



## Tough-talking

India must ensure it's not cut out of the resolution process with the Taliban

The Taliban reconciliation process is moving at a faster pace than was anticipated. Talks facilitated by Russia in Moscow this week, with mainstream Afghan politicians sitting around the table with Taliban leaders, are similar in their approach to the recent U.S.-Taliban talks in Qatar, though the two are rival processes. The U.S. and Russia have accepted the idea that peace in Afghanistan is not possible without major concessions to the Taliban, including dialogue without insisting on a cessation of violence. In the duration of the Moscow conference alone, Taliban fighters killed 47 security forces personnel in attacks in Kunduz, Baghlan and Samangan provinces. The U.S. and Russia have, in separate processes, agreed to sidestep the Ashraf Ghani regime in Kabul, and accepted the Taliban's condition that it will not negotiate with the elected Afghan government at this stage. And both the Russian and U.S. processes are dependent on cooperation from Pakistan, which retains its influence over the Taliban leadership. Clearly, the current talks with the Taliban are not within the "red lines" agreed to by all stakeholders in the past: they are not Afghan-led, owned or controlled, and the Taliban has not abjured violence, or sworn allegiance to the Afghan constitution before joining talks.

However, despite the deep and obvious misgivings in New Delhi, it would be pointless to ignore or reject the outcomes of the talks, where some progress has been made. The U.S. has managed to bring senior Taliban leaders to the table, and is discussing the contours of its ultimate withdrawal from the Afghan war. The Taliban has unequivocally renounced ties with al-Qaeda and the Islamic State, and committed to preventing Afghan soil from being used by foreign terrorists. For its part, Russia has hosted conferences where Taliban leaders sat down with members of the Afghan High Peace Council and senior Afghan politicians, including some contesting in this year's presidential elections. While India's principled position that it will not directly or publicly talk to the Taliban until it engages the Afghan government remains valid, it is necessary that India stays abreast of all negotiations and isn't cut out of the resolution process. It is hoped that a robust channel is open between Indian intelligence agencies and all important groups in Afghanistan, including the Taliban, in order to ensure that Indian interests, development projects and citizens are kept secure. New Delhi must intensify its dialogue with regional and global stakeholders, and impress upon them that any dialogue with the Taliban must not come at the cost of the hard-fought victories of the Afghan people in the past two decades: on establishing constitutional democracy and the rule of law, and securing the rights of women and minorities.

## Checks and balance

Seeking a count of 50% of VVPAT slips is too much; the focus should be on ending glitches

In a significant and welcome change from their earlier demand for a return to paper ballots, representatives of a large section of the mainstream Opposition parties met the Election Commission (ECI) to demand changes to the Voter Verifiable Paper Audit Trail counting process during the general elections. Returning to paper ballots will be regressive. The Electronic Voting Machine process, despite the plethora of grievances about its functioning from the Opposition parties, is a major improvement over paper-based voting. There has been no evidence of EVM-tampering as claimed by some parties, and administrative and technical safeguards instituted by the ECI and EVM manufacturers have held steady since the introduction of the EVM. Despite this, the ECI had fast-tracked the implementation of the VVPAT, an adjunct to the EVM that allows for a paper trail for voting and later verification of the electronically registered mandate in the ballot unit of the EVM. VVPATs are now deployed in all Assembly and parliamentary elections with EVMs. This implementation has not been without some misgivings. The Opposition's demand for a count of 50% of the VVPAT slips, as opposed to the current system of counting VVPAT slips in one randomly selected booth of each constituency, is aimed at ensuring that EVMs have not been tampered with. ECI safeguards are robust enough to prevent this, but VVPAT recounts could eliminate any remaining doubt about possible "insider fraud" by errant officials or manufacturers.

