



THE EDITORIAL PAGE

WORDLY WISE
WOMEN BELONG IN ALL PLACES WHERE DECISIONS
ARE BEING MADE
— RUTH BADER GINSBURG

The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

BATTLE READY

SC allowing women to sit for NDA test is a welcome push for a substantive gender reset in the armed forces

THE SUPREME COURT has allowed women to sit for the National Defence Academy (NDA) entrance exam this year — one more instance of the court pushing the armed forces towards acknowledging its blind spot on gender discrimination, and taking steps to correct its equity deficit. Last year, the SC had similarly asked the government to grant permanent commission to women officers of the army serving under the Short Service Commission. Till now, women were eligible for entry into the army through the Officers' Training Academy and Indian Military Academy. The NDA, which recruits cadets fresh out of school (between the ages of 16 and 19), remained an all-male bastion. This, said the additional solicitor-general appearing for the Union government and the Indian Army, was a policy decision. Justice SK Kaul pointed out that such a policy was premised on "gender discrimination".

Even if an interim order, the direction to open the doors of the NDA to women is more than symbolic. Taken together with the Centre's decision to admit girls to Sainik Schools across the country, it lays a roadmap for substantive change. It has the potential of attracting more women to professional life in the military. It creates a wider pool of girls and young women trained for long, ambitious careers in the uniformed services. It also throws up the exciting possibility of a more inclusive re-engineering of the institutions of the armed forces, which, by design and without apology, are conceived of as default male spaces, with women as unnecessary appendages. For instance, among the condescending arguments submitted last year against offering permanent commission to women officers in *Ministry of Defence vs Babita Puniya & Others*, was the fear that women may not be suited to the military life as "they must deal with pregnancy, motherhood and domestic obligations towards children and families". That they lack the physical capability for combat; that they might struggle if deployed in areas with "minimal facility for habitat and hygiene" — and, finally, that an all-male environment would have to moderate itself in the presence of women. This, the court archly pointed out, was a "whole baseless line of submissions solemnly made to detract from the vital role played by women SSC officers in the line of duty."

Of course, the infusion of women cadets might bring some challenges of infrastructure to both Sainik Schools and the NDA. Training modules will have to be tweaked, more women teachers hired, hostels set up and gender sensitisation programmes put in place. But this is urgent, necessary work if institutions are to comply with constitutional requirements of non-discrimination and equality. As the long legal battles for equal opportunities in the Indian army illustrate, the change calls not just for a reset of infrastructure but of attitudes. The country as a whole, must set its goals higher than the aims of programmes such as "Beti Bachao, Beti Padhao". The defence establishment must walk the talk in giving women their due as equal citizens of a constitutional democracy.

FREER TRADE

India must enter into pacts, boost competitiveness of exports, take advantage of upswing in global trade

AFTER RAISING QUESTIONS over the benefits flowing to India from the Free Trade Agreements (FTAs) it had signed, and choosing to opt out of the Regional Comprehensive Economic Partnership (RCEP) trade agreement, the Union commerce minister in his recent comments has suggested that the government is re-orienting its foreign trade policy. Addressing the export promotion councils on Thursday, Piyush Goyal announced that the government was working towards "early harvest" agreements — precursors to free trade agreements (FTA) in which tariff barriers are lowered on a limited set of goods — with Australia and the UK. While a trade agreement with the US is unlikely to materialise in the near term, there is "positive momentum" for signing trade deals with the EU and the GCC (Gulf Cooperation Council) nations, the minister said. Successful culmination of these deals would indicate an embrace of freer trade, and a shift away from the protectionist impulses that seem to have guided recent government policies.

The series of tariff hikes since 2014 marked an abrupt reversal of the decades-long policy of lowering tariff barriers. Coupled with the advocacy of Atmanirbharta, it seemed to suggest that the country was turning its back on the enormous benefits flowing from free trade. Seen against this backdrop, the minister's comments that India also needs to open its markets, and be able to compete, are indeed welcome. After all, raising tariffs to protect domestic industry only opens up the space for lobbying for further protection, leading to inefficient outcomes.

