

13 EXPLAINED



SOCIAL INTELLIGENCE

So, Trump is lambasting the “dishonest media” who are giving him free airtime for a campaign rally 3 1/2 years before the 2020 election.

JAMES PONIEWOZIK, chief TV critic for *The New York Times*, 76,700 followers. Announced his book on Trump in a tweet: “Some news: I’m writing a highly overrated book, for Liveright, on Donald Trump as a TV/pop-culture character. Sad!”

TRIPLE TALAQ VERDICT: THE DAY AFTER



Women look out to the Haji Ali *dargah* in the sea off Mumbai on Tuesday, the day the Supreme Court struck down instant triple talaq. *Nirmal Harindran*

Why a court verdict has two states on tenterhooks

NAVJEEVAN GOPAL
CHANDIGARH, AUGUST 23

What is the alleged Sadhvi rape case against Dera Sacha Sauda head Gurmeet Ram Rahim Singh?

In 2002, a Dera Sacha Sauda *sadhvi* sent an anonymous letter to Prime Minister Atal Bihari Vajpayee accusing Gurmeet Ram Rahim Singh of raping her and other *sadhvis*. She accused the Dera chief of warning her not to talk about the incident, boasting of the clout he had with politicians in Punjab and Haryana. Taking *suo motu* cognizance of the letter, Punjab and Haryana High Court referred the matter to CBI for an inquiry on September 24, 2002. CBI questioned 18 *sadhvis* who had left the Dera, some of whom told investigators that the Dera chief and his followers were “very dangerous people”. Two of the women accused the Dera chief of rape. One of them said she had been raped in order that she may be “purified”. CBI filed a chargesheet on July 30, 2007. A special CBI court in Panchkula will pronounce its verdict in the case on August 25.

The Dera chief is also an accused in the murders of Dera follower Ranjit Singh (whose family alleges that he was killed on suspicion of involvement in the anonymous *sadhvi*'s letter) and journalist Ram Chander Chatrapati (who wrote extensively on “illegal activities” in the Dera). Ranjit was murdered on July 10, 2002; Chatrapati, who was shot at on October 23, 2002, died in hospital after about a month.

Why are Punjab and Haryana tense?

Both states, in which a large number of Dera followers reside, fear largescale violence if the verdict goes against the Dera chief. Dera followers, who are called “*premis*”, have already gathered in their thousands in Panchkula, at the headquarters of the sect in Sirsa, and at its *deras* in Punjab and Haryana to express solidarity with Gurmeet Ram Rahim Singh in case of a conviction. The Dera has a massive base of followers across Punjab,

Haryana and other states, most of whom are Dalits. The Dera's official website boasts of 60 million “faithful followers” around the world. Punjab has an additional reason to worry because it has been witness to bloody clashes between Sikhs and Dera followers earlier. Punjab fears a face-off irrespective of which side finds the reason to celebrate.

What is the history of the standoff between Sikhs and Dera Sacha Sauda?

Sikh institutions nurse a grouse against the Dera for weaning away a section of Sikhs. The Dera draws its support from Dalit Sikhs who feel discriminated against by upper-caste Sikhs. The Dera has repeatedly used its followers' base to wield political influence. Following a massive clash between Sikhs and Dera followers in May 2007 after the Dera chief allegedly imitated Guru Gobind Singh, the Dera accused the then ruling Shiromani Akali Dal, which also controlled the Akal Takht and SGPC, of targeting its followers because the Dera had supported the Congress in the elections.

How have political parties reacted to the build-up of tension?

The Congress and Shiromani Akali Dal in Punjab, as well as parties in Haryana, have banked on the Dera for political support that is often seen as having the ability to tilt the scales in one or the other direction. In the February 4 elections this year, the Dera supported SAD nominees in Malwa. It did not swing the SAD's fortunes, but it did damage the prospects of the Aam Aadmi Party to a significant extent. Chief Minister Amarinder Singh has declared that his government would deal with any law and order problem with an iron hand. The BJP government in Haryana has not so far held any talks with the Dera to defuse a potential conflagration. The Dera had supported the BJP in the 2014 Assembly elections.

Understanding context of SC ruling: divorce rate of Muslim women is thrice that of men

ZEESHAN SHAIKH
MUMBAI, AUGUST 23

NOW THAT a five-judge Bench of the Supreme Court has struck down instant triple *talaq* in a complex, layered, split verdict, here are some figures that describe the social context to which the judgment speaks.

Data from the Census of India, 2011, showed that while among all religious communities, the rate of divorce was significantly lower among men than among women, the disparity was particularly stark among Muslims. So while the “refined divorce rate”, or rate of divorce per 1,000 marriages, was 1.59 among Muslim men, among Muslim women, it was more than three and a half times higher — 5.63.

