



Defusing tensions

The Supreme Court's interim order paves the way for a quick resolution of the CBI crisis

The Supreme Court has taken hold of the situation. It has done well to order a time-bound and supervised inquiry into the charges against the sidelined CBI Director, Alok Verma. The government had suggested that it took the first step earlier this week to defuse tensions arising from the feud between the two top officers of the agency when it asked Mr. Verma and Special Director Rakesh Ashana to go on leave, and appointed M. Nageswara Rao as its interim chief. This followed an order by the Central Vigilance Commission, accusing Mr. Verma of non-cooperation and divesting him of his powers and functions. However, these measures only deepened the suspicion that the government was interfering in the CBI Director's functioning. The court, while entertaining a writ petition from Mr. Verma questioning the legality of the order divesting him of his powers, has asked the CVC for a quick probe within two weeks into allegations against him contained in a letter sent by the Cabinet Secretary on August 24. Former Supreme Court judge A.K. Patnaik is to supervise the CVC probe. Responding to the government's reservations about such external supervision of the work of a statutory authority, whose primary responsibility is superintendence over the CBI in anti-corruption investigations, the court clarified that it is a one-time exception given the peculiar facts of this case. The court has addressed the possibility that the crisis could be compounded if the interim Director makes any far-reaching decisions on his own. It has asked him to confine himself to routine tasks to keep the agency's work going. A review of Mr. Rao's early decisions transferring key officers is possible: the court has sought the details in a sealed cover.

The court's interim order thus goes beyond calming the air; it works as a safeguard against any further damage to the institution's reputation and credibility during the pendency of the case, and is a means to a quick resolution. It also preserves the legal questions arising from the government's action based on the CVC's order against him. Notice has been issued to the government in both Mr. Verma's petition and another by the NGO 'Common Cause' challenging the order against Mr. Verma. Questions such as whether the CVC's power of superintendence extends to recommending stripping a Director of his powers and functions and whether such a step requires the approval of the committee that appoints the Director are still open for adjudication. Judicial intervention often serves to quieten the mood in a surcharged atmosphere. This is of particular importance here. Reports that four men from the IB were caught by Mr. Verma's security staff on suspicion of mounting surveillance on him cause unease. This is no time for distrust and mutual recrimination.

Touching base

PM Modi's visit to Japan should clarify the shared reading of a changing world order

Ever since they institutionalised annual summit-level meetings in 2006, India and Japan have held a closely aligned world-view. Prime Minister Narendra Modi now heads to Japan for meetings with his Japanese counterpart, Shinzo Abe, and they are expected to take stock of all the challenges they face, notably with regard to the U.S. and China. President Donald Trump's recent actions on trade tariffs, sanctions against Iran and Russia, as well as the U.S.'s exit from several multilateral and security regimes are impacting both countries in different ways. For India, the impact is more direct, as the economy has been hurt by new American tariffs, review of its GSP (trading) status, and restrictions on visas for professionals. Moreover, possible U.S. sanctions over Indian engagement with Iran as well as defence purchases from Russia pose a looming challenge. For Japan too, U.S. trade tariffs are a concern and Washington's exit from the Trans-Pacific Partnership is corralling Southeast Asian countries into a free trade regime under Chinese domination. In addition, the U.S.'s on-again, off-again nuclear negotiations with North Korea are keeping Tokyo on tenterhooks. India and Japan must closely cooperate on how to manage these challenges from the U.S. while maintaining their growing security ties with Washington, as members of the trilateral and quadrilateral formations in the Indo-Pacific. The other common concern is managing an increasingly influential China. Mr. Abe will meet Mr. Modi a day after he returns from a visit to Beijing, the first by a Japanese Prime Minister in seven years. Mr. Modi has re-engaged Beijing through multiple meetings with President Xi Jinping this year. The Prime Ministers are bound to compare notes on the way forward with their common neighbour, especially on building and financing alternatives to China's Belt and Road projects for countries along the "Asia-Africa growth corridor".