While the demand to count half of all the slips is an over-reaction, as a scientifically and randomly chosen sample of booths is a reasonable enough verification for the process, there remains the question whether counting one booth per constituency is a statistically significant sample to rule out errors. A more robust sampling technique that factors in the average size of the electorate in any constituency for each State and voter turnout, involving the counting of more than a single booth in some States, may be a better method. The ECI's response that it is waiting for a report on this from the Indian Statistical Institute should be encouraging. The other issue with the VVPAT is more significant: machine glitches. During the parliamentary by-elections in Uttar Pradesh and Bihar, and Assembly elections in Karnataka in 2018, VVPAT glitches resulted in machine replacement rates rising to 20% and 4%, respectively. Glitches in the VVPAT machines were largely due to spooling issues in the print unit, which was sensitive to extreme weather. Some hardware-related changes were introduced, which improved its functioning in the recent elections in five States. Machine replacement rates due to VVPAT failures came down to 1.89% for Chhattisgarh. Deployment of improved machines should help curb glitches in the Lok Sabha elections.

# Ayodhya and the challenge to equality

The Ram temple issue remains a metaphor for Muslim disenfranchisement



SUKUMAR MURALIDHARAN

In elections to three State Assemblies of Madhya Pradesh, Rajasthan and Chhattisgarh late last year, candidates of the Muslim faith won 11 of the 520 seats in play. That would seem a modest tally, by no means evidence of disproportionate political influence.

The myth of a pampered minority, though, refuses to die. On the campaign trail last November, Prime Minister Narendra Modi accused the Congress party of pressuring Supreme Court judges, on pain of impeachment, to delay a final decision on the Ayodhya title suit. The charge stems from a lineage of propaganda invented by the Bharatiya Janata Party (BJP), which holds the Congress guilty of the cynical politics of Muslim appeasement.

Secularism in India has been variously characterised, though few of these have done justice to the vigour with which the issue was debated in the Constituent Assembly. In the aftermath of Partition, seen as the outcome of the community-based template of political competition introduced under British rule, secularism was an article of faith across the ideological spectrum, though only in a limited definition as a seamless sense of national identity.

### A superfluity

Minority representation was discussed at length and set aside as a superfluity. There was no case for assured representation on communal lines, since the guarantees of equality before the law and access to public services and employment would ensure fair out-

comes for all.

Ananthasayanam Ayyangar put it thus, addressing an interlocutor from the minority community in the Constituent Assembly: "I am a Hindu and if you allow me to represent you, I will come to you at least every four (sic) years. Similarly a Muslim man can come to Hindus. Ultimately, we will all come together." For Sardar Patel, the possibility of both separate communal electorates and assured representation was unthinkable, no less than an incentive for certain citizens to "exclude" themselves and "remain perpetually in a minority".

Equality embraced the right to be different, though not a difference in rights. Exceptions would be granted only where classes of citizens were known to have suffered a deficit of social and cultural capital on account of discrimination through history. The construct of a "minority" segued into a notion of social and educational backwardness, remediable over generations through procedures of affirmative action.

These were formulations steeped in unwitting upper caste privilege, a sense that the Constituent Assembly – elected on a very narrow franchise and voided of its more eloquent minority spokespersons by Partition – spoke for a true nationalism at risk of dilution by sectarian demands.

### A narrower identity

In the real world of dislocation and trauma, Partition witnessed a number of local vigilante efforts to inscribe a narrower identity on the incipient nation. The surreptitious introduction of idols into the Babri Masjid at Ayodhya, where a dispute over building rights on an adjacent site had simmered since the late 19th century, was one such act, though by no means the only one.

It is on record that Prime Minister Jawaharlal Nehru wrote insis-



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tently to the Chief Minister of Uttar Pradesh at the time, Govind Ballabh Pant, insisting that the idols smuggled into the Babri Masjid should be removed. Less known is his suggestion in a 1949 letter to the Minister, Mehr Chand Khanna, of a wider problem involving the expropriation of a number of Muslim places of worship.

Nehru's insistence on the reversal of these intrusions gradually receded from the attention span of governments at the State and local levels. Ayodhya, like numerous other incidents from the time, would have faded into the distant recesses of memory had not the politics of waning upper caste hegemony and the decline of the Congress provided occasion for it to spark back to life.