Buddhists came next on the disparity scale, the corresponding numbers being 3 and 6.73, followed by Christians (2.92 per 1,000 marriages for men and 5.67 for women). Overall, Census 2011 recorded the number of divorces per 1,000 marriages in India as 1.58 for men, and for women, double that at 3.10. (See chart)

The lower refined divorce rate among men across the board suggests that men tend to re-marry at a far quicker rate than women — in other words, they stay divorced for a far shorter time.

While Tuesday's Supreme Court verdict striking down *talaq-e-biddat* or instant triple *talaq* has been rightly hailed as a victory for gender justice, it is important to keep in mind that there are no concrete data on the prevalence of this form of divorce — the impact of the judgment is, therefore, difficult to measure. Muslim couples can divorce in other ways too, including through the intervention of religious institutions such as the *Qazi* and *Dar-ul-Qaza*.

In May — a day before the Supreme Court began hearing the legal challenge to instant triple *talaq*, the Delhi-based Centre for Research and Debates in Development Policy (CRDDP) reported the results of its survey that showed that the incidence of this form of *talaq* was less than even 1 in 100.

In this survey led by Dr Abu Saleh Shariff, best known as Member Secretary of the Sachar Committee whose 2006 report remains the definitive assessment of the social, educational and economic backwardness and deprivation status of Muslims, CRDDP surveyed 20,671 verified respondents — 16,860 men and 3,811 women — across India between March and May, 2017.

The survey recorded 331 *talaqs* reported by both women and men respondents, of

DIVORCE RATES IN INDIA							
AMONG MEN			AMONG WOMEN				
	Married	Divorced	Refined divorce rate*	Married	Divorced	Refined divorce rate*	
Sikh	0.52 cr	19,155	3.63	Buddhist	0.20 cr	13,749	6.73
Buddhist	0.19 cr	5,991	3.0	Christian	0.65 cr	37,406	5.67
Christian	0.62 cr	18,449	2.92	Muslim	3.76 cr	2,12,074	5.63
Jain	0.12 cr	3,136	2.53	Jain	0.12 cr	3,814	3.04
Muslim	3.60 cr	57,535	1.59	Hindu	23.78 cr	6,18,529	2.60
Hindu	23.35 cr	3,44,281	1.47	Sikh	0.53 cr	13,732	2.56
Others	0.16 cr	3,293	1.99	Others	0.17 cr	8,432	4.91
Overall	28.65 cr	4,52,743	1.58	Overall	29.30 cr	9,09,573	3.10

*Divorces per 1,000 marriages

AGE OF WOMEN DIVORCEES						
Largest chunk between ages 20-34; in under-19 group, Muslims most vulnerable						
	19 and below	20-34	35-49	50-69	70 and above	NA
Hindu	3.2	37.6	38.2	17.6	3	0.4
Muslim	3.9	43.9	35.6	14.1	2.1	0.3
Christian	1.7	33.5	39.1	21.3	4.2	0.2
Sikh	2.7	43.2	34.3	15.6	3.6	0.4
Buddhist	3	40	38.5	15.5	2.8	0.2
Jain	1.9	25.8	42.6	24.1	5.2	0.4
Overall	3.2	39	37.6	16.9	2.9	0.4

All figures in per cent Data Source: Census of India, 2011

which just 1 was “oral triple *talaq*”, where “*talaq*” was uttered three times in one go, without any witnesses or record.

A survey conducted by the Bhartiya Muslim Mahila Andolan (BMMA), one of the petitioners in the Supreme Court case, however, reported a dramatically higher incidence of unilateral instant triple *talaq*. Of 4,710 Muslim women from economically poor strata surveyed by BMMA, 525 — 11.14% — said they were divorced. And of this group of 525 divorcees, as many as 408 women — 77.71% — said they had been given instant triple *talaq*.

The All India Muslim Personal Law Board, one of the respondents in the triple *talaq* case, says the rate of divorce among Muslims is lower than that of other communities. The AIMPLB has analysed data from family courts and various *Dar-ul-Qazas* across eight districts of Kerala, Maharashtra, Telangana and Andhra Pradesh to show that the number of divorces among Muslims (1,307) were a small fraction of the number for Hindus (16,505).

By themselves, Muslim women do not appear the most vulnerable to being divorced in the Census data. The refined divorce rates

for Buddhist and Christian women were higher than that for Muslim women (6.73 and 5.67 respectively, compared with 5.63 for Muslims). The refined divorce rate for Hindu women was much lower at 2.60, higher than only Sikh women (2.56 per 1,000 marriages).

Among Muslim women, the largest percentage of divorces take place in the age group 20-34 (43.9%), in which only 24% of the total Muslim female population lies. What is important to note, again, is that 3.9% of Muslim women divorcees are of age 19 and below, the most among all communities in this age group.

