



In governance mode

The government in Karnataka should focus on development despite political uncertainty

The BJP government in Karnataka won a trust vote in the Assembly on Monday, but that does not end the political instability. B.S. Yediyurappa, who has become Chief Minister for the fourth time at the age of 76, can breathe easy for six months now. The irony of his trust vote victory is that his government does not have an absolute majority of the total strength of the House. The exact numbers in favour of the government were not clear as there was no division of votes on Monday, but it is apparent that the BJP is short of the halfway mark of the Assembly's full strength, which is 225, including one nominated Anglo-Indian representative. Winning 105 seats, it had fallen short in the 2018 Assembly election but Mr. Yediyurappa had never conceded defeat. Supreme Court intervention ended his third tenure as CM in just three days then, but he is back in the saddle 14 months on, riding a rebellion in the ranks of the Congress and the Janata Dal (Secular) which had formed a post-poll coalition and government in 2018. While the coalition had inherent contradictions that weakened it from the very start, it was the BJP's relentless and amoral pursuit of power that led to its collapse. The BJP is evidently elated, and Mr. Yediyurappa said he believed in the principle of "forget and forgive".

Many other characters in the months-long political drama in Karnataka may not be able to "forget and forgive" the machinations that preceded the vote. K.R. Ramesh Kumar, who resigned as Speaker on Monday, disqualified 17 rebels from the Congress and the JD(S) under the anti-defection law. By disqualifying them for the Assembly's remaining tenure, he sought to preempt their inclusion in the new government, but the issue is headed for the courts. It might be a while before by-polls are held, and those could alter the Assembly's composition. The bitterness among political parties will linger, and the government will have uncertainty hanging over it. The State houses some of the best companies and has built for itself a reputation as a destination for investors and job-seekers. A dishonourable political culture that involves rent-seeking, high-handedness and rapacity by leaders has dented that reputation in recent years. Karnataka continuing its success as an economic powerhouse is in the interest of the country. While these are medium-term concerns, the State has some immediate challenges to tackle, particularly water scarcity and urban management. With such tasks ahead, the Chief Minister will need all the time and focus he can possibly garner for governance. Now that Mr. Yediyurappa has realised his dream and taken command, he should ensure that his rivals would end with bloody noses in this battle are drafted for better governance and the progress of Karnataka.

Talks and terror

Afghans suffer from the effects of war even in the middle of peace talks

The attack on Afghan vice presidential candidate Amrullah Saleh's office in Kabul on Sunday that killed at least 20 people and injured 50, including Mr. Saleh, is a grave reminder of the crisis the war-torn country is going through even amid attempts to find peace. Mr. Saleh, a former intelligence chief and a strong critic of the Taliban and Pakistan, is President Ashraf Ghani's running-mate for the September 28 election. And the irony is that the assault occurred a few hours after President Ghani officially launched his campaign in which he promised that "peace is coming". The message the insurgents are trying to send is that even the most fortified political offices in the country or its top politicians are not safe. The insurgents have made it clear they will carry out their offensive irrespective of the peace process, especially when Afghanistan gets down to a full-fledged election campaign. In recent months, even when the U.S. and Taliban representatives have held multiple rounds of talks in Doha, Qatar, insurgents have kept up attacks, both on military and civilian locations. The Taliban appears to be trying to leverage these assaults to boost its bargaining position in talks with the U.S. And the Kabul government's inability to prevent them and the U.S.'s apparent decision to delink the negotiations from the daily violence are giving the insurgents a free run in many Afghan cities.