If equality was a constitutional promise impossible to reconcile with upper caste hegemony, identity was a serviceable alternative. From about the 1980s, the seamless spirit of the Indian nation that was so much a concern of the Constituent Assembly, gave way, at least in electoral competition, to the construct of a nation of multiple identities, contending for influence over the whole.

### The U.P. strategy

From its birth in the 1980s, the Ayodhya campaign has been a metaphor for a minority faith's disenfranchisement. And nowhere is this story told more eloquently than in India's largest State, Uttar

Pradesh, where Muslims constitute over 19% of the total population, and hold a mere 24 seats in a 403 member Legislative Assembly. This tally from the 2017 election is the lowest since 1991, when Muslim representation in a somewhat larger State Assembly, prior to the hill districts being hived off, stood at 21.

That year, when the BJP first won power in U.P., marked the prelude to the climactic act of destruction at Ayodhya. But political energies were spent once the off-fending 16th century monument was effaced. The BJP was unable to mobilise the same fervour in elections that followed, never gaining a majority of its own till the sweep of 2017.

Analysis by the Trivedi Centre for Political Data, at Sonipat's Ashoka University, shows that the BJP's electoral strategy in U.P. was built on a 60 versus 40 calculation. With Muslims and two other caste groupings – Yadavs and Jatavs – making up roughly 40% of the State's electorate, the BJP strategy targeted the remaining 60%. Key to the BJP's sweep of the U.P. elections was its success in drawing in a critical mass of votes from strata that had reason to feel aggrieved at their exclusion from the dominant coalitions shaping politics post-Ayodhya.

### Too loose a standard

The endless turmoil caused by Ayodhya compels a reexamination of other fundamentals of the Constitution. Articles 27 and 28 have been read as reproducing, though in a weaker fashion, the guarantee of secular statecraft of the U.S. First Amendment, which prohibits the establishment of any religion by law.

Though the Indian state is enjoined to neutrality, religion is allowed an active role in the public sphere under Article 25, which assures every citizen the freedom to

"profess, practise and propagate" any faith.

By definition, every religion enters the fray with a claim to universality; no religion is willing to accept a domain of application limited in time and space. The unfettered exercise of Article 25 rights in this sense puts the general will at risk of being bent to a majoritarian assertion. The restraint of "public order" mandated by the Constitution is too loose a standard to prevent the intrusion into politics of religious majoritarianism.

In his recent book, *A People's Constitution*, Rohit De speaks of how in the early years of Indian independence, "electoral minorities", i.e., communities of caste and religion that were unlikely to "represent themselves through electoral democracy", were over-represented in litigation invoking the writ jurisdiction of newly established constitutional courts. Clearly, the Ayodhya petition claiming the restitution of a monument commandeered in the name of another faith was one such instance.

With electoral compulsions now acquiring increasing urgency, the BJP government has demanded that the Supreme Court unfetter a large part of the land held in trust pending a final settlement of the case. Party spokesmen have also mused aloud about issuing an ordinance as an act of executive will to preempt an adverse judicial finding. This attempt to dismantle the last remaining restraint to the majoritarian will is sure to fuel a new fervour in the upcoming general election, putting further pressure on the institutions of governance and challenging their capacity to uphold constitutional integrity.

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# Trump and his generals

For all their discord, no one appears to know how to manage chaos at a time of U.S. retreat



KRISHNAN SRINIVASAN

Not even U.S. President Donald Trump's worst enemies would deny that he has fulfilled many election campaign foreign policy promises, including opting out of international agreements on climate change, the Iran nuclear accord and the Trans-Pacific Partnership, the relocation of the U.S. embassy to Jerusalem, and pressuring allies to pay more for joint defence. A matter for surprise then, is that another Trump campaign pledge, to end the 'endless wars' and bring American troops abroad back home, specifically to withdraw U.S. forces from Syria and Afghanistan, is met with denunciation and open or indirect obstruction from both civilian and military circles.