As per Census 2011, the total number of divorcees in India was only 13.2 lakh — a severely underreported figure, according to activists. There were 9.09 lakh women divorcees (68% of the total divorcee population) and 4.52 lakh divorced men.

Cases of divorce are settled under a range of laws such as The Divorce Act, 1869 (4 of 1869), The Parsi Marriage and Divorce Act, 1936 (3 of 1936), The Dissolution of Muslim Marriages Act, 1939 (8 of 1939), The Special Marriage Act, 1954 (43 of 1954), and The Hindu Marriage Act, 1955.

MEANING DIVORCE IN ISLAM

Definitions

TALAQ: Divorce at the instance of the husband
KHULA: Divorce at the instance of wife
MUBARAAT: Divorce by mutual consent

Types of talaq

TALAQ-E-AHSAN: Is revocable. Involves single pronouncement of “*talaq*” by the husband, followed by a period of abstinence, the *iddat*, which is 90 days or three menstrual cycles (in case the wife is menstruating). Alternatively, the period of *iddat* is of three lunar months (in case the wife is not menstruating). If the couple resumes cohabitation or intimacy within the period of *iddat*, the pronouncement of divorce is treated as having been revoked.

TALAQ-E-HASAN: Is pronounced in the same manner as *talaq-e-ahsan*, but in place of a single pronouncement, there are three successive pronouncements. After the first pronouncement of divorce, if there is resumption of cohabitation within a period of one month, the pronouncement of divorce is treated as having been revoked. “*Talaq*” is pronounced again after a month. After the second pronouncement of “*talaq*”, if there is resumption of cohabitation within one month, the pronouncement of divorce is treated as having been revoked. It is significant to note that the first and second pronouncements may be revoked by the husband. If he does so, either expressly or by resuming conjugal relations, the pronouncement of “*talaq*” by the husband becomes ineffective, as if no “*talaq*” had ever been pronounced. If the third “*talaq*” is pronounced, it becomes irrevocable. The distinction between *talaq-e-ahsan* and *talaq-e-hasan* is that in the former, there is a single pronouncement of “*talaq*” followed by abstinence during the period of *iddat*, whereas in the latter, there are three pronouncements of “*talaq*”, interspersed with abstinence.

TALAQ-E-BIDDAT: This is instant *talaq*, effected by one definitive pronouncement of “*talaq*” or three simultaneous pronouncements, like, “*talaq, talaq, talaq*”, uttered at the same time, simultaneously.

In *talaq-e-biddat*, divorce is effective forthwith.

Countries and laws

ALGERIA: Theocratic state; divorce cannot be established except by a judgment of the court.

IRAQ: Theocratic state; when a person intends to divorce his wife, he shall institute a suit in the Court of Personal Status requesting that it be effected, and that an order be issued therefor.

LEBANON: Secular state; divorce by a drunk person shall have no effect; divorce pronounced under coercion shall have no effect.

SYRIA: Secular state; where a person divorces his wife, the court may, if it is satisfied that he has done so arbitrarily without any reasonable cause, and that as a result of the divorce the wife shall suffer damage and become destitute, give a decision, with due regard to the husband's financial condition, that he should pay her compensation not exceeding three years' maintenance.

INDONESIA: Constitution guarantees freedom of religion. However, the government recognises only six official religions; a divorce shall be effected only in the court and the court shall not permit a divorce before attempting reconciliation between the parties. Divorce shall be permissible only for sufficient reasons indicating breakdown of marriage.

MALAYSIA: Islam is the official religion but other religions are permitted to be practised; a husband or a wife who desires a divorce shall present an application for divorce to the court in the prescribed form accompanied by a statutory declaration.

PHILIPPINES: Secular state; a divorce by *talaq* may be effected by the husband in a single repudiation of his wife during her *tuhir* (non-menstrual period), within which he has totally abstained from carnal relations with her. **ENS**

3 out of 4 deep-sea creatures make their own light

N 1932, William Beebe became the first scientist to descend into the sea's inky darkness. A tiny window in his submersible let him gaze out. He described an unfamiliar world of dancing lights, pale glows and beguiling shimmers.