Considering the current economic environment, a re-evaluation of the trade policy is much needed. With both private consumption and investment likely to remain subdued, and with the ability of the government to support the economy during this period being limited, exports can serve as an important driver of growth, more so when global growth is on the upswing. India is already benefiting from this upswing in global trade. The country's overall exports (merchandise and services) in the first four months of the current financial year stood at \$204.97 billion, up 47.87 per cent over the same period last year, and 15.35 per cent over the year before that. It should move quickly to seize this opportunity. The government has recently announced the rates under its Remission of Duties and Taxes on Exported Products (RoDTEP) to reimburse exporters for duties paid across the supply chain, making exports zero-rated. While some have expressed disappointment over both the rates, and the exclusion of some sectors, the larger policy thrust should be to integrate with global value chains, boost the competitiveness of exports.

FREEZE FRAME

E P UNNY



Undoing judicial feudalism

Himachal HC's decision to stop use of 'subordinate courts' is justified, restores dignity to judges



UPENDRA BAXI

"WHAT'S IN A NAME?", asked Romeo in *Romeo and Juliet* and answered the question memorably by stating: "That which we call a rose / By any other name would smell as sweet." But legal rules make new social meanings by imperative definitions; the legislative fiat consists of words that bind or persuade; judicial interpretation either follows, constructs or expands the future meanings of legislative or judicial utterances.

But what may be true of romance and literature is often demodical in politics and law. I have always pointed out at public fora and in my writings that the expression "subordinate courts" used by Part VI, Chapter 6, of the Constitution of India cannot signify that judges are indeed so. This inelegant enunciation menaces the independence of the judiciary, entrenched with and since *Kesavananda Bharati* (1973) as the essential feature of the basic structure of the Indian Constitution. Now is the time for Parliament to remove the substantial nomenclature of "subordinate judiciary", and the courts to eliminate the last vestiges of judicial feudalism — the moral fault line of judicial hierarchy.

When I rhetorically posed a question to then Chief Justice of India YV Chandrachud at a public meeting, he was visibly annoyed and retorted: "What is the difference between the CJ and the sarpanch of a *nyaya panchayat*?" I meant no disrespect to him or the judiciary. To his credit, he contained his annoyance but the fact is that no judge is "subordinate" to any other. As constitutional beings, judges are limited in jurisdiction but also supreme within their own jurisdiction. However, Article 235 speaks of "control over subordinate courts". This Article adds insult to injury by describing these entities and agents as persons "holding a post inferior to the post of a district judge".

The Constitution no doubt contemplates a hierarchy of jurisdictions, but no judge, acting within her jurisdiction, is "inferior" or "subordinate". On appeal, or review, a court with ample jurisdiction may overturn and even pass judicial strictures but this does not make the concerned courts "lower" or "inferior" courts. True, high courts always have considerable powers of superintendence on

the administrative side but this "supervisory" power has been recognised by the apex court as a "constitutional power" and subject to the right of appeal as granted by Article 235.

This means that the powers are not absolute. As Justice SH Kapadia observed in a dissenting opinion in 2006: "Standards of evaluation in matters of promotion and posting have to be uniformly applied" lest "arbitrariness comes in". Rightly insisting on the integrity of "the evaluation process", he said that varying "standards" or "no standards" breach "the integrity of the process" and bring in "discrimination and arbitrariness" violating "Article 14 and "therefore judicial review".

Despite these sage observations, arbitrary practices in writing confidential reports of district justices seem to continue. Though not very common, the practice of downgrading a senior district judge constantly commended in Annual Confidential Reports (ACR) as "very good" suddenly to a "good" or lower grade continue to occur. However, while the Constitution allows "supervision", it does not sanction judicial despotism. It erects a safeguard by the provision of the constitutional right to appeal to the Supreme Court. But should such a guarantee be necessary in the first place to maintain the integrity of the process of judicial elevations?

My view endorses a complete recasting of Article 235, which does away with the omnibus expression of 'control' powers in the high courts. They may exercise 'supervision' under detailed performance norms. But there is no reason why for most matters (save elevation) senior-most district judges and of judges the high courts may not constitute a collegiate system to facilitate judicial administration, infrastructure, access, monitoring of disposal rates, minimisation of undue delays in administration of justice, alongside matters concerning transfers, and leave.

The August 11 order of the Himachal Pradesh High Court comes as a breath of fresh air. It resolves that "hereinafter, all the courts in the state other than the high court shall be referred to as district judiciary". Furthermore, "these courts shall not be referred to as subordinate court" but as trial courts. This judicial action is replete with good intentions and, hopefully, there would be no opposition from the Supreme Court or intervention by the State. The colonial idea of "subordination" stands replaced by the constitutional idea of independence of the judiciary. This decision replacing the term "subordinate judiciary" is completely justified, as, in fact, Article 235 speaks of the "district judge". However, it also says, "the courts subordinate thereto". Now the Himachal Pradesh HC has decreed that there are no such entities — all courts in the state

other than the High Court are to be named "district judiciary".