On the bilateral front, there are several loose ends that Mr. Modi and Mr. Abe will work to tie up. The Shinkansen bullet train project has gathered speed, with the Japan International Cooperation Agency releasing the first tranche of ₹5,500 crore recently. But it could still run into delays over land acquisition issues. India and Japan have stepped up military exchanges, and will begin negotiations on a landmark acquisition and cross-servicing logistics agreement. However, there has been little movement on the pending purchase of ShinMaywa US-2 amphibian aircraft. And while Japanese investment has grown several-fold in India, trade figures are lower than levels five years ago. None of these issues is insurmountable, and the larger concerns of how to navigate uncharted and stormy geopolitical terrain, while maintaining strong positions on the international rules-based order, are likely to dominate Mr. Modi's visit.

Who will speak truth to unfreedom?

The latest effort to control research and prevent academics from protesting will kill the spirit of critical inquiry



NEERA CHANDHOKE

It is time to re-read the politically charged play, *The House of Bernarda Alba*, (1936) by Federico García Lorca. After their father's death, five young women are forced to live in a barricaded house of mourning for eight years. The doors are latched, windows are curtained with thick black fabric, and every nook and cranny closed. The consequences of living in claustrophobic spaces without men are tragic. The sisters repeatedly attack each other in grotesque performances of frustrated desire.

Bernarda, the mother, is the poster-girl of fascism. One of her daughters dares to wear make-up, Bernarda snatches the make-up and viciously smears it on the face of the young woman. Beyond the barred room, we catch tantalising glimpses of sunlight. Within the house we encounter pitifully deformed psyches and disturbed minds. Lorca authored a formidable play. It was to be his last. Shortly after, he was murdered by fascist forces in Spain. His message remains with us, repressed sexuality is a powerful metaphor for political frustration.

Costs of subjugation

Lorca proved prophetic. Open societies encourage us to accept and welcome different ideas and practices. They liberate and expand our imaginations and our commitments. When societies turn inwards, they construct barricades between themselves and the outside world. At some point members transfer the notion of the outsider to parts of the collective self. Political subjugation carries heavy

costs.

Ruled by a government that verges on authoritarianism, Indians have turned savagely on their own fellow citizens, sometimes in the name of cow-protection, and often because someone has identified A or B as a kidnapper. Sometimes individuals are attacked because they are migrant workers and therefore 'outsiders', and often because they are represented as 'infiltrators'. Disorder is the order of the day, and violence is the currency of social transactions. Sane voices have to speak up.

But where will these sane voices come from? The party in power has identified and cracked down on three sites of debate and dissent, the media, civil society and the public university. Incalculable damage has been done. Public universities are accessible and affordable. They provide training in skills, but more importantly, they expose young minds to nuanced debates in the social sciences and the humanities. The objective is to fine-tune sensibilities and push back horizons, familiarise young people with the best in literature, philosophy, political science, history, sociology, aesthetics and psychology, and keep alive the spirit of critical inquiry.

Power of the humanities

That is why imaginatively designed courses in the humanities and social sciences lie at the heart of any university worth its name. They encourage students to challenge and interrogate, even as they explore the past and the present. Teachers inspire students to understand the complexities of the human condition, to know what should be done for human beings, and what should not be done to them. Above all students are introduced to categories that allow them to think, reflect, and critically engage with people, places and



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things.

When academics acquaint students with Indian politics through the searing prose of Shrilal Shukla's *Raag Darbari*, communicate the densities of human emotions through *King Lear*, acquaint them with spectres of domination and the exhilarating prospect of resistance through the poetic lens of *Antigone*, or convey the horrors of communal conflagration through the powerful pen of Yashpal in his *Jhootha Sach*, they do not just transmit information – they contribute to the making of knowledge. In the process, university teachers promote the notion of citizenship as solidarity with the less advantaged and warn students of the horrors of authoritarian rule that seeks to control and dominate. The idea is to produce aware and enlightened citizens conscious of their own power and the responsibilities of an elected government.

This is precisely why the latest avatar of capitalism in the 1990s, neoliberalism, devalued social sciences and humanities. Capitalism demands docile bodies and submissive minds. In 2010, Terry Eagleton, the celebrated literary critic, spoke of the death of universities. Academia, he rued, has become a servant of the status quo. Can we have a university without the humanities? It would be like a bar without alcohol! If history and

Proceed with caution

A National Register of Citizens exercise in Tripura would open a Pandora's box



SUSHANTA TALUKDAR

The clamour for compilation of the National Register of Citizens (NRC) in Tripura reflects a real problem but also exposes deep demographic fault lines in the north-eastern State bordering Bangladesh. An NRC exercise in Tripura may open a Pandora's box as India is still undecided on determination of citizenship status of lakhs of refugees from erstwhile East Pakistan.