### The opposition within

This opposition, marked by some high-level resignations such as Secretary of Defence James Mattis – which have been accorded hero-martyr status by the media – has been provoked by Mr. Trump's decision to repatriate some 2,000 forces from Syria and around 7,000, which is around half the total number, from Afghanistan. Mr. Trump's moves are condemned as

isolationist and favouring the 'enemies' of the U.S., especially Russia and Iran. Regarding Afghanistan, his opposition was not astute enough to perceive that the draw-down was a necessary prelude to direct negotiations with the Taliban. The objectors also imply that Israel is exposed to greater danger, a cause certain to enjoy bi-partisan favour. General Mattis, in his resignation letter, wrote he was leaving "because you have the right to have a Secretary of Defense whose views are better aligned with yours." It is amazing that it took him two years to detect any misalignment.

No proposal to draw down the U.S. military presence abroad will be acceptable to Mr. Trump's critics, because the American military-industrial complex referenced by President Dwight Eisenhower in 1961 still holds the civilian authority in thrall, and since World War I, U.S. foreign policy has been totally militarised. To every international problem, Washington has only two responses: the application of sanctions, and the threat or use of force.

Mr. Trump is vilified as isolationist by the mainstream media, evidence that the neo-imperial spirit and god-given right to hold military hegemony is deeply internalised in the entire U.S. establishment. So also is the Francis Fukuyama prediction that "the end point of mankind's ideological evolution [is the] universalisation of Western liberal democracy as



the final form of human government." Insinuations about a sel-out foreshadow whatever contact Mr. Trump wishes to make with the only world power that can incinerate the U.S., though every previous U.S. leader held talks with his Russian counterpart to make the world a safer place. This has less to do with Special Counsel Robert Mueller's interminable inquiry about Russian collusion, and more with the imagining of America's role in the world. The *New York Times* writes of a "world order that the U.S. has led for 73 years since the Second World War", accusing Mr. Trump of reducing that "global footprint needed to keep that order together". The same theme is dutifully echoed by compliant European allies such as Germany's Chancellor Angela Merkel, who in July 2018 bewailed that under Mr. Trump the U.S. could not be relied upon to "impose order". But whose order?

Mr. Trump is wrong in asserting that the U.S. destroyed the Islamic

State (IS) in Syria, not only because there are some remnants of it left, but because while U.S.-coalition aircraft have dropped ordnance from several thousand feet and killed innumerable civilians in the process, the actual fighting against the IS has been done by Kurds in northeast Syria, and the Assad government, Russians, Iranians and Hezbollah elsewhere. The small U.S. contingent of about 2,000 serves to train and supply the Kurds, constrain the Turks and obstruct progress towards a peace settlement. As elsewhere, the Americans are ready to fight till the last local soldier. Mr. Trump has the support of Congress, media and the military on a tough line on Iran – again, a campaign promise – but in West Asia, Mr. Trump outsources local action to allies such as Saudi Arabia, turning a blind eye to its criminal activities in Yemen and also the murder of journalist Jamal Khashoggi.

In the process of demonising Mr. Trump, accountability, responsibility and civilian oversight are discarded, while people in uniform and in the shadows – the ubiquitous U.S. intelligence services – are raised on lofty pedestals, encouraging dissidence. To no surprise, Mr. Trump's announcements have resulted in a flurry of alarmist reactions. As demanded by the media and Congress, the U.S. National Aeronautics and Space Administration cancelled meetings with its Russian counterpart, and an end to U.S.-Russia col-

laboration in space appears probable. The Pentagon now reports that China seeks expansion by "military and non-military means" and military bases in Pakistan, Cambodia, and elsewhere that the American public have never heard of. The Pentagon concludes that China is "developing the capacity to dissuade, deter, and defeat a potential third-party [read, U.S.] intervention in regional conflicts". With a second summit between Mr. Trump and North Korean Supreme Leader Kim Jong-un in the offing, the media is predictably cautioning against any reduction of U.S. forces in South Korea as a result of any U.S.-North Korean détente, with head of the American Joint Chiefs of Staff, General Joseph Dunford, weighing in to predict that China "probably poses the greatest threat to our nation by about 2025".