The new designation is, of course, necessary, but it is not sufficient. What then is to be done? My view endorses a complete recasting of Article 235, which does away with the omnibus expression of "control" powers in the high courts. They may exercise "supervision" under detailed performance norms. But there is no reason why for most matters (save elevation), senior-most district judges and judges of the high courts may not constitute a collegiate system to facilitate judicial administration, infrastructure, access, monitoring of disposal rates, minimisation of undue delays in administration of justice, alongside matters concerning transfers, and leave. The amendment should specifically require the high courts to satisfy the criteria flowing from the principles of natural and constitutional justice and all judicial officers who fulfil due qualification thresholds should be treated with constitutional dignity and respect. If an ACR is to be adversely changed in the face of a consistent award for a decade or more, it should be a collegiate act of the five senior-most justices, including the Chief Justice of the High Court.

Further, CJI Ramana has recently agreed in principle, following the request of the Supreme Court Bar Association, that chief justices of the high courts should consider lawyers practising in the Supreme Court for elevation to the high courts and, to this end, proposed a set of names. How all this is to be constitutionally codified is a matter calling for the combined wisdom of the Chief Justices Conference. Any recommendation for constitutional change proposed by the conference should carry great weight and be assured of smooth passage in Parliament. Citizens remain entitled, even in a situation of parliamentary turbulence, to a smooth passage as the recent example of passing of the 126th Amendment (on reservations) notably suggests.

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OPEN DOORS, NOT WALLS

Any change at Sabarmati ashram must come from consensus and collaboration



ELA R BHATT

THE MAHATMA GANDHI Ashram at Sabarmati has always attracted universal reverence in India and outside. It has received and welcomed a wide range of individuals, many of whom come here as pilgrims.

The Ashram is not a project, or Gandhiji's home, or a tourist spot. It is where our history of achieving freedom for millions with non-violent means was made. It is where we experimented with a future way of living. The Ashram is not a mere memorial of objects and artefacts but a place that inspired *satyagraha* and carved pathways — inner and outer — to peace. It is our common and shared responsibility to protect, preserve and promote. All of us. Including our government.

What we have to preserve is the sanctity of the Ashram. We have to preserve the simplicity, logic and spirit of Gandhiji's ideas and values. And we have to do so with consensus, and in full collaboration with each other. I insist that any change to the Ashram, or the proposal to redevelop it, is made with consensus and any process for this change is collaborative.

So far, all have been open, welcoming, and cooperative in discussing ideas and plans. The suggestions and protest letters about the redevelopment plan are most valuable and welcome. I have faith that we will all continue this open and peaceful process to achieve a consensus.

And, therefore, there is hardly any possi-

bility of the governmentalisation of the Ashram, we believe. We will continue our efforts to protest, protect, and promote this Ashram with peaceful means.

Non-violence, to me, has never been a lack of action or timid acceptance, it has been a force of its own that is connected with wider day-to-day political, social, and economic struggles for the freedom of the poor and women workers. Gandhiji Ashrams will not work for the betterment of India's society nor its citizens if they are not more and more aligned to the Gandhiji way.

This is not to take Gandhiji too literally. Let us conceive of Gandhiji as a way of thinking about our society, economy and politics. The Gandhiji way is self-reliance at the local level, and full employment at the household level. It is a way towards sustainability and near-zero carbon footprint. It implies local ownership of the means of production. It calls for a broad-based and inclusive social and economic democracy. The Gandhiji way is to build peace at home, in the neighbourhood and in the world. And in this, Dalits, minorities, Adivasis have a leading role to play. Women and workers will be the engines.

As a society, we seem to be rushing towards mass suicide, with investments that lead to no jobs, and infrastructure that pollutes air, food and water faster than we can clean or preserve them. If the majority turns

on minority communities, cultures or ideas, in the end we will leave no one alive.

Unless the ashrams take the economy and the citizens to self-reliance, to full and meaningful employment, to sustainability, and to local cooperative control of the means of production, they will not deliver what they promise — widespread long-term prosperity and *samullas* for every Indian.

