

TELLING NUMBERS

Boeing 737 MAX 8s: over 340 registered, many being grounded

STATUS OF MAX 8 FLIGHTS BY AIRLINE AS OF MARCH 12
 Airlines with 3 or more MAX 8s in fleet, many others have 2 or 1

Airline	Status	737 MAX 8s in Fleet
Southwest Airlines (US)	In use	34
American Airlines	In use	24
Air Canada	In use	24
China Southern Airlines	Grounded	22
Norwegian Air	Grounded	18
TUI Fly (Germany)	Grounded	15
Air China	Grounded	15
WestJet (Canada)	In use	13
Spicejet	In use	12
Turkish Airlines	In use	11
FlyDubai	In use	11
Shanghai Airlines	Grounded	11
Hainan Airlines	Grounded	11
Xiamen Airlines	Grounded	10
Lion Air (Indonesia)	Grounded	10
Smartwings (Czech Rep)	In use	7
GOL Airlines (Brazil)	Grounded	7
Shandong Airlines	Grounded	7
SilkAir (Singapore)	Grounded	6
Aeromexico	Grounded	6
Shenzhen Airlines	Grounded	6
Jet Airways	Previously grounded	5
LOT (Poland)	In use	5
Oman Air	Grounded	5
Aerolineas Argentinas	Grounded	5
Sunwing Airlines (Canada)	In use	4
China Eastern Airlines	Grounded	4
Ethiopian Airlines	Grounded	4
Icelandair	In use	3
Air Italy	In use	3
Lucky Air	Grounded	3

Note: Jet Airways has not flown Max 8 jets since the beginning of March. Fiji Airways (2 MAX 8s) has suspended all MAX 8 operations to and from Australia following a decision by Australia's Civil Aviation Safety Authority.

Source: Adapted from a graphic published by The New York Times. In this version, some of the figures have been updated with inputs from agency reports.

ON TUESDAY, the aviation authorities of a number of countries — including the UK, Germany, France, Austria — announced that they were blocking Boeing 737 MAX 8 aircraft from their airspace. The Irish Aviation Authority too said it was temporarily suspending the operations of all variants of MAX from its airspace. These moves, reported by various news agencies, follow the second deadly crash of a MAX 8 in the space of five months, which between them left 346 dead.

Since the second of these crashes last week, that of an Ethiopian Airlines flight, a number of airlines worldwide have grounded the MAX 8s in their re-

spective fleets. According to an article in *The New York Times*, more than 340 of the MAX 8 planes are currently registered, and many more are on order. MAX 8 planes flew more than 8,500 flights worldwide in the week beginning February 25, *The NYT* said quoting the flight tracking service Flightradar24.

As reported in *The Indian Express* Tuesday, Jet Airways and Spicejet operate Boeing 737 MAX aircraft in India. While India has not grounded the aircraft following the latest crash, aviation authority DGCA has issued additional safety instructions to both airlines for operations of these aircraft.

SIMPLY PUT QUESTION & ANSWER

Decoding the Model Code

The Election Commission has ordered that social media posts of a poster showing Wng Cdr Abhinandan, shared by a BJP leader, be taken down. What is covered under the Model Code of Conduct for elections?

RITIKA CHOPRA
 NEW DELHI, MARCH 12

What is the philosophy behind the Model Code of Conduct?

The Model Code of Conduct (MCC) is a consensus document. In other words, political parties have themselves agreed to keep their conduct during elections in check, and to work within the Code. The philosophy behind the MCC is that parties and candidates should show respect for their opponents, criticise their policies and programmes constructively, and not resort to mudslinging and personal attacks. The MCC is intended to help the poll campaign maintain high standards of public morality and provide a level playing field for all parties and candidates.

Adherence to the Code is most important for the government or party in power, because it is they who can skew the level playing field by taking decisions that can help them in the elections. At the time of the Lok Sabha elections, both the Union and state governments are covered under the MCC.

How has the MCC evolved over the years?

Kerala was the first state to adopt a code of conduct for elections. In 1960, ahead of the Assembly elections, the state administration prepared a draft code that covered important aspects of electioneering such as processions, political rallies, and speeches. The experiment was successful, and the Election Commission decided to emulate Kerala's example and circulate the draft among all recognised parties and state governments for the Lok Sabha elections of 1962. However, it was only in 1974, just before the mid-term general elections, that the EC released a formal Model Code of Conduct. This Code was also circulated during parliamentary elections of 1977.

Until this time, the MCC was meant to guide the conduct of political parties and candidates only. However, on September 12, 1979, at a meeting of all political parties, the Commission was apprised of the misuse of official machinery by parties in power. The Commission was told that ruling parties monopolised public spaces, making it difficult for others to hold meetings. There were also examples of the party in power publishing advertisements at the cost of the public exchequer to influence voters. At this meeting, political parties urged the Commission to change the Code. So the EC, just before the 1979 Lok Sabha elections, released a revised Model Code with seven parts, with one part devoted to the party in power and what it could and could not do once elections were announced.

The MCC has been revised on several occasions since then. The last time this happened was in 2014, when the Commission introduced Part VIII on manifestos, pursuant to the directions of the Supreme Court.

Part I deals with general precepts of good behaviour expected from candidates and political parties. Parts II and III focus on public meetings and processions. Parts IV and V describe how political parties and candidates should conduct themselves on the day of polling and at the polling booths.

Part VI is about the authority appointed by the EC to receive complaints on violations of the MCC. Part VII is on the party in power.



Workers remove a political banner in Allahabad after the Model Code of Conduct went into force following the announcement of the Lok Sabha election schedule by the Election Commission on March 10. PTI

So, what is permitted and what is not under the MCC for the party in power?

The MCC forbids ministers (of state and central governments) from using official machinery for election work and from combining official visits with electioneering. Advertisements extolling the work of the incumbent government using public money are to be avoided. The government cannot announce any financial grants, promise construction of roads or other facilities, and make any *ad hoc* appointments in government or public undertaking during the time the Code is in force. Ministers cannot enter any polling station or counting centre except in their capacity as a voter or a candidate.

However, the Commission is conscious that the MCC must not lead to governance grinding to a complete halt. It has clarified that the Code does not stand in the way of ongoing schemes of development work or welfare, relief and rehabilitation measures meant for people suffering from drought, floods, and other natural calamities. However, the EC forbids the use of these works for election propaganda.

Is social media covered under the MCC?

The Election Commission has taken the view that the MCC will also apply to content posted by political parties and candidates on the Internet, including on social media sites. On October 25, 2013, the Commission laid down guidelines to regulate the use of social media by parties and candidates. Candidates have to provide their email address and details of accounts on Twitter, Facebook, YouTube, etc., and add the expenditure on advertisements posted on social media to their overall expenditure for the election.

