



Saffron error

The BJP seems to have fielded Pragya Singh Thakur for all the wrong reasons

Pragya Singh Thakur may not be the first person to contest in an election despite facing serious charges, but her candidacy on behalf of the BJP in the Bhopal Lok Sabha constituency stands out as exceptionally controversial. She is arraigned as the prime accused and principal conspirator behind the September 2008 blast at Malegaon, in which six persons were killed. In other words, a person accused of a ‘terrorist act’ and against whom charges have been framed under the Unlawful Activities (Prevention) Act is being fielded as a candidate, by a party that wants to underscore its anti-terrorism credentials. While many candidates may have criminal cases pending against them, it is highly unusual to find among mainstream party contestants one who has been accused of planting a bomb targeting a community. An obvious problem with Pragya Singh’s candidacy is that she appears to have been chosen solely as a totemic representative of aggressive Hindutva nationalism. She was not prominent as a BJP member until she was named the candidate for Bhopal, where she will take on senior Congress leader Digvijaya Singh. It is one thing to field a political leader who faces criminal charges, but quite another to create an electoral candidate out of a key terror suspect. It would appear that the sole purpose of fielding her is to bolster the BJP’s narrative that there never has been any ‘Hindu’ or ‘saffron’ terror group. Two blasts at Malegaon (2006 and 2008), the Samjhauta Express bombing near Panipat (February 2007), the explosions at Mecca Masjid in Hyderabad (May 2007) and the Ajmer Dargah (October 2007) were linked to a fringe Hindu group called ‘Abhinav Bharat’, but the NIA had neither the political backing nor the ability to obtain convictions. To no one’s surprise, Ms. Singh lost little time in embarrassing the BJP by making serious allegations against the chief of the Mumbai Police Anti-Terrorist Squad, Hemant Karkare, who was martyred in the 26/11 terror attack.

Election law as it stands today does not bar one facing criminal charges from contesting, except those convicted of specified classes of offences, or those that entail a sentence of at least two years. If the mere pendency of a case was made a ground for disqualification, a vindictive regime could get any political opponent disqualified by merely slapping a criminal charge. However, given the tortuous process of taking a criminal prosecution to its conclusion, some have made a case for advancing the stage at which disqualification kicks in – by making a legislative change to rule out of the contest any person against whom charges have been framed by a competent court. It may be difficult to get enough lawmakers to agree to this significant change, but it can be a principle political parties adopt on their own. There have been instances of Union Ministers resigning from office as soon as charges were framed against them. There is no harm in extending this norm to the selection of candidates.

Humanise the law

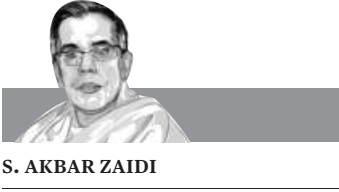
The draft Indian Forest Act must be redrawn to rid it of bureaucratic overreach

Modernising colonial era laws is a long-delayed project, but the draft Indian Forest Act, 2019 is woefully short of being a transformative piece of legislation. The original law, the Indian Forest Act, 1927, is an incongruous relic, its provisions having been drafted to suit the objectives of a colonial power that had extractive uses for forests in mind. A new law enacted should make a departure and be aimed to expand India’s forests, and ensure the well-being of traditional forest-dwellers and biodiversity in these landscapes. The need is for a paradigm that encourages community-led, scientifically validated conservation. This is critical, for only 2.99% of India’s geographic area is classified as very dense forest; the rest of the green cover of a total of 21.54% is nearly equally divided into open and moderately dense forest, according to the State of Forest Report 2017. The draft Bill reinforces the idea of bureaucratic control of forests, providing immunity for actions such as use of firearms by personnel to prevent an offence. The headline policing approach is reflected in the emphasis on creating infrastructure to detain and transport the accused, and to penalise entire communities through denial of access to forests for offences by individuals. Such provisions invariably affect poor inhabitants, and run counter to the empowering and egalitarian goals that produced the Forest Rights Act.