Afghanistan's crises are many. Half of the country is either directly controlled or dominated by the Taliban. In the eastern parts, the Islamic State has established a presence and the group targets the country's religious minorities. The government in Kabul is weak and notorious for chronic corruption. Its failure to ensure the basic safety and security of civilians is in turn eroding the public's confidence in the system. At present, the government appears beleaguered. Its security agencies are strained by the prolonged war. It is true that Afghanistan needs a political settlement. The war has been in a stalemate for long. The government, even with U.S. support, is not in a position to turn the war around. The Taliban, on the other side, has expanded its reach to the hinterland, but not the urban centres. While a peace process is the best way ahead in such a scenario, the question is whether the U.S. is giving too much leeway to the Taliban in its quest to get out of its longest war. The decision to keep the Afghan government out of the peace process was a big compromise. The absence of a ceasefire even when talks were under way was another. The result is that Afghans continue to suffer even when the Americans and the Taliban talk. This has to change. There has to be more pressure, both political and military, on the Taliban to cease the violence. And the U.S. should back the Afghan government and the coming elections resolutely, while Kabul has to get its act together.

A straightforward lesson on resolution

By not sorting out conflicts between themselves, India and Pakistan are effectively outsourcing the role to third parties



HAPPYMON JACOB

U.S. President Donald Trump's claim last Monday that Prime Minister Narendra Modi had asked him at the G-20 summit in June in Japan to mediate between India and Pakistan on the Kashmir question may, for the moment, have been deftly handled by the two foreign policy establishments, but this is not a question that is likely to go away all too easily. Given that Mr. Trump made this rather out-of-the-blue statement during Pakistan Prime Minister Imran Khan's visit to the United States, it has fuelled further speculation about what it implies.

A mixed bag

To be fair to the Indian establishment's traditional logic, third party mediation in Jammu and Kashmir might not be a useful idea simply because third parties typically come with their own agenda. Second, it might do more harm than good in an age of hypernationalism and frenzied media attention on anything to do with Kashmir. In a milieu where bilateral diplomacy on Jammu and Kashmir itself comes under intense scrutiny from domestic political forces, third party mediation is almost impossible to even consider. More so, past instances of third party mediation have had mixed results.

And yet, Kashmir is likely to be on the great power radar and will continue to attract international attention for a variety of reasons, not least because New Delhi refuses

to invest in bilateral diplomatic measures to resolve Jammu and Kashmir.

Simla and after

Historically, New Delhi has had a love-hate relationship with third party mediation in Jammu and Kashmir in 1948. However, much of this overt third party intervention in Kashmir ended with the Simla agreement of 1972 which stated, at New Delhi's insistence, that Kashmir will be a bilateral issue thereby ending the United Nations Military Observer Group in India and Pakistan's (UNMOGIP's) peacekeeping work in Kashmir, de facto, if not de jure. The current UNMOGIP involvement in Kashmir is neither encouraged nor recognised by India, something Pakistan continues to do. New Delhi believes that its UN experience *vis-à-vis* Kashmir has been an unsavoury one which partly explains the current distaste in India for any third party mediation. Then there is India's status-linked indifference to external opinion that comes with being a major economy and military power whose deep pockets and growing markets are of significance to those potentially desirous of talking about Kashmir. So theoretically, New Delhi has consistently, and successfully, blocked all third party mediation in Kashmir, except when it wants to let others play a role. And if anyone indeed makes a reference to Kashmir which New Delhi disagrees with, it either ignores it or strongly disapproves of it.

That is, in practice, there has historically been a great deal of third party attention on the larger Kashmir question some of which has been encouraged by India.

In order to understand this argument better, let us make a con-



ceptual distinction between conflict resolution and crisis management. While both involve some amount of mediation, the former is focussed on a specific issue – Kashmir in this case – and seeks to address and resolve the root causes of the conflict. The latter involves mediation during an ongoing crisis with a potential for escalation. Crisis mediation unlike conflict resolution does not seek to resolve the political or root causes of a conflict.