Until Tuesday, when the EC ordered taking down of social media posts showing a poster of Wng Cdr Abhinandan, there were no major examples of the Commission hav-

ing acted against violations of the MCC on social media. This is probably because the EC did not have a mechanism to coordinate with Internet companies to take down impermissible content. However, these firms have now assured that they would cooperate with the EC during the coming Lok Sabha elections.

Over what period does the MCC apply?

The date of enforcement of the MCC has evolved over years of tussle between the EC and the government. The Code now kicks in as soon as the election schedule is announced, and stays in force until the election process is completed. Thus, the Code came into effect on March 10, when the EC had its press conference to announce the Lok Sabha elections, and will remain in force until the Commission notifies the list of elected representatives. Counting of votes is scheduled for May 23.

The current arrangement is based on an agreement between the poll panel and the central government reached on April 16, 2001, after protracted negotiations. It was agreed that the MCC would be effective from the date of announcement of elections; however, the Commission can't make its announcement more than three weeks ahead of issuing the formal notification of elections. It was also agreed that the inauguration of any completed or new project would be done by civil servants, so that the MCC did not hurt the public interest. The agreement was put before the Supreme Court, after which the court disposed of a special leave petition filed by the Union government against a Punjab High Court judgment on the question of when the MCC should kick in.

Is the MCC legally enforceable?

Although the MCC has been around for almost four decades, its observance is left to parties and candidates. It is not a legally enforceable document, and the Commission

usually uses moral sanction to get political parties and candidates to fall in line.

Governments have in the past attempted to amend The Representation of the People Act, 1951, to make some violations of the MCC illegal and punishable. Although the EC's stand in the mid-1980s was that Part VII of the MCC (dealing with the party in power) should have statutory backing, it changed its position after the conduct of Lok Sabha elections in the 1990s. The EC is now of the opinion that making the Code legally enforceable would be self-defeating because any violation must be responded to quickly — and this will not be possible if the matter goes to court.

But how does the EC enforce the MCC without statutory backing?

There are examples of the EC taking punitive action against violators. For instance, during Assembly elections in Madhya Pradesh in 2003, the then Chief Minister of Punjab Amarinder Singh used state government aircraft to travel from Chandigarh to Indore for an official purpose. From there he travelled to Bhopal to campaign. The EC forced him to pay the government the cost of the entire air journey from Chandigarh to Bhopal and back for having violated the provision of the MCC that forbids ministers from combining official work with electioneering.

Among the strictest of punitive actions under the MCC was taken by the EC during the Lok Sabha elections of 2014, when it banned BJP leader Amit Shah and Samajwadi Party leader Azam Khan from campaigning in Uttar Pradesh, and ordered criminal proceedings against both politicians for making "provocative" and "prejudicial" statements while canvassing. The ban on Shah was lifted after he apologised and promised to not violate the MCC again. Khan showed no remorse, and he remained banned from campaigning for the rest of the election season.

Mullah Mohammad Omar's final days: how new book contests US claims

EXPRESS NEWS SERVICE
 NEW DELHI, MARCH 12

A NEW book claims that Mullah Muhammad Omar, the Taliban leader wanted by the United States until his death was announced in 2015, had been hiding close to a US military base in Afghanistan. The claim (reported in various publications including *The Indian Express* Tuesday) counters the US stand during those years — that Omar was hiding in and died in Pakistan — and highlights an apparent failure of US intelligence. Afghan authorities dismissed the book's claim Tuesday. "We strongly reject this delusional claim and we see it as an effort to create and build an identity for the Taliban and their foreign backers. We have sufficient evidence which shows he lived and died in Pakistan. Period!" tweeted Haroon Chakhansuri, spokesperson for the Afghan President.

A look at how the book describes Omar's last days, and how this account compares with the US narrative of the time:

The US narrative

The author, independent Dutch journalist Bette Dam, worked from Kabul from 2009 to 2014. Her biography on Omar, *Searching for an Enemy*, was published in Dutch last month. In an article published in English by a think-tank named Zomia, Dam summarises the book.

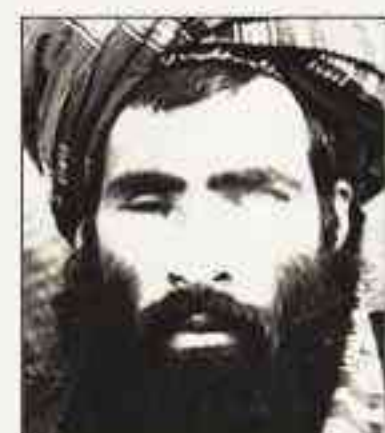
Describing how the US portrayed Omar

as a terrorist mastermind working from Pakistan, Dam refers to an internal US military log (disclosed by WikiLeaks) that claims Omar frequently distributed funds to movement figures and met regularly with Osama bin Laden. "The place for the meeting alternates between Quetta and villages (NFDG) on the border between Pakistan and Afghanistan," she quotes the log as claiming. And in 2015, when Afghanistan announced that Omar had died in a Karachi hospital, then CIA director David Petraeus said the US knew he had been in Pakistan.

"But none of this is true," Dam writes in the summary.

So, where was he?

Omar disappeared from public view in 2001. After that, Dam writes, Omar never set foot in Pakistan, instead opting to hide in Afghanistan itself. For eight years, he lived just a few miles from a major US Forward Operating Base that housed thousands of soldiers, writes Dam, who sourced her information from the man who was Omar's bodyguard from the moment he vanished in Kandahar until his death in 2013. Abdul Jabbar Omari, a "man with glasses and a long grey beard", has been in "protective" custody since 2017; Dam interviewed him in December 2018. Based on this and information from other sources, Dam writes that Mullah Omar spent the remainder of his life in a pair of small villages in the remote, mountainous province of Zabul.



Two of the perhaps only three or four available pictures of the former emir of the Taliban, Mullah Mohammad Omar: (right) a still from a video taken secretly by the BBC in 1996; the other, more common picture was probably taken in 1992, between Omar's time as a member of the Mujahideen fighting the Soviets and his founding of the Taliban in Kandahar in 1994.

First hideout

In December 2001, months after the US offensive inside Afghanistan, Omar handed over the Taliban leadership to Mullah Obaidullah. On December 7, Omar reportedly left Kandahar for Qalat, the provincial capital of Zabul, 125 miles from Kandahar city. Jabbar Omari reportedly told Dam that he could have helped settle Mullah Omar into a more comfortable life in Pakistan, but Omar didn't trust Pakistan.

For four years, Omar is said to have hidden in the Qalat house of Abdul Samad Ustaz, Jabbar Omari's long-time driver. "The mud house was walking distance from Zabul Governor (Hamidullah) Tokhi's com-

pound," Dam writes. The house is described as mud-walled compound with a large central courtyard. "A row of rooms lined one wall, with a larger L-shaped room occupying the corner, where Mullah Omar stayed. There was no apparent door to the room-in-stead, the entrance was a secret door, what appeared to be a cupboard high on the wall."

