

THIS WORD MEANS

LAIRCM SELF-PROTECTION SUITES

Being purchased for 2 Indian Head-of-State aircraft. How do they offer protection from infrared missiles?



To be installed in 2 Boeing 777s. For representation only. www.boeing.com

ON WEDNESDAY, the Defense Security Cooperation Agency of the United States notified Congress that the State Department has approved a possible foreign military sale to India — two 777 Large Aircraft Infrared Countermeasures (LAIRCM) Self-Protection Suites (SPS), for an estimated \$190 million. These systems will protect two Boeing-777 Head-of-State aircraft. According to a PTI report, this would bring the security of Air India One at par with that of Air Force One, the aircraft used by the American President.

LAIRCM is a programme meant to protect large aircraft from man-portable missiles. It increases crew-warming time, decreases false alarm rates and automatically counters advanced infrared missile systems. In a 2016 document, the Defense Technical Information Centre of the US Defense Department explained that LAIRCM consists of missile warning sensors (MWS), a laser transmitter assembly, control interface unit (CIU) and processors to detect, track, jam and counter incoming infrared missiles. The number of sensors and transmitter assemblies per aircraft is determined by the size and signature of the aircraft.

The components of the potential sale were listed in a US Defense Security Agency news release: 12 Guardian Laser Transmitter Assemblies (6 installed and 6 spares); 8 LAIRCM System Processor Replacements (2 installed and 6 spares); 23 Missile Warning Sensors (12 installed and 11 spares); 5 Counter-Measures Dispensing System (2 installed and 3 spares); and various others.

The release said the proposed sale will improve India's capability to deter regional threats, and will support the foreign policy and national security of the US by helping strengthen the US-Indian strategic relationship.

DECISION 2019

THE QUESTIONS THAT MATTER

MILIND GHATWAI
BHOPAL, FEBRUARY 7

THE LARGEST among the five states that went to polls ahead of the general elections, Madhya Pradesh saw a keen contest that defied history and threw up a fractured mandate. Having won just five seats more than the BJP in the 230-member Assembly, the Congress is being extra cautious; it won 114 seats but its vote share was marginally less than BJP's. For the first time in 15 years, it will contest the general elections as the ruling party in the state.

How has the BJP fitted into the role of opposition?

It took a little while for many BJP leaders to reconcile with the narrow defeat and the unfamiliar role after 15 years. Shivraj Singh Chouhan, who was Chief Minister for 13 years, is now back on the move. Though veteran leader Gopal Bhargava was made Leader of Opposition in the Assembly, it is Chouhan who is the face of the Opposition on the streets. He has been constantly on the move, meeting victims of crimes, party workers allegedly targeted in the new regime and farmers affected by frost. When the Congress government missed the monthly recital of *Vande Mataram* in the state secretariat, the BJP questioned its patriotism and announced protests, forcing the Congress to come out with a scaled-up version of the programme.

What has the Congress been focusing on as the ruling party?

Within the first couple of hours of being sworn in on December 17, Chief Minister Kamal Nath cleared the file relating to a farm loan waiver and followed it with an announcement that industries enjoying incentives like cheap land and electricity will have to reserve 70% jobs for the local population. It was followed by expansion of his ministry by making 29 MLAs cabinet ministers, including an independent. Four independents, two BSP MLAs and one Samajwadi Party members have extended their support to the government. The next challenge was to prove its majority. The Congress proved its numbers amid a boycott by the BJP. There is still pressure on the CM to fill up some posts in the Cabinet to accommodate contenders who may take to arm-twisting.

What were the major talking points in 2018, and how are they expected to play out in 2019?

In a state where 70% of the population is dependent on agriculture, directly or indirectly, farmers were the focus of attention last year, and will remain so. Having received more than 50 lakh applications, the biggest challenge for the Kamal Nath government will be smooth implementation of the farm loan waiver and raising requisite money to finance it. Even though the scheme was announced immediately, the actual transfer of money in bank accounts will start only on February 22. The BJP government had implemented a price deficiency payment scheme called Bhavantar Bhugtan Yojana to provide a cushion to farmers when prices of certain commodities fall below the minimum support price. The Agriculture Minister announced he was scrapping the scheme because it was flawed. This was in the Chief Minister's absence; the Agriculture Minister clarified later that the scheme will continue with some changes.

Caste tensions in the wake of alleged dilution of the SC/ST (Prevention of Atrocities) Act, and later the amendment to the Act, had kept parties on the edge. It is seen as one of the reasons why the BJP did not fare well in the Gwalior-Chambal belt, which had bore the

Can Cong Assembly poll showing translate to LS? PART 1 MADHYA PRADESH

Farm issues in focus again, but parties' roles reversed

Congress now ruling, BJP in opposition, they face off on the same turf for the second time in months



Outgoing Chief Minister Shivraj Chouhan (centre) with incumbent Kamal Nath and Jyotiraditya Scindia (left) in December. *Archive*

organisational strength?

The BJP has retained its organisational muscle in part, due to the presence of the RSS, while there is a visible improvement in the Congress's organisation. Some district units that were almost defunct have now come to life. The state Congress headquarters in Bhopal is now abuzz with activity. Though a divided house, it fought the Assembly elections cohesively. For the first time in more than a decade, the Congress has seen BJP leaders like former legislators switching loyalty to it. Until now, it was the Congress that had had to deal with defection from its ranks on crucial occasions. However, the CM continues to be the state Congress chief.

Has the Congress continued the soft Hindutva that marked its campaign?

It has started implementing most of what it had promised in its manifesto to deny the BJP any chance of painting it with an anti-Hindu or pro-minority brush. The government has begun by underlining that despite seeking votes in the name of the cow, the BJP had not opened even one *gau shala* in the state. The new government has come out with its plan to open 1,000 *gau shalas* in four months. Its initiatives have won praise from a couple of leading Jain saints. From setting up a spiritual department to increasing honarium of temple priests, the new government has not slackened its pace.

Are there camps in conflict within the two parties?

The Congress had made it clear that either Kamal Nath or Jyotiraditya Scindia would become the chief minister. Once Nath was made CM, the Scindia camp did not raise a fuss, knowing that he has age on his side. The party has given Scindia a huge responsibility in Uttar Pradesh. After many of his supporters made it to the Assembly, Digvijaya Singh now wields huge clout, but he has made it clear that he is not after any chair. Two Congress leaders, Suresh Pachauri and Ajay Singh, lost.

