



Old vs new

The Congress must strengthen its democratic processes while choosing CMs

Whether the Congress erred in privileging members of the old guard to lead the governments in Rajasthan, Madhya Pradesh, and Chhattisgarh has become a subject of debate. Those who argue that it missed a trick in not picking Sachin Pilot and Jyotiraditya Scindia as Chief Ministers of Rajasthan and Madhya Pradesh may well be right. These choices may have signalled a readiness to be bold and break the old mould. But the real question to ask of the party is how it arrived at the choice of its Chief Ministers. Members of the Congress Legislature Party in the three States left the choice to Congress president Rahul Gandhi, making a mockery of democratic conventions and the electoral mandate. Although the Congress is not the only party that is guilty of such practices, it has become something of a custom, mirroring the leadership's distrust of developing strong regional leaders. In this case, the final choice may well have reflected the wishes of a majority of the members of the CLPs of the three States, but the Congress still needed to signal the all-powerful nature of the office of the party president in the selection. Closed-door discussions and opaque deal-making preceded the final announcement of the nominees, to be elected "unanimously" in another meeting of the CLP. In Rajasthan, the party opted for two-time Chief Minister Ashok Gehlot, who had lost two elections, over Mr. Pilot, the State Congress president. Mr. Pilot, despite his role in the campaign, did not have the support of the old guard. His detractors like to point out that he did not take the Congress to a comfortable majority, what Mr. Gehlot had done as the campaign spearhead in 1998 and 2008. But the Congress leadership has opted in the end for experience over youthful dynamism. The compromise was in the form of the deputy chief ministership for Mr. Pilot.

In Madhya Pradesh, the decision was relatively easy. It was the president of the Madhya Pradesh Congress Committee, Kamal Nath, who fronted the campaign. Former Union Minister Jyotiraditya Scindia had his fair share of supporters, but it was Mr. Nath, who is far senior, who was perceived as having a bigger claim to the post. Those in the Congress calling for blooding youngsters may well have to accept the sober reality that this will only come about as part of a longer, deeper process. Of course, it takes more than a change at the helm to bring about a political reorientation. The process will have to start at the organisational level and extend to the distribution of the party ticket. To allow the space for the party to grow, Mr. Gandhi needs to accelerate the process of letting leaders from the grassroots to emerge. Youth leaders of any significance today are of the second or third generation in the party. A good way to start would be by decentralising power and not concentrating it in the so-called high command, a feeble euphemism for the Nehru-Gandhi family.

Widening Gulf

Qatar is now taking the fight to the Saudi Arabia-led OPEC and GCC

Qatar Emir Sheikh Tamim bin Hamad al-Thani's decision to stay away from the December 9 Gulf Cooperation Council summit in Riyadh is the latest reminder of the growing disunity among the Gulf countries. Qatar, blockaded by three GCC countries, Saudi Arabia, the UAE and Bahrain, and their non-GCC allies, has said it will not discuss a compromise unless the blockade is lifted. The Saudi-led bloc imposed it in June 2017, accusing Qatar of funding terrorism. But as Riyadh came under increasing global pressure after the murder of Jamal Khashoggi in its consulate in Istanbul, it has shown signs of reconciliation. In October, Crown Prince Mohammed bin Salman, who is believed to have ordered the Khashoggi hit, surprised observers by praising the Qatari economy. The personal invitation to the GCC meet from King Salman bin Abdulaziz to the Qatari Emir followed the Crown Prince's remarks. But Qatar, a tiny kingdom but the largest exporter of liquefied natural gas, remains defiant. Doha has announced its decision to quit OPEC, the first Arab nation to do so since the cartel was formed in 1960. Though Qatar said the decision was not political, clearly its exit from OPEC was a snub to Saudi Arabia, its *de facto* leader.

The blockade has triggered tensions among other GCC countries as well. Saudi Arabia is upset that Oman and Kuwait did not join the embargo. Kuwait was trying to mediate between the rivals camps, which hasn't gone down well with Riyadh. Last September, the Crown Prince started a two-day tour of Kuwait. But ties were reportedly so tense that he left the country within a few hours. Oman continues to be independent of Saudi influence by keeping ties open with both Qatar and Iran. The blockade has made Qatar only more independent in its foreign policy decisions. It has stepped up assistance for Hamas in Gaza, accelerated a plan to allow Turkey to set up a military camp in the country and resisted calls to cut ties with Iran. The decision to quit OPEC and the Emir's absence at the GCC meet (a state minister was sent to represent the country) point to an increasingly confident Qatar. But the intra-Gulf quarrels have dampened hopes for the integration of the region. The bloc, which once talked about a common Gulf currency and robust connectivity projects, is now a ghost of its old self. After the summit, the GCC issued a customary statement, emphasising regional stability and economic challenges. Even as the summit was on, Bahrain Foreign Minister Khalid bin Ahmed Al Khalifa criticised the Emir's decision to skip the meet, while Doha slammed the communiqué for its failure to address the blockade. That is the state of affairs in the GCC.