In 2004, the US set up Forward Operating Base Lagman, a few minutes' walk from the hiding place. In 2005, Omar moved to a new hideout.

Second hideout

The new hiding place was in Siuray district, around 20 miles from Qalat, ancestral

home of Mullah Omar's father's family, and birthplace of Jabbar Omari and Abdul Ustaz. According to information pieced together by Dam, Ustaz built a small shack for Omar behind a larger mud house on the outskirts of the village. A family lived in the mud house, and only two brothers reportedly knew the identity of the man living in the shack. The shack was on a river and connected to large tunnels used for irrigation.

Soon after Omar's arrival in Siuray, Dam writes, the Americans built Forward Operating Base Wolverine, about three miles from his new home. It housed around 1,000 US soldiers carrying out counterinsurgency operations under the banner of Operation Enduring Freedom. The British Special Air Service and US Navy Seals were also sometimes present, Dam writes.

The finding that Omar lived so close to military bases, according to Dam, was "corroborated by the Taliban and Afghan officials". It "suggests a staggering US intelligence failure, and casts even further doubt on America's claims about the Afghan war".

His death

Citing information gathered from Jabbar Omari, Dam writes that Mullah Omar fell ill in early 2013, starting to cough and vomit and telling Omari that he would not recover. Omari reportedly made *shurwa* soup, one of his favourite dishes, but he could no longer eat. Dam writes that Omari insisted on getting a doctor, and Ustaz offered to drive

Omar to hospitals in Pakistan, but Mullah Omar refused. He died on April 23, 2013. On July 29, 2015, the Afghan government announced that Omar had died in 2013.

How active was he?

Omar captured global attention for the demolition of his country's Bamiyan Buddha statues in 2001, and then for his refusal to hand over Osama bin Laden in the wake of the 9/11 attacks. Following his disappearance, the US placed a bounty of \$10 million on his head, and various Taliban factions continued to fight in his name. Sources quoted in Dam's book, however, suggest that he had long ceased to be involved in the Taliban's operations.

Dam describes a meeting in 2001 when Omar transferred power to Mullah Obaidullah. Omar signed a letter stating that Obaidullah would lead the movement and stipulating that what he decides must be adhered to. This was effectively absolving himself from his men's decisions, she writes.

Jabbar Omari told Dam that Mullah Omar abided by the transfer of power. She quotes Omari as saying: "I think Mullah Omar thought, 'Now I can leave most of the work to them'." Although Omar continued to communicate with the Taliban's Quetta leadership, he hardly interfered with the operational management of the Taliban, Dam quotes Omari as saying. She adds, however, that this is difficult to verify because most of the Quetta leaders are no longer alive.



THE SECRET OF A GOOD OLD AGE IS SIMPLY AN HONORABLE PACT WITH SOLITUDE.
— GABRIEL GARCÍA MÁRQUEZ

The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Secular isn't a label

Congress-run state governments' ability to provide security to minorities is a measure of its secularism



CHRISTOPHE JAFFRELOT

THE OLD ORDER

Sharad Pawar's exit from electoral politics may ring in the new. But dynasty's echo jars in a young electorate

SHARAD PAWAR HAS been chief minister of Maharashtra thrice, is a former Union agriculture minister, has fought and won 14 elections. Through it all, he has enjoyed a political profile larger than the numbers of the party he founded in 1999, the NCP, might suggest or support. So, when Pawar announces that he is hanging up his boots, electorally, that he will not, after all, contest from Madha constituency in Maharashtra, though he had said he would almost a month ago, it is not the moment to point out that he has changed his mind again. It is time, instead, to mark an important transition in the NCP, which, by all accounts, is not at ease with its own factions. And also, to listen to what Pawar himself is saying: He wants to bow out, he says, because already two members of his family, his daughter and grandnephew, are contesting polls and because "the intention is to give the youth an opportunity". In stepping aside, in other words, because there are too many Pawars in the electoral fray, Sharad Pawar may only be acknowledging a long-running syndrome of Indian politics that is increasingly at odds with its overwhelmingly young and striving electorate.

It is a syndrome that afflicts not just the Congress — which is most often reviled for being in the grip of dynasty and which saw its newly appointed general secretary Priyanka Gandhi Vadra address her first rally in Gujarat on Tuesday — but all parties across the political-ideological spectrum, those that call themselves national as well as the ones that are confined to specific states. Yet, the reality also is that in the upcoming political contest, "dynasty" is a card and weapon that works more to the advantage of the BJP, and casts an unhealthy pallor more on the outfits that make up the Mahagathbandhan to-be. The Narendra Modi-led BJP has achieved a measure of success in projecting the competition as one between entitlement and aspiration, "naamdaar" vs "kaamdaar", and painting itself on the right side of the divide. It is hammering home the fact, of course, that Modi himself has no family members in politics and that the Congress president is a scion of the Gandhi parivar. In doing so, however, the BJP may also be tapping into a gathering restiveness in a young population of voters over what is perceived as a closed political system — in which opportunity is shrinking and there is growing inequality, power is monopolised by select families and public interest is held hostage to family agendas.

The upcoming Lok Sabha campaign, then, will also be watched for how parties, the BJP and the Congress, as also the other national and regional parties, address the concerns of the aam aadmi and aurat who is impatient for change and who perceives dynasty and its monopoly over power a part of the intolerable status quo. Sharad Pawar's step back from the electoral contest carries a message, intended or not, that his colleagues in politics will do well to read.

SLIPPING STATE

Case of custodial deaths in Bihar tests Nitish Kumar's claim to lead a fair administration in a state of raging inequalities

THE DEATHS OF two men, Taslim Ansari and Gufran Alam, accused of theft and murder, in police custody, in Sitamarhi on March 7 raise disturbing questions about the Nitish Kumar government's claims to sushasan (good governance). The men were held for stealing a motorcycle and allegedly tortured to death. The police had released the bodies to relatives, who discovered injury marks on their body. Five policemen, including the officer-in-charge of the concerned police station, have been suspended since. But the government must do more and ensure quick and exemplary punishment to the culprits. It needs to send out the message that it will not allow a culture of impunity to return and thrive in the state.

