 1949, the well-established principles and practice of international law, and the relevant provisions of the draft armistice agreement.

3. Force shall not be used against the prisoners of war to prevent or effect their return to their homelands, and no violence to their persons or affront to their dignity or self-respect shall be permitted in any manner or for any purpose whatsoever. This duty is enjoined on and entrusted to the Repatriation Commission and each of its members. Prisoners of war shall at all times be treated humanely in accordance with the specific provisions of the General Convention and with the general spirit of that Convention.

4. All prisoners of war shall be released to the Repatriation Commission from military control and from the custody of the detaining side in agreed numbers and at agreed exchange points in agreed demilitarized zones.

5. Classification of prisoners of war according to nationality and domicile as proposed in the letter of October 16 from General Kim Il Sung, Supreme Commander of the Korean People's Army, and General Peng Teh-Huai, Commander of the Chinese People's Volunteers, to General Mark W. Clark, Commander-in-Chief, United Nations Commander, shall be carried out immediately.

6. After classification, prisoners of war shall be free to return to their homelands forthwith, and their speedy return shall be facilitated by all parties concerned.

7. In accordance with arrangements prescribed for the purpose by the Repatriation Commission, each party to the conflict shall have freedom and facilities to explain to the prisoners of war "depending upon them" their rights and to inform the prisoners of war on any matter relating to their return to their homelands and particularly their full freedom to return.

8. Red Cross teams of both sides shall assist the Repatriation Commission in its work and shall have access, in accordance with the terms of the draft armistice agreement, to prisoners of war while they are under the temporary jurisdiction of the Repatriation Commission.

9. Prisoners of war shall have freedom and facilities to make representations and communications to the Repatriation Commission and to bodies and agencies working the Repatriation Commission and to inform any or all such bodies of their desires on any matter concerning themselves, in accordance with arrangements made for the purpose by the Commission.

10. Notwithstanding the provisions of paragraph 3 above, nothing in this repatriation agreement shall be construed as derogating from the authority of the Repatriation Commission (or its authorized representatives) to exercise its legitimate functions and responsibilities for the control of the prisoners under its temporary jurisdiction.

11. The terms of this Repatriation Agreement and the arrangements arising therefrom shall be made known to all prisoners of war.

12. The Repatriation Commission is entitled to call upon parties to the conflict, its own member governments, or the Member states of the United Nations for such legitimate assistance as it may require in the carrying out of its duties and tasks and in accordance with the decisions of the Commission in this respect.

13. When the two sides have made an agreement for repatriation based on these proposals, the interpretation of that agreement shall rest with the Repatriation Commission. In the event of disagreement in the Commission, majority decisions shall prevail. When no majority decisions is possible, an umpire agreed upon in accordance with the succeeding paragraph and with article 132 of the Geneva Convention of 1949 shall have the deciding vote.

14. The Repatriation Commission shall at its first meeting and prior to an armistice proceed to agree upon and appoint the umpire who shall at all times be available to the Commission and shall act as its Chairman unless otherwise agreed. If agreement on the appointment of the umpire cannot be reached by the Commission within the period of three weeks after the date of the first meeting this matter should be referred to the General Assembly.

15. The Repatriation Commission shall also arrange after the armistice for officials to function as umpires with inspecting teams or other bodies to which functions are delegated or assigned by the Commission or under the provisions of the draft armistice agreement, so that the completion of the return of prisoners of war to their homelands shall be expedited.

16. When the repatriation agreement is acceded to by the parties concerned and when the umpire has been appointed under paragraph 14 above, the draft armistice agreement, unless otherwise altered by agreement between the parties, shall be deemed to have been accepted by them. The provisions of the draft armistice agreement shall apply except in so far as they are modified by the repatriation agreement. Arrangements for repatriation under this agreement will begin when the armistice agreement is thus concluded.

17. At the end of 90 days after the armistice agreement has been signed, the disposition of any prisoners of war whose return to their homelands may not have been effected in accordance with the procedure set out in these proposals, or as otherwise agreed, shall be referred with recommendations for their disposition, including a target date for the termination of their detention, to the political conference to be called as provided under article 60 of the draft armistice agreement. If at the end of a further 30 days there any prisoners of war whose return to their homelands has not been effected under the above procedures or whose future has not been provided for by the political conference, the responsibility for their care and maintenance and for their subsequent disposition shall be transferred to the United Nations, which in all matters relating to them shall act strictly in accordance with international law.