In the BJP, a section had projected then Chief Minister Chouhan as a counter to Modi ahead of the 2014 elections. Modi's emphatic victory had made the talk redundant. After losing the 2018 elections, Chouhan apportioned the blame to himself, saying only he was responsible. Now a party vice-president, he continues to praise the Prime Minister the way he did when he was in power. Except veteran Raghunandan Sharma who blamed a remark on reservation by Chouhan for the loss, no other leader has challenged him openly.

Has there been any indication of which sitting MPs the parties are likely to renominate, and which ones could be denied tickets?

The Congress has only three members. Chief Minister Kamal Nath will have to win an Assembly seat in a bye-election to validate his stay in office; his son is a strong contender for the Chhindwara Lok Sabha seat. There is a question mark over Jyotiraditya Scindia contesting the Lok Sabha elections because he has been given charge of Western Uttar Pradesh. Former Union Minister Kantilal Bhuria is the third Congress MP.

The BJP, on the other hand, may be called upon to drop a few; it has reportedly got feedback that these MPs are unlikely to retain their seats. In the Assembly elections, the BJP had denied tickets to 53 MLAs.

NEXT

#11 Can Congress's Assembly poll showing translate to LS? PART 2: RAJASTHAN

ONCE ONE-SIDED

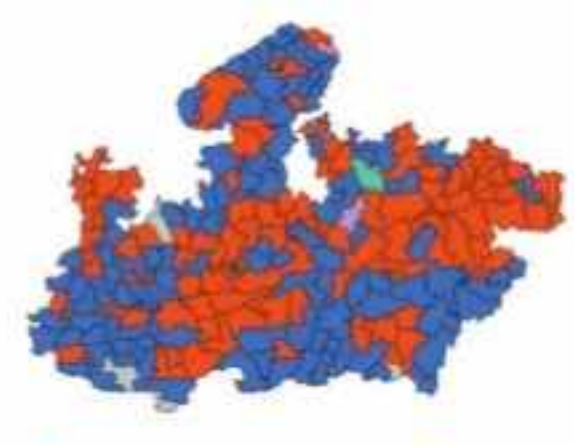
ASSEMBLY 2013 (230 SEATS)



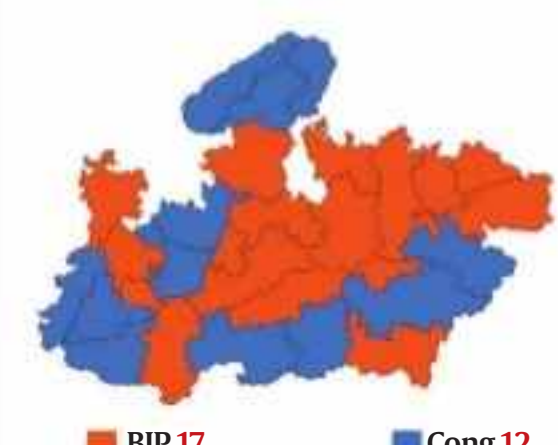
LOK SABHA 2014 (29 SEATS)



ASSEMBLY 2018



LS PROJECTION 2019



LAST 5 ELECTIONS (VS=ASSEMBLY)

ELECTION	CONGRESS		BJP	
	Seats	Vote share	Seats	Vote share
VS 2008	143	36.8%	71	36.0%
LS 2009	16	43.5%	12	40.1%
VS 2013	165	44.9%	58	36.4%
LS 2014	27	54.0%	2	34.9%
VS 2018	109	41.0%	114	40.9%

brunt of violence during a bandh called by Dalit organisations on April 2 last year. However, the BJP did exceedingly well in the Vindhya region, another area where caste politics is dominant. There, caste tensions have eased.

The Congress promised to ban RSS *shakhas* on government premises and stop participation of government employees in these *shakhas*, but it has so far avoided a decision on it, arguing that the promise itself has worked as a deterrent.

In the recent electoral history of Madhya Pradesh, how differently have people voted in Assembly and Lok Sabha polls?

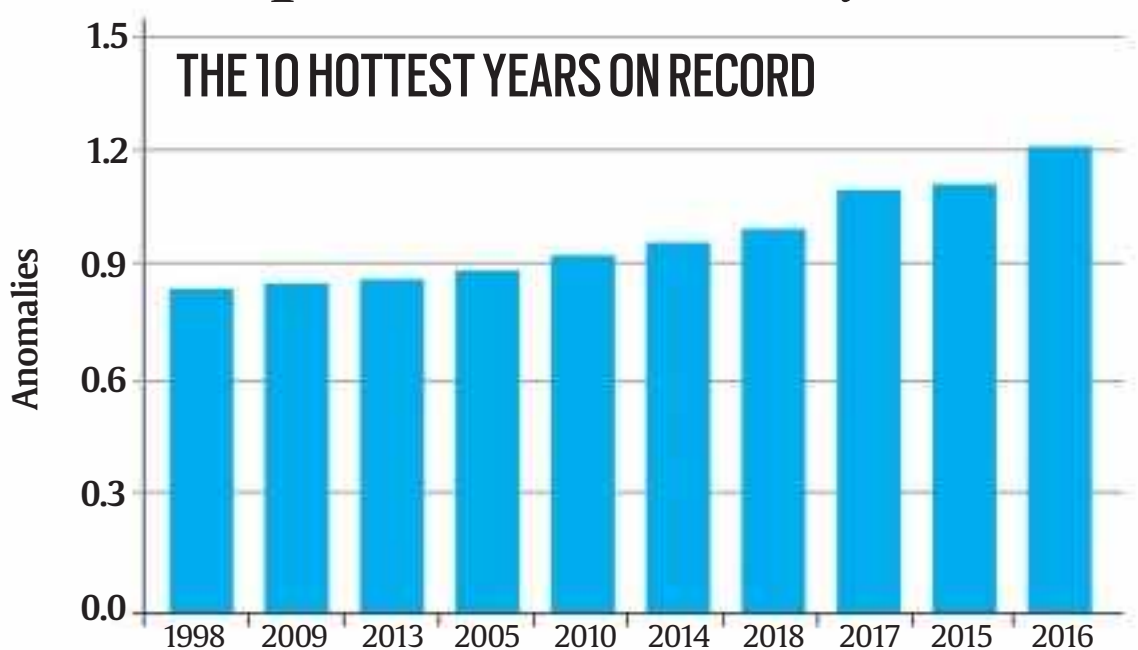
It has been a mixed bag in the last three

pairs of elections. In 2004 and 2014, the BJP's performance after the respective Assembly elections improved even though different dispensations ruled the Centre at the time of elections. In 2009, the BJP was reduced to 16 seats from 25 seats, even though its vote share in the Assembly elections had gone up. The influence of the BJP's projection of Narendra Modi was distinct even in the 2013 Assembly elections. It helped the BJP improve its assembly tally to 165 from 143 and the Lok Sabha tally from 16 to 27. Anticipating that a victory in 2019 is not assured, many BJP MPs had sought Assembly tickets.