Beginning in the 1990s, the Bihar story has been about the oppressed and marginalised finding a voice. This was not merely about a transfer of power at the top from the upper castes to hitherto unrepresented communities, but also about instruments of state power, including police, becoming less hostile to the poor, the lower castes and the minorities. The social transformation under Lalu Prasad may have been skewed in favour of certain communities and was certainly chaotic, but it did force the state institutions to be less casteist and communal. Nitish Kumar won a mandate promising to build a stable state and offer good governance without reversing the social advancement achieved in the '90s. Yet, the Sitamarhi deaths are a throwback to a time in Bihar when the law and order machinery was seen as biased against certain groups — incidents such as the Bhagalpur blindings of 1980, wherein policemen blinded 31 undertrials by pouring acid in their eyes and numerous anti-Dalit atrocities across the state had created the perception of the state police as a force that served the interests of the dominant castes. The police thana continues to be a representative institution of state power in rural areas and mofussil towns and its conduct is a barometer of the justice and inclusiveness in state and society. Custodial deaths and torture are an indication of a slipping state. They puncture the chief minister's claim to have turned around Bihar's law enforcement culture and machinery.

Nitish Kumar has been shrewd in building political alliances to consolidate his hold on office. However, his rise in political stature has been on account of his claim to be a fair and competent administrator, who refuses to be dictated to by sectarian interests and communal prejudice. A fair and timely inquiry into the Sitamarhi incident and action against the perpetrators alone can help retrieve that reputation.

FEELING 65

Indians start feeling older faster than people in many other countries. But that may not be a bad thing

THE NEXT TIME someone contemptively looks out of the window and sighs about how s/he "shall wear the bottoms of my trousers rolled", don't dismiss the sentiment as mere affectation of a TS Eliot enthusiast. The individual, if s/he happens to be an Indian, might indeed be a casualty of "feeling old": A condition that, according to a study published in *The Lancet*, is making people feel they are growing older at a faster clip.

The study, conducted by researchers at the University of Washington, discovered that a 30-year gap differentiates countries with the highest and lowest ages at which individuals start experiencing the health problems of a 65-year-old. According to this analysis, Indians, much before they even turn 60, start suffering the health complications of a 65-year-old. Japan and Switzerland suffer the same conditions only when they touch mid-70s. The study used 65 as the global average age marker.

But Indians might even be better off embracing seniority. A young politician is vulnerable to the pappu-fication of his/her work, but a streak of white-silver hair or a receding hairline? The same person can now be an experienced kingmaker if not king. Women, too, might be spared horrid experiences in public spaces, given that the toxic masculinity in the streets affects, mostly, younger women. Within families, seniority is by default accorded an extra layer of deference, and the front seat at any function. The presence of a conventional family structure is, in fact, a bigger incentive for Indians to accept the slings and arrows of ageing faster compared to countries like Japan or the US where loneliness is attributed to a unitary lifestyle. While people in many countries cannot afford to be old, Indians might be okay feeling older than they actually are.

OVER THE LAST two years, the Congress has indulged in what some observers have derisively called "soft Hindutva". During the recent state election campaigns in Gujarat as well as Madhya Pradesh and Rajasthan, Rahul Gandhi visited dozens of temples and presented himself as a *Shiv bhakt*.

Beyond optics, the Congress has begun flirting with some of the BJP's favourite campaign themes. The party manifesto in MP promised to build gaushalas (cow shelters), develop commercial production of *gaumutra* (cow urine) and cow dung, promote the Ram Van Gaman Path (the path that Lord Ram took during his exile from Ayodhya), pass laws that would conserve India's sacred rivers, and promote Sanskrit. The deputy speaker of the Vidhan Sabha and manifesto committee chair, Rajendra Singh, admitted that the Congress was adopting this platform in response to BJP pressures: "The BJP used to brand us as [a] Muslim party. It's a conscious decision to shed that tag thrust on us by our rivals."

As a result, the Congress manifesto in the state differed vastly from the previous one issued in 2013. Five years ago, the party devoted a whole section to the "Minority Community", in which it promised to furnish special economic assistance to provide modern education in *madrasas*, a new law to curb communal violence, and the implementation of the Sachar Committee recommendations.

This trend is partly reconfirmed by the party's strategy in ticket distribution. The Congress has recently refrained from fielding large numbers of Muslim candidates. In 2014, it nominated only 27 Muslim candidates for the Lok Sabha elections, a paltry 5.6 per cent of its total candidates. But this underrepresentation of Muslim candidates needs to be qualified at the state level: The Congress has nominated very few Muslims in critical states like Delhi, Gujarat, Haryana, Karnataka, MP, Maharashtra, Odisha, Rajasthan, and Tamil Nadu. But in other states, the proportion of Muslim candidates approximated or exceeded the proportion of Muslims in the general population, like in Kerala (16 per cent), Assam (22.9 per cent), Bihar (24.3 per cent), UP (19.2 per cent), and West Bengal (32.6 per cent). In all these states, except Assam, the percentage of Muslim candidates fielded by the Congress has increased recently. In fact, it is only in two-party states where the Congress faces off against the BJP, that the party likely

Not only have state units of the Congress traditionally tended to differ from each other ideologically, but the contrast between the secular attitude of the top leadership and the Hindu traditionalism of the local party bosses has been striking as early as the 1950s. This constant has been illustrated by the Congress attitude in the Sabarimala controversy. The Kerala Congress leaders opposed the SC decision, like the BJP, in the name of Hindu tradition. But Rahul Gandhi openly contradicted their stand in the name of equality. However, after several months of agitation — mainly by the BJP's Kerala unit — he diluted his position.

made a strategic decision on the grounds that the minority community has no other choice but to vote the Congress for defeating the BJP.

The underrepresentation of Muslims among Congress candidates needs to be qualified in two other ways. First, the BJP's underrepresentation of Muslims is far more significant. Second, the Congress has never nominated many Muslim candidates, even under Nehru and Indira Gandhi, largely because of the steady influence of Hindu traditionalists at the state level. But under Nehru and Indira Gandhi (at least till the 1970s), this state of things did not significantly undermine the secular identity of the Congress.

In fact, over the years, the Congress has retained its secular image for several reasons: The secular credentials of many of its top leaders (often more secular than party cadres and state-level figures); its propensity to nominate a large number of Muslims in certain states; its branding, by the BJP, as a "Muslim party" in order to discredit the Congress in the eyes of the Hindu majority; and its concern — at the top level — with the socioeconomic conditions and physical security of minority populations.

The acid test for measuring the degree of Congress secularism today has less to do with symbolic gestures (like temple visits) and the representation of Muslims in assemblies than with concrete public policy. To date, the party has not moved decisively to implement the recommendations of the Sachar Committee report, at least in part due to pressure emanating from the Sangh Parivar. Whether Congress-led governments at the state-level will draw inspiration from this report will be one important indicator of how resilient Congress secularism is. A second benchmark is the well-being of Muslim citizens. Whether Congress-run state governments provide security to minorities and restore their trust in state institutions, including the police, will be an important measure of the party's secular credentials. Here again, the situation varies from one Congress-ruled state to another, according to the party leaders' capacity to resist Hindu nationalists' pressures.