¹Resolution on Korea Adopted by the General Assembly on December 3, 1952, U.N. Bulletin (December 15, 1952), pp. 585-586.

APPENDIX G

TEXT OF AGREEMENT ON WAR PRISONERS

(The following is an unofficial text, as reported from Pan Mun Jom, of the draft agreement signed on 8 June 1953 at Pan Mun Jom by Lieutenant General William K. Harrison, Senior delegate of the United Nations Command, and General Nam II, Senior delegate of the North Koreans and Chinese.)

Within two months after the armistice agreement becomes effective, both sides shall, without offering any hindrance, directly repatriate and hand over in groups all those prisoners of war in its custody who insist on repatriation to the side to which they belonged at the time of capture. Repatriation shall be accomplished in accordance with the related provisions of Article III of the draft armistice agreement. In order to expedite the repatriation process of such personnel, each side shall, prior to the signing of the armistice agreement, exchange the total numbers, by nationalities, of personnel to be repatriated direct. Each group delivered to the other side shall be accompanied by rosters, prepared by nationality, to include name, rank (if any) and internment or military serial number.

Both sides agree to hand over all those remaining prisoners of war who are not directly repatriated to the Neutral Nations Repatriation Commission for disposition in accordance with the following provisions:

TERMS OF REFERENCE FOR NEUTRAL NATIONS REPATRIATION COMMISSION

I. General

1.

In order to ensure that all prisoners of war have the opportunity to exercise their right to be repatriated following an armistice, Sweden, Switzerland, Poland, Czechoslovakia and India shall each be requested by both sides to appoint a member to a Neutral Nations Repatriation Commission which shall be established to take custody in Korea of those prisoners of war who, while in the custody of the detaining powers, have not exercised their right to be repatriated. The Neutral Nations Repatriation Commission shall establish its headquarters within the demilitarized zone in the vicinity of Panmunjom, and shall station subordinate bodies of the same composition as the Neutral Nations Repatriation Commission at those locations at which the Repatriation Commission assumes custody of prisoners of war. Representatives of both sides shall be permitted to observe the operations of the Repatriation Commission and its subordinate bodies to include explanations and interviews.

2.

Sufficient armed forces and any other operating personnel required to assist the Neutral Nations Repatriation Commission in carrying out its functions and responsibilities shall be provided exclusively by India, whose representative shall be the umpire in accordance with the provisions of Article 132 of the Geneva Convention, and shall also be chairman and executive agent of the Neutral Nations Repatriation Commission. Representatives from each of the other four powers shall be allowed staff assistants in equal numbers not to exceed fifty (50) each. When any of the representatives of the neutral nations is absent for some reason, that representative shall designate an alternate representative of his own nationality to exercise his functions and authority. The arms of all personnel provided for in this paragraph shall be limited to military police type small arms.

3.

No force or threat of force shall (sic) be used against the prisoners of war specified in Paragraph 1 above to prevent or effect their repatriation, and no violence to their persons or affront to their dignity or self-respect shall be permitted in any manner for any purpose whatsoever (but see Paragraph 7 below). This duty is enjoined on and entrusted to the Neutral Nations Repatriation Commission. This commission shall ensure that prisoners of war shall at all times be treated humanely in accordance with the specific provisions of the Geneva Convention, and with the general spirit of that convention.

II. Custody of Prisoners of War

4.

All prisoners of war who have not exercised their right of repatriation following the effective date of the armistice agreement shall be released from the military control and from the custody of the detaining side as soon as practicable, and, in all cases, within sixty (60) days subsequent to the effective date of the armistice agreement to the Neutral Nations Repatriation Commission at locations in Korea to be designated by the detaining side.

5.

At the time the Neutral Nations Repatriation Commission assumes control of the prisoner-of-war installations, the military forces of the detaining side shall be withdrawn therefrom, so that the locations specified in the preceding paragraph shall be taken over completely by the armed forces of India.

6.

Notwithstanding the provisions of Paragraph 5 above, the detaining side shall have the responsibility for maintaining and ensuring security and order in the areas around the locations where the prisoners of war are in custody and for preventing and restraining any armed forces (in-

cluding irregular armed forces) in the area under its control from any acts of disturbance and intrusion against the locations where the prisoners of war are in custody.

7.

Notwithstanding the provisions of Paragraph 3 above, nothing in this agreement shall be construed as derogating from the authority of the Neutral Nations Repatriation Commission to exercise its legitimate functions and responsibilities for the control of the prisoners of war under its temporary jurisdiction.