How do the two parties compare on

TELLING NUMBERS

Fourth warmest: how 2018 compares with other years



Global temperature anomalies adjusted to pre-industrial baseline
Source: National Oceanic and Atmospheric Administration, United States

THE UN agency World Meteorological Organization (WMO) has announced officially that 2018 was the fourth warmest year on record (*The Indian Express*, February 7). It reached that conclusion with a consolidated analysis of five leading international datasets, which showed that the global average surface temperature in 2018 was approximately 1°C above the pre-industrial baseline (1850-1900). In fact, 2015, 2016, 2017 and 2018 have been confirmed as the four warmest years on record (see graph based on US National Oceanic and Atmospheric Administration data).

The year 2016, which was influenced by a strong El-Niño event, remains the warmest year on record (1.2°C above pre-industrial baseline). Global average temperatures in 2017 and 2015 were both 1.1°C above pre-industrial levels. The latter two years are virtually indistinguishable.

Last year was the 42nd consecutive year (since 1977) with global land and ocean temperatures at least nominally above the 20th century average.

Only one year from the 20th century — 1998 — was among the 10 warmest years on record.
Source: WMO & NOAA

The Dard Aryans of Ladakh: who are this tribe, what are their concerns?

DIVYAA
NEW DELHI, FEBRUARY 7

THERE ARE just 4,000 of them left in the world, and 30 of those were visiting Delhi recently. In heavy fur costumes, flower bouquets adorning their heads, members of the Dard Aryan tribe from Jammu & Kashmir's Ladakh region were in the capital as part of a seminar that extensively discussed the need to preserve their legacy. They spoke about a struggle to do so, as they perceived a threat to their cultural "owing to modernisation and migration". With the help of experts, they drafted a memorandum and submitted it to the Centre, requesting the government for intervention.

Who are the Dard Aryans?

Some 200 km from Leh are the villages of Dha, Hanu, Garkone and Darchik on both sides of the Indus River, inhabited by the Buddhist Dard Tribes. The villages are to-

gether called the "Aryan valley". "The word 'Dard' is derived from a Sanskrit word, 'Daradas', which means people who live on hillsides," said Virendra Bangroo, assistant professor at Indira Gandhi National Centre for the Arts (IGNCA), who has extensively researched on their lives, and also curated the exhibition/seminar in Delhi. He added people of this region are culturally and linguistically different from those in other parts of Ladakh. Among other researchers who have gone into the community's roots, there is a line of thought that the "Aryans of Ladakh" or the "Brokpas" might have descended from soldiers in Alexander's army who had come to the region over 2,000 years ago. The Dard Aryans, however, do not document their history, Bangroo said.

Their customs

They rear goat and sheep for milk and meat, and their festivals are based on the solar calendar. Bangroo visited the regions inhabited by the Dard Aryan community back in 2017, where he helped set up two



30 members of the tribe were in Delhi for a seminar on their legacy. *Express*

museums to archive their cultural heritage. Bangroo is of the view that their traditions go back 5,000 years; those who still follow the original customs worship trees, rivers

and mountains. During their visit to Delhi, they were also taken to Prayagraj for a day to visit the Kumbh. These tribals are mainly dependent on agriculture; the apricots

grown here are considered among the best in the world and there are 12 varieties of grapes in the region. Bangroo said grapevine is very popular in the "Aryan valley".

The concerns

A number of researchers, as well as the tribals, perceive a threat to the heritage of the community owing to modernisation, migration and religious conversion. The community now numbers about 4,000. Over the last few decades, many of them have embraced Islam or Buddhism. "The community prohibits marriage with outsiders to keep the gene pool intact. Of late, the Dard men have been migrating to other parts of the region (in search of livelihood) and marrying outside the tribe," Bangroo said. "The tribe is struggling to find a balance between modernity and traditional values." Also, after the Kargil War, development work in this region has been restricted. Some of the areas of the Aryan valley are out of bounds for outsiders, since it borders Pakistan-occupied Kashmir.

Their demands

Members of the community said there are only three high schools in their villages and very limited resources for livelihood — mainly because of the harsh weather and difficult terrain. As such, they have no option but to migrate to cities for higher education and employment. They have demanded that the government set up a tribal hostel and declare the "Aryan valley" a heritage village to boost tourism.

A delegation of the Dard Aryans submitted their charter of demands to Minister of State for Tribal Affairs Sudarshan Bhagat. Besides, they have also asked that a Dardi post be filled at J K Art, Culture and Language Academy in Kargil; a regional Study Centre for Dardi Tradition; and a Cluster Model Village at Garkon to boost the cultural heritage of the Dard Aryans. Bangroo said the tribe is already part of the Scheduled Tribes list, but the only way to sustain them is by giving them special status and helping make them self-sufficient so that they don't have to migrate.

The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Politics of anti-corruption



PRATAP BHANU MEHTA

In its latest version, it seems coincidental with the whims of a despairing authoritarianism

MAKING THE CUT

RBI decision takes its cue from stance of global central banks, risks being seen as monetary stimulus in run-up to polls

THE RBI'S MONETARY policy review on Thursday was framed in the shadow of the interim budget, and fiscal slippages, with the fiscal deficit now projected to be a little higher at 3.4 per cent against the budgeted target of 3.3 per cent for FY-19. It was also the first policy review of the new RBI Governor, Shaktikanta Das. In the event, the RBI surprised the financial markets and many analysts by announcing a 25 basis points cut in its key policy rate, the repo rate, from 6.5 per cent to 6.25 per cent, with two members of the Monetary Policy Committee, including the deputy governor in charge of monetary policy, Viral Acharya, voting for keeping rates unchanged. Indeed, the rate setting committee was unanimous on shifting the policy stance of the Indian central bank from calibrated tightening to neutral, saying that it would provide the flexibility to meet evolving challenges on the growth front.