The Supreme Court has tagged a petition filed by the Tripura People's Front seeking updating of the NRC in Tripura, along with the Assam NRC case, and issued a notice to the Centre. The petitioners have sought July 19, 1948 as the cut-off date in accordance with Article 6 of the Constitution. Tripura was a princely state prior to its merger with India on October 15, 1949. The Dasarath Deb-led Left Front government in Tripura signed an accord with the erstwhile militant outfit All Tripura Tribal Force (ATTF) in 1993 to send back all Bangladeshi nationals who came

to the State after March 25, 1971 and were not in possession of valid documents.

Successive Census Reports and official records show how large-scale migration of people from erstwhile East Bengal and East Pakistan (now Bangladesh) changed the demography of Tripura, stoking fears among various ethnic communities, the original inhabitants, about their survival. They were apprehensive that their identity, language, culture and traditions were at stake. Prior to the 1951 Census, ethnic communities enlisted as Scheduled Tribes constituted the majority population in Tripura, and accounted for 52.89% of the total population of 1.73 lakh in 1901. However, the percentage declined to 50.09 in 1941, 36.89 in 1951, to 28.95 in 1971 and 28.44 in 1981. It was 31.78% of the total population of 36.74 lakh recorded in the 2011 Census.

Steady influx

A booklet titled, "Special Information Relating to the Influx of Refugees from East Bengal into India till 30th September, 1971", brought out by the Department of Rehabilitation, Ministry of Labour and Rehabilitation, Government of India on October 15, 1971 states that there was influx of an estimated 5.17 lakh refugees from erstwhile



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East Pakistan into Tripura between 1947 and February 1971. Of them 3.74 lakh migrated between August 15, 1947 and March 31, 1958 following Partition and 1.43 lakh migrated between January 1, 1964 and March 24, 1971 due to communal riots in East Pakistan. Subsequently, Tripura recorded influx of 13.50 lakh refugees from March 25, 1971 to September 30, 1971 following the civil war and Pakistan Army atrocities in East Pakistan during the Bangladesh liberation war. About 8.52 lakh were sheltered in 230 refugee camps, while 4.98 lakh took shelter outside the camps. The population of Tripura in 1971 was about 15.57 lakh, of whom 11.42 lakh were born in India and 3.95 lakh were born in erstwhile East Pakistan. The cut-off date for the NRC exercise will be critical to determination of citizenship of the East Pakistan refugees besides ensuring that the demographic fault lines do not give

fresh ground for insurgency and a fresh conflict between ethnic communities and the migrants. Tripura has left behind a bitter past to move ahead.

In Assam, the NRC has been updated by taking midnight of March 24, 1971 as the cut-off date in accordance with the Assam Accord, but the Supreme Court is also hearing a petition seeking 1951 as the cut-off year for identification of foreigners in the State. Of the 3.29 crore applicants in Assam, about 40 lakh were excluded from the complete draft of the updated NRC prepared under the Supreme Court-monitored exercise.

Constitutional guarantee

Article 6 of the Constitution implies that a migrant from erstwhile East Pakistan is deemed to be an Indian citizen if either of his or her parents or any of his or her grandparents were born in India and in the case where such a person has migrated on or after July 19, 1948, and has been resident in the territory of India since the date of his migration. The migrant can also be deemed a citizen if such a person migrated on or after July 19, 1948 but has been registered as a citizen of India by an officer appointed by the Government of India. Many of those excluded in the NRC draft in Assam are post-Partition refugees

and came to Assam prior to March 25, 1971 but reportedly do not have the required documents to prove their residency in India.