III. Explanation

8.

The Neutral Nations Repatriation Commission, after having received and taken into custody all those prisoners of war who have not exercised their right to be repatriated, shall (sic) immediately make arrangements so that within ninety (90) days after the Neutral Nations Repatriation Commission takes over the custody, the nations to which the prisoners of war belong shall have freedom and facilities to send representatives to the locations where such prisoners of war are in custody to explain to all the prisoners of war depending upon these nations their rights and to inform them of any matters relating to their return to their homelands, particularly of their full freedom to return home to lead a peaceful life, under the following provisions:

(A) The number of such explaining representatives shall not exceed seven (7) per thousand prisoners of war held in custody by the Neutral Nations Repatriation Commission; and the minimum authorized shall not be less than a total of five (5).

(B) The hours during which the explaining representatives shall have access to the prisoners shall be as determined by the Neutral Nations Repatriation Commission, and generally in accord with Article 53 of the Geneva Convention relative to the treatment of prisoners of war.

(C) All explanations and interviews shall be conducted in the presence of a representative of each member nation of the Neutral Nations Repatriation Commission and a representative from the detaining side.

(D) Additional provisions governing the explanation work shall be prescribed by the Neutral Nations Repatriation Commission, and will be designed to employ the principles enumerated in Paragraph 3 above and in this paragraph.

(E) The explaining representatives, while engaging in their work, shall be allowed to bring with them necessary facilities and personnel for wireless communications. The number of communications personnel shall be limited to one team per location at which explaining representatives are in residence, except in the event that all prisoners of war are concentrated in one location, in which case, two (2) teams shall be permitted. Each team shall consist of not more than six (6) communications personnel.

9.

Prisoners of war in its custody shall have freedom and facilities

to make representations and communications to the Neutral Nations Repatriation Commission and to representatives and subordinate bodies of the Neutral Nations Repatriation Commission and to inform them of their desires on any matter concerning the prisoners of war themselves, in accordance with arrangements made for the purpose by the Neutral Nations Repatriation Commission.

IV. Disposition of Prisoners of War

10.

Any prisoner of war who, while in the custody of the Neutral Nations Repatriation Commission decides to exercise the right of repatriation, shall make an application requesting repatriation to a body consisting of a representative of each member nation of the Neutral Nations Repatriation Commission. Once such an application is made, it shall be considered immediately by the Neutral Nations Repatriation Commission or one of its subordinate bodies so as to determine immediately by majority vote the validity of such application. Once such an application is made to and validated by the commission or one of its subordinate bodies, the prisoner of war concerned shall immediately be transferred to and accommodated in the tents set up for those who are ready to be repatriated. Thereafter, he shall, while still in the custody of the Neutral Nations Repatriation Commission, be delivered forthwith to the prisoner-of-war exchange point at Panmunjom for repatriation under the procedure prescribed in the armistice agreement.

11.

At the expiration of ninety (90) days after the transfer of custody of the prisoners of war to the Neutral Nations Repatriation Commission, access of representatives to captured personnel as provided for in Paragraph 8 above, shall terminate, and the question of disposition of the prisoners of war who have not exercised their right to be repatriated shall be submitted to the political conference recommended to be convened in Paragraph 60, draft armistice agreement, which shall endeavor to settle this question within thirty (30) days, during which period the Neutral Nations Repatriation Commission shall continue to retain custody of those prisoners of war. The Neutral Nations Repatriation Commission shall declare the relief from the prisoner-of-war status to civilian status of any prisoners of war who have not exercised their right to be repatriated and for whom no other disposition has been agreed to by the political conference within one hundred and twenty (120) days after the Neutral Nations Repatriation Commission has assumed their custody. Thereafter, according to the application of each individual, those who choose to go to neutral nations shall be assisted by the Neutral Nations Repatriation Commission and the Red Cross Society of India. This operation shall be completed within thirty (30) days, and upon its completion, the Neutral Nations Repatriation Commission shall immediately cease its functions and declare its dissolution. After the dissolution of the Neutral Nations Repatriation Commission, whenever and wherever any of those above-mentioned civilians who have been relieved from the prisoner-of-war status desire to return to their fatherlands, the authorities of the localities where they are shall be responsible for assisting them in re-

turning to their fatherlands.

V. Red Cross Visitation

12.

Essential Red Cross service for prisoners of war in custody of the Neutral Nations Repatriation Commission shall be provided by India in accordance with regulations issued by the Neutral Nations Repatriation Commission.