After the Congress won the 2018 elections in MP, the BJP immediately accused the state government of discontinuing the mass recitation of "Vande Mataram" at the Secretariat on the first day of every month — a practice the BJP had introduced in 2005. The new Congress chief minister, Kamal Nath, responded by an-

nouncing a "bigger Vande Mataram event". More importantly, the MP police arrested three Muslims accused of cow slaughter under the National Security Act (NSA). Interestingly, one of the accused was arrested under the Bajrang Dal's pressure.

The Deputy Chief Minister of the Congress government of Rajasthan, Sachin Pilot, disagreed openly with this attitude: "It is fine to protect animals that are sacred and I believe in that too, but I think we could have done a better job by prioritising those issues first [including 'the dignity of fellow human beings'] and then taken on the cow issue". Such discordant voices offer an illustration of the traditionally multifaceted character of the Congress regarding secularism.

Not only have state units of the Congress traditionally tended to differ from each other ideologically, but the contrast between the secular attitude of the top leadership and the Hindu traditionalism of the local party bosses was striking as early as the 1950s. This constant has been illustrated by the Congress attitude in the Sabarimala controversy. Kerala Congress leaders opposed the Supreme Court's decision, like the BJP, in the name of Hindu tradition. But Rahul Gandhi openly contradicted their stand in the name of equality. However, after months of agitation — mainly by the BJP's Kerala unit — he diluted his position saying that he was not "able to give an open and shut position on this [question]".

Whether the party leadership will impose a coherent line remains to be seen, but its ambivalence on the secularism question may not solely depend on the popularity Hindu nationalism has acquired. Indira Gandhi indulged in similar ambiguity and the Congress of the 2010s is probably not compromising its secularism more than in the early 1980s, when Indira Gandhi inaugurated the VHP-sponsored Bharat Mata Mandir and when some of its state units remained dominated by Hindu traditionalists (who, for instance, prevented Urdu from being recognised as a state language in UP until 1989).

Jaffrelot is senior research fellow at CERI-Sciences Po/CNRS, Paris, professor of Indian politics and sociology at King's India Institute, London. This article is an excerpt from a Carnegie report, edited by Milan Vaishnav, 'BJP 2.0: Religious Nationalism and Indian Democracy' (March, 2019)



ARUN ANAND

WHY THE LEFT ISN'T RIGHT

Leftist historians and commentators have a flawed understanding of Babri case

THE ALLAHABAD High Court judgment on the Ram Janmabhoomi, delivered on September 30, 2010, caused great discomfort to left historians and commentators. This discomfort has now increased with the Supreme Court setting up a panel for mediation on this issue with a time limit of eight weeks. And, there also seems to be a systemic campaign to build a communal narrative around this issue: To project it as a dispute between two communities while questioning the credibility of the panel itself ("The mediation trap", IE, March 11).

To begin with, Pratab Bhanu Mehta subtly questions the historicity of Lord Rama by taking the medieval period as the reference point for his existence: In 1989, left historians began this campaign by misusing the Centre for Historical Studies, JNU, to publish *The Political Abuse of History: Babri-Masjid Ramjanmabhumi Dispute—An Analysis by Twenty-Five Historians*. The launch of this book led to systemic efforts to project that Rama was not a historical figure, Ayodhya was a mythical city and, more importantly, worshipping Rama was a phenomenon which started not more than 300 years ago.

On the contrary, Sanskrit scholars like Maurice Winternitz (*History of Indian Literature Vol. I-III*), A A Macdonell (*A History of Sanskrit Literature*), A B Keith (*A History of Sanskrit Literature*) and John Brockington

(*Righteous Rama: The Evolution of an Epic*) have clearly established that the story of Rama, that is, "Ram Katha", dates back to almost fifth century BC, when it was told orally, and, later on, the sage Valmiki composed it around the third or fourth century BC.

As one goes through the accounts of foreign travellers, too, like William Finch and the Austrian Jesuit Joseph Tieffenthaler, who toured Awadh between 1766 and 1771, one finds out how committed and attached Hindus were to the birth place of Lord Rama. The fact is a large number of Muslims also support the construction of the Ram Temple. The issue of whether Lord Rama was born there or not, and whether a temple existed, has already been decided upon by the Allahabad HC. Now the dispute is over a piece of land and it is a title suit in the SC.

But still, attempts are being made to turn this issue into a Hindu-Muslim dispute by left commentators and historians. They have been, it seems, stung by the fact that contrary to the common expectation that the Rashtriya Swayamsevak Sangh (RSS) would react strongly against the recent direction of the apex court, the RSS has refused to play into the hands of its detractors. Thus, attempts have begun to discredit the panel itself. Ever since the mediation panel has been set up, there have been concerted attempts to raise doubts about the credentials of Sri

Sri Ravishankar. In his article, Mehta writes, without any evidence: "(Sri Sri) has more or less intimidated institutions arguing that violence will ensue if a temple is not built..."

Sri Sri has never intimidated institutions nor has he ever argued that violence would ensue if temple is not built. In fact, he had started the mediation effort months before the apex court's decision. He has been honoured by the governments of several countries for his peace efforts and is a well-known international figure in the field of conflict resolution. Just because he is Hindu and a spiritual guru, he has become the target of the left.

His organisation, The Art of Living, is known to run a large number of social welfare projects. So it is not clear on what basis Mehta has written that, "(Sri Sri) represents the unsavoury aspects of a modern entrepreneurial figure to whom proximity to power matters more than spiritual values." To accuse Hindu spiritual gurus who are gaining popularity is the latest weapon in the left's argumentative armoury: But that won't cut much ice now as they have lost touch with ground realities. They fail to understand that Lord Rama's birthplace is revered by all communities in the country and any attempt to wedge a drive between them on this issue would be futile.

The writer is CEO of Indraprastha Vishwa Samvad Kendra



MARCH 13, 1979, FORTY YEARS AGO

PAK QUILTS CENTO
PAKISTAN ANNOUNCED TERMINATION of its membership in the Central Treaty Organisation (CENTO) thus qualifying to become a full member of the non-aligned movement. Pakistan joined the pact in 1955 when it was called the Baghdad Pact. It changed its name to CENTO in 1958 when Iraq, "the founding member," quit the organisation, and ordered its headquarters moved out of the country. Pakistan's decision was announced by Agha Shahi, foreign affairs adviser to President Zia-ul-Haq. The move came less than 24 hours after Shahi returned from Iran following a four-day visit to Teheran and the holy city of Qum. The official statement

issued by Shahi said Pakistan was quitting CENTO "in the light of the new realities", as a result of which "the alliance had lost its relevance to Pakistan's security concerns."

CWC REJECTS UNITY
THE CONGRESS WORKING Committee decided against unity with Indira Gandhi's Congress. With this, the chapter on unity between the two Congresses comes to a close, the Congress President, Swaran Singh, himself a unity enthusiast, told newsmen following the working committee meeting.

