



## Five States

This round of polls has more than one thread; using them to spin a forecast for 2019 is risky

As five States go to the polls with just months left for the Lok Sabha election, the temptation to read the results as pointers will be great. What makes the contest in Madhya Pradesh, Chhattisgarh and Rajasthan even more interesting is that these will witness a direct fight between the BJP and the Congress, the principal players at the national level. Whoever wins would have hurt the opponent twice over. Additionally, the Congress is a big player in Telangana and Mizoram too, raising the stakes in this round further. Without a doubt, the results will have a bearing on how the issues are framed and the campaign is run in 2019, not to speak of the effect on the morale of party functionaries and workers. But it would be a mistake to ignore the particularities of each State while reading the results as indicators of how 2019 will turn out to be. In the Lok Sabha election of 1999, for instance, Madhya Pradesh and Rajasthan voted overwhelmingly for the BJP after having elected the Congress in the Assembly elections just a year earlier. The BJP at that time cashed in on the widely held perception that the Vajpayee government was brought down unreasonably. In Madhya Pradesh and Chhattisgarh, the BJP has been in power since 2003; Shivraj Singh Chouhan is completing 13 years as Chief Minister of Madhya Pradesh, and Raman Singh 15 years in Chhattisgarh, and anti-incumbency will be a factor, more than in the Lok Sabha poll. But the Congress appears to have its best chance in Rajasthan, which chooses alternately between it and the BJP.

Telangana is the new State added to this batch of elections as Chief Minister K. Chandrababbarao chose to recommend dissolution of the Assembly almost nine months before its term was to end. Mr. Rao clearly wanted to uncouple the Assembly election from the Lok Sabha. There was no proximate event that could have resulted in a surge of support for his government as was the case when N. Chandrababu Naidu tried to advance the Andhra Pradesh election after surviving a landmine blast in 2003. Mizoram, where the contest has traditionally been between the Congress and regional formations, is unlikely to see a drastic change although the Northeast is one of India's most politically volatile areas and the BJP has encroached upon the Congress space in parts of the region. The timing of the Election Commission's announcement itself came under political scrutiny with the Congress alleging it was put off by hours to allow Prime Minister Narendra Modi to complete his speech at a rally in Ajmer. The Election Commission of India gave several reasons for the postponement, including a late request from Tamil Nadu to defer the election citing the monsoon. As one of the most important institutional pillars, the ECI will have to be above all suspicion.

## Hard justice

With Brett Kavanaugh confirmed, Republicans enjoy great power to shape the U.S. agenda

The U.S. Senate has confirmed the nomination of conservative-leaning judge Brett Kavanaugh, by a vote of 50-48, and he was sworn in as a ninth justice of the Supreme Court (SCOTUS). The narrow victory of the second successful nominee of President Donald Trump to the highest court came after a furor involving allegations of sexual misconduct levelled by Christine Blasey Ford, a Professor of Psychology. Under pressure after Ms. Ford came forward, the Republican majority on Capitol Hill agreed to an FBI inquiry into the allegations against Mr. Kavanaugh. While the FBI was limited to a tight deadline, given a predetermined list of persons it could interview, and constraints on the kind of evidence it could obtain, no conclusive evidence of wrongdoing emerged. Mr. Kavanaugh now takes the place of retired Justice Anthony Kennedy, a judge seen as a potential swing vote on contentious issues such as marriage equality. Chief Justice John Roberts is also considered by some to be a potential swing vote, as he was in the case that established the legality of former President Barack Obama's Affordable Care Act. This, then, is the critical question facing American jurisprudence: has the rightward tilt of the SCOTUS intensified with Mr. Kavanaugh's confirmation? Including him, five of the nine justices now lean conservative.

Liberal-progressive America may understandably fear that the country is on the brink of a new epoch of politics and social justice that could herald a rollback of hard-fought freedoms in areas such as women's reproductive rights, voting rights, LGBTQ rights, rights of racial or ethnic minorities, immigration reform, and environmental controls. Given Mr. Kavanaugh's past rulings on assault weapons bans, religious liberty rights and the constitutional rights of large financial corporations, his rulings in future cases may well favour conservatives – for example, by giving the Second Amendment on the right to bear arms more teeth, by potentially reopening *Roe v. Wade* on abortion, or by allowing state-level challenges that go against the marriage equality tenet implied by *Obergefell v. Hodges*. A closely watched area in which the newest justice may have to rule is whether the U.S. President is immune to criminal prosecution, especially since Mr. Kavanaugh helped write the Ken Starr Report calling for the impeachment of President Bill Clinton. Would he still stand by sections of that report that argued in favour of an impeachment for lying? Taking a step back from the Kavanaugh nomination, it is evident that even if Democrats are in a strong position to win back the House of Representatives in the coming mid-term elections, control of the White House, the Senate and SCOTUS gives the Republican Party a magnitude of control rarely seen in recent times, and with it the power to reinsure conservative values into the heart of American democracy.