The Ashram is not made of the four walls that protect Gandhiji's artefacts and archives — needless to say they are priceless to us all — but of an endless set of doors that open us to the Gandhiji way. Let me give a personal example. What touches me at the Ashram is the recurring memory of my grandfather, Dr Manidhar Prasad Vyas, from Desai ni Pole, Khadia, Ahmedabad, joining the Salt March and being hit by police sticks that broke his teeth, weakened the bones in his limbs for the rest of his life, and transformed him from a successful medical doctor into a lifelong *satyagrahi*.

Gandhiji would have been puzzled by his people caring for the Ashram precincts but not moving ahead to the peaceful, Gandhian constructive way of building a mutually nurturing society.

The writer is Sewa founder and chairperson of Sabarmati Ashram Preservation and Memorial Trust

AUGUST 23, 1981, FORTY YEARS AGO



J&K NON-COOPERATION JAMMU AND KASHMIR'S ruling party, National Conference, has pledged "to seek non-cooperation on Central laws that are detrimental to the interests of the state's autonomy". The second day's session of the three-day annual meet of the party presided over by Farooq Abdullah, at which the Chief Minister Sheikh Abdullah was present, called upon all sections of "patriotic opinion" in the state to affirm their faith in the basic requirements "of building our state to accord it the distinct place of honour due to it". A resolution passed by a voice vote of over 4,000 delegates said that the post-1975 story of Jammu and Kashmir was one of ending the politics of drift and

lack of direction and more significantly, putting an end to any further encroachment of the state's "right to be ruled by its own constitution".

LETTER GAG

TOUGH CENSORSHIP HAS been clamped on correspondence between Naxalite prisoners and the Supreme Court, it is learnt. Inspector General of Prisons, R L Handa, has given instructions to jail authorities that all correspondence must be routed through him. Letters from prisoners to their representatives could well be with the state home department or the IGP.

FORGERS NABBED

THE SPECIAL STAFF of Delhi's West District police claim to have busted a gang of master forgers. The police said amongst those arrested were two officials of the State Bank of India. A 9mm pistol with cartridges was recovered from the alleged cheats.

PUNJAB CONGRESS RIFT

PM INDIRA GANDHI is reported to be perturbed over reports that recently appointed chief of the Punjab Congress (I) is not getting CM Darbara Singh's support. Singh and Parashar have been in the capital for the last few days. Singh has complained that Parashar has been assigning important party work to her brother, Prithvi Parashar.

9 THE IDEAS PAGE

An irrational turn

A global survey says Indians trust in science, on average, more than people elsewhere in the world. Yet, we are propagating unscientific thought, establishing pillars of pseudoscience



PARTHA P MAJUMDER

THE STATE OF Science Index (SOSI) 2021 was announced in June. The Indira Gandhi National Open University (IGNOU) announced the introduction of a Master's programme in astrology (*jyotish*) the same month. The first announcement made me happy because 90 per cent of adults surveyed said that science is bringing hope for the future, driving hope for a better world to live in — a higher percentage, albeit slightly, than the global average of 89 per cent. But the IGNOU announcement is an enormously retrogressive step that promotes pseudo-science, I felt.