The RBI has justified a rate cut, taking into account the food deflation, decline in headline inflation which is now projected to be below the mandated target of 4 per cent by the third quarter of the next fiscal, low oil prices and other external risks such as the impact of a slowing global economy, Brexit, trade wars and the prospect of fiscal slippages. The 130 basis points drop in inflation expectations for the upcoming fiscal in the December round of the household expectations survey of the central bank may have also influenced the rate setting committee. At 5.6 per cent, core inflation is still high. The question is also whether food deflation is sustainable and whether it would take a turn, which could then make it difficult for the RBI to reverse its stance. In its defence, the Indian central bank may also have been guided by the evolving stance of other global central banks including the US Federal Reserve and the European Central Bank, which appear inclined to keep monetary policy loose in the face of slowing growth.

The decision to cut rates, however, carries the risk of being perceived as a monetary stimulus after a relatively expansionist fiscal policy in the run-up to the national polls. If the reduction in policy rates is to be accompanied by an interim dividend or transfer of surplus to the government before the end of the current fiscal, it is bound to be seen as a compromise on the RBI's autonomy. It would be unfortunate if such a perception were to gain ground. For, it will negate the Indian central bank's hard fought gains on operational independence, especially since the Modi government formalised a monetary policy framework agreement which laid the foundation for it.

THE POLITICS OF "anti-corruption" in India presents a fascinating spectacle. Like the use of religion in politics, anti-corruption works more as a totem for the consolidation of political identity than a genuine desire to clean the system. For long, there was an unwritten understanding that the protocols of politics required nods and winks to the issue of corruption, but no real action. This is, in part, because the conditions for a genuine anti-corruption politics do not exist.

A genuine anti-corruption politics requires institutions that can credibly project the distinction between political vendetta and a genuine search for truth. No political party could create those institutions without risking some of its own people. The wider political resonance of corruption as an issue was debatable; people looked for effectiveness and often the corrupt were effective. There was also a strange deference to democracy in the reluctance to take on corruption. After all, prosecuting leaders who were popular was also, in some ways, indicting the sentiments of their supporters, who deeply identified with them. Even in their corruption, many leaders represented social movements. In fact, the perceived risk that if you prosecuted a popular leader with a big political base, you could actually consolidate their supporters, was quite high.

In 2014, this low-level equilibrium seemed to change in three respects. First, there was a nascent social movement that, briefly, offered tantalising possibilities of thinking of a politics outside corruption. This movement delegitimised UPA 2. The BJP was the biggest beneficiary of the space that opened up. But the movement dissipated: Some of it got absorbed into routine politics. But there is also a recognition that anti-corruption can unleash a yearning for authoritarianism. Faced with that prospect, a little venality here and there seems something we can live with.

Second, there seemed to be a moment when independent non-elected institutions like the CAG or even the Supreme Court could do a credible job of mediation. But the credibility of these institutions also diminished, and their interventions seemed to be more like power trips in disguise than prin-

ciplined takes on corruption. Third, the prime minister staked his own identity around a moralistic view of corruption with three promises: An incorruptible government, a return of the illegal proceeds of corruption, and an expectation amongst his supporters that the guilty would be prosecuted. The last expectation, in core BJP circles, has often been centred on the Gandhi family, which even today can draw them into paroxysms of hate.

But the BJP's anti-corruption plank was going to run on empty. First, it was not going to relinquish control of all institutions of the state. But without credible institutions you cannot project the distinction between vendetta and genuine cleaning. The BJP needed that control, in part, to protect its own. Just witness the way in which charges are filed and dropped against riot-accused in a state like UP. So no real institutional reform was going to happen. Second, demonetisation inflicted immense suffering compared to the paltry gains that accrued from it. Third, whatever may be the truth of the matter, the handling of the Rafale affair took the sheen off the government's claim that it had nothing to hide. Fourth, and most importantly, the more authoritarian a regime gets, the more anti-corruption works as a tool for consolidating power. Some of those being targeted may indeed have something to answer for. But that is merely an incidental effect of trying to consolidate power.

It is against this background that we can perhaps better understand the new found zeal of institutions like the CBI and ED (or shall we stop calling entities like the CBI institutions at all) to go after political targets from Mamata Banerjee to Robert Vadra. What is striking about this new-found zeal is the air of desperation that attached to it. The evidence of desperation is the self-defeating logic inherent in its actions. When you target political opponents, it is usually wise not to target all of them together. But in doing so, the government has pulled off the astonishing feat of uniting the Opposition around the CBI. More importantly, it has managed to make a bunch of leaders, from Banerjee to Akhilesh Yadav, whose own record with law enforcement institutions is quite debatable, come out as victims. Second, since this government often acts as if the world began in 2014, it forgot one elementary fact. If you want to go after any leaders, you should do so with total credibility.

institutions is quite debatable, come out as victims. Second, since this government often acts as if the world began in 2014, it forgot one elementary fact. If you want to go after any leaders, you should do so with total credibility.

For if anti-corruption can bolster the ruling party's unity, it can also consolidate the support of opponents. This is particularly true of leaders who have a genuine mass base. While Banerjee may herself overreach, the BJP managed to convert her into a national symbol of resistance against the tyranny of the Centre. The optics of calling in Vadra at this moment is even more curious. There may or may not be a genuine case against him. The BJP may be hoping that the Vadra headlines will remind voters of what the BJP thinks is the structural corruption that the Gandhi family represents. But the fact that the acceleration of investigation happens after Priyanka Gandhi's entry into politics may have the opposite effect. Perhaps the BJP can remember that whatever may have been the truth of the charges, the prosecution of Indira Gandhi was seen as vindictive and helped wash away her sins.

So if the political risks of using the CBI and ED in this way against a large number of leaders is so high, why would the BJP do it? It is hard to believe this is about the law taking its own course. The answer is twofold: A signal of authoritarian control, to scare off opponents. Desperation that the anti-corruption narrative has not worked for the BJP. It wants to shift the onus back onto the idea that it is the incorruptible party amongst the corrupt. Except, this horse has bolted a while ago.

Will this backfire? In all likelihood, since we are now back to the pre-2014 conventions in Indian politics. We rail against our politicians, but we also don't like to see them victimised. There is, doubtless, a lot of corruption that needs to be investigated. But it is a tragedy that in one social contract the issue was made marginal by the compact between politicians, and now it is entirely coincidental with the whims of a despairing authoritarianism.