India’s forests play a key role in moderating the lives of not just the adivasis and other traditional dwellers, but everyone in the subcontinent, through their impact on the climate and monsoons. Their health can be improved only through collaboration. Any new forest law must, therefore, aim to reduce conflicts, incentivise tribals and stop diversion for non-forest uses. This can be achieved by recognising all suitable landscapes as forests and insulating them from commercial exploitation. Such an approach requires a partnership with communities on the one hand, and scientists on the other. For decades now, the Forest Department has resisted independent scientific evaluation of forest health and biodiversity conservation outcomes. In parallel, environmental policy has weakened public scrutiny of decisions on diversion of forests for destructive activities such as mining and large dam construction. Impact assessment reports have mostly been reduced to a farce, and the public hearings process has been diluted. When a new government takes over, the entire issue should go back to the drawing board. The government needs to launch a process of consultation, beginning with the State governments to ensure that a progressive law is adopted by all States, including those that have their own versions of the existing Act. The Centre must hear the voice of all stakeholders and communities, including independent scientific experts.

Either way, the news is bad

If Pakistan does not take the IMF loan, it is in a mess. If it does, it is in a bigger mess



S. AKBAR ZAIDI

When Asad Umar, Finance Minister of Pakistan, returned from Washington after attending the Spring meetings of the International Monetary Fund (IMF) and the World Bank a few days ago, the first task he had in front of him was to deny the strong rumours that he was being demoted to be the petroleum minister. The rumours died down at that moment, but on Thursday, he was sent packing. He was, indeed, offered the petroleum ministry, which he has declined. (Dr. Abdul Hafeez Sheikh, a former Adviser under General Musharraf, has been named the adviser on finance, adding to the growing list of the Musharraf Cabinet in this current government.) At a moment when Pakistan’s economy is facing a major crisis, it also has no finance minister now. Whoever will take the new job will have to face challenges they may neither be prepared for nor experienced enough to deal with.

In free-fall mode

Pakistan’s economy has been ruined in the last eight months since when Imran Khan became Prime Minister and his party, the Pakistan Tehreek-e-Insaf (PTI) formed the government. Almost every indicator has deteriorated substantially. For example, inflation, at 9.4%, is at its highest level in five-and-a-half years and is likely to rise to double digits for the months ahead. The rupee conti-

nues to lose value every other day, which adds to further inflation especially with the oil price on the way up. More devaluation is expected over the next few months especially when the government gives in to yet another IMF programme. The fiscal deficit is about to hit more than 6% of GDP, and even a cut in development expenditure will not stop this rot, as defence spending and interest payments continue to rise. Pakistan’s exports which have been stuck at around \$26 bn for years, despite the 35% devaluation of the rupee over one year, have barely budged. The government owes power producing companies huge amounts of money – known as the circular debt – which continues to accumulate, and interest rates are also going up making the cost of business even more uncompetitive. The State Bank of Pakistan recently lowered the expectations of the GDP growth for the current fiscal year to an eight-year low, to around 3.5%, an estimate which was reduced further by the IMF and the World Bank to a dismal 2.9% for the current fiscal year, and expected to fall further over the next three years. The GDP grew by 5.8% in the last fiscal year, the highest in 13 years. By all accounts, Pakistan’s economy is in a dismal state.