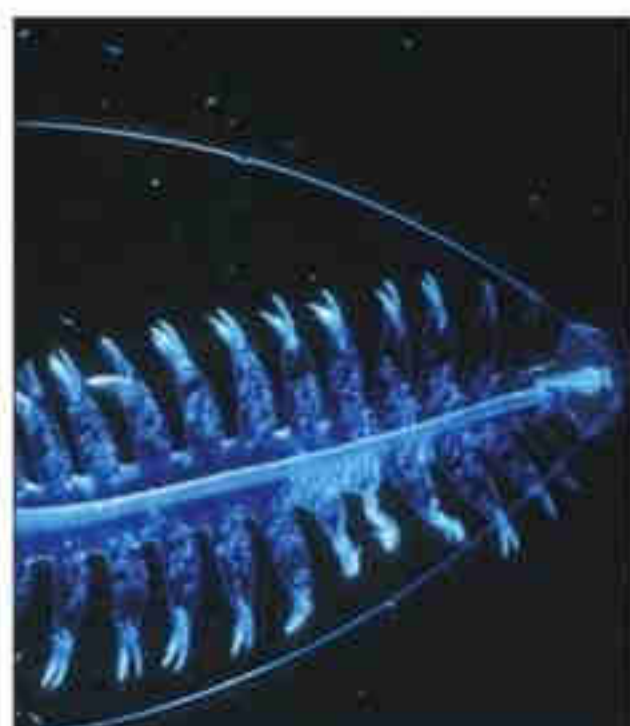
“It seemed to explode,” he said of one luminous creature. Nothing, he added in his book, *Half Mile Down*, had prepared him for the spectacular displays. The colours included pale greens, blues, reds and especially, blue-greens, which by nature can travel far in seawater.

Over the decades, biologists learned that the creatures of the deep sea use light much as animals on land use sound — to lure, intimidate, stun, mislead and find mates. The living lights emanated from tiny fish with needlelike fangs, and gelatinous brutes with thousands of feeding tentacles. The sheer variety suggested that bioluminescence was fairly common, but no scientist came up with a measurement of the phenomenon.

Now, 85 years after Beebe's pioneering



(Left) *Beroe forskalii*, a comb jelly that can produce waves of light in the deep sea; *Tomopteris*, a genus of sea worms that emits blue light, but one species of which can produce yellow. Handout/Steve Haddock via The New York Times



dive, scientists have succeeded in gauging the actual extent of bioluminescence in the deep ocean.

During 240 research dives in the Pacific, they have recorded every occurrence and kind of glowing sea creature — more than 500 types living down as deep as 2 miles. Their headline finding: a stunning 76% of sea creatures made their own light, vastly outnumbering the ranks of the unlit, such as dolphins.

Over the decades, scientists have traced the evolutionary roots of the living oceanic lights to primal seas hundreds of millions of years ago, long before the age of dinosaurs.

By contrast, terrestrial bioluminescence is relatively new. And the land creatures that light up, unlike their undersea kin, constitute a tiny minority. The ranks include fireflies, some beetles, millipedes and earthworms.

The 240 dives used to perform this survey were all research trips conducted since 1999. The cruises ranged up to 180 miles off Moss Landing, California, and covered an

area roughly the size of Ireland. Cameras mounted on robots made more than 350,000 sightings of deep-sea life.

The finds included anglerfish, which lure prey by dangling lines tipped with glowing lures in front of large mouths full of daggerlike teeth; the *Vampyroteuthis infernalis*, Latin for “vampire squid from hell”, with blue eyes, a dark red body and cloaklike webbing over its arms, the tips of which glow; and siphonophores, gelatinous creatures with long bodies ringed by pulsing bells and up to thousands of elastic tentacles for catching and drawing in prey, which light up brightly.

In the conclusion to their study, the scientists have acknowledged that their expeditions have produced no more than a rough estimate of the true dimensions of deep-sea bioluminescence. “The full extent of bioluminescence capability is yet to be established, especially in the deep sea where continued discoveries await,” says the report.

THE NEW YORK TIMES

PAPER CLIP
FLAGGING INTERESTING RESEARCH

BIOLUMINESCENCE
SEEING THE LIGHT
Published in *Scientific Reports*, 2017
AUTHORS: Séverine Martini & Steven H D Haddock

The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

INJUSTICE PROCESS

Lt Col Purohit's dysfunctional trial is the norm in terrorism cases in India. Consequences are toxic

LIEUTENANT-COLONEL SHRIKANT PUROHIT walked out of Taloja prison on Wednesday. His story has divided India, and will likely continue to do so, as his trial slowly unfolds. The anger evoked by Purohit's prosecution, on charges of having carried out the 2008 Malegaon bombings as part of a terrorist cell that hoped to overthrow the Indian republic and replace it with a Hindu state, says something about how truth is judged along partisan political lines. Perhaps more important, though, it speaks of how a collapsing criminal justice system is eroding public faith in the republic itself. The lieutenant-colonel spent nine years in prison, the better part of a life sentence, before being granted bail by the Supreme Court; charges are yet to be framed against him. The officer claims he was, in fact, carrying out a surveillance operation on the terror conspirators with the knowledge of his military superiors. The National Investigation Agency, which took over the investigation of the case from Maharashtra Police's Anti-Terrorism Squad, believes otherwise. Nine years ought to have been long enough for a court of law to decide the issue on the basis of the evidence. Instead, this period has seen public opinion poisoned by politicians who have preyed on the communal passions unleashed by the case.