The writer is vice-chancellor, Ashoka University. Views are personal

COURT'S REPRIMAND

Pakistan's apex court tells off Army and ISI, asks them to stay out of politics. It may not amount to much

THE PAKISTAN SUPREME Court's remarks against the Pakistan Army and its powerful intelligence agency, ISI, are not the first by the country's top court along these lines. Twelve years ago, the Lawyers' Movement began as a protest against the removal of the then chief justice by an army ruler, quickly turning into a movement against army rule. Pakistan's apex court has revelled in its independent-mindedness since then. Sadly, however, it has not made much of a difference to who rules Pakistan, not least because the court itself has been a willing instrument in destabilising democratic rule.

Taking on politicians who are perceived as corrupt and failing on governance has made it popular, but the Supreme Court's own functioning has underlined the systemic flaws that continue to plague Pakistan. Today, if judges are still pulling up the Army and ISI and ordering them to stay out of running the country, it is in no small measure due to the actions of the higher judiciary. Less than two years ago, the Supreme Court was perceived as playing the Army's game when it unseated Nawaz Sharif on the basis of a little used provision in the Constitution inserted in the Zia era, and later disqualified him for life. That paved the way for Imran Khan and his party to win the 2018 elections, with the ISI openly lining up all the ducks for him. Now, the verdict in which the two-judge bench has asked the ISI and Army to stay out of politics and to operate within the "limits defined by law" has come in a case the Court had taken up suo motu on the 2017 siege of Islamabad by the Tehreek-e-Labbaik Pakistan, an extremist Barelvi group that came up after the judicial execution of the assassin of Salman Taseer. The PML(N) was in power then under PM Shahid Khaqan Abbasi who replaced Sharif. The Army flatly refused a government request for its help in dispersing the sit-in, but negotiated a monetary pay-out with the leaders of the protest. Pakistan's judiciary cannot be oblivious to the reality that its instructions to the government to act against those propagating "hate, extremism and terrorism" are meaningless unless there is co-operation from the Pakistan Army, to which such individuals and groups owe their existence.

Still, what makes this verdict noteworthy is that one of the two judges on the bench is a Pashtun from Balochistan, Pakistan's restive province. His dislike of the present government is an open secret. He is the third most senior judge in line of succession to the post of chief justice. If and when that elevation takes place, such sentiments may be heard more frequently from the Pakistan Supreme Court. Whether they add up to anything significant is another matter.

@SUSHRIMAYAWATI

BSP chief's entry in Twitterverse signals an interesting shift in the party's outreach strategy

IN THE AGE of 24/7 news, across mediums, it is rare to find politicians and political parties as reticent as Mayawati and the Bahujan Samaj Party. In fact, the stated reason for Mayawati's relatively late entry into Twitterverse — "speedy interaction with media and people" — appears, at first glance, to be less than revelatory. After all, a four-time chief minister, former MP and arguably the most prominent contemporary Dalit leader, should have ample avenues to get her point of view across. There's also the fact that Mayawati has stated in the past that the social media platform is not relevant to her brand of politics and she has even distanced the BSP from accounts running in its name.

The BSP has remained aloof from the mainstream, "savarna", media for much of its history. Even its organisational structure is unusual and opaque. In between elections, the party rarely comes out on the streets, even on issues affecting Dalit rights. The exception to this, of course, has been when either Mayawati or Kanshi Ram have been at the receiving end of caste- or gender-based slurs. Mayawati's dive into Twitterverse, then, could signal a shift in the BSP's functioning ahead of a crucial general election.

In the last four-odd years, the BSP has found itself playing catch-up on several issues — from the death of Rohith Vemula and flogging of Dalits at Una in Gujarat to mobilisations by the Bhim Army in Western UP. Electorally, while its vote amongst Jatavs has reportedly held, it has lost substantial support in other SC communities to rivals like the BJP. As a new, younger Dalit leadership emerges with the likes of Jignesh Mevani and Chandrashekhar Azad, @SushriMayawati is clearly keen to make her presence felt among her base, as well as the youth. What will be interesting to watch is how she and the BSP deal with the inevitable coarseness in the jousting on social media.



FALI S NARIMAN

A TANTALISING MYSTERY

Why did Indira Gandhi call off the Emergency?

COOMI KAPOOR'S COLUMN 'Inside Track' (IE, February 3) — for me, particularly — was fascinating as it referred to Kuldip Nayar's latest book and recorded: "Among the many interesting anecdotes Nayar recounts is that Sanjay Gandhi informed him after the Emergency that he had assumed his mother would not call elections for three to four decades."

This is the unsolved problem of our times: Why did Indira Gandhi call off the Emergency and decide to hold elections in January 1977?

For many years after the Internal Emergency was revoked in March 1977 — when elections were held, and the Congress Party, under the leadership of Indira Gandhi, was swept out of office — I harboured the recollection of someone (probably the then high commissioner for Australia, Bruce Grant, with whom I used to go for evening walks at Nehru Park) telling me that he had it first-hand from Mrs Gandhi that it was US President Jimmy Carter, who on his visit to India, persuaded her to "go legitimate", and call elections in March 1977.

I mentioned this to all and sundry. I re-

I harboured the recollection of someone (probably the then high commissioner for Australia, Bruce Grant, with whom I used to go for evening walks at Nehru Park) telling me that he had it first-hand from Mrs Gandhi that it was US President Jimmy Carter who on his visit to India, persuaded her to "go legitimate", and call elections in March 1977.

peated this story at a luncheon meeting with the judges of the Supreme Court of the United States (at one of the functions of the Indo-US Legal Forum in Washington in 1995). Justice Ruth Ginsberg, presiding at our table, was extremely interested in this tidbit of information and asked me whether I could lay my hands on any authenticated document to support this recollection of mine. I then went back to India but drew a blank. Even the then Leader of the Opposition, L K Advani (who had been detained in jail during the Emergency), told me that he had no recollection of the president of the United States prompting Indira Gandhi to hold elections in March 1977.

In times of need I used to rely on an old friend of mine (and of India's) who was a storehouse of information about those troubled times. I inquired from Granville Austin ("Red" Austin) in Washington, (alas he is no more) and he very kindly looked into the papers in the Library of Congress, but found nothing. So I penned a letter of apology to Justice Ruth Ginsberg (dated July 17, 1995) saying: "Sorry, I misled you. My only excuse was one given by your distinguished countryman Mark Twain. He had written: 'The

older one gets the more vivid the recollection of things that have not happened."