VI. Press Coverage

13.

The Neutral Nations Repatriations Commission shall insure freedom of the Press and other news media in observing the entire operation as enumerated herein, in accordance with procedures to be established by the Neutral Nations Repatriation Commission.

VII. Logistical Support for Prisoners of War

14.

Each side shall provide logistical support for the prisoners of war in the area under its military control, delivering required support to the Neutral Nations Repatriation Commission at an agreed delivery point in the vicinity of each prisoner-of-war installation.

15.

The cost of repatriating prisoners of war to the exchange point at Panmunjom shall be borne by the detaining side and the cost from the exchange point by the side on which said prisoners depend, in accordance with Article 118 of the Geneva Convention.

16.

The Red Cross Society of India shall be responsible for providing such general service personnel in the (sic) prisoner-of-war installations (sic) are required by the Neutral Nations Repatriation Commission.

17.

The Neutral Nations Repatriation Commission shall provide medical support (sic) for the prisoners of war as may be practicable. The detaining side shall provide medical support as practicable upon the request of the Neutral Nations Repatriation Commission and specifically for those cases requiring extensive treatment or hospitalization. The Neutral Nations Repatriation Commission shall maintain custody of prisoners of war during such hospitalization. The detaining side shall facilitate such custody. Upon completion of treatment, prisoners of war shall be returned to a prisoner-of-war installation as specified in Paragraph 4 above.

18.

The Neutral Nations Repatriation Commission is entitled to obtain from both sides such legitimate assistance as it may require in carrying out its duties and tasks, but both sides shall not under any name and in any form interfere or exert influence.

VIII. Logistical Support for the Neutral Nations Repatriation Commission

19.

Each side shall be responsible for providing logistical support for the personnel of the Neutral Nations Repatriation Commission stationed in the area under its military control, and both sides shall contribute on an equal basis to such support within the demilitarized zone. The precise arrangements shall be subject to determination between the Neutral Nations Repatriation Commission and the detaining side in each case.

20.

Each of the detaining sides shall be responsible for protecting the explaining representatives from the other side while in transit over lines of communication within its area, as set forth in Paragraph 23 for the Neutral Nations Repatriation Commission, to a place of residence and while in residence in the vicinity of but not within each of the locations where the prisoners of war are in custody. The Neutral Nations Repatriation Commission shall be responsible for the security of such representatives within the actual limits of the locations where the prisoners of war are in custody.

21.

Each of the detaining sides shall provide transportation, housing, communication, and other agreed logistical support to the explaining representatives of the other side while they are in the area under its military control. Such services shall be provided on a reimbursable basis.

IX. Publication

22.

After the armistice agreement becomes effective, the terms of this agreement shall be made known to all prisoners of war who, while in the custody of the detaining side, have not exercised their right to be repatriated.

X. Movement

23.

The movement of the personnel of the Neutral Nations Repatriation Commission and repatriated prisoners of war shall be over lines of communication as determined by the command(s) of the opposing side and the

Neutral Nations Repatriation Commission. A map showing these lines of communication shall be furnished the command of the opposing side and the Neutral Nations Repatriation Commission. Movement of such personnel, except within locations as designated in Paragraph 4 above, shall be under the control of, and escorted by, personnel of the side of which area the travel is being undertaken; however, such movements shall not be subject to any obstruction and coercion.

XI. Procedural Matters

24.

The interpretation of this agreement shall rest with the Neutral Nations Repatriation Commission. The Neutral Nations Repatriation Commission and/or any subordinate bodies to which functions are delegated or assigned by the Neutral Nations Repatriation Commission, shall operate on the basis of majority vote.

25.

The Neutral Nations Repatriation Commission shall submit a weekly report to the opposing commanders on the status of prisoners of war in its custody, indicating the numbers repatriated and remaining at the end of each week.

26.

When this agreement has been acceded to by both sides and by the five powers named herein, it shall become effective upon the date the armistice becomes effective.

27.

Done at Panmunjom, Korea, at 14.00 hours on the Eighth Day of June, 1953, in English, Korean, and Chinese, all texts being equally authentic.

William K. Harrison, Jr., Lieutenant General, United States Army, Senior Delegate, United Nations Command delegation.

Nam Il, General, Korean People's Army Senior Delegate, People's Army and the Chinese People's Volunteers.¹

¹Text of Agreement on War Prisoners, U.N. Bulletin, XV, No.3 (August 3, 1953), pp. 121,122.

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