# Indian democracy's Westphalian moment

The Congress and non-NDA regional parties must forge 'a practical accommodation to reality'



GOPALKRISHNA GANDHI

With the Election Commission having announced the schedule for elections to the Legislative Assemblies of Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan and Telangana in November-December, the stage has been set for a 'dress rehearsal' of the elections to the Lok Sabha in 2019.

This dress rehearsal will, in ideological terms, be a straight fight between majoritarian supremacy and democracy, between ideological hegemonism and constitutional federalism. But will it be, in electoral terms, a straight choice for the voter between the National Democratic Alliance (NDA) and the Opposition's 'others', united or even allied? After the 'Karnataka moment' in May, it seemed like this straight choice was as good as 'done'. But today, with discordances in the non-BJP Opposition's pre-poll voice, the situation calls for sober reflection.

The voter will see in the dress rehearsal's optics, on one side the Rashtriya Swayamsevak Sangh-Bharatiya Janata Party's highly uniformed, prescribed, single dress code: white and khaki. On the other side a riot of federal colours and logos – from the Bahujan Samaj Party's (BSP) blue, to the Samajwadi Party (SP) and the Left's red, the Congress's tricolour, the Mizo National Front's tiger's deep yellow, the pink of the Janta Congress Chhattisgarh, the pink, again, of Telangana Rashtra Samithi, and the deep green of that State's All India Majlis-e-Ittehadul Muslimeen.

The cynic can (and should) des-

pair: "The Opposition is divided! Look at how the Karnataka glue is drying up... The Congress is being typical - arrogant - not having the grace to give the BSP and SP a few more seats in Rajasthan and Madhya Pradesh, Chhattisgarh... The Madhya Pradesh voter is confused by so many Congress factions - Kamal Nath who is said to be the CM face, Jyotiraditya Scindia who is said to be the CM brain, Digvijaya Singh who is said to be the CM heart... Between Ashok Gehlot and Sachin Pilot there is a war in Rajasthan no less intense than that between Congress and BJP... This is already giving Vasundhara Raje an upswing. Don't be surprised if the Princess flukes a comeback."

None of these observations would be wrong as observations. And it is good that they be made, be heard – for they can and should jolt the Opposition into urgent repair-work. The 'Karnataka moment' was what can be called a Westphalian moment.

### Message from 1648

A reflection on that far back, 1648 occurrence would be in order. Suffice it to say, the Treaties of Westphalia ushered in a balance between states in central Europe which had, until that watershed accord, been dominated by the Holy Roman Empire with the Habsburgs and their Catholic allies on one side and Europe's Protestant nations and France (Catholic but anti-Habsburg) on the other. The Protestant states of Europe such as the Swedish, Danish and the Dutch fought Rome gallantly for thirty years but the tide turned only when France, though Catholic, joined the war on the Protestants' side, altering the war's destiny.

Westphalia has its critics who point to the risks of territoriality stemming from geopolitical autonomy, but it has, nonetheless, become a metaphor, a by-word for



K. ANURAG KUMAR

smaller entities coming together to resist the might of the physically and militarily large, the technologically and financially preponderant and the politically dominant. Former U.S. Secretary of State Henry Kissinger put it succinctly when he described the Westphalian viewpoint as "checking each other's ambitions through a general equilibrium of power".

No analogies are perfect, no metaphors fit like a glove but post-Karnataka India, in 2018, shows unmistakable signs of a Westphalian moment – its fragilities and possibilities, both. The BJP, ruling at the Centre and in a majority of the States, is not unlike the Holy Roman Empire of 1648. And the Congress, the second largest national party, is like France, bigger than 'the rest' but capable of giving moral and material support to them and, in a way, leading them to discover, to quote Mr. Kissinger again, "a practical accommodation to reality, not a unique moral insight".