The failures of the criminal justice system in Purohit's case point to a grave underlying problem: In effect, victory is being ceded in the courtroom to those who could not secure it by violence. Terrorists, after all, claim the Indian state cannot deliver justice, and that is precisely what happens all too often. Innocent or guilty, Purohit's dysfunctional trial is the norm in Indian terrorism cases; alleged jihadists, North-east insurgents and Maoists all routinely spend years in jail. Botched investigations, malicious prosecutions, dilatory proceedings, cumbersome procedures, poorly-framed laws — the list of problems is well known, and calls for reform have existed for years. The Purohit case demonstrates just how toxic their consequences can be. Even as one part of the polity celebrates what ought to be a routine bail order, another sees it as a sign that the government is perverting the course of justice.

Things haven't been helped by the fact that the Indian Army chose to give the lieutenant-colonel an armed escort of a scale normally reserved only for senior-most officers — a poor decision that fuelled speculation that he is receiving privileged treatment. This individual case ought to give no-one reason to do anything other than carefully reflect on the republic's state of criminal injustice, and the toll it is inflicting on civic life.

REPAIR AND RECOVER

During PM Deuba's visit, Delhi must convey the message: Ties with Nepal are more than transactional

THE FIVE-DAY VISIT by Nepal's Prime Minister, Sher Bahadur Deuba, is an opportunity for India to take a clear-eyed look at relations between the two countries. In Parliament on August 3, External Affairs Minister Sushma Swaraj taunted the Congress for pointing out that ties with Nepal had deteriorated. "Not one visit to Nepal by an Indian Prime Minister in 17 years, 11 of which you were in power, and relations were great? And two visits by Prime Minister [Modi] in one year, and relations are bad?" she asked. The answer to the first question is no, and to the second, yes. Nepal-India relations have been uneven for decades, but the two Modi visits did not help repair them. India continues to be seen in Nepal as the interfering Big Brother, who "micromanages" the country's politics and installs puppet governments. If anything, anti-India sentiment was strengthened by the 2015 Great Blockade by the Madhesis — it was seen to have Delhi's tacit support — in pursuit of their demand for greater representation in the Nepal Parliament. It was during the blockade that China poured money into Nepal for several infrastructure projects, and sewed up trade and transit deals. But the India-China stand-off in Doklam is forcing a rethink in India.

Madhesis, who have ethnic links with Indians in Bihar and UP, have realised with not a little disappointment, that India has shelved its support to their cause for a higher stakes game unfolding with China. By that same token, Nepal cannot be faulted for pressing home the advantage it has at this delicate time in India-China relations to see who can offer it the best deal. Deuba is likely to bring up a long list of complaints against India, from the Mahakali Multipurpose Project he signed when he was PM in 1996 but which has not seen the light of day, to the ill-effects of the November 2016 demonetisation on Nepali traders and businessmen. At the political level, there are concerns, in Nepal's opposition as well as within the ruling coalition, that the BJP government is pushing their government towards jettisoning the country's recently acquired "secular" status.

New Delhi has drawn comfort that Deuba's first foreign visit, after succeeding Pushpa Kamal Dahal as PM two months ago, is to the Indian capital. Many MoUs and other agreements will be signed to convey that India is a friend, even though without the deep pockets of China. The challenge will be to convince both Deuba and Nepal that India can really keep out of the country's internal affairs, and that ties between the two countries are more than transactional.

AVA KEISHING

The Manipuri leader rose above ethnic and regional divides. It was a remarkable political life

THEY CALLED HIM Ava, father. Rishang Keishing, who died on Tuesday in Imphal, was a father figure not just to the Tangkhul Nagas of Ukhrul, where he was born in 1920, but to entire Manipur, the state he served as chief minister four times. His political career began in the 1950s, when he was elected as an MP from Outer Manipur constituency in the first general election. He retired from active politics at the age of 94 in 2014, when his Rajya Sabha term ended.

Keishing started his political career in the Socialist Party and was one of the 12 party MPs in the first Lok Sabha. It is said his close friend, the legendary Assamese writer, Birendra Kumar Bhattacharya, who was a follower of Rammanohar Lohia, influenced Keishing to join the socialists. In fact, Bhattacharya's celebrated novel, *Yaruingam*, is also a life-story of Keishing. In the post-Independence years, when the nationalities in the North-east were in a ferment, Keishing was the self-made Naga who believed in the promise of a secular, federal India that could accommodate its peripheries.

Bhattacharya's novel looks closely at the parallel political streams that were emerging in the eastern hills of Assam, one that stressed on ethnic identities and differences and led to an armed separatist movement and the other that sought to build a politics around the idea of love and tolerance preached by the missionaries and Mahatma Gandhi. Keishing represented the second strand. In a region where tribal identities mark political cleavages, Keishing was successful in carving a profile that rose above regional and ethnic identities. In the early 1960s, as the socialist movement disintegrated, he joined Nehru's Congress. For many years, Keishing was the political face of the Indian state as it fought the Naga insurgency, led mainly by another Tangkhul Naga, Thuingaleng Muivah. In a region where fidelity to party and ideology is fickle and negotiable, Keishing was exceptional in staying with the Congress. The steadfastness earned him respect from even his political opponents.