### Last word with Iran

The last word rests with Iran, regarded as an enemy by both Mr. Trump and his domestic adversaries. When U.S. Secretary of State Mike Pompeo claimed in January that "when America retreats, chaos often follows", Iran's Foreign Minister Mohammad Javad Zarif countered by tweeting, "Whenever and wherever US interferes, chaos, repression, and resentment follow." No one in the United States is listening.

*Krishnan Srinivasan is a former Foreign Secretary*

## 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.

### Implementing the NRC

The ground realities as far as implementation of the National Register of Citizens in Assam are concerned – and that have been pointed out in the article, "A national register of exclusion (Editorial page, February 6) – are alarming. As usual, this is yet another instance by those in charge implementing an important policy decision without adequate preparation. In a country where corruption is rampant and elementary government work goes unsupervised, the sorry plight of those affected in Assam will only be prolonged unless the government quickly introduces a more refined and civilised way of compiling the NRC (Page 1,

"Home Ministry is trying to 'destroy' NRC process, says SC", February 6).

SRUTHI BABU,  
*Thiruvananthapuram*

■ Although the Supreme Court of India is supervising the NRC exercise, it does not appear that the issues of local identity and its authentication process are being addressed. A closer look at the Citizenship (Amendment) Bill and the NRC exercise reveals the potential to take away the political rights of the Scheduled Tribes of Assam, which is guaranteed in the Sixth Schedule – in particular, land rights. Rather than implementing Clause 6 of the Assam Accord and the provisions of the Sixth Schedule in letter and

spirit, the ruling party, both at the State and Central levels, appears to be playing the card of identity and religious politics only to garner votes. The Central government must rectify procedural complexities through necessary institutional arrangements to enable a smooth NRC exercise that does not exclude the citizenship rights of local people.

NAYAKARA VEERESHA,  
*Bengaluru*

### Bullet train route

It is sad to read about the clearance given to the 'bullet train' project between Mumbai and Ahmedabad which will lead to wildlife sanctuaries being affected (Page 1, "Bullet train gets green light via flamingo

haven, national park", February 6). Can development be at the cost of wildlife which is already suffering because of alarming human development? It is ironic that while we are well aware of the need for more power to be given to programmes such as "Save the Tiger" and other wildlife' campaigns, we clear, without second thoughts, mega-projects that are detrimental to the eco-system. One only hopes that good sense prevails and alternative routes are found.

VARGHESE GEORGE,  
*Secunderabad*

■ Being a prestigious project that was initiated by none other than the Prime Minister, it is quite obvious that the ministries

concerned are on a fast-tracking approval spree just before the general election. One is not sure how far compensatory afforestation or site restoration proposals would prove effective in maintaining the ecological balance. Under the guise of development, India's forest lands are being encroached upon with impunity, leaving many species in distress. It is also disputable whether the bullet train project will be cost effective and completed in time, given the right of way issues that would surface from time to time.

V. SUBRAMANIAN,  
*Chennai*

### Team West Indies

There are several reasons behind the gradual decline of West Indies cricket ("Sport

page, "When West Indies do well, the world rejoices", February 6). With the retirement of some of the greatest cricketers names in the early 1990s, countries in the West Indies opted for athletics as their chosen field. The subsequent years too were mired in issues regarding payment due to a paucity of funds with the cricket board. As pointed out, the disharmony and clash of egos have also exacerbated the decline. There has only been mediocrity in the available pool of cricketers. It is only natural that rebuilding the side has been an extremely time-consuming process.

T. LAKSHMANAN,  
*Tirupur, Tamil Nadu*

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