



## Being responsive

The government must ensure justice in cases of human rights violations in J&K

The government's decision to shut down communication with UN Special Rapporteurs seeking to question India on alleged human rights violations in Jammu and Kashmir may appear extreme, but is in line with its reaction to such international reports over the last few years. In a letter dated April 23, India's permanent mission to the UN in Geneva wrote to the Office of the High Commissioner for Human Rights rejecting any reference to the UN's original June 2018 report on J&K as well as Pakistan-occupied Kashmir, and refused to respond to questions about deaths of 69 civilians between 2016 and 2018 in violence in the Valley. In its objections, the government said the report was "false and motivated", that its conclusions and recommendations were violative of India's sovereignty and territorial integrity, and accused the Special Rapporteurs preparing the report of "individual prejudices" against India. In addition, India drew notice to the Pulwama attack this year, calling terrorism the "grossest" violation of human rights, not the allegations against the security forces. As a result, the government has decided to treat all allegations made by the UN Special Rapporteurs as a "closed chapter" and will not engage further on it. India's objections to the OHCHR report, the first of its kind when it was released in 2018, and the follow-up this year are understandable, given the often selective nature of allegations raised by the UN body. It is also clear that demands for action against Indian officials and amendment of laws can cross the line on Indian sovereignty. The call by the previous HCHR that the UN Human Rights Council set up an independent and international tribunal to investigate India's record in Kashmir was seen to be invasive, and could be dismissed by New Delhi as well.

However, the government cannot quell the troubling questions that the UN report and the Special Rapporteurs' submissions raise simply by rejecting them. To begin with, most of the sources for the OHCHR report are official Indian authorities, State and national human rights commissions, international human rights agencies as well as reputed Indian NGOs. This is therefore a view from within India, not some disengaged UN official, and must be taken very seriously. Two Kashmiri NGOs also released a report on Monday documenting 432 specific cases of alleged brutality by security forces in Kashmir, including electrocution, 'water-boarding' and sexual torture of civilians, of which only about 27 were taken up by the State Human Rights Commission. The government must press for due process and justice in each of these. Eventually, India will be judged not only by how close it stands to the world's most powerful countries, but how much the state extends itself to the most vulnerable within its own boundaries.

## Highs and lows

The rally in stocks is driven primarily by investor sentiments, not market fundamentals

The prospect of the National Democratic Alliance led by Prime Minister Narendra Modi returning to power has got investors in India's equity markets all excited. Both the Nifty and the Sensex reached all-time highs on Monday as the indices appreciated 3.75% and 3.69%, respectively, the largest rise in percentage terms since September 2013. Though sanity returned on Tuesday with the indices shedding some of Monday's gains, in terms of the number of points gained Monday's rise was the largest in 10 years. This rally was after most exit polls released on Sunday predicted that the present NDA government would easily cross the halfway mark required to form the next government. The rally on Monday, however, was fuelled mainly by purchases made by foreign investors. Foreign portfolio investors bought shares worth ₹1,734 crore on Monday, pushing the rupee up by almost 0.7% against the U.S. dollar. It is worth noting that foreign investors were net sellers of stocks in the earlier trading sessions, causing the indices to fall significantly from their previous high that was reached in April. So Sunday's exit polls may have caused many foreign investors to take a more positive view of the Indian markets. Domestic investors, on the other hand, sold shares worth ₹543 crore on Monday.

Monday's record rally in stocks should be seen as one that was driven primarily by investor sentiments rather than by market fundamentals. As with any purely sentiment-driven rally, things can take a turn for the worse if subsequent events fail to meet the market's expectations. There is very little in the form of market fundamentals to warrant the kind of exuberance shown by investors on Monday. Corporate earnings data released as of now for the January-March quarter suggest that earnings might actually witness a significant fall from what they were a year ago. Growth has also been slowing down in core sectors as consumer demand has failed to pick up and liquidity remains a concern across the economy. Still, investors may be hoping that things could get better in the coming years as a stable government at the Centre will be able to undertake economic reforms. While the fact remains that no big-bang reforms that could give a strong boost to economic growth have been implemented in the last five years, investors may still view the NDA government as less-populist than any other realistic alternative. Trade tension between the U.S. and China is another immediate risk that will determine the direction of equity markets, including India's, as China tries to find new markets for products that it can't sell to Americans. Given these various uncertainties, it would be prudent not to over-read the message in the stock market fluctuations.