Restoration of political sanity

But Sri Lanka's biggest worry is a fresh eruption of the Sirisena-Wickremesinghe power struggle



JAYADEVA UYANGODA

New space has emerged for de-escalating Sri Lanka's political crisis with the timely and judicious intervention by the Sri Lankan Supreme Court.

Following the two rulings made by the top court, last Thursday and Friday, Ranil Wickremesinghe – the Prime Minister who was sacked on October 26 by Maithripala Sirisena, Sri Lanka's President – was again sworn in on Sunday as the new Prime Minister. The new cabinet is scheduled to be sworn-in today, Monday. With the Wickremesinghe-led United National Front (UNF) now back in power, the 50-day long tenure of Mahinda Rajapaksa, who replaced Mr. Wickremesinghe as the Prime Minister, has also come to an abrupt end.

Mr. Rajapaksa, who was appointed on October 26, could not properly function as his appointment was legally challenged by the Wickremesinghe camp. Mr. Sirisena's order, on November 9, to dissolve Parliament was also legally challenged, leading to a situation where Sri Lanka was without an effective government for six weeks. Now, as a result of judicial intervention, Sri Lanka has a new government that enjoys constitutional validity.

Thus almost seven weeks of unprecedented political turmoil and governance vacuum have come to an end, at least for the moment.

Supreme Court's role

The huge significance of the Supreme Court's role in restoring constitutional governance for Sri

Lanka's democracy warrants no exaggeration. When Mr. Sirisena changed the government on October 26, and dissolved Parliament some time after, there were serious doubts about the constitutionality of his shocking and sudden actions. Under the reformed presidential system in Sri Lanka with the 19th Amendment to the Constitution, the President's powers over the Prime Minister, the cabinet and Parliament are severely restricted. Due to conflicts that developed within the coalition government that was jointly led by Mr. Sirisena and Mr. Wickremesinghe, Mr. Sirisena seemed to have disregarded the constitutional limits of his legitimate authority. It is his acts of constitutional transgression that the Supreme Court has now reversed and corrected.

The most significant feature of the Supreme Court's invalidation of three major political decisions made by Mr. Sirisena is the re-emergence of the judiciary with a clear sense of institutional autonomy and independence. This is all the more important given the thoroughly negative political consequences a judicial endorsement of the President's actions would have carried. The highest court of the country asserted itself against the arbitrary and capricious exercise of constitutional authority by the head of the executive and refused to be submissive to the executive. It also protected the institutional autonomy of the legislature and ensured the constitutional protection to the Prime Minister and the Cabinet. In doing so, Sri Lanka's Supreme Court ultimately proved itself to be a reliable arbiter of disputes that have the potential to endanger democracy and the freedom and rights of the country's citizens.

In that sense, the two decisions by the Supreme Court last week are not only landmark judgments



FILE PHOTO/REUTERS

but are also future-defining judicial verdicts. Hereafter, Sri Lanka's political leaders or their random legal advisers, both official and unofficial, cannot take for granted the limits of political power as set out in the Constitution. Thus, Mr. Sirisena's loss is in fact a gain for Sri Lanka's democracy and its freedom-loving citizen.

A citizens' awakening

This happy end to the constitutional crisis – which is only one part of the larger crisis – also shows the resilience of Sri Lanka's democracy, amid periodic setbacks. Mr. Sirisena's act of stabbing democracy in the back has not only outraged many citizens, particularly young voters, but also led to a reactive regeneration and sudden burst of political activism, participation and resistance by citizens. Citizens committed to defending constitutional governance, democracy, and freedom found themselves spontaneously mobilised.

This was also the time when political humour – its creation, enjoyment, and sharing of it on social media – emerged as the sharpest political weapon available to citizens. In brief, there was a republican surge of political consciousness, education, participation, and activism by citizens in defence of political freedom.

The opening of Sri Lanka's democratic space, ironically under the leadership of the same President, Mr. Sirisena, in January 2015

The spectre of deportation

The outcome of the NRC exercise has implications for India's ties with Bangladesh



SYED MUNIR KHASRU

The last date for filing claims and objections for Assam's National Register of Citizens (NRC) has been extended by the Supreme Court to December 31, from December 15. This exercise of compiling the NRC in the first place has sparked a debate around its political, economic and humanitarian consequences, and its implications for India's relationship with its neighbours, particularly Bangladesh. In fact, there was some disquiet in Bangladesh when the Indian Army Chief, General Bipin Rawat, lent support to the NRC drive, claiming that those settled in Indian territory without legal jurisdiction posed a threat to national security.