Key factors

A major reason why the economy has taken such a sharp plunge, with GDP growth being halved within a year, is on account of the mismanagement and incompetence of the current government and by its economic team. On top of that, there has been the hubris led by and manifested in Mr. Khan, once saying that he would rather



commit suicide than go to the IMF, popular slogans when one is the main nuisance factor in the opposition, but quite embarrassing as Prime Minister of a country facing a major economic meltdown. The economic problem Pakistan faces at the moment, has two aspects to it, and is a major case of ‘damned if you do and damned if you don’t’. One reason why Pakistan’s economy is in such a mess is because the arrogance and bravado of Mr. Khan, which was mimicked by his economic and finance team, has come to haunt all of them. For eight months the economy has been mismanaged because of the fact that the then newly-elected government in August did not do what it should have. It was almost certain that whichever party would have won the elections of July 2018, it would ask the IMF for a major structural adjustment loan. At that time, there did not seem to be many alternatives. Mr. Khan’s strategy was to run to a few of Pakistan’s friends begging for money, and to not bow his head in front of the IMF. By not submitting to the IMF then, they now have no option but to submit almost a year later. A non-IMF policy and programme was always preferred and a better option in August last year, but the incompetence of Mr. Khan, matched with vanity, did not allow

for reforms to be undertaken, and has only made matters far worse. So, after having said that they won’t go to the IMF, that’s exactly where they are now. From finding (and failing at) alternatives to revive Pakistan’s economy, the finance minister has had to find ways to convince the IMF that Pakistan needs the IMF. The reasons for the rumours of him being dismissed from his post, should have been based on his poor performance of running the economy, but they shifted to how he wasn’t able to cut an IMF deal a few days ago when he was in Washington. The fact that he was not able to meet the U.S. Treasury Secretary, Steven Mnuchin, nor the IMF head, Christine Lagarde, on this visit, was seen as yet another sign of this failure by the Pakistani media. Nevertheless, the IMF deal is now a certainty, and although the finance minister has been replaced, there was probably no need for a replacement. When the IMF implements its strict conditionalities and adjustment programme, to which the finance minister and the country supposedly ‘agree’, the finance minister becomes redundant and is simply the bearer and front for bad news and tough conditions. The new finance Adviser will fit this role perfectly.

Tough road ahead

The new IMF programme, the biggest Pakistan is expecting to receive, to be between \$6-\$10 bn, which is almost a certainty now, is going to make things far worse for all Pakistanis, and especially for the working people already dealing with prospects of a marked economic slowdown and high and rising inflation. The IMF will further

er cut the minuscule development expenditure left, although defence spending will remain a matter of ‘national security’ never discussed in Parliament, hence, not to be touched. The IMF will ensure austerity, stabilisation and will cut the growth rate further. It will insist on further devaluation, or ‘adjustment’ of the rupee, as it calls it, causing greater inflation, and will insist on raising utility prices. In every respect, the people of Pakistan will face the prospects of fewer jobs, rising prices and an economy which is now the worst performer in all of South Asia.

This will be the 13th IMF rescue package for Pakistan’s governments and its elites in less than four decades. Each time there is an economic crisis created due to mismanagement, the elite remain under-taxed, the IMF and World Bank jump in to save them. Usually, Pakistan’s governments in the past, especially the military, leverage Pakistan’s so-called geostrategic position and situation and gain undue access, with the U.S. having been Pakistan’s biggest champion and supporter. As global power shifts and the region changes, so has Pakistan’s position in it. One of the stumbling blocks to the deal this time has been the IMF’s insistence that Pakistan reveal the financial deals made with China, including financial loans, as well as the \$60 billion China-Pakistan Economic Corridor. If Pakistan doesn’t take the IMF loan, it is in a mess. If it takes the loan, it is in a bigger mess. Either way, the news is bad.

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A dialogue with our fragile past

The world needs to look differently at its historical memory and the cultural heritage which embodies it



RAMIN JAHANBEGLOO

It is only after our heritage is destroyed, in natural disasters and conflicts, that we realise how fragile historical memory is – even for a globalised period of history like ours. The large fire that broke out in Paris on Monday and which consumed a part of the Cathedral of Notre-Dame, is a grim reminder that centuries of heritage can be destroyed in minutes. Of course the French people can rebuild the physical structure and in this enterprise they will be certainly supported by the vast wealth of Europe, America and others, made possible by centuries of industrialisation and capital accumulation. But rebuilding the Notre-Dame de Paris does not mean that we can necessarily renew its original spirit – of blocks of sandstones which narrate their own geological and social history. Undoubtedly, for over 800 years, the cathedral has been the driving force behind the eternal

return of Paris as the ‘Heart of the World’.