INDIRA REPRIEVE IN UP
THE 12-DAY Banarasi Das ministry got a re-

prieve in the UP assembly because of a remote control rescue operation by Mrs Indira Gandhi, who, however, kept her options open to use her party's balancing position in the state as a bargaining point in the future.

ELUSIVE PEACE
THE US PRESIDENT Jimmy Carter, his West Asian peace mission at a crucial crossroad, said he had fallen short of a treaty. He told the Israeli Parliament that more flexibility was needed. After hearing the results of an all-night Israeli cabinet meeting, Carter told the Knesset that leaders of the two nations were not yet ready to risk a peace treaty, although their people were ready for peace.

WHAT THE OTHERS SAY

"Manned space flights and lunar probes, supercomputers and quantum communication - the list of achievements China has made in science and technology is long, and growing longer." — CHINA DAILY

A time for her story

In 2019, we need to move beyond reflections about family relationships and motherhood and women's inalienable duties to society. We need a politics that does not dominate and bully women



MRINAL PANDE

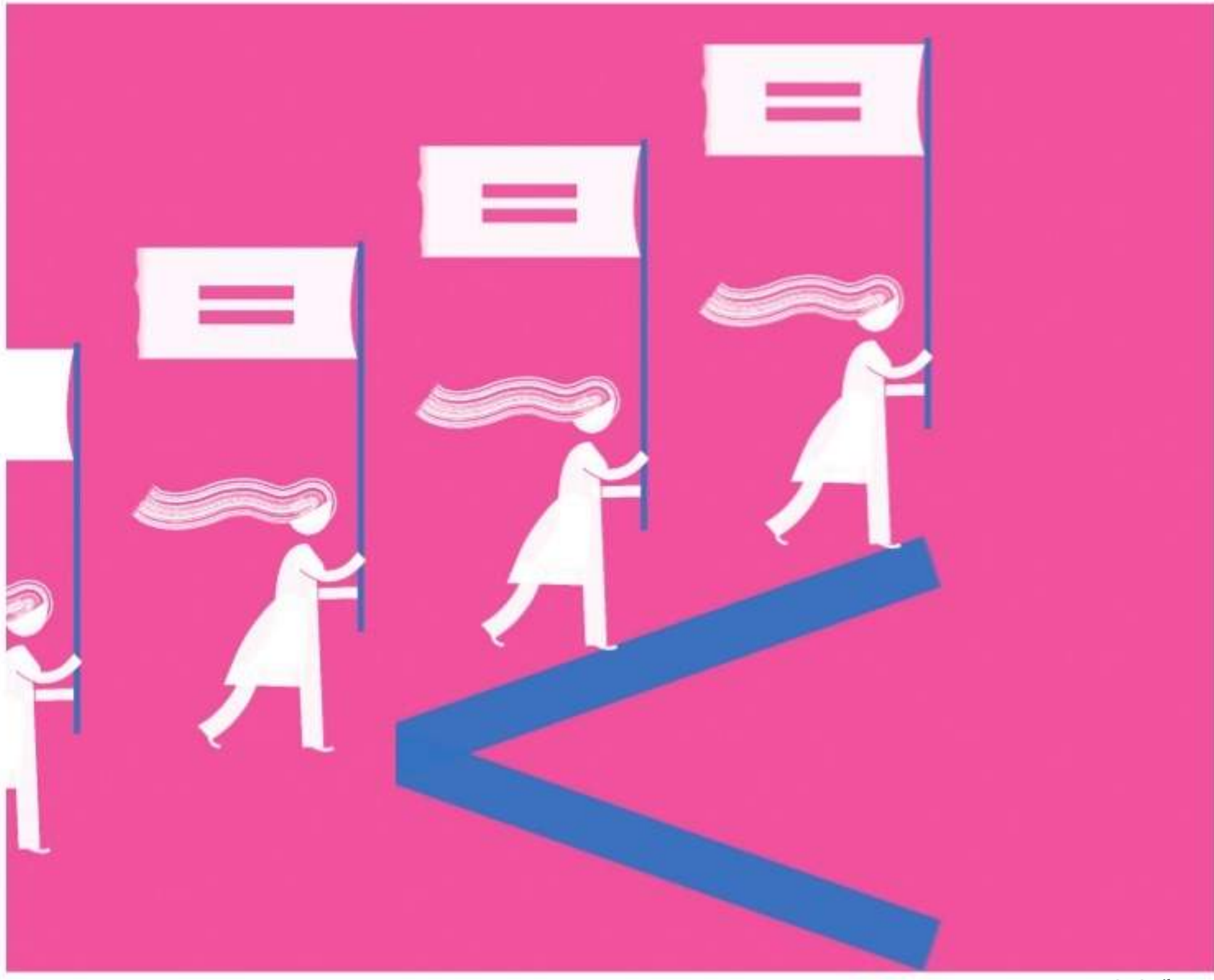
"THE UNIVERSE," WROTE a wise woman (Muriel Rukeyser), "is made of stories, not of atoms". Several years ago, chatting informally with some outstanding women parliamentarians from privileged backgrounds, the talk veered towards some unspoken facts of careers that demanded constant mobility in company that largely consisted of men. Stories, at once sad and hilarious, tumbled out.

One of them, in her time, was the youngest parliamentarian and had a baby she was breastfeeding. It came about that the grand Parliament House then had no facility for this. So, at each two-and-a-half hour interval, she ran to her car where her son's nanny sat with the baby. Senior women parliamentarians finally intervened on her behalf and helped end her ordeal. Another talked of long and tedious trips to rural Rajasthan during elections, where her car was followed by 40 others with male colleagues and security men. Fearing that the whole caravan would screech to a stop and embarrassment would follow if she had to answer the call of nature, she learnt to withhold her natural needs so much that after each election she fell ill with severe urinary tract infections. This was capped by another similar tale from an actor who had been nominated to the Upper House and discovered to her horror that her being a Bollywood actor led many of her worthy colleagues to make passes at her till she spoke to the party chief.

Politics is one area where we have not come a long way. In 2019, women's actual involvement remains noticeably weak across parties. And nine out of 10 of our legislators are men. In the matter of women's actual political representation in Parliament, India ranks 151 globally among 190 countries. Among its eight South Asian neighbours, India ranks below Afghanistan, Bangladesh, Pakistan and Nepal. And (according to the Inter-Parliamentary Forum), as of 2014, India's women occupied less than 12 per cent seats both in the Lok Sabha and Rajya Sabha. Even in the state and national decision-making bodies, women remain hugely under-represented.