Two-way traffic

Few seem to realise that there are legal as well as illegal Indian immigrants in Bangladesh too. According to the latest available Bangladesh government estimates of 2009, more than 500,000 Indians

were working in Bangladesh. More recently, Bangladesh was reported to be among the highest source of remittances to India, behind the United Arab Emirates, the U.S., Saudi Arabia, Qatar and the U.K. Many Indian citizens are securing coveted employment opportunities in Bangladesh through multinational companies, non-governmental organisations, and trading activities. To put things into perspective, most of them are employed in advantageous jobs in Bangladesh while Bangladeshis in India are largely employed in low-paying jobs.

The ruling establishment in India maintains that the NRC is an administrative task overseen by the Supreme Court, and not a political gambit. However, some members of the ruling party have been making hateful anti-migration and anti-Bangladeshi comments that reflect poorly on the prevalent positive relationship between Bangladesh and India.

While Prime Minister Narendra Modi has assured the Bangladesh government that those excluded from the NRC will not be deported, Dhaka has so far been silent on the issue, terming it as an 'internal matter of India'. This is seen as a signal that Bangladesh, already stretched in terms of resources



BUTURAL KOUNWAR

and manpower to host Rohingya refugees, would not be acceding to a request of taking back Bengali-speaking Muslims in case deportation is initiated. Yet, some remain apprehensive, pointing out that Bangladesh had been similarly unconcerned about the Rohingya issue, which did not prevent the country from ultimately hosting more than a million Rohingya.

Neighbourhood first?

Mr. Modi came to power with proclamation of a 'Neighbourhood First' policy. Midway in the final year of his term, the reality speaks quite differently. Nepal, once a time-tested ally, has tilted towards China since the 2015 Nepal blockade barring the entry of fuel, medicine and other vital supplies and holding the state to a literal siege. Nepal now has been given access to four Chinese ports at Tianjin,

seems to have had a lasting effect on the political commitment of citizens to defend democracy the moment they see it facing an imminent danger. Nearly seven weeks of continuous political resistance by a multiplicity of citizens' groups, defying the government, probably set the example for the judiciary also to be courageous in performing its constitutional duty.

Ironically again, these are all positive outcomes of the democratic revival of January 2015 that Mr. Sirisena co-authored and which, less than four years later, he decided to turn his back on.

Preventing another escalation

Although the constitutional dimension of the crisis seems to have, to some, ended peacefully, the larger conflict between two rival factions of the political class is far from over. In fact, the risk is that the conflict will continue, expressing itself in new forms under new circumstances. Prevention of the re-eruption of this power struggle is the biggest challenge Sri Lanka faces immediately.

The first step in the direction of preventing its resurgence and a re-escalation is for Mr. Sirisena and Mr. Wickremesinghe to find a *modus vivendi* for at least a minimum level of peaceful cohabitation. After their bitter separation on October 26, this will not be an easy proposition to put into practice. The past few weeks have also seen how the poisoned personal relationship between the two leaders caused a major crisis in the government, with Mr. Sirisena even refusing to accept Mr. Wickremesinghe as the Prime Minister even if all MPs reposed their confidence in him. As President, Mr. Sirisena will also have some crucial powers in the government. He will not only be the head of state and the executive but also of the government

and the cabinet. As the head of state and the cabinet, Mr. Sirisena might even want to be in charge of defence and national security. In Sri Lanka's dual executive system, if the President and the Prime Minister resume the old habit of working on competing political agendas, eruption of another major crisis of governance is inevitable.

The next two years

Meanwhile, the next two years will be crucial for Sri Lanka's politics of the future. A new President will have to be elected before the end of 2019, followed by fresh parliamentary elections in early or mid-2020. Provincial Council elections are also on the cards. Mr. Sirisena's political future will depend on the nature of the political balance of forces by early to the middle of next year. The Rajapaksa camp envisages a coalition between its newly formed Sri Lanka Podujana Peramuna (SLPP, Sri Lanka People's Front) and the Sri Lanka Freedom Party (SLFP) led by Mr. Sirisena. Mr. Wickremesinghe's party, the United National Party (UNP), is also in the process of forming a broad coalition for the next provincial, parliamentary and presidential elections.

Thus, what can be expected in the run-up to the next round of elections is a crystallisation of existing fissures, divisions and groupings into two broad political camps – one led by Mr. Wickremesinghe and the UNP, and the other jointly by Mr. Rajapaksa and Mr. Sirisena with the SLPP and the SLFP as its key components.

The resilience of the citizens of Sri Lanka in defending their democracy will once again be put to the test within months.