Repository of history

As a powerful spiritual symbol of Christian faith, it counts many treasures, such as the crown of thorns, which are believed to have been placed on Jesus Christ’s head. Joan of Arc was beatified in the cathedral in 1909, after her execution for heresy in 1431. And, for more than three centuries, Notre-Dame has stood as a symbol of political change in France. During the French Revolution, its treasures were plundered. However, as seen in the famous painting of Jacques-Louis David, Napoleon Bonaparte crowned himself emperor of France at Notre-Dame in 1804. Other famous political ceremonies of the 20th and 21st centuries in France, such as the liberation of Paris from Nazi occupation in 1944, the farewell to Charles de Gaulle in 1970, and a requiem mass in tribute to François Mitterrand in 1996, took place in the Notre-Dame Cathedral.

Last but not least, for nearly nine centuries, Notre-Dame has been at the centre of French and world literature. We all remember Victor Hugo’s *The Hunchback of Notre-Dame* (1831) with the cathe-



dral as its centre plot. Hugo’s multiple references to the architecture of the Cathedral are breathtaking and stupefying.

Strangely, it is as if Hugo was present at the fire, when he described flames in the cathedral (when Quasimodo uses fire and stones to attack Truands in order to save Esmerelda): “All eyes were raised to the top of the church. They beheld there an extraordinary sight. On the crest of the highest gallery, higher than the central rose window, there was a great flame rising between the two towers with whirlwinds of sparks, a vast, disordered, and furious flame, a tongue of which was borne into the smoke by the wind, from time to time.”

Even for those of us who are not religious and yet believe in the cathedral as a spiritual home and a monument in glory of the human creativity, the horrific fire destroy-

ing this Gothic edifice has been a moment of tragedy and despair. Time might have been the devourer of Notre-Dame as Hugo wrote in his novel, but humanity has long been the enemy of its own heritage.

Spirit of freedom

As a matter of fact, what was important for Hugo, as for many other writers and intellectuals of his time, was the spirit of freedom represented by Notre-Dame. As he put it clearly, “There exists in this era, for thoughts written in stone, a privilege absolutely comparable to our current freedom of the press. It is the freedom of architecture.” Hugo is right. To feel the spirit of Notre-Dame, as that of Paris, one needs the freedom of a flâneur. One needs to allow one’s gaze to be further absorbed by the play of light upon a meaningful stone that remained alive after a catastrophe.

Without the stones of Notre-Dame, these aesthetic compasses, we would never be able to take our responsibilities in the world. If we want to be at home in this century, even at a price of living in a topsyturvy world, we must try to take part in a dialogue with our fragile past. We need to educate our sens-

es and to look differently at our historical memory and the cultural heritage which embodies it.

For centuries, humanity has witnessed the destruction of its historical memory, and each time a new door to our common fate is closed forever. We all believe that this should not happen anymore. But it does happen, and we cannot reconcile ourselves with it. None of us can.

However, within this horizon of despair, which manifests itself in the fragility of human history, there is a moral horizon that expresses a love of humanity in spite of its brokenness. Heritage, therefore, expresses a joy of witnessing the past despite the sadness of historical destruction. It is this joy of witnessing the past that becomes an awareness of our landscape of memory. This awareness is the strongest evidence of the victory of peaceful coexistence between the past and the present. Those who fail to see it, forget to make a prayer that one day the organ pipes of Notre-Dame of Paris will once again reverberate through the sanctuary.

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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.