# Time to rebuild India's secularism

The central idea of the Republic, that the country belongs to all equally, is in tatters today



HARSH MANDER

There is much that lies badly broken in India today. The economy desperately needs to be repaired, as do rural distress, the job crisis and the free-falling rupee. The country's institutions demand urgently to be rebuilt — the media, police, judiciary, universities, the planning process, the Election Commission of India. But above all, if there is one thing that stands most dangerously damaged, it is our constitutional pledge of a secular democracy. What are the prospects of rebuilding this?

### Shrill, divisive campaign

Listen carefully to the speeches in the shrill summer election campaign which has just come to a halt. From their podiums, Opposition leaders spoke of everything else — the agony of farmers, unemployed youth, suspect defence deals, crony capitalism and indeed crony institutions. But rarely did they speak of lynching, of violence against Muslims, Christians and Dalits, of the fear which has become normalised in their daily lives, of our wrecked social contract of equality and harmony. And never did they speak of secularism.

The imagination of secularism in the Indian Republic was rooted in its singularly pluralist civilisational ethos, in the lives and work of Ashoka and Akbar, in the teachings of Buddha, Kabir and Nanak.

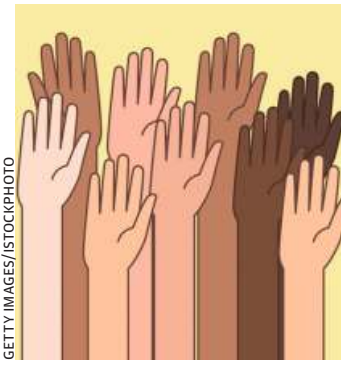
It was illuminated by our struggle for freedom, in the humanist and egalitarian convictions of Gandhi and Ambedkar, Maulana Azad and Nehru. It was the central iridescent idea: that this newly-freed country would belong equally to all its people. People of no religion, no language, no caste, no ethnicity, no gender, no class would be entitled to lay claim to the country more than any other.

Secularism is the soul of India's Constitution. Today the letter of this Constitution still remains unaltered, but its soul is mangled and choked. Not just the ruling Bharatiya Janata Party (BJP); even Opposition parties seem to have accepted that India is no longer the secular country born of the legacy of India's freedom struggle, but a majoritarian Hindu country. In this new India, people of minority religions, castes and gender are second-class. Their safety and well-being are dependent now on the consent and will of the majority upper-caste, patriarchal Hindu, and the dictates of this Hindu are interpreted and violently mediated by the ideology of Hindutva.

It is a grave mistake to frame the 2019 general election as a battle of Narendra Modi against the rest. This is how Prime Minister Modi, referring to himself repeatedly in the third person, has framed this bitter electoral contest. This is how the Opposition has fought the electoral battle, of Mr. Modi versus the rest. This is how the majority of Indian voters view this combat.

### RSS vs. Constitution

However, the electoral battle waged around the country is truly a different one. On one side stands the Rashtriya Swayamsevak Sangh (RSS) and on the other is the secu-



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lar idea of the Indian Constitution. Mr. Modi is a formidable, pugnacious, tireless and immensely popular mascot of the Hindu supremacist ideology of the RSS; and his image is powerfully buttressed by a pliant corporate media and dizzying levels of spending on a public relations blitz to manufacture consent. But the central danger to secular India is not the personality of Mr. Modi. It is the penetration of the RSS into every institution of the country, into every political party, the media, the university, the judiciary, the civil services, and most dangerously into mainstream everyday social life of every ordinary Indian.