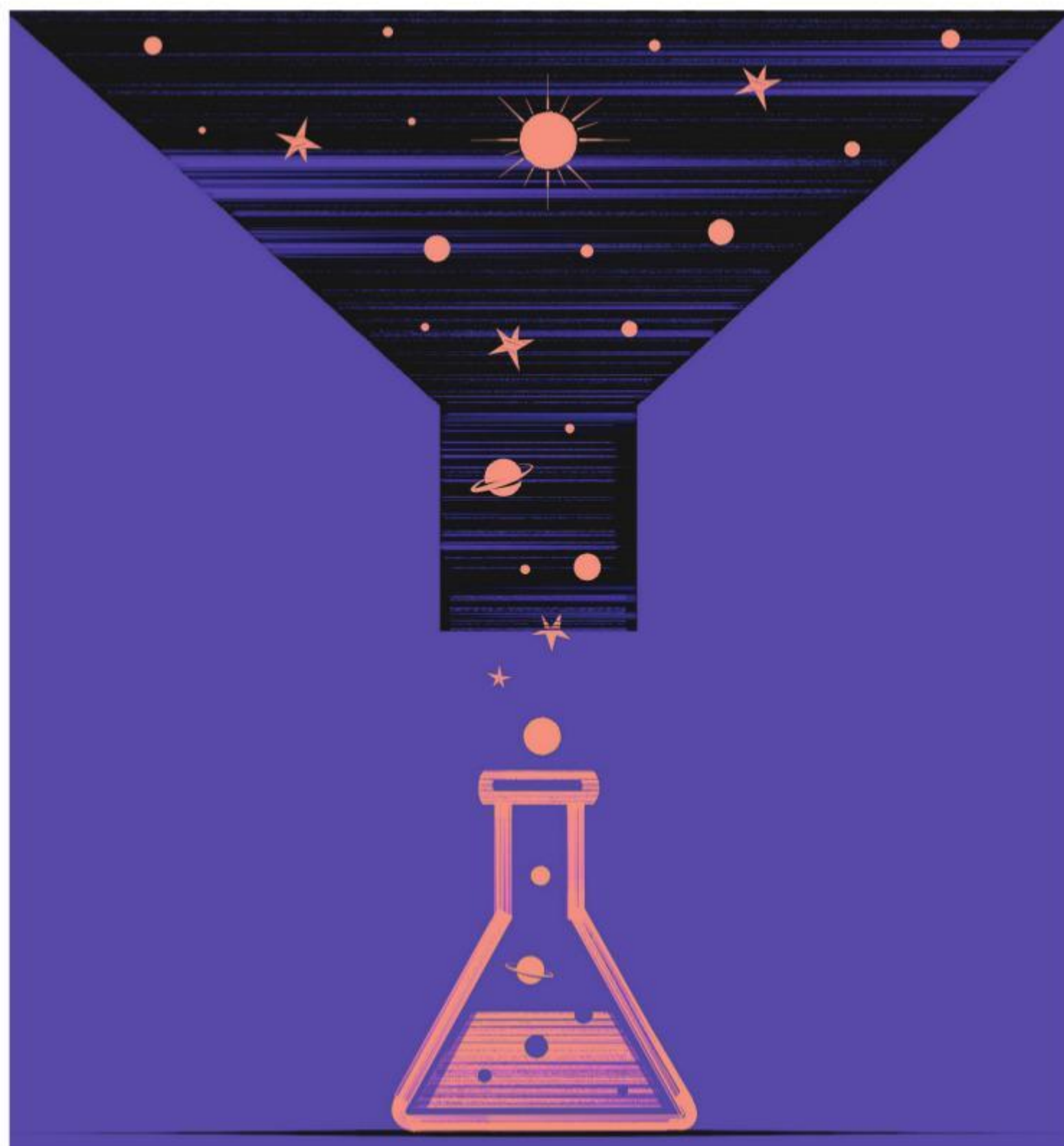
SOSI was based on results obtained through a combination of online and offline interviews conducted by a global research firm, Ipsos. A demographically representative sample of 1,000 citizens, 18 years and older, were interviewed this year in February and March from each of 17 countries — Australia, Brazil, Canada, China, Columbia, France, Germany, India, Italy, Japan, Mexico, Poland, Singapore, South Korea, UAE, UK and the USA. In this survey, science was defined as "the process of pursuing knowledge about the world and how things in the world work through logically gathering, observing, experimenting and applying truths on a particular subject."

Hope in science implies trust in science and scientists. Indeed, 90 per cent of respondents from India said that they trust science, about the same (91 per cent) as other global respondents. The vast majority (85 per cent) also believe that society will be negatively impacted if science is not valued. "Science will make my life better in the next five years," said 79 per cent of respondents. It was also heartening to note that the ordinary citizen agreed to speak up to defend science if someone expressed scepticism against science; a significantly higher fraction (87 per cent) of Indian citizens agreed to do so compared to citizens in other parts of the world (75 per cent).

When there is so much trust in science and citizens of India believe that science will make their lives better, why are we systematically killing the scientific spirit by instilling in our citizens a body of irrational thought? And making sure that such thought gets a stamp of formal approval by introducing degree courses. The stamp will, of course, help irrational thoughts to percolate more easily into society.

In the current atmosphere, anyone who questions such decisions or motives is branded an anti-national. Even if we truly believe that there were significant scientific developments in ancient India, you cannot express disbelief in any claims made by those in power. Such as, cosmetic surgery thrived in ancient India exemplified in Ganesha with an elephant head and we flew airplanes long before the Wright brothers did. You question or express disbelief and the expanding bunch of jingoists will hound and harass you. They may even kill you. Remember Narendra Dabholkar and Gauri Lankesh.