Management and resolution

New Delhi has traditionally been averse to mediation in the form of conflict resolution while accepting more than once third party mediation during crisis events. Kargil is an example when India accepted third party mediation by the Clinton Administration in the U.S. This was also evident during the post-Pulwama military stand-off in February this year. While both Kargil and the February stand-off were directly linked to Kashmir, mediation by the third party did not seek to address anything beyond the immediate diffusion of tensions. Then there are other instances where third party crisis mediation took place even though they had no direct links to Kashmir such as the post-26/11 terror attacks. For sure, crisis management is

different from conflict resolution. And yet even when the focus is on crisis management, the larger conflict, which has given rise to the crisis comes into focus and become part of the conversations between the mediator and the conflicting parties. This is precisely what seems to underlie the current American interest *vis-à-vis* Kashmir. So even though New Delhi accepts crisis management, and not conflict resolution in the context of Kashmir, it is not easy to separate the two either during a crisis or when the conflict is crisis prone.

Put differently, given that crisis, at least in this context, is the function of a pre-existing conflict, crisis management by third parties and the attendant focus on the broader conflict is not easy to avoid.

More so, while New Delhi is loathe to having third party discussions on Kashmir, especially on the human rights situation, it actively seeks third party attention on terror emanating from Pakistan as well as the latter's sponsorship of violence in the Valley. While this might be a desirable distinction to New Delhi's mind, it is not easy to get a third party to focus on one part of the problem and ignore the other. In other words, New Delhi's efforts at getting other countries to condemn Pakistan's sponsorship of terrorism in Kashmir while at the same time disparaging the reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the human rights situation in Kashmir is a difficult balance to maintain.

Impact of regional geopolitics

The unfolding developments in regional geopolitics could also have implications for third party interest in Kashmir. The U.S.'s desire for

a deal with the Taliban in Afghanistan, in which Pakistan is key, is already beginning to have an impact on the frosty relationship between Washington and Islamabad. Besides Washington, Beijing, and Moscow, the European capitals will also eventually start courting Pakistan. This will invariably increase, albeit marginally, the global focus on Kashmir either at Pakistan's insistence or because third parties might see a link between Kashmir and regional instability. As a matter of fact, several people have in the past made a direct link between instability in Afghanistan and the Kashmir conflict. Such voices could potentially become sharper now. More so, if the rising concerns about the Islamic State's influence in Kashmir turn about to be not-so-misplaced, the heat on Kashmir is only going to increase.

What further ensures third party involvement in Kashmir is the lack of a conflict resolution process between India and Pakistan. The less the two sides talk on Kashmir, the more there is are likely to be crisis situations between them which would invariably lead to more third party involvement in the whole Kashmir quagmire. In other words, by not resolving conflicts between themselves, India and Pakistan are effectively outsourcing crisis management, and thereby conflict resolution, albeit in a limited manner, to third parties. The lesson then is a straightforward one: if you do not engage in a dialogue with Pakistan to resolve the Kashmir issue, third parties will continue to meddle.

Happy Mon Jacob teaches at the Jawaharlal Nehru University, and is the author of 'Line on Fire: Ceasefire Violations and India-Pakistan Escalation Dynamics'

In Assam, basic dignity at stake

There are concerns over how the State government plans to solve the issue of stateless citizens after the NRC exercise



SANJOY HAZARIKA

The Supreme Court has extended the day of reckoning for the controversial exercise known as the National Register of Citizens (NRC) in Assam from July 31 to August 31, giving a month's relief or another opportunity to those who are off the list to scramble and get into it. Thus, it has provided an equal time frame for those who say that many on the list shouldn't be there because they are not actually 'foreigners'.

With this extension, the Court rejected demands by both the Central and State governments which, concerned about the nationwide controversy about the drive, had said they wanted to re-verify 10% to 20% of those on the list. In making such a request, the governments were expressing a degree of anxiety about the data quality of a process for which they themselves have pressed strongly since 2014.