In the RSS worldview, Muslims and Christians are not authentical Indian, their loyalty to the Indian nation is and will always remain suspect; therefore, they need to be tamed, to be continuously shown their subordinate status in the Indian polity and society. It is for this reason that virulent hate speech was so central to this election campaign, with Mr. Modi mocking his rival, Congress president Rahul Gandhi, for seeking election in a constituency in which he would have to depend in part on Muslim and Christian voters; and other BJP leaders and candi-

dates raging against the threats of the 'green virus' and 'termites'. It is for this reason that BJP president Amit Shah pledges to extend the National Register of Citizens to all parts of India, while ensuring citizenship to Hindus, Sikhs and Buddhists from other parts of the subcontinent; in this way brazenly turning on its head the core constitutional idea that a person's religion is irrelevant to her rights to equal citizenship. And it is for this reason that lynching of Muslims and attacks on Christian places of worship, openly valorised by ruling party leaders, became the overarching symbols of the newly forged relationship of the majoritarian Hindu state with its now inferior religious minorities.

### In a place of fear

If Mr. Modi is returned with an emphatic majority when ballots are counted on May 23, as many exit polls predict, this will herald that India has fallen deep into a cold hard place of hate and fear. It will signal that a significant majority of Hindus endorse the Hindu supremacist ideology of the RSS. It will indicate the popular abandonment of the secular and humane vision of India's Constitution, and its replacement by a violent and chauvinist majoritarian Hindu nationalism, which is suspicious and hateful in its relations with people who follow minority religious faiths. This outcome would also further imperil all left, liberal and democratic dissenting voices, in civil society, in the media, in universities, and in letters and the arts.

A second scenario, anticipated by a much smaller number of political commentators, is of reduced support for the National Demo-

cratic Alliance (NDA), its tally falling short of the half-way mark. In such a situation, they anticipate the possibility that many regional parties could be persuaded to support an NDA government only if it is led by a less belligerent leader than Mr. Modi, possibly Nitin Gadkari or Rajnath Singh. Many are relieved by the possibility of such an outcome: anyone other than Mr. Modi would be welcome, they reason. But it would be a dangerous mistake to believe that such a choice would pull India out of the dark abyss into which it has slipped. Even with a more acceptable face, as with Atal Bihari Vajpayee, the RSS would use political power to further penetrate all institutions, and enfeeble what survives of secular practice.

The least expected scenario, of the victory of the United Progressive Alliance or a federal front of regional parties, cannot be ruled out yet. After all, the BJP has lost no exit polls since 2004, but it lost many elections. However, even with such an outcome, the crusade against secular democracy waged with such vigour by the RSS will not be won. The appetite and moral courage to fight majoritarian politics head-on stands perilously weakened among Opposition political parties. Whatever the final outcome, this fight to salvage, defend and fortify secularism will have to be fought by the Indian people. India is today a wasteland of compassion. It will take generations to clean out the toxins of hate from Indian society. It is a battle that must be waged with courage, with perseverance and with love. History in the end is on our side.

Harsh Mander is a human rights worker, writer and teacher

## Jokowi's balancing act

Protecting minority rights will be his biggest test in his second term as Indonesia's President



PALLAVI AIYAR

When Joko Widodo, or Jokowi as he is popularly known, was elected President of Indonesia in 2014, it was a moment pregnant with new beginnings for the region. Democracies in Asia have usually been afflicted by the same inglorious cast of characters: dynastic heirs, military strongmen, corporate tycoons and religious hardliners. Widodo's victory indicated the possibility of renewal via the democratic process even in a large, developing, Muslim-majority country. He was a novel breed of leader: middle-class and humble, with a pluralistic outlook and commitment to clean government.

### Islam, a mainstream force

In 2019, Mr. Widodo is back at the helm of Indonesia, having once again beaten back his rival, Prabowo Subianto, a former military general dogged by accusations of human rights abuses. But this time the political prognosis is more sobering. Mr. Widodo's years in power have witnessed a shift in the role that political Islam plays in the public life of the world's third largest democracy, from a relatively marginal factor to a mainstream force that no political party can ignore. The President has proved no exception, demonstrating a willingness to bend to religious con-

siderations, even when they run contrary to his inclinations.