Epidemic of hate

The writer (Editorial page, “A shameful marker of five years”, April 19), has painstakingly highlighted right-wing extremism even going on to describe the trichotomy of lynching. However, between 2009-14, the present government was not in power and under the United Progressive Alliance. In a way, one has to point out that religious hate cuts across periods and regimes. The memories of the attack on the Sikh community has not been obliterated. Nor can the hounding and herding of Kashmiri pundits, which some intellectuals like the writer do not acknowledge. One need not be of a separate elite genre to condemn, in no uncertain terms, any attacks on minorities. Selective smearing is unfair. The fact is every true Indian condemns hate crimes.

P.S.S. MURTHY, Hyderabad

■ If India was so unsafe for minorities, one is unable to fathom why the minorities

from Bangladesh and Myanmar wish to seek refuge and shelter in India. There are many in the media who wait to pillory the government at the drop of a hat but they need to be fair and look at the record of all governments.

CHIRAG SHARMA, Palampur, Kangra, Himachal Pradesh

■ In the past five years, right-wing forces have been emboldened in creating a fear psychosis in the minds of the minorities. What is more disturbing is brazen felicitations of the perpetrators. There is also a marked difference between NDA rule under Atal Bihari Vajpayee and the leader now who is trying his best to instil his invincibility in the minds of the people by terming all those who question him and his actions as anti-nationals and those siding with Pakistan. One wishes the article also looked at rising intolerance which has resulted in the elimination of rationalists, a foisting of false cases and the invention of terms such as urban-Naxals which are attributed to social activists. The peaceful

coexistence of various religions in this country is being eroded.

G.B. SIVANANDAM, Coimbatore

Bhopal candidate

The BJP’s move to field Malegaon blast main accused, Pragya Singh Thakur, against the Congress’s Digvijaya Singh for the Bhopal Lok Sabha seat, should not come as a surprise, given the party’s assiduously planned strategy to polarise voters on religious lines. While she is free to contest an election under the existing law, it certainly exposes the ruling party’s hypocrisy on terrorism. Parliament, as the judiciary has recommended, needs to bring out a strong law whereby it is mandatory for political parties to revoke membership of persons against whom charges are framed in heinous and grievous offences. Such persons should also be barred from standing for elections, both for Parliament and the State Assemblies.

S.K. CHOUDHURY, Bengaluru

■ What the BJP is trying to establish by fielding Ms. Singh is hard to fathom. The party, it appears, only wants to tell the electorate that the BJP is all set to rely on hardcore Hindutva philosophy to secure a victory in the crucial parliamentary elections. What happened to the campaign rhetoric of ‘Sabka Saath Sabka Vikas’?

V. PADMANABHAN, Bengaluru

Poll notes

The most annoying factor as far as the conduct of the general election in Chennai was concerned was that a vast number of permanent residents were turned away by poll officials as their names were “found missing” in the voter’s list or for not having the booth slip. (Chennai city, “Confusion over booth slips leads to many being turned away from polling centres”, April 19). While it is important for citizens to exercise their voting rights, it is equally important that the voter list should be perfect without any omission of names. In this day and age of electronic

communication also, the Election Commission of India should be able to think of a quick and credible solution. During the last elections, the voter list was checked by door-to-door verification. In certain areas, residents of entire streets found their names missing.

D. SETHURAMAN, Chennai

■ After going through the reports published in the Chennai edition of the daily, on the conduct of the general election in the city, I have this to say. India is flooded with software engineers and smartphones. Access to the Internet is also not very difficult as far as cities are concerned. Therefore, why cannot online voting be introduced? The voter turnout percentage in

CORRECTIONS & CLARIFICATIONS:

The former Chief Election Commissioner, S.Y. Quraishi’s clarification in regard to a reader’s query on de-registering of political parties (‘Parley’, OpEd page, “Is the Election Commission toothless or is it refusing to bite?” April 19, 2019): “A judgment of the Supreme Court held that though the Election Commission has the power to register political parties, it has no power to de-register. It has to be specifically given to it by an Act of Parliament. The Election Symbols Order is an executive order of the EC and not an Act of Parliament.”

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