The judge (unlike many judges) had the courtesy to reply by letter dated July 25, 1995, which read: "Appreciation for your good letter of July 17, and for calling my attention to the wisdom of Mark Twain — a statement that captures my own experience at least as much as it does yours. With highest regards, Ruth Bader Ginsburg."

I always thought until I read Kapoor's column that mine was a case of recalling things that had never happened, but now it would be well worth some research in India (not in the Library of US Congress) — perhaps in the godowns of *The Indian Express* itself — as to who or what changed Mrs Gandhi's mind when she decided in January 1977 to call elections.

Sanjay Gandhi apparently did not know — the man closest to her at the time. Perhaps some readers of this newspaper — old, but not very old like me — could perhaps help to solve this till-now intractable problem.

The writer is constitutional jurist and senior advocate to the Supreme Court



FEBRUARY 8, 1979, FORTY YEARS AGO

BHUTTO'S PETITION
ZULFIKAR ALI BHUTTO'S lawyer, Yahya Bakhtiar, said after an hour-long meeting with Bhutto at the Rawalpindi jail that the former Pakistan PM had authorised him to petition the Supreme Court for a final legal review of its judgment sentencing Bhutto to death. Bakhtiar said he and Bhutto did not discuss filing a petition for clemency because the latter has already declared that neither he nor his immediate family would appeal for clemency to President Zia-ul-Haq. Describing his meeting with Bhutto, Bakhtiar said, "I have yet to see such a courageous man... he was more concerned with the fate of Pakistan than his own".

JANATA UP VOTE
THE JANATA PARLIAMENTARY Board today asked the Uttar Pradesh Chief Minister, Ram Naresh Yadav, to seek a vote of confidence of the state legislature party. The board decided that a meeting of the legislature party be held on February 15 for this. The railway minister, Madhu Dandavate, has been named the central observer to conduct the meeting at Lucknow. The Board, which considered for an hour the crisis plaguing the UP party, disapproved of the action of the chief minister in demanding resignations from four ministers without even consulting the party president. The high-powered seven-member Board took these decisions in response to the

plea made by a majority of the members of the state legislature party. A formidable majority had challenged the leadership of Yadav and sent a memorandum to the party president, Chandra Shekhar.

JP WRITES TO ZIA
JAYAPRAKASH NARAYAN APPEALED to Pakistan President Zia-ul-Haq to grant clemency to former PM Z A Bhutto and those convicted along with him. In his telegram to Zia, JP said that all death penalties, even if lawful, were "immoral" and "barbarous". When this weapon was used in political cases it became a "serious danger to human civilisation itself," he added.

13 THE IDEAS PAGE

Faith and gender justice

Court has upheld equality. Muslim Personal Law Board and devotees of Ayyappa must initiate internal reform



FAIZAN MUSTAFA

IN A RECENT television interview, Prime Minister Narendra Modi said that while opposition to women's entry into Sabarimala is a question of tradition, triple talaq is an issue of gender justice. The prime minister has echoed what his party president and other BJP leaders have been saying over the past few months: Sabarimala is an issue of *aastha* (faith). Surprisingly, however, the Supreme Court's *Shayara Bano* judgment (2017) does not talk of gender justice. The court set triple talaq aside because the majority in the five-judge bench found the practice to be un-Islamic — that is, against the faith.

The prime minister's sentiments on Sabarimala have been echoed by the RSS chief, VHP leaders and top ministers of the Modi government in the context of the Babri Masjid dispute. Some of them have quite brazenly asked the apex court to decide the property suit expeditiously.

At a time when it seems that religion will play a significant role in the electoral battle of 2019, it is of utmost importance that we understand the meaning of tradition? What is faith? What is gender justice? Are Sabarimala and triple talaq issues of faith/tradition or do they pertain to gender justice? Is it right for the prime minister and others to approve the dissenting opinion of Justice Indu Malhotra in the *Sabarimala* judgment but go against the dissent by the then Chief Justice of India J S Khehar and Justice Abdul Nazeer in *Shayara Bano* — the two had argued that the "tradition" of triple divorce is as old as Islam, that is, 1,400 years. The exclusion of women in Sabarimala is not such an ancient tradition and a queen of Travancore is said to have visited the temple as late as 1939.

In fact, the majority in the triple talaq judgment considered freedom of religion nearly absolute. CJI Khehar explicitly held that personal law is included within the freedom of religion and observed that the courts have a duty to protect personal law and are barred from finding fault in it. He went on to hold that personal law is beyond judicial scrutiny. "Triple divorce cannot be faulted either on the ground of public order or health or morality or other fundamental rights," the then CJI said. Justice Rohinton Nariman and Justice U U Lalit too accepted that triple talaq is considered sinful and thus cannot be termed as an essential Islamic practice that is entitled to constitutional protection. Sin is essentially a concept of "faith". Moreover, they struck down the practice as arbitrary. The judges rightly observed that the fundamental nature of Islam will not change if triple divorce is not recognised. Justice Kurian Joseph too said triple divorce is un-Islamic and what is sinful in theology cannot be valid in law.

"What an individual does with his own solitariness" is how the English philosopher Alfred North Whitehead defined religion or faith. To former President S Radhakrishnan, "Religion was a code of ethical rules and the rituals, observances, ceremonies and modes of worship are its outer manifestations." Thus, whom to worship, how to worship, where to worship and when to worship are all questions of faith or religious tradition. Faith also tells us what is permissible and what is prohibited in certain contexts. Thus, what food is permissible and with whom sexual relations are prohibited too are questions of faith for a believer or a follower of religious tradition. If the intimate relationship



CR Sasikumar

between a believing Hanafi (most Indian Muslims are followers of this sect) couple has become sinful — and goes against the tenets of their religion — we cannot, legally speaking, force them to continue in such a relationship. Article 26 gives every religious denomination or any sect thereof the freedom to manage its own affairs in matters of religion.

The argument that since some Muslim countries do not permit triple divorce — therefore triple divorce is not an issue of faith and can be made a criminal offence — is misconceived, as Islamic law is not uniform. It varies from one school (sect) to another. Moreover not recognising triple divorce as a valid form of divorce is one thing and making it a criminal offence is another. After the Supreme Court judgment, there is today near unanimity within experts of Indian Islam on the former point. But most of them are opposed to the criminalisation of triple talaq because divorce is fundamentally a civil matter.

Faiths are all about "beliefs" and these beliefs need not be based, either on rationality or on morality. Reason and empiricism are alien to religions. In fact, all faiths are regressive, exclusionary and discriminatory because their origins date to pre-modern times.