To offer the Holy Roman Empire of India, 2018, a defining knock-out blow, the Congress needs to discover within itself the France of 1648, convert its sense of bigness into big sharing, big giving, big leading and - big-time self-forgetting, big-time self-restraining. Without Sweden, Denmark and the Dutch in tow, France could not have taken on the Holy Roman Empire and the Habsburgs. Without the regional parties, the Indian National Congress cannot take on the BJP.

## The diaspora and disasters

As the Kerala floods have shown, the diaspora can shape political and economic responses



S. IRUDAYA RAJAN

Between August 8 and 20, the devastating floods in Kerala claimed nearly 500 lives, displaced over a million people, and directly affected over a sixth of the State's total population. The State government's latest report estimates the losses to be more than the State's annual plan. In the fiscal 2017-18, Kerala's annual plan outlay was pegged at ₹26,500 crore. Moreover, according to the just concluded Kerala Migration Survey (KMS) 2018 – conducted by the Centre for Development Studies in Kerala – while remittances received in Kerala accounted for approximately ₹85,000 crore, much was used for housing and improving human development.

This was the worst flood in Kerala since 1924. In the deluge then, the State received 650 mm of rain compared to 2,344 mm this time. However, the impact was similar.

The difficult task of rebuilding the State has begun and contributions to the Chief Minister's Distress Relief Fund (CMDRF) have crossed more than ₹1,680 crore. The Chief Minister is confident that the State would be able to overcome the shortage of funds by mobilising its own resources and through support from different

quarters. For Kerala, the most important support system is the Malayali diaspora across the world.

### Migrant data

According to the KMS 2018, there are over 2.1 million Malayali emigrants globally and 1.3 million return migrants. The Department of Non-Resident Keralite Affairs, headed by the Chief Minister of Kerala, looks after the welfare of the 3.4 million migrants globally, in addition to the nearly 2 million internal migrants within India. These are Keralites who have direct connections to their households – fathers, mothers, spouses, and, in some cases, elderly children. Of course, there are also Malayalis who have moved from Kerala permanently with their family and live within the country or abroad (non-residents from Kerala). They number around 2-3 million (over the last 60 years since the formation of the State in 1956).

The advantage Kerala has at this point is to engage with its migrants and diaspora who have been instrumental in rebuilding the destination economies after natural calamities and economic crises. The standing of the Malayali diaspora is evident from the extraordinary support Kerala has received from other sovereign states with large diaspora populations such as in West Asia, multinational corporations employing Malayalis, and by the diaspora itself. With the depreciation of the Indian rupee, the State can relaunch foreign currency deposit schemes such as the



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hugely successful India Millennium Deposit Scheme which was introduced in 2000 by the Centre to leverage higher values of foreign currencies so as to overcome financial and economic crises.

### Pivotal role

Unfortunately, 'not much attention has been paid to the role of diaspora groups in post-disaster situations. Yet, in a globalised world, the international dimensions of disaster response and recovery, and the significant policy role played by the diaspora can be critical'. For example, after the earthquake in 2010 in Haiti, 'the Haitian diaspora in the U.S. served as a conduit for doctors, nurses, engineers, educators, advisers and reconstruction planners. Haitian-Americans continue to be vital in long-term recovery – as supplies, remittances, sharing human and financial resources, lobbying governments, international organisations and corporations for disaster relief and redevelopment funding, and in facilitating eased travel restrictions'.

In Nepal, after the 2015 earth-

quake, the Non-Resident Nepali Association collected \$2.69 million, mobilised over 300 volunteers including doctors and nurses, and pledged to rebuild 1,000 disaster resilient houses. In the tsunami in South Asia (2004) and the Pakistan earthquake (2005), diaspora and migrant remittances flowed generously, demonstrating the counter cyclical nature of remittances.

In Kerala, the migrant community and diaspora moved swiftly to organise an Internet-driven response. By sharing and re-sharing vital information on affected regions and people, supplies, and precautionary measures (on social media platforms), they were instrumental in expanding the flow of information that would later be used by politicians, private and military rescue operations, and relief workers.

Successful diaspora groups are among the largest contributors to the CMDRF. They will be invaluable in mobilising resources, talent, and knowledge which will be integral in rebuilding the State. For example, a Kerala Health Department report has made it clear that there will be a 100% increase in the demand for pharmaceutical drugs. These can be sourced quickest through transnational diaspora networks. As the diaspora is one of the greatest assets of Kerala, communities should improve relations with diaspora groups. Return migrants should also act as liaison agents.