During the long campaign season, both candidates tried to outdo each other in brandishing their Muslim credentials, despite the fact that neither is traditionally pious. Mr. Prabowo's mother and brother are Christians, while Mr. Widodo is a heavy-metal fan who seems happier riding motorcycles than at prayer. But the vow to support religious clerics became a central plank of Mr. Prabowo's campaign, throughout which he organised mass prayers and ended speeches with shouts of "Allahu Akbar". His supporters are known to have carried out fake news campaigns portraying Mr. Widodo as a Christian or an atheist Communist, and at times even a logic-defying both.

On his part, Mr. Widodo rushed to Saudi Arabia on Haj just a week before the elections and laced his public rallies with traditional songs of devotion to Prophet Muhammad. But his most pointed concession to the religious lobby (and to his liberal supporters his most disappointing) was to appoint Ma'ruf Amin, a conservative Islamic cleric, as his Vice-Presidential running mate. The choice was intended as a bulwark against accusations of impiety, a charge that has been Mr. Widodo's political Achilles heel in the past. As a tactic, it has paid off, but its strategic implications remain open and worrying.

Mr. Widodo's track record in office when it comes to pandering to Islamists has been chequered. He has taken on some religious extremists, banning the Hizb ut-Tahrir,



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a radical group that aimed to establish a global caliphate. He also walked back a decision to allow Abu Bakar Bashir, spiritual leader of the terrorist organisation Jemaah Islamiyah to walk free from prison on humanitarian grounds. However, the latter decision was only taken following a huge international outcry.

The President's greatest failure was his silence during the movement to charge his former deputy, Basuki Tjahaja Purnama, with blasphemy. Ahok (as he is known), a Christian of Chinese descent, was Mr. Widodo's running mate for the 2012 Jakarta Governor elections. In 2017, he was sentenced to two years in jail for having told voters in a speech that they shouldn't be duped by religious leaders who misuse a particular Koranic verse to justify claims that Muslims should not have non-Muslim leaders. Not only did Mr. Widodo stay quiet during Ahok's prosecution, he even joined demonstrators in prayer. His new Vice-President, Mr. Amin, testified against Ahok at the trial.

On the economic front, Mr. Widodo's first term as President was adequate, if unspectacular. Annual growth averaged 5%, well below the 7% target, in part because he caved in to pressure and backtracked on difficult reforms like reining in fuel subsidies. On the plus side, he lined up more than \$300 billion of infrastructure projects, including the opening of Jakarta's first subway line after 34 years of planning. He also rolled out a popular national health-insurance scheme and pumped money into education.

### What lies ahead

Going forward, Mr. Widodo has his work cut out trying to get increased foreign investment amid a climate of economic nationalism. It also remains to be seen if, and how, he decides to tackle the thorny issue of restrictive labour laws. A final challenge will entail finessing Indonesia's response to China's growing economic clout in the archipelago. China has emerged as a major foreign investor in Indonesia, but there are worries about the consequences. A trope of the Prabowo campaign was the claim that under Mr. Widodo, Chinese goods and workers had flooded the nation.

But it is protecting minority rights that will remain Mr. Widodo's greatest and most fraught test. Forging a unified national identity out of its fractured ethnic and religious demography has been a remarkable achievement for Indonesia. Seven out of eight Indonesians self-identify as Muslims; more Muslims live in Indonesia than in any other country. And

yet the state also recognises five other religions: Hinduism, Buddhism, Protestantism, Catholicism and Confucianism. The archipelago is home to 719 languages, spoken by people from over 360 ethnic groups. Bhinneka Tunggal Ika, literally One Out of Many, is the defining catch phrase of modern Indonesia, and it will be Mr. Widodo's charge to ensure substance to the sentiment.

Given term limits, this will be Mr. Widodo's final stint as President. The optimistic scenario is one where he is able to slough off electoral considerations and finally tackle the liberal reforms and policies many still assume are close to his heart.