Instead of taking advantage of the high level of trust in science among our citizens, as the SOSI survey indicates, to entrench sci-



CRSasikumar

ence deeply in the minds of our people, especially school-going children, we are propagating unscientific thought and establishing pillars of pseudoscience. I also see some contradictory emphasis. There is a welcome emphasis in institutions of higher education to promote science communication by students, to encourage outreach programmes on science, to build living museums for the younger generation of science learners, etc. These are laudable efforts. Why are we introducing degree courses in astrology at the same time?

Astrology has no scientific basis. It does not follow the method of science that comprises setting up a hypothesis, making predictions arising logically from the hypothesis, collecting empirical data to test these predictions, and concluding whether the hypothesis has a strong likelihood of being true. Astrology does not follow this process.

Objections to astrology are not new. Almost 50 years ago, in 1975, a group of 186 scientists, including many Nobel laureates (such as Hans Bethe, Francis Crick, Paul Samuelson, Niko Tinbergen, Peter Medawar, Linus Pauling), published a signed objection to astrology. They wished "to caution the public against the unques-

Instead of taking advantage of the high level of trust in science among our citizens, as the SOSI survey indicates, we are propagating unscientific thought and establishing pillars of pseudoscience. There is a welcome emphasis in institutions of higher education to promote science communication by students, to encourage outreach programmes on science. So, why are we introducing degree courses in astrology?

tioning acceptance of the predictions and advice given privately and publicly by astrologers. Those who wish to believe in astrology should realise that there is no scientific foundation for its tenets."

In ancient times, the world view was magical. Planets and other celestial bodies were assumed to exert strong forces on the earth. These forces at birth were assumed to determine the course of our lives. Now that distances between planets and many stars have been calculated, we know that these forces are infinitesimally small to influence us.

The SOSI survey this year clearly indicates that 90 per cent of our adult citizens trust science; 91 per cent agree that the world needs more people pursuing careers related to science, technology, engineering and mathematics. Yet, we are consciously introducing pseudoscientific degree courses. Our citizens will become more irrational and our society more obscurantist. Let us unite to denounce pseudoscience and promote the scientific spirit and temper. The pivot of national prosperity is science and the scientific spirit of its citizens.

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WHAT THE OTHERS SAY

"While the Afghan 'jihad' played a major role in radicalising Pakistani society, and extremist groups found a safe haven during the Taliban's earlier stint in power, new efforts to recreate the Taliban model locally must be resisted."

—DAWN

Return to unfreedom

Taliban leaders may have changed. But pressure from rank and file could lead to a hardline position on women's freedom in Afghanistan



HIRANMAY KARLEKAR

THE TALIBAN takeover of Afghanistan raises the question: What will happen to Afghan women? One needs to discuss four issues for an answer — the status of Afghan women before the Taliban captured power in 1996, during their regime, what they regained since the ouster of the Taliban, and what the outfit could be expected to do on its return.

As to the first, a report, 'Taliban's War on Women: A Health and Human Rights Crisis in Afghanistan' by the Physicians for Human Rights, a distinguished human rights organisation in the US, states that before the Taliban captured Kabul, women accounted for "70 per cent of all teachers, about 50 per cent of civil servants and 40 per cent of medical doctors in Afghanistan."

What happened during Taliban rule? Kamal Moynuddin, a retired lieutenant-general of the Pakistan Army, puts it in a capsule in *The Taliban Phenomenon: Afghanistan 1994-1997*: "Girls are being denied education; women have been prevented from working; if they leave their house, they have to be covered from head to foot with a veil (burqa); besides being veiled, women have to be accompanied by a male relative when they venture out in the streets. Shopkeepers have been directed not to sell goods to unveiled women. Rickshaw drivers are not to pick up women passengers unless they are fully covered. Women caught violating these rules are imprisoned, as are the shopkeeper and the rickshaw driver."

Things began to change after the Taliban were ousted from power following the US-led invasion launched in October 2001. As George R Allen and Vanda Felbab-Brown state in their paper, 'Fate of Women's Rights in Afghanistan' — a part of Brookings Institution's 19A Gender Equality Series — the 2004 post-Taliban constitution "gave Afghan women all kinds of rights, and the post-Taliban political dispensation brought social and economic growth that significantly improved their socio-economic condition". They further state that against less than 10 in 2003, the percentage of girls enrolled in primary schools rose to 33 in 2017. Registered female enrolment in secondary schools rose from six to 39 per cent in the same year. Three-and-a-half million Afghan girls were in school with 100,000 studying in universities. They add, "By 2020, 21 per cent of Afghan civil servants were women (compared with none under the Taliban regime), 16 per cent of them were in senior management positions, and 27 per cent of Afghan members of Parliament were women."