Diaspora communities will also

subject, minor entities.

The writing is on the wall.

Its Westphalian moment must be seen and grasped by India's democratic Opposition.

### Overcoming memory

Memory is a great charger. It is also a great inhibitor. The Congress's memory of its past supremacy energises it but restricts its scope for a practical accommodation of current realities. The Congress's memory is also, very often, no different from its cadres' stinging short-term memory of power and its loss. Sharing comes to the recently deprived, with effort. But share it must. If only because if it does not, there may be nothing left to share.

Likewise, the non-Congress Opposition is energised by its memory of trouncing the 'giant' Congress in the States, sending it often into third and fourth place. But they cannot forget that 2018 and 2019 are a different theatre altogether. They are not about a choice between democrats within democracy, but a choice in a fragile democracy between those who want to protect it and those who want to usurp it. In optimising numbers every number counts, every seat, every vote – and in doing that, they cannot afford to reckon without the Congress. This opportunity optimisation will be called by the NDA 'opportunism'. But then we should thank the 'opportunism' of those who delivered Europe from the hands of the Holy Roman Empire.

The party is bigger than its leaders, the nation bigger than a party. Never before has this been truer than today when a systematic attempt is being made to use the methods of democracy to morph it into its very antithesis.

Gopal Krishna Gandhi is a former administrator, diplomat and governor

## 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.

### Row over verdict

A State with near 100% literacy has reached to the landmark judicial verdict on women's entry to the Sabarimala temple in a most shocking manner ("Stalemate in Kerala on Sabarimala issue", October 8). The Chief Minister of Kerala is bound by the Supreme Court ruling and the issue before him now is how to find ways and means to implement it, peacefully. The stakeholders seem to have raised pre-conditions, a confrontationalist stand which does not augur well for the State. The Chief Minister should not be seen to be low-towing to pressure tactics.

ABDUL ASSIS P.A., Thrissur, Kerala

■ Certain 'unreasonable beliefs and practices' are bound to be a part and parcel of religion. Freedom of religion is all about letting things be unless these are brazenly violative of basic human rights. Over-investigation and over-treatment of minor flaws in the name of equality would be counter-productive; they cause disquiet by needlessly disturbing settled religious practices. As the lone dissenting Supreme Court judge, Justice Indu Malhotra, has said, the court's zeal to ensure equal rights should not morph into a pointless exercise of rationalising faith. Non-urgent religious reforms are best left to religions themselves to accomplish. Keeping this in mind, the

Kerala government should explore judicial options to redress widespread disquiet over the Supreme Court verdict.

G.L. KRISHNA, Bengaluru

### Gender issues

Gender sensitisation is indeed under way in Indian schools, and publishers are collaborating with parents and teachers to present suitable materials to their charges. But no author of school texts can be expected to write about religious practices relating to witchcraft or occult beliefs, nor would it be safe for teachers to raise these matters in a classroom without inviting sharp protests (Editorial page, "Misogyny in a modern

idiom", October 8).

MINI KRISHNAN, Chennai

■ School is regarded as a child's second home and a place where most development takes place. Increasing crime against and exploitation of women in turn point to a failure of the education system, so that we are unable to send out responsible humans with ethical and moral values.

VISHAKHA SHARMA, New Delhi

■ The Central Board of Secondary Education uses NCERT textbooks, yet the writer fails to explain why misogyny is not explained in any of them. As a student who did his schooling in a CBSE school, I can only

attribute my values on gender issues and respect towards women to the culture where I live – Kerala. My education had no part or role in this. Wasn't the National Curriculum Framework supposed to be holistic?

JOSEPH THALATHI, Kochi

### Predator as prey

That the lions in Gir are now being vaccinated points to neglect and ignorance on the part of the government as well as the forest department. The lack of enough protected habitat for the large population of the lions is a major problem. They need to be translocated as soon as possible. More studies and programmes should be conducted to

ensure the well-being of the big cats.

RITU ARYA, Bathinda, Punjab

### Cricket colts

Close on the heels of their seniors winning the Asia Cup, the performance of the Under-19 Indian cricket team brings more cheer ("Sport" page, "India triumphs in emphatic manner", October 8). The good show by the juniors only shows that there is abundant talent waiting to be tapped. It also augurs well for Indian cricket because only the fittest, the best and the most consistent will be able to help make the game more competitive.

K.R. SRINIVASAN, Secunderabad

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