The Trump discontinuity



C. RAJA MOHAN

His new Afghan strategy could be a game-changer for South Asia. There is an opportunity for India

ALTHOUGH INDIA HAS been quick to welcome President Donald Trump's new assertive policy in Afghanistan, sceptics in Delhi would wonder if Washington has the political will to carry through the promised pressure on Pakistan to stop hosting terror sanctuaries on its soil.

For Delhi, the question is not whether Trump's Afghanistan strategy is a glass half-full or half-empty. It is about seizing the opportunity opened up by his new policy to raise India's profile in Afghanistan.

Within hours of his speech earlier this week outlining a new American approach to Afghanistan, Delhi welcomed "President Trump's determination to enhance efforts to overcome the challenges facing Afghanistan and confronting issues of safe havens and other forms of cross-border support enjoyed by terrorists." In his speech Trump had declared that the US "can no longer be silent about Pakistan's safe havens for terrorist organisations, the Taliban and other groups that pose a threat to the region and beyond." He demanded that Pakistan's support to cross-border terror "will have to change" and "change immediately".

On Trump's affirmation that India ought to do more, Delhi pointed to India's significant past efforts to promote economic reconstruction in Afghanistan. It added that India "will continue these efforts, including in partnership with other countries".

India's positive response does not mean that Delhi is unaware of the enduring impulses in Washington to forgive Rawalpindi's transgressions in Afghanistan. Whatever the US president might say, there are large sections of the US deep state that caution against a radical shift in US policy towards Pakistan. Few countries have gotten away so long with what Trump has accused Pakistan of doing: Pakistan shelters "the same organisations that try every single day to kill our people. We have been paying Pakistan billions and billions of dollars at the same time they are housing the very terrorists we are fighting."

If the US has tolerated this for the last 17 years, Delhi has good reason to be cautious in its assessment of what the Trump Administration can compel the Pakistan

While scepticism is healthy, cynicism that ignores the changes taking place in the US regional policy is not. After all, Trump has said something about Pakistan in public that his predecessors were not willing to. If the previous administration acquiesced in Pakistan's double dealing on terror, Trump has threatened Rawalpindi with consequences if it does not change its behaviour. It is equally important for Delhi to note the shift in Washington's thinking on the Indian role in Afghanistan.

Army to do today. In any case, what we heard is a mere speech. Turning the words of that speech into actions of the ground will not be easy. Delhi has no reason to hold its breath.

While scepticism is healthy, cynicism that ignores the changes taking place in the US regional policy is not. After all, Trump has said something about Pakistan in public that his predecessors were not willing to. If the previous administration acquiesced in Pakistan's double dealing on terror, Trump has threatened Rawalpindi with consequences if it does not change its behaviour.

It is equally important for Delhi to note the shift in Washington's thinking on the Indian role in Afghanistan. The Bush Administration's strategic warmth towards India was expansive. It wanted to help accelerate India's rise and invested enormous political capital in getting the world to lift a four decades-old nuclear blockade against Delhi. Yet when it came to Pakistan and Afghanistan, the Bush Administration drew a red line for India. It cautioned Delhi against too large a role in Afghanistan. The Obama Administration began with the proposition that the answer to Afghanistan might lie in promoting a resolution of Pakistan's Kashmir dispute with India. It required intensive diplomacy from India to fend off these initiatives.

Delhi must necessarily keep its eyes open for a return of these familiar themes in the US approach to Pakistan. At the same time, India must also appreciate the most important change in US Afghan policy. Until recently, Washington believed that India's rivalry with Pakistan is part of the problem in Afghanistan. Today Trump might be betting that by invoking a larger Indian role in Afghanistan, he might add to the pressures on Pakistan to cooperate with the US.

Despite all the talk of playing the China card against the US, Pakistan is acutely conscious of the dangers of being treated as a rogue state by the West. Its thundering silence in response to the Trump speech, suggests that Rawalpindi has chosen to avoid, for now, a public argument with Washington.

The Pakistan Army will try and find ways to limit Trump's fire and fury. It will not be easy, however, for Pakistan to abandon its in-

vestments in cross-border terror. It would try and finesse the issue of terror sanctuaries. Rawalpindi will offer some cooperation in countering terror and make new promises to bring the Taliban to the table. It will urge US pressure on India to start talks on Kashmir.

While India must prepare for the possibility of the US slipping back to its old ways on Pakistan, Delhi's current emphasis must be on taking advantage of the Trump discontinuity in the American policy towards the Subcontinent. A positive Indian approach would involve three elements — economic, security and diplomatic.