According to Allen and Felbab-Brown, in rural Afghanistan, where 76 per cent of Afghanistan's women live, life has not changed much from the Taliban era, their formal legal empowerment notwithstanding. Existence of rights, and their utilisation

by some is, however, a starting point. The achievements of urban Afghan women could have been an example to others. Change is a slow process in history, more so in a traditional country like Afghanistan. But extinction of the rights Afghan women now enjoy will reverse the process.

This brings us to the fourth issue. Some hold that the Taliban would moderate their hardline views on women in their second coming. Referring to the Taliban leaders interviewed for their project, Borhan Osman and Anand Gopal write in their paper, 'Taliban Views on a Future State', "Most respondents agreed that the Taliban has evolved considerably in its social outlook. They attribute this to the changed conditions from the 1990s: Many Taliban leaders have now spent over a decade in Pakistan or the Gulf, which has greatly broadened their horizons from their parochial upbringing in southern Afghanistan. In addition, many Taliban leaders have since 2001 completed their studies and engaged with the broader world of Islamist discourse, opening their perspective to new interpretations of Islam. For this reason, respondents now judge many Taliban edicts of the 1990s — such as those enacted by the notorious Vice and Virtue religious police, or the shuttering of girls' schools — as too harsh or inappropriate for today. Taliban views on personal dress, female education and television appear to have softened considerably."

Coming to women, Osman and Gopal quote a number of interviewees as stating, "We do not object to women working or to the education of women in our country. However, what we object to and prevent by force is if this work or education breaches Islamic Sharia. Nowadays, there are scores of schools, especially for girls in the area of the [Islamic Emirate], and there are jobs performed by women, such as the teaching of girls and medicine for women. We encourage this and we call for it on condition that hospitals for females are segregated from hospitals for males, and on condition that the work conditions are in harmony with Islamic Sharia, not to satisfy instincts, whims and lust."

What does all this mean? Will there be a place for women in bureaucracy, commercial undertakings and public and political life? According to Osman and Gopal, "Most interviewees accepted the need of women in the sectors of health and education, and in any government department dealing with women and children. Beyond that, there appears to be little enthusiasm for the idea of women holding public office or working in businesses not dealing with females or children." Besides, will the Taliban, now in power, accord women the very limited status some say they have come to envision? Even if the top leaders want to — they have reportedly said that they will honour the rights women have under Islamic law — there will be pressure from the field commanders and frontline fighters who are hardliners opposed to negotiations and concessions and have very restrictive views on girls' educations and women's role. A return to a grim nightmare awaits Afghan women.

Karlekar is author of Endgame in Afghanistan: For Whom the Dice Rolls



APOORVANAND

Call it by its name

Courage, clarity to fight BJP's majoritarian project must show in Opposition's speech

I WAS PLEASANTLY surprised to see an article by Sonia Gandhi in *The Indian Express* ('In need of repair', August 18). I read it with great expectation, but was left disappointed. Not because the piece says anything wrong, but because it is only a cold indexing of what has gone wrong with Indian democracy in the last few years. It talks about the damage to the economy, the demolition of federalism, the hollowing out of institutions that hold democracy together, the disastrous handling of the pandemic and the targeting of critics of the government using laws meant to deal with "terrorism". It also laments the loss of the inclusive ethos that defines India. All wrongs listed, the piece ends with a wish, "India must show that it is possible to translate idealistic visions into lived realities."

Everything has been said. Why am I cribbing then? Because the piece fails to register and articulate the trauma that Indian Muslims are suffering from. Nowhere too did I find the word secularism mentioned. The central idea that defines India has been effectively pushed out of all political discourse. After the 2019 election results, PM Narendra Modi had listed as his major victory that he had ensured that "secularism" would no longer be used by any political party. Now we see that even the chief of a party, which conceived of and practised this principle, not only of statecraft but also of the country's so-

cial life, does not think it important to remind the people that diversity and pluralism cannot exist without secularism.

Secondly, the lament for the loss of diversity becomes formalistic if you do not say that what matters is the protection of and respect for equal rights of all minorities, especially Muslims and Christians. That was the promise of India under the leadership of Gandhi and Nehru. Gandhi died for it and Nehru defended Muslims with his body.

So, why is the president of a party that Gandhi and Nehru led reluctant to touch upon the subject of how minorities are under threat in India today? Instead, the word diversity is strategically used to invisibilise Muslims or Christians in the political and social sphere. Given the physical and psychological attacks that Muslims are facing on a daily basis, it is not something you can talk about indirectly.