However, taking his record into consideration, it seems more probable that he will continue to co-opt his opponents rather than confront them. He has emerged as a tinkerer and incrementalist, rather than a visionary. To an extent, this is both necessary and even advantageous in a political landscape characterised by coalitions and consensus-building. Mr. Widodo leads a 10-party alliance and needs to garner support from a polarised Parliament. However, there is a fine line between pragmatism and opportunism, and the jury is out on which side of this line he will eventually come down. Mr. Widodo has one more chance to go down in the history books as a great President. The likelihood is that he will be remembered as a nice guy who tried, but not hard enough.

Pallavi Aiyar is an author and journalist based in Tokyo

## LETTERS TO THE EDITOR

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### A crucial space

Despite the brute majority scenarios that have been projected by most exit polls, the fact is that the Opposition needs to get its act together (Page 1, "Oppn. takes stock after exit polls favour NDA", May 21). Democracy needs both the Opposition and a strong independent media to keep a firm check on the party in power. There were shades of the format of campaigning during the Gujarat elections under Narendra Modi's tenure in the campaign this time. What was equally jarring was the series of unfortunate violations of the Model Code of Conduct. Having tasted power under the cover of a divided Opposition, there should be a check on any attempt to

push the 'one nation one election' idea. If the Opposition continues to stand divided, there will be no hope left. It is encouraging that at least one Opposition leader has been trying to take the lead in trying to get other leaders together.

N. NAGARAJAN,  
Secunderabad

### Battleground U.P.

I am certain that it is not going to be a cakewalk for the BJP this time around, especially in Uttar Pradesh, which has the distinction of deciding the fate of the next government (Editorial page, "Why the BJP is not invincible in Uttar Pradesh", May 21). Apart from the points expressed by the writer, there are other issues of social

relevance that are sure to have weighed heavily on voters' minds. The state of health care and lynchings are some examples. There are other instances of violence under the leadership of Chief Minister Yogi Adityanath.

G.B. SIVANANDAM,  
Coimbatore

I am afraid that the article is born out of the writer's antagonism towards the BJP. We need to wait for just a day more to know what is in store for the ruling party as far as the State and the country are concerned. The writer calling the Samajwadi Party and the Bahujan Samaj Party as social justice parties is at variance with reality as they are caste-based outfits. In the case of the first, it has already become a dynastic

one; while in the case of the latter, it is at best an individual's virtual fiefdom. It is only natural that the writer is struggling to defend the indefensible.

C.G. KURIAKOSE,  
Kothamangalam, Kerala

### Post-election survey

The post-poll survey has done a fine and methodical job of unravelling the myriad and complex layers of voter preferences and expectations. While it has asked the right questions to make sense of the public mood, the questionnaire format does not solicit explanations or justifications for answers that point to a dominant preference, such as the high prevalence of trust in the leadership of the Prime Minister. Shouldn't readers know why a large

percentage of voters continue to repose faith in the PM despite the blitzkrieg of criticism unleashed by the Opposition and sections of the media? A post-poll survey would add value to a reader's understanding of the election scenario if it moves beyond a bland script and tries to seek a rationale for voter preferences that appear counterintuitive.

V.N. MUKUNDARAJAN,  
Thiruvananthapuram

### Water worries

When we have enough water, the thought of water conservation is distant (Editorial, "Eye on the monsoon", May 21). But now, when we are staring at a crisis, we think of solutions that should have been worked upon earlier. It is time to set up new

recharging wells and improve existing ones. Rain harvesting fails mainly because the operating part fails. It is important to entrust the operation and maintenance of rain harvesting on a long-term basis to the agency which constructs the same. Drip irrigation also met with the same fate after installation and obtaining a subsidy. Operation and maintenance should also be made a condition before awarding the work. Judicious use of water is another major concern. Field awareness is crucial. The support of non-government organisations should be thought of.

V.R. AJITH KUMAR  
Thiruvananthapuram

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