The present dispensation has long paraded the fact that it has handed two of the most important portfolios to women — defence and external affairs. But neither the MEA nor the DM have accompanied the prime minister on several important trips abroad. If major deals were made and bilateral treaties were signed during these years, it was mostly done by the PM and his bureaucrats. Since the question of the necessary presence of women ministers was not confronted sufficiently in Parliament or the mainstream media, might something not be missing in the conceptualisation of women's political worth, and the understanding of our history of democratic consciousness? The MEA's allocated primary role seems to have become playing a sort of Mother Teresa figure — dispensing help and justice to stranded couples, abandoned wives or workers trapped in war-ravaged areas abroad. Sushma Swaraj's considerable political experience and negotiating skills remain under-utilised. As for the defence minister, since the events following the terror attack in Pulwama, Nirmala Sitharaman has been noticeably absent from the public arena, appearing only to lay wreaths and re-tweeting messages about peace on earth and goodwill to the youth, and occasionally calling upon injured soldiers in the hospital.

What form of power does this seeming



CR Sasikumar

curtailment of the legitimate powers of a minister give men? The answer came as we watched the serial male chest-thumping over the Balakot strike. It was obvious power is most ruthlessly male when it chooses to play the war game, or *moonchhon ki ladai* (the battle of the moustaches) to quote a Hindi phrase.

Why lay so much stress on active and fair gender representation in the legislature, some may ask. Fact is, a proper and active representation matters to all marginalised groups, including women who form the numerically-largest chunk. There has been a noticeable spurt in the socio-economic position of women in panchayats. Despite much smirking over many women being "proxies for family interests", quotas have raised women's self-esteem and decision-making capacities noticeably at the local level. Hence, records from the last three decades show a spurt in pro-women, pro-family decisions. IndiaSpend, for example, reports that in Tamil Nadu, women in panchayats, compared to their male counterparts, were found to have disbursed 48 per cent more public funds in building roads and improving access.

In this atmosphere of mutual suspicion and trust deficit across political parties, Odisha CM Naveen Patnaik's decision to field women candidates in 33 per cent of the seats in the general election provides a welcome relief. He has become the first to trip the lock for women's rights and move the bar on gender parity higher. Like Babasaheb Ambedkar, Indian women will always remember and respect him for walking the talk.

Old ideas about gendered roles actually retain their magnetism, even when they are long past their sell-by date. Stories that surface from time to time show that it is not only that men will frequently treat women badly, but that it is accepted as their choice whether or not to give women power, and how much. The political right, forever foraging into India's mythical Hindu past, justifies the continued subordination of women and Dalits when push comes to shove. This mindset has four interconnected facets in politics. One, women as an elected group are

subordinate to the party, which is mostly or entirely male. Two, women are subordinated because of biology. Three, women's primary role is to raise families and any large-scale induction of women in active politics will mean the end of home life as India has known it. Four, all women share the same biology so they must be treated as a group, not addressed as individuals.

A fact little noticed in the media is how male power is a myth that makes itself true and begets, in turn, a grim paranoia about a sudden loss of total control.

Like a gigantic peepal tree, my understanding of this fact began with a grain of truth from a grandmother, a widow far ahead of her times whose sons had been in the forefront of the Gandhian satyagraha in our little town. When I asked her about her own non-participation in the *azadi ki ladai* raging outside, her answer was: "Well, I asked the men if I go out with a placard with you all, will I still have to have a bath and then cook rice and dal for all when we return from the street marches? They looked away. And I knew there was nothing in it for me." Decades later, the late Aruna Asaf Ali told me during an interview, that she felt like Babasaheb pushing for the rights of his community, women too should have made sure they had proper representation in national decision making. We all joined the movement initially, she said, not so much for ideological reasons, but because of our love for our husbands, sons or brothers. Men decided the next course of action and we followed like lambs, no questions asked. We loved and trusted them so much that we forgot to push for gender equality. We should have.

In 2019, we need to move beyond reflections about family relationships and motherhood and women's inalienable duties to society. Till we do that, a politics that does not dominate and bully women will remain as difficult to envision as a society in which men can no longer dominate and bully women — verbally, physically, politically or economically.

The writer is a senior journalist

Secrets are not sacred

Laws like Official Secrets Act conflate the interests of particular parties, governments with the greater good. They must be contested



SANJAY SRIVASTAVA

THE GREATEST FAILING of Indian public life over the past 70 years is the manner in which the state and forms of government have become identified with the life of the people. We have come to believe that state and society are the same thing and that pronouncements about the public good that emanate from organs of the state summarise ideal citizenship. This is not actually nationalism or patriotism. It is statism and it has had (and continues to have) very significant consequences for public welfare and our inability to differentiate between the interests of a few from that of the many. Public welfare is best served through the ability of the citizenry to constantly redefine the meaning of the term and to rescue it from the dead reason of legal and civic bureaucracies. Economic welfare, social reform, public justice and individual liberty are topics that are far too important to be left to statist thinking whose *raison d'être* is the consolidation of power with those who already have it. The kinds of laws we have — and the manner in which they are used — provide a good indication of the simplistic conflation between the interests of the state and those of public welfare.

The Official Secrets Act of 1923 (OSA), even though its powers have been curtailed by past court judgments, must be one of the most egregious instances of a law that infantilises common citizens through the notion that they should not question the idea of the "secret" itself. The secret is put forward as a sacred idea that protects us from evil, and the state is the unquestionable best judge of what is good and evil. Secrets as a method of governance exist in societies marked by unquestioning faith. The OSA, a left-over from the despotism of the colonial era, was intended to protect the empire from its enemies but is now a key tool for silencing a questioning citizenry. This law has remained on the book irrespective of the political party in power, reinforcing the parent-child relationship between the state and its subjects.

Why should we not ask what is good for us and why the state should not be open to informed scrutiny? Are politicians the only group equipped to understand what is good for the nation? And, is national life so incredibly fragile as to be splintered into shards of uncertainty by debates over how "threats to national interests" come to be defined?

A close cousin of the OSA — in terms of the inability to distinguish colonial strategies for those required for a free society — is the provision of Indian Penal Code (IPC) that covers "sedition". Section 124-A of the IPC notes that "Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government estab-

lished by law in India" is liable to be punished with life imprisonment. A wide variety of acts may fall foul of this law, including sloganeering by students, not supporting the Indian cricket team in an India-Pakistan match and questioning political strategies that are built on religious divisiveness. In effect, it is a law open to both individual idiosyncrasy as well as party-political vengefulness.

In its 2018 report on sedition, the Law Commission of India suggested that a "healthy debate" on the topic may open it up to more nuanced thinking on its meaning in contemporary India. What might be needed, in addition, is a vigorous debate on the nature of contemporary Indian nationalism, the propagation of unquestioning faith in the state and the spread of these ideas through the most powerful of all methods of dissemination: Popular culture. The sacredness of secrets and the normalisation of "sedition", though enshrined through archaic legal provisions, have their most powerful impact through everyday repetitions in a variety of media, including advertising. An attention to laws needs to be supplemented by attention to the everyday grounds of belief and behaviour upon which laws stand.