For one, India must ramp up its economic diplomacy in Afghanistan to bring immediate benefits to Kabul amidst the deteriorating conditions in the country. Second, Delhi must step up security cooperation with Afghanistan, especially in the training of its police and armed forces and intelligence sharing. Third, on the diplomatic front, India must counter the emerging argument that Trump's new approach will intensify the "Indo-Pak rivalry" in Afghanistan and the old one that Kashmir holds the key to peace in Afghanistan.

Delhi must remind the world of India's commitment to regional cooperation with Afghanistan and Pakistan, in an atmosphere free of terrorism. Prime Minister Narendra Modi had articulated this vision in an address to the Afghan parliament on December 25, 2015. Shortly after declaring that Pakistan can be a bridge between India and Afghanistan, the PM had traveled to Lahore on very short notice to wish Prime Minister Nawaz Sharif on his birthday. Pakistan's army responded by launching a terror attack in Pathankot a few days later.

Trump's new Afghan strategy could be a potential game-changer for South Asia or a brief exception to the familiar pattern of US-Pak relations. While recognising the potential shadow between Trump's words and deeds, Delhi must bet on its own activism that can influence future outcomes in Afghanistan.

The writer is director, Carnegie India, Delhi and contributing editor on foreign affairs for *The Indian Express*



KEKI N. DARUWALLA

ENCOUNTERS IN THE DARK

If governments want, they can discourage the dishonourable practice

ENCOUNTERS ARE SAFE bets for risk-averse policemen. Get information, know the car or of bus the terrorist is travelling in, drag him out, make him "sing" and shoot the blighter. The boss, a DIG no less, will pat your back. But here the DIG, D.G. Vanzara, was himself involved. Who can pat a DIG except the home minister. And after a decade-old war in the press, we find the court "discharging" the accused.

People in Gujarat can't make out what the hullabaloo is about — this talk of genuine and spurious encounters. As long as you shoot the guy, all encounters are genuine, pal. So people were happy, hearing that the CBI court discharged Vanzara and another officer of all guilt. Your premier investigating agency, under orders and supervision of the highest court, charged the accused. The least one expected was that the matter would come up for trial. Cyberspace is full of papers on the subject. It is even alleged that Kausar Bi, Sohrabuddin's wife was raped, strangled and cremated. All this is possibly false, but the court, after hearing evidence on both sides, should give a verdict. The accusations can be false, but the "discharge" on the face of it, is one-sided. Remember the Malegaon bomb blast cases and the statement of the fine prosecutor Rohini Salian that she was pressurised to go slow against Pragya Thakur and Shrikant Purohit, now on bail.

I should know something about encounters. As UP's only Assistant Inspector General, I wrote citations for gallantry medals, I em-

ployed my poetic hyperbole. Most inspectors claimed that the dacoit's bullet passed through their side cap. One guy wrote the bullet passed through his muffler. Such originality was not lost on me. I wrote a thumping proposal, something like, "Uncaring for life and limb Inspector Shyam Awasthi or Ram Khilawan or Ram Bharosay charged and braving the fusillade of lead spouting from bandit guns grappled with miscreants, captured two of them, apart from murdering (sorry) shooting in self-defence, three of them." Something in that order.

In two postings in Chambal area I had had occasion to be involved in encounters. In one of them the dacoits were favoured by a sandstorm and escaped. We had taken up positions in a barren field and the raging sand went straight for our eyes. It was a pitch dark night. I was asked by a subordinate if we could kill the informer (a former member of this really notorious gang), because we had nothing to show for a truck load of police moving into Rajasthan. I remember I just said "no". No hysterics, no swear words at the abominable suggestion. After that an officer placed his light machine gun and emptied about three magazines firing at an empty haven at ten o'clock at night. He later bagged a gallantry medal for some genuine anti-dacoity heroics he was surely involved in.

I went to Zimbabwe/Rhodesia as a member of the Commonwealth observers team for the 1980 elections, which ushered in Robert Mugabe. Sigh. Guerrillas had played

havoc for seven years. The ANC was trained by the Chinese, incidentally. I went on anti-mine vehicles on roads which had not been used for five years. The white police used the word "contact" instead of our desi "encounter". So Zimbabwe police had "contacts" (meaning gun duels) with "terrs", their term for terrorists. Same syndrome, but a change in nouns. To have elections cancelled outright, police planted a bomb in a bus, killing a few people. What are a few lives when the white nation's cause was at stake? They thought they were doing it for a national cause. When it comes to national security, as it did in Gujarat, there can't be any compromises, isn't it?

If the government wants — and neither the Centre, nor the Gujarat government want it — it could do the following: Magisterial inquests which are mandatory after "encounters", should be rigorous, and not an eye-wash. The distance between the shooter and the victim is a giveaway. Was he or she shot from at least 20 or 30 yards? Let the inquest be forensically-aided; lessen the reward quotient on "heads". For instance, Rs 50,000 for taking the man alive, and just 10,000 for the dacoit or terrorist killed. Rewards for heads smells of barbarism; in police training colleges brand fake encounters as something despicable, dishonourable.