The Court's decision was based on a declaration by the State Coordinator of the NRC, the officer whom it has mandated to run the NRC, that such a review was not

necessary: his team had already re-verified 27% of the list. This again has roiled the waters – the local unit of the Bharatiya Janata Party (BJP) says the officer, Prateek Hajela, had no business to do so. The State unit's president asserted that the party stood by its demand for a 20% re-verification: "Even if some more time is taken, we want a correct NRC."

The concern here is that many Hindu Bengalis will be left out of the NRC and hence also get disenfranchised in the process. This has happened numerous times in the ongoing exercise as also with members of traditional tribal groups in the State.

Identifying Indians

The goal of the gargantuan effort of the NRC appears simple: identify Indians living in Assam and by exclusion pick out the 'foreigners' or Bangladeshis. In this case, some 40 lakh people were left out of the NRC when the draft list was published last July. This led to an outcry by civil society groups, and media accounts showed how citizens had been left out, reportedly on religious and ethnic grounds, and due to bad data collection. In the past months, not less than 36 lakh or 3.6 million counter claims seeking inclusion were filed.

That is nearly 90% of those who were left out. In the last storm of data-driven efforts, the country's



highest court allowed not less than two lakh complaints against people alleged to be "foreigners" by others whose identity was kept secret. Unknown entities tossed vague charges against people who had lived in India for generations.

The overall effort is to untangle what appears to be nothing short of a Gordian knot – to resolve the issue of illegal immigration from neighbouring Bangladesh into the region over decades. But each stage and layer appear to underline how challenging the problems remain, with issues of legal redress being acute.

The plight of the stateless

Concerns in Assam have been high over the purported influx post-1971 after the creation of Bangladesh. The effort is to calm local anxieties and also cater to a political agenda. Yet the question that is often asked but rarely answered is what happens to those individuals (and their dependents) who are

deemed stateless after they find themselves off the list.

I have two questions: What becomes of them while applying to tribunals and courts for relief – all the way to the Supreme Court, a detailed, drawn-out process? How will the government deal with those who are declared non-citizens and if Bangladesh refuses to take them, saying they are not its nationals, as it has consistently held for decades?

In this context, the recent remarks of a senior BJP leader from Assam on the issue are important. For they outline a process which the government believes can help resolve the situation. In a recent television panel discussion, the BJP leader underlined his non-acceptance of the Assam Accord, which has been the *madhyam* (medium) for the issue of alleged migrants, and which enabled the conferring of citizenship on a distinct group of people after a cooling off period of 10 years.

About 75,000 persons who benefited from this process had migrated from then East Pakistan between 1966 and 1971; most of them were Hindus. The BJP leader said that such a cooling off period was unacceptable, that "there should be" push back" but "push back with dignity".

But it is significant, however, that what appears to be emerging is that until such expulsion, al-

leged foreigners must have access to rights that will ensure their survival. These would include the right to education and health. But it would exclude the right to vote or to acquire property so that they did not have a role in political processes.

Is this an indication of how the governments, in Assam and the Centre, are thinking of resolving the issue? Could the "suspected" perhaps not be displaced from their locations but deprived of the right to vote and acquisition of property? As has been mentioned earlier, what also needs to be clarified is the status of lands on which they are living or have acquired. Will they be deprived of those? Would this amount to creating an enduring phenomena since Bangladesh refuses to take alleged illegals back?

Many of those who are off the list are poor, cannot afford lawyers and may not even know of their right to legal aid. At stake is the basic dignity of the weak, voiceless and vulnerable. The next few months will see how many of them will receive succour and how many will need to carry their bundles of documents from court to court in an unending and perhaps desperate search for hope.