Jayadeva Uyangoda is Emeritus Professor of Political Science, University of Colombo, Sri Lanka

Bangladesh (BGB) "the number of training places and hideouts of these insurgents (in Bangladesh) has been reduced to almost zero." Annual bilateral trade is set to cross the \$9 billion mark, making it India's biggest trading partner in South Asia. In addition, Bangladesh has facilitated connectivity with the Northeast by allowing the use of Chittagong and Mongla ports. However, the Teesta water-sharing issue remains undressed, non-tariff barriers on Bangladeshi exports persist and border killings are yet to become a thing of the past.

The NRC issue threatens to disturb the equilibrium in India-Bangladesh ties. It is vital to note that Bangladesh is heading for elections at the end of this month, and in poll campaigns, relations with India tend to be played up. Plans for deportation of those not on the NRC list are not only politically imprudent but also risk inciting unrest across the region. Previous similar exercises have not been effective and only resulted in alienating individuals from their natural rights.

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LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

Misreading Rafale note

While submitting the details about the Rafale deal for the Supreme Court to scrutinise, it appears that the BJP government not only got confused itself but also misled the highest court of the land (Page 1, "Govt. says SC misread note", December 16). It is amusing that the government is now teaching grammar to the judges, which may be a first in the history of the judiciary. The BJP's chest-thumping that the verdict has settled the Rafale issue once and for all is strange as the government sought correction only after the other political parties expressed surprise over some of the judicial references.

D. SETHURAMAN,
Chennai

■ The government is all set to get the Supreme Court to correct its verdict citing misinterpretation of the

grammar. This will now completely change the direction of the top court's thinking. "Suppressio veri, suggestio falsi" is the dictum. An order obtained by wrongful declaration is non est. The highest court should revoke its order completely.

S. RAVISHANKAR,
Chennai

■ The government's contention that the portion in the write-up submitted to Supreme Court in a sealed cover has been misread by the top court is absurd. This would mean that the government was not careful enough to give the write-up in an unambiguous manner. The Court in turn trusted this to be true and understood it in its own way to give the government a clean chit. Now the explanation in the corrected appeal would mean that what has been put up is only the procedure, which is likely to have a damaging effect. It could also result in the Supreme Court coming

down heavily on the government and even striking down the judgment. The government has not handled this sensitive issue with care, and without foreseeing the consequences, and fathoming the Opposition's capability to ask questions that are much beyond the imagination of the government.

RAGHOTHAM S.,
Chennai

■ The Central government has little to rejoice over the verdict of the Supreme Court as the Opposition has pounced on the inaccuracies in the verdict, accusing the government of misleading the highest court of the land. While top leaders in the BJP have demanded that Congress president Rahul Gandhi apologise, especially for casting slurs on the Prime Minister, and the Congress in turn has made a fresh set of demands, it is certain that the curtains have not been drawn on l'affaire Rafale. The

Opposition will continue to milk it for all that it is worth.

C.V. ARAVIND,
Bengaluru

At the border

While there is a raging debate over the Rafale fighter jets, it is distressing that nearly 82% of border outposts of the Indo-Tibetan Border Police deployed along the Chinese border do not have basic amenities (Page 1, "Life on the edge: border units lack basic amenities", December 16). It is an unpardonable disservice to have them operate under such trying conditions. It is apparent that the defence budget is aimed mainly at amassing arms and ammunition, with little regard for service conditions.

V. SUBRAMANIAN,
Chennai

■ The 24th Report on 'Working Conditions in Border Guarding Forces' gives a very disquieting picture. That troops in our outposts are deprived of

basic needs and adequate facilities to combat health hazards peculiar to such remote border areas suggests a situation that is no better than the bonded labour system. Why the step-motherly treatment? AYYASSERI RAVEENDRANATH, Aranmula, Kerala

■ This past month, large sections of the media have been reporting every minute of a series of celebrity weddings, where crores were spent. Though the money spent in these events was personal wealth, one cannot help contrasting this with the sorry plight of our defence personnel and also how money could have made a

major difference to bettering their service conditions.

BRIJENDER SINGH,
Hyderabad

Rock to clay

The photo feature, "Where rocks get a pasting" ('Framed' page, December 16), had a surprising detail. Generally, there are many who believe the sacred ash is prepared from various sources. It was also a surprise to know that making this paste is a source of livelihood for nearly 100 families. May they thrive with divine blessings.

J.P. REDDY,
Nalgonda, Telangana

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CORRECTIONS & CLARIFICATIONS:

The name of the Jharkhand Water and Sanitation Secretary should have been *Aradhana* Patnaik and not *Anuradha* Patnaik, as mentioned in a front page report "Rani mistris score Swachh goal" (Dec.16, 2018).

The Market Watch column (Business page, early editions, Dec.14, 2018) got the values of the U.S. dollar and Brent oil wrong. The correct value for the dollar is \$71.68 while that for Brent oil is \$60.04.

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