Before any concrete plan on the NRC exercise is firmed up, the BJP-led governments at the Centre and in Tripura may push the Citizenship (Amendment) Bill, 2016 to woo the post-Partition Bengali refugees by playing upon the perceived fear among them of being reduced to non-citizens if July 19, 1948 is taken as the cut-off date. The bill seeks to grant citizenship to six non-Muslim minority communities in Bangladesh, Pakistan and Afghanistan – Hindus, Sikhs, Christians, Buddhists, Jains and Parsis. The BJP National Executive and its Assam State unit have been pushing the Bill, notwithstanding strong opposition in Assam and other northeastern States. With both the Centre and the Tripura government remaining non-committal on the NRC in Tripura, it indicates such a possibility.

The deep demographic fault lines and the history of a bitter insurgency-ravaged past should, however, remind both New Delhi and Agartala that mishandling of the citizenship issue may push Tripura into a protracted conflict situation that will be difficult to resolve.

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LETTERS TO THE EDITOR

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CBI crisis

It is strange that the undercurrent of tensions in the premier investigative agency, the Central Bureau of Investigation, remained unnoticed. The battle of wits and the trading of charges and counter-charges between those who matter in the CBI has been unfortunate. The war-like situation between individuals is stunning and unheard of in the annals of the institution's decades-long history. Much damage has been done and the perception is that there is something deeper to the issue ("It's over to the Supreme Court now", October 26).

R. SAMPATH,
Chennai

■ The CBI is now the butt of ridicule. One wonders why the Government of India allowed the situation to deteriorate. Either the

National Security Adviser was totally preoccupied with other issues or there was a serious lapse on the part of the Intelligence Bureau in advising the government. The Prime Minister is portrayed as a man of decision, but he and his team seem to have lost steam. The happenings have given the Opposition a stick to beat the government with.

GOVARDHANA MYNEEDU,
Vijayawada

■ What is happening in the CBI is akin to caged birds engaged in a power struggle. The media is only adding fuel to the fire. If there are allegations of corruption, it is a case of the fence eating the crop. The betrayal of trust is the biggest crime here.

SUBBU SUBRAMANIAM,
Mumbai

■ The agency was created for a different purpose but subsequently appears to be

used as a favoured deputation for IPS officials using their connections. A rejig in the working of the agency is vital for governance and the government should use an out-of-the-box approach to set things right. Professionally qualified people should be brought in. It is always thought that investigation should be done by police officers and that others are incompetent to handle such a portfolio. In every Central government institution, the Enforcement Directorate, Income-Tax Department and the Railways for example, investigation happens and not by police officers. The second aspect is related to having a fixed tenure for the chief of the agency. This proposition means that a person should continue irrespective of any happenings. Finally, IAS and Central

cadre officers should be roped in, which will ensure that the team is independent and does not collude with the team in the State to which they belong. Transparency and integrity are spoken about at all fora, but in order to implement it, a multi-pronged approach is required to maintain institutional integrity and transparency in functioning.

S.S.VENKATA SUBRAMANIAN,
Chennai

Disqualified

Unfortunately, it has taken about a year to end the suspense over the disqualification of 18 Tamil Nadu MLAs ("Disqualification of T.N. MLAs upheld", October 26). There has been much debate in this period on the longevity of the government and the political fortunes of different political parties. However, not much thought has been given to the hapless

electorate. Given the dire necessity for a representative to address the grievances of locals, one only wishes that the judicial system acted expeditiously to come to a conclusion on such a vital issue instead of treating it as a run-of-the-mill one. The disqualified MLAs should gracefully accept the judgment and opt to contest elections in the overall interest of their constituencies. Any attempt to prefer an appeal would dent their own image as power-hungry politicians and also expose their hesitation in facing an election for fear of defeat. However, the judgment deserves appreciation for setting a precedent that lawmakers cannot hold the State to ransom by adopting unconstitutional methods to dislodge a duly-elected government.

V. SUBRAMANIAN,
Chennai

Bravo signs off

Dwayne Bravo's retirement from international cricket comes as a surprise as he has the potential to play the game for at least a few more years. Bravo will definitely be remembered for his all-round performances and many an unforgettable innings where he showed how one can change the course of a game with grit and determination. His amiable character and happy-go-lucky personality have won him millions of fans. He is also considered one of our own cricketers by being a part of the Indian Premier League and for his good rapport with Indian players and spectators ('Sport' page, "Bravo calls time on international career", October 26).

M. PRADYU,
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