Sanjoy Hazarika is International Director, Commonwealth Human Rights Initiative. The views expressed are personal

LETTERS TO THE EDITOR

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A betrayal of trust

What has happened in Karnataka over the last few months is no drama – it comes as a very real insult to the mandate of those in the State. While B.S. Yediyurappa has won the trust vote, the people have lost the trust they had imposed in their MLAs. Monday's development may have given temporary closure to the political turmoil that kept governance in the State in a prolonged coma. But this doesn't rule out the fact that the disqualified MLAs may get another chance to enter the Assembly. Some of them may even contest from the very parties they deserted if denied tickets by the Bharatiya Janata Party (BJP), giving this sordid saga another twist. To sum up, the crisis demonstrates that a mature democracy must allow people the right to recall their representatives

if they fail to live up to their expectations (South page, "BJP expected to have a smooth sailing in Karnataka trust vote," July 29).

J. AKSHAY,
Bengaluru

■ Former Karnataka Speaker K.R. Ramesh Kumar acted in haste in disqualifying all the 17 lawmakers who had resigned and proved that he is more loyal to his party than to the Constitution ("Karnataka Speaker disqualifies 14 more MLAs before trust vote," July 29). This came nearly a month after the resignation letters submitted by the dissidents were put in cold storage by the Speaker, who later also told the Supreme Court that he cannot take hasty action. He was probably hoping that the MLAs will withdraw their resignations and save the government. However, after the fall of the government, he perhaps realised that a no-confidence motion would

be moved against him. Therefore he hurriedly disqualified the MLAs. In doing so, he inadvertently did a favour to the BJP, which sailed through the no-confidence vote. However, the Speaker's move could act as a deterrent for future dissidents wanting to destabilise a government.

K.V. SEETHARAMAIAH,
Hassan, Karnataka

Insulting tweet

U.S. President Donald Trump's malicious tweet aimed at distinguished African-American lawmaker Elijah Cummings comes close on the heels of his attack on four Democratic Congresswomen, who he asked to return to "their countries". Mr. Trump ignores the fact that prior to the "discovery" of America in the 15th century, only Native Americans and aborigines lived there. Immigrants and their descendants constitute the vast majority of the

present U.S. population. Will the President choose to 'return' the U.S. to its original inhabitants? (World page, "Trump defends attack on black lawmaker as criticisms mount," July 29)

C.G. KURIKOSE,
Kothamangalam, Kerala

A political titan

In the death of S. Jaipal Reddy, the country has lost one of its most-gifted sons (Front page, "Jaipal Reddy passes away," July 29). Ever since his student days in the Osmania University in the 1960s, Reddy had been a great debater, and a promising leader. Despite not having had his schooling in English medium, he acquired a matchless command over the language through grit and interest. His knowledgeable and thought-provoking write-ups and speeches won him many admirers and followers. Reddy was one of the few leaders who was never after

post, position or purse and despite being in the Congress, was a great critic of dynasty rule. He also had a penchant for taking on biggies such as Reliance without being afraid of the repercussions. He belonged to a rare tribe of politicians who were 'in' politics but not 'for' politics.

M. SOMASEKHAR PRASAD,
Hyderabad

■ Jaipal Reddy was a thinking man's politician. Knowledge,

coupled with sense of humour, made him a natural choice to be the spokesperson of the party or the government he represented. The Janata Dal, when it was facing a leadership crisis due to factional feuds, could count on his felicity with words. His death is a great loss to the country.

GUNDU K. MANIAM,
Bhandup, Maharashtra

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CORRECTIONS & CLARIFICATIONS:

It is a 16-member pact: a front-page (July 29, 2019) report headlined "Govt. must convince industry of RCEP's benefits: Australia" erroneously referred to a 15-member Regional Comprehensive Economic Partnership.

In the report titled "Army's first Integrated Battle Groups to be structured by end of next month" (July 29, 2019), a sentence read: "Typically each Corps has about three brigades." Typically, there are three Divisions under a Corps and each Division has three Brigades. Therefore, there are nine Brigades under a Corps.

"Archer - the new weapon in England's armoury" (Sport, July 28, 2019) erroneously said that England had not lost a Test series at home since 2001. England has not lost to Australia at home since 2001, but lost to India in 2007, to South Africa in 2008 and 2012 and to Sri Lanka in 2014, at home.

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