But the Constitution, as a progressive document, gives us the right to have a certain amount of irrationality and blind belief, under the Freedom of Religion (Articles 25-28). By overemphasising "constitutional morality," the *Sabarimala* judgment tried to curtail this freedom to irrational beliefs. That led to protests. Justice D Y Chandrachud had described the exclusion of women as untouchability, while delivering the verdict in the Sabarimala case. Many of us thought that he was going too far but the purification of the temple after the entry of two women has proved that there is indeed an element of untouchability in the exclusion of women — this, when the Constitution has explicitly abolished untouchability.

Gender justice is a modern concept to which our Constitution is committed. Freedom of religion is subject to the Right to Equality and that's why judges have little choice in upholding discriminatory practices. But we should not aim just at formal equality but try to achieve substantive equality. Substantive equality rejects the "sameness doctrine" under which men and women are to be given the same treatment. It rather favours recognition of differences between men and women and advocates differential but just treatment for women.

In the Sabarimala case, the majority struck down the rule that prohibited women from entering the temple as it went against the parent act on places of worship. This Act lays down that all places of worship in Kerala shall be open to all sections of Hindus. The Supreme Court refused to recognise the Ayyappa devotees as members of a distinct Hindu sect. It also refused to extend the Freedom of Religion to gods, thus refuting the primary argument of the Sabarimala trust. The trust had argued that Ayyappa, being a celibate himself, excluded women from his temple. Justice Chandrachud held that deities are not entitled to fundamental rights. The review court may re-examine this claim.

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The distinction between faith and tradition is artificial and gender justice requires reforms in both. The devotees of Ayyappa as well as the Muslim Personal Law Board must appreciate the constitutional vision of gender justice and religions must reform themselves internally. However, the top-down model of reforms will not work as Indians are essentially religious and prefer to go by the opinions of clergy rather than the courts. The Sabarimala protests have yet again proved that courts are ill-equipped to initiate reforms in faiths.

The writer is Vice-Chancellor NALSAR University of Law, Hyderabad. The views expressed here are personal

WHAT THE OTHERS SAY

"The US has taken powerful steps to sanction the Maduro regime [in Venezuela], but it must not become the chief protagonist of the regime change drama." — THE WASHINGTON POST

Mahatma's many deaths

Over seven decades after his assassination, Gandhi is still reviled for his commitment to a secular India



TAHIR MAHMOOD

Dard-o-gham-e-hayat ka darman chala gaya/Woh Khizr-e-asr-o-Isa-e-dauran chala gaya

(Gone is the elixir for the miseries and agonies of life/Gone is that Khizr of the time, Messiah of the age)

THIS IS how the eminent Urdu poet Asrar-ul-Haq Majaz had lamented Mahatma Gandhi's tragic assassination less than six months after Independence. To his credit, the great poet had put the Father of the Nation on a high spiritual pedestal, in the company of some great religious icons of Islam and Christianity.

Informing the nation of the ghastly catastrophe via a radio broadcast, Prime Minister Jawaharlal Nehru had said: "The light has gone out of our lives; that light will be seen, world will see it and it will give solace to innumerable hearts; for that light represented something more than the immediate present; it represented the living, the eternal truths, reminding us of the right path, drawing us from error, taking this ancient country to freedom." The nation had heard him breaking the stunning news in utter disbelief. All eyes were wet, all hearts sad.

I was a primary school kid when that horrendous catastrophe had struck the nation. Many words of the saddened prime minister's sentimentally-charged broadcast on the Mahatma's tragic assassination stuck in my mind and, once I became an adult, prompted me to express my feelings for him in prose and poetry. On the 22nd anniversary of that darkest day in India's post-Independence history, I addressed my fellow Indian students in London with an Urdu couplet:

Tu iss dharti ke har vasi ko Babu ka jigar de de/Toh jhagra dharm aur bhasha ka sab pamal ho jaye

(God! Put Babu's ideals into the heart of every inhabitant of Earth/ that will put an end to all discords based on religion and language.)

But alas, today it is the same discords over religion and language that are wreaking havoc across the globe, including in Babu's own sacred land, plunging the society into a terrible state of inhumanity which is repugnant to the great Mahatma's

concept of global human camaraderie.

Year after year on January 30, right from 1949, sirens have been blaring out in government offices and educational institutions, reminding people of independent India's most heinous tragedy and alerting them to remember for a while the man who had played the key role in the struggle for Independence. This year, too, the sirens did their duty. At precisely the same time, however, in a city near the nation capital, some people were gleefully staging a mock assassination of the great Mahatma amid chanting of the slogans of "amar rahe" (long-live) for his killer, using for him (the killer) the epithet "Mahatma". The ghastly scene made public by some news websites wounded my soul and heart. And, surely, the same must have been the case with millions of my fellow citizens across the nation.

Majaz, who had showered encomiums on the Father of the Nation using religious jargon, was a Muslim. And so am I, with my deep devotion to the Mahatma. But our religion is today seen as an alien faith, thanks to the forces that are hell-bent on destroying the centuries-old communal harmony in our great country. No amount of feelings expressed by the followers of this faith for the great Mahatma or for the motherland, in prose and poetry, succeeds in changing this perception. People do not hesitate, even in branding us as anti-nationals, while others hurling filthy abuses on the Father of the Nation and celebrating his assassination are seen as devout patriots. Their abominable actions do not make them less patriotic, nor are these seen as *deshdroh*.

Years ago, the Supreme Court of India also had so linked the Mahatma to certain provisions of the country's Constitution: "The object of articles 25 to 30 was to preserve the rights of religious and linguistic minorities, to place them on a secure pedestal and withdraw them from the vicissitudes of political controversy. These provisions enshrined a befitting pledge to the minorities in the Constitution of the country whose greatest son had laid down his life for the protection of the minorities." (St. Xavier's, 1974).

But, alas, that extreme step taken by the Mahatma did not succeed in sparing minorities the "vicissitudes of political controversy." Nor is his light, to use Nehru's words, "reminding us of the right path, drawing us from error" any more. Seventy years after Independence, the nation's chief freedom-winner is being abused and punished for his crime — preaching "Ishwar Allah tero nam."