The broader discussion we need to have concerns the nature of public perceptions regarding nationalism, patriotism and our relationship with the state. This is irrespective of the party in power. Support for a change in laws comes from a change in the public mood. The debates we need to have are of the following kind. First, if we allow unlimited scope for the idea that national welfare requires the absolute quarantining of certain forms of state activity from public scrutiny — and that the state is the final arbiter of national welfare — then, is it even possible to recognise that the state is itself formed out of specific actors with short-term goals that may have little to do with collective benefit? Political parties form the state. The idea of the state needs to be differentiated from the goals of those who run it.

Second, what is frequently defined as sedition is frequently a way of rethinking the meaning of nationalism. The colonial antecedents of penal provisions for seditious activity derive precisely from the fright and horror occasioned by this imagination. So-called seditious acts are valuable attempts to unfasten the straight-jacket into which the idea of nationalism has been confined. Why should we not practice the nationalism of anti-casteism, religious diversity and human rights? A nation is not much of a community if it has no capacity for introspection. It then becomes a spectre.

To think of the nation in these ways, however, requires that we do not subsume national life — that is, the life of the people — into that of the state, not imagine the goals of political parties to be the same as those of the state and not allow ourselves to be forever treated as helpless infants who are unable to think for themselves. The overweening state is the real danger to national welfare and requires recalcitrance as civic duty.

The writer is professor of sociology at the Institute of Economic Growth

LETTERS TO THE EDITOR

INNOCENT, PUNISHED

THIS REFERS TO the article, 'The burden of innocence' (IE, March 12). Six men were convicted for a crime which they did not commit by three courts, including the Supreme Court. Is the common man's life a joke? After 16 years in prison, our judicial system finds that the evidence was doctored. Should these men should be happy that their innocence was proved or sad and angry about their incarceration?
Merlin Thomas, Pune

WELL DONE, BJD

THIS REFERS TO the editorial, 'A ticket to rise' (IE, March 12). The key to Naveen Patnaik's unbeatable record of being Odisha chief minister for 19 years is his spectacular success in turning around the economy of the state. In addition, he has involved women in the economic progress. His step to reserve seats for women candidates is welcome.
SS Paul, Nadia

NEW INDIA

THIS REFERS TO the article, 'This is new India' (IE, March 12). The writer fails to recognise that it is in Imran Khan's 'New Pakistan' that a minister has been sacked for his derogatory comments about the Hindu community in that country. Has PM Modi, in new India, ever taken such a step?
Mohammad Javed, via email

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. THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

THIS REFERS TO the article, 'This is new India' (IE, March 12). Prime Minister Narendra Modi told the nation that a hatred for him has become hatred for India. Some centuries ago, Louis XIV had proclaimed "l'etat, c'est moi" — I am the state, I am the nation. Karl Marx has said that "history repeats itself, first as a tragedy, then as a farce". Do we have any lessons to learn from history?
Anil Bargar, via email

THE Urdu PRESS

PAKISTAN'S LIES

THE EDITORIAL IN *Organiser* claims that Pakistan tried to use the "psy-war strategy" after the Pulwama terror attack and the decisive response by the Bharatiya Air Force. Pakistan tried to create the narrative that it has nothing to do with the Pulwama attack and the Balakot strike did not do any damage beyond what it called "ecological terrorism" — hitting some trees. The editorial also claims that both the lies were exposed by interviews with important leaders in Pakistan and the response given by the Pakistan Army and the real fountainhead of terror.

"The Wing Commander Abhinandan episode was used to score brownie points by forgetting the fact that he was protected by the Geneva Convention and already isolated. Pakistan could not have afforded to do another misadventure. The lies that were peddled at the time of his release, including the video of the brave soldier, were not just warranted but shameful," the editorial adds. Then goes on to make the claim, and alleges that Pakistan "could not own and honour the fighter pilot of the Pakistan Air Force who was unfortunately killed by their own people". This exposed the narrow mindedness of a nation "that emerged out of the ruins of Bharat-hatred". The editorial claims that the attempt to cover up the "proxy war" through the "lie war" failed.

SELF-PITY VS NEW IDEA
AN ARTICLE ON the upcoming general elections in *Organiser* frames the choice between the Hindu society as a powerful nation and our destiny as the intellectual guide of the world (Vishwaguru) as foreseen by sages like Swami Vivekananda and Aurobindo" or going back to "being self-deceiving, defeatist society that survives merely because there is no reason to die as yet". It says: "We are culturally too tough to give up easily. This election will tell us whether the Hindu Fabian idea of 'mai-baap' Sarkar will rise above this negative cacophony." The article also pitches 2019 as a battle "between the forces of Positivity and the forces of negativity". The "forces of negativity have been wailing since 2014 as they lose ideological ground to the forces of national renaissance". The analysis report further says that the horrific Pulwama attack, severe retaliation by India has changed the defeatist pacific attitude that was built on inferiority complex

inflicted upon us by British and perpetuated by our Left intellectual opinion leaders.

The article then criticises "non-believing" "left" forces for "speaking the language of Pakistan" and because their "only agenda they have is to defeat this nationalist government, national interests be damned". It adds that "Bharat will have to decide in May 2019 whether it wishes to march into a future that is its rightful destiny with a clear headed sense of urgency or will it go back to wallowing in self pity and mediocre life, while poor live on doles in a nanny state rather than aspiring to lead a better dignified life".

TENSION CONTINUES

AN ARTICLE IN *Organiser* asserts that the world is looking closely at India and Pakistan, as the worst fears of a military face-off escalating into a nuclear holocaust become palpable. The article says that Pakistan Prime Minister Imran Khan attempted to diffuse the situation by returning Wing Commander Abhinandan within 48 hours of his capture. "The situation on the ground, however, is not as rosy as one would be given to believe. The Line of Control (LoC) is in turmoil with both sides resorting to

intensive firing. India has reported civilian casualties, and so has Pakistan. The media of the neighbouring country is blatantly blaming India for the escalation which is entirely untrue since the other side is initiating the ceasefire violations. Newspapers in Pakistan continue to remain in denial about the downing of the F-16 fighter aircraft of their country," the article adds.

It also claims that the release of Abhinandan has witnessed a fair degree of opposition in Pakistan from the political class as well as the media. Veteran army officers have spoken against the same on television, the article says. "With the political setup of both nations talking peace and India having clarified her stand of acting only against terrorists and their infrastructure in Pakistan, the movement of the Pakistan Army towards the border with India is unwarranted; it is unnecessarily raising the escalation levels and can lead to a confrontation that Pakistan is incapable of absorbing. The Pakistani Army is keeping its cards close to its chest; it has maintained absolute silence, preferring to leave the talking to the political set up and the media," it says.

Compiled by Lalmani Verma