On the night of August 13, two nights before the 75th Independence Day, I got a missed call from a resident of the state with the largest number of Lok Sabha seats. I called back only to be stunned into silence by the opening sentence. "Sir, I am trying to watch the video of Kanpur but the cries of the little girl clinging to her father begging for his life are unbearable. I switch off." I knew which video he was referring to. He continued, "Her cries remind me of my daughter. There are only three of us.

Wouldn't it be better to die by taking poison than suffer this humiliation?"

It took me time to fight my way out of silence and turn it into a conversation. I need not go into the details of the Kanpur attack on Afsar Ahmad in police presence. I looked for an acknowledgment in Sonia Gandhi's piece of the anguish of this citizen of India who finds death more honourable than life in this country. The leader failed me.

A defence can be made by saying that she does talk about discrimination. But does this word articulate the injury to the souls of Indian Muslims, the stain of their blood on our streets and fields?

It can be argued that it is unfair to demand such boldness from a leader, who herself has been subjected to the vilest of attacks because of her religious antecedents and her place of origin. That is even more a reason for her, a leader of a party where she enjoys respect across factions, to assert the right of a Muslim or a Christian to live with full rights.

Should one say that the word communalism is inadequate to describe the politics of the BJP? It is aggressive majoritarianism which is disenfranchising Muslims in all aspects of national life.

We need extraordinary courage and moral clarity when faced with such an unprecedented and brazen attack on the fundamentals of our national life. That clarity

must be reflected in speech. Should I request Sonia Gandhi to read the letter that a young Indira Gandhi had written to her father, the first Prime Minister of India, in a similar moment of crisis? Writing from Lucknow on December 5, 1947 about the rallies organised by the RSS and allowed by the Congress government, she warns, "The recent history of Germany is too close for us to be able to forget it for an instant. Are we inviting the same fate to the country? The Congress organisation has already been engulfed — most Congressmen approve of these tendencies. So do government servants of all ranks and positions."

Even bolder is her letter of December 10, 1949. The occasion was the visit of Nehru to Farrukhabad. Indira wrote, "I hear Tandonji wants to change its name and that of every town which ends in 'bad' into 'nagar'." She threatens: "If this sort of thing goes on much longer, I shall be provoked into calling myself 'Zohra Begum' or some such thing!"

Unless our secular leaders are as bold, not only in their belief but also in their words, it is difficult to expect people to even listen to their lament. Incidentally, the letters are part of a beautiful volume of letters between Indira and Nehru that Sonia Gandhi has edited.

The writer teaches Hindi at Delhi University

LETTERS TO THE EDITOR

UN-ISLAMIC STATE

THIS REFERS TO the article, 'Faith and her freedom' (IE, August 20). The Taliban are not strangers to egalitarian Islamic tenets regarding women, but the idea of Islam as a whole, which is anchored in the values of equality, fraternity and liberty. Prophet Muhammad PBUH once affirmed, "Allah will not be merciful to those who are not merciful to mankind" (Sahih Bukhari, Book 9, Vol. 93, Hadith 473). Renaming Afghanistan as the "Islamic Emirate of Afghanistan", will not automatically make it Islamic if the ones bathed in the blood of the innocents continue with their barbaric ways. Not to mention that the name of Hitler's political party was "the National Socialist German Workers' Party", under whose watch Jews were flayed in the name of nationalism and socialism.

Vinay Saroha, Delhi

WAIT AND SEE

THIS REFERS TO the article, 'Understanding Taliban 2.0' (IE, August 19). The NDA government has taken a wise decision to close its embassy in Kabul before it has to deal with the Taliban. It was also necessary when China and Pakistan are raring to cultivate them. In such a fraught situation, the wait-and-see policy is the best. If Kabul really wants reconciliation, it will make a diplomatic demarche for this purpose sooner or later. Of course, India would be always on the qui vive for responding ad-

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equately to any such initiative from it
Tarsem Singh, Mahilpur

PLURALISM NEEDED

THIS REFERS TO the editorial, 'Northeast Warning' (IE, Aug 19). The Northeast has been almost a world on itself, though successive governments have done a lot to provide succour. It's not just the development initiatives that would appease the frayed nerves, equally important is pluralism. The government needs to make the latter a part of its policy and practice. For aons, the Northeast has borne the brunt of step-motherly treatment and it would take long to make amends.

Manish Shukla, Kota