The writer is former chair, National Minorities Commission

LETTERS TO THE EDITOR

NEW POLITICS

THIS REFERS TO the editorial, 'Welcome step back' (IE, February 7). The Sangh Parivar and its affiliates have realised that reviving the Ram Janambhoomi issue is like flogging a dead horse. The young generation wants jobs and better living conditions. The Congress, of late, has started adopting a "soft Hindutva" approach. This might rule out polarisation of votes to the advantage of BJP. But there are also signs that Indian democracy is moving away from such outdated issues.

Vijai Pant, Hempur

SIGNS OF AMITY

THIS REFERS TO the article, 'A new temple, a new mosque' (IE, February 6). The new temple as well as mosque in Ayodhya should be built using money received as donations from both communities, that is donations for a temple from Muslims and donations from Hindus for a mosque. These places of worship will be remembered as symbols of communal harmony and tolerance.

Akshay Meel, Bhiwani

KABUL PREDICAMENT

THIS REFERS TO the article, 'A crossroads at Kabul' (IE, February 7). India has economic and strategic interests in Afghanistan. The recent exclusion of India from US-Afghan Taliban talks is worrisome for New Delhi. The return of the Taliban will have grave implications. The Afghan Taliban has recently said that it want to change the country's constitution and make it Islamic. The implications of all this on India is not very difficult to imagine. India's closeness to the US has increased in recent times but given India's exclusion in the talks in Afghanistan, New Delhi needs to rethink its relationship with Washington. Even US allies like Germany are rethinking their relation-

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301. Letter writers should mention their postal address and phone number.

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ship with the country.

Nishant Parashar, Chandigarh

THIS REFERS TO the article, 'A crossroads at Kabul' (IE, February 7). While it is true that the US withdrawal from Afghanistan presents diplomatic challenges, blindly courting the Taliban seems both immoral and strategically unsound. In the "realpolitik" of encouraging fundamentalism India cannot outplay Pakistan

Bishwadeep Chatterjee, Delhi

BRAVO WINDIES

THIS REFERS TO the editorial, 'Falling in love again' (IE, February 7). From the 1960s till the late 1980s teams used to fear the West Indian pace battery. The huge slide of West Indian team over the past two decades is disappointing. In such a background, the test series win against England is a huge achievement.

Bal Govind, Noida

Compiled by Seema Chishtii

THE Urdu PRESS

BUDGET AND INCOMES

THE BI-WEEKLY of the Jamaat-e-Islami, *Daawat*, on February 4, speaks of the importance of this year's Budget Session — the last for the current government. The paper's editorial contends that the government should have presented a vote-on-account as per precedent but says that it has "tried to present a full budget". The paper criticises the President of India, who, in its opinion, "acted as a party member and sang peans to the government of the day." The editorial does recognise that the President should also be speaking for the government of the day, but argues that he spoke of old issues — demoralisation and the surgical strike, for example. These should have gone into last year's report card, it argues.

Most Urdu papers have been effusive in welcoming the Minimum Income Guarantee for the Poor proposed by Congress President Rahul Gandhi. *Siasat* has an editorial on it on January 30. So does *Inquilab* on February 1. Titled, 'Kam se Kam Aamdani,' it notes that the announcement left everyone gobs-macked. It says: "Only time will tell whether Prime Minister Narendra Modi's 10 per cent reservation for the economically weaker sections that grabs peoples' attention or he is upstaged by Rahul Gandhi's much-talked about minimum guarantee scheme." But, it

hazards a guess: "The scheme may prove to be the trump card for the Congress and generate a groundswell in its favour as it appeals to the lowest strata, which was the worst-hit by notebandi."

The paper equates the proposed scheme to the MGNREGA and says it has come at a time when, "globally, steep income inequality has become a matter of concern. People now know that the number of Indian billionaires is on the rise. The gulf between the rich and the poor has widened."

MAMATA AND CBI

NEWSPAPERS HAVE taken mixed view of the stand-off between West Bengal Chief Minister Mamata Banerjee and the Centre over the CBI attempts to question Kolkata's Commissioner of Police Rajeev Kumar and the ensuing brouhaha.

Siasat's editorial on February 6 titled, 'Aamirana Mahaul,' refers to a political environment in the country that is akin to dictatorship. It writes that: "Only time will tell which way the elections in West Bengal will swing but things are not at a pleasant state currently." The paper believes that "over the next few days, anything can happen anywhere now. What has happened with Mamata should be giving sleepless nights to the CMs of some other states as well."

Roznama Rashtriya Sahara's editorial on the same date conveys a different mood, 'Na haar na jeet'. The paper emphasises that "courts do justice, especially the Supreme Court. Interpreting its verdict as a victory or defeat would be wrong as courts are not in the business of handing out such certificates."

The paper writes, "It is a victory of the courts, especially the Supreme Court" as it has underlined the tasks for both the sides. "It doesn't appear as if the matter has ended, as the CBI and the Kolkata Police have to do their respective jobs. The Ministry of Home Affairs has called for an enquiry against Rajeev Kumar."

Inquilab on February 6 admires Mamata and says: "Whoever decided to send the CBI to the state did not realise that Mamata is no hostage to *geedar bhabhki* (meaningless threats)." The paper is convinced that, "Mamata had decided what was to be done in any eventuality and was well-prepared."

HINDUTVA MATTERS

ON THE PROPOSED transfer of the "non-disputed" land around the Ram Mandir-Babri Masjid complex, about which the Centre has petitioned the Supreme Court, requesting it to be handed over to the Ram Janambhoomi Nyas, the Urdu press has generally taken a

dim view. The move has dented the state's credentials as a "non-partisan entity," notes *Roznama Rashtriya Sahara* on January 30. The paper details the background of how the land around the demolished Masjid was acquired and kept by the government for safe-keeping in 1993. Tinkering with that, while the matter is sub-judice, would be a breach of trust, the paper notes.

Inquilab, on the same day, has an editorial on the matter. The paper contends that this is the latest bid at a political solution to the Ayodhya dispute. It laments that the Modi government's move has made it a "party to the dispute."

The editorial of the Hyderabad-based AIMIM's daily, *Etemaad*, on January 28 argues that the BJP has used the Ram Mandir card at a time the SP-BSP have come together in UP and the Gandhi scion, Priyanka Gandhi, has entered politics.

The attempts by a Hindu Mahasabha activist to re-enact Mahatma Gandhi's assassination has elicited strong responses. *Etemaad's* editorial on February 4 asks, "Are those who support Godse's views, not Ghaddar-e-Watan (traitors to the nation)?" *Inquilab* on February 3 asks why such incidents do not elicit a admonition from the Centre.