Daruwalla, a poet and short story writer, was a member of the National Commission for Minorities



AUGUST 24, 1977, FORTY YEARS AGO

BANSI LAL ARRESTED

FORMER DEFENCE MINISTER Bansilal was arrested in his hometown of Bhiwani on charges of embezzlement of Haryana Youth Congress funds totalling about 5 lakhs.

77 REPLACES COKE

THE NEW BEVERAGE, intended to replace Coca Cola in the country, has been named "77". The credit for suggesting the name, along with an unexpected cash award of Rs 10,000, go to the veteran parliamentarian, H.V. Kamath. The drink, developed by the Central Food Technological Research Institute, will be marketed by the public sector Modern Bakeries. It is unlikely that "77"

will be marketed in 1978.

JP ON INDIRA

JAYAPRAKASH NARAYAN CLARIFIED the circumstances in which, after his meeting with Indira Gandhi on August 13, he had said she had a "brighter future than her bright past". JP told newsmen in Patna that what he said had to be judged in the context of "my nature, my relationship with the Nehru family, my feeling for her as a daughter" although he had himself suffered before and during the Emergency.

TOTAL REVOLUTION

JAYAPRAKASH NARAYAN ADVISED the

youth, Sarvodaya workers and all others who believed in social change through a peaceful total revolution to address themselves to the task of forming people's committees from the village to the state levels. He said for bringing about the desired changes, it was necessary to break from traditional grooves.

ANTI-TAMIL RIOTS

THE INDIAN HIGH Commissioner to Sri Lanka, Gurbachan Singh, will visit by helicopter three camps in the Central Hill Country, where persons of Indian origin are housed. It is estimated that about 10,000 persons are lodged in these camps at Kandy and Karunegala following the anti-Tamil riots.

15 THE IDEAS PAGE

Sharing the future

India and Nepal must build on the socio-cultural foundations of their relationship to meet the economic and ecological challenges of the 21st century



SWARNIM WAGLÉ

NEPAL'S RELATIVE UNDERDEVELOPMENT mimics the paradox of an "irresistible force meeting an immovable object" where the compelling potential of a uniquely attractive country sits under-utilised. The young republic has no choice but to ramp up its economic ambition if it is to match the tall political achievements of recent years. Nepal today is a progressive country, propelled by the democratic mass movements of 1950, 1990 and 2006, heading in earnest towards building a deeply inclusive state.

Despite modest economic growth, Nepal halved absolute poverty in the past two decades. It dramatically reduced rates of child and maternal mortality. Primary school enrolment, with gender parity, exceeds 97 per cent, and average life expectancy has crossed 70. Nepal also stands out on several measures of civic engagement, from well-managed community forests to community radio. After years of policy paralysis, there is broad realisation now that the country needs to project a clear roadmap to prosperity.

We envision Nepal as an enterprise-friendly middle-income country by 2030, peopled by a vibrant middle-class. To get there we need to mobilise an unprecedented volume of public revenue and private investment, domestic and foreign, by signalling credible economic reforms, relaxing binding infrastructural constraints, and designing inclusive institutions.

Nepal and India are among the closest of neighbours in the world. In the 21st century, the challenge is to build on our socio-cultural foundations to leapfrog economically. We now need to mould our thinking to the possibilities and challenges of the 21st century. How do we groom young people for jobs with technology-aided skills? How do we cooperate on mutually beneficial terms on water and clean energy, and help mitigate climate change? How do we accelerate the reduction of poverty, inequality and vulnerability? How do we build sustainable cities and livable habitats? How do we adopt new paradigms of production and exchange? Over the next decade, a sincere pursuit of the following clusters of development issues could lift us all.

One, wider connectivity. When Prime Minister Narendra Modi addressed Nepal's Parliament three years ago, he spoke of the importance of highways, infoways and transways (HIT). To reduce trade and business costs, to deepen people-to-people ties and to open up new economic opportunities, Nepal needs to connect with growth poles in the region through 21st century electric railways, expressways and expanded air routes directly connecting more cities in Nepal to more cities in its neighbouring countries. Furthermore, the building of synchronised transmission grids to trade hydropower generated electricity will help boost green growth.

Two, augmenting productivity. Nepal's formidable topography makes material access to world markets costly. However, the availability of clean energy, an affordable workforce and the unexploited bounties in niche sectors with high value-to-weight ra-



Subrata Dhar

tios make Nepal uniquely tempting to investors. Tourism and landscape marketing can be an anchor of prosperity. The fertile Tarai lands and agro-climates in the hills could support a much more productive agriculture than they do today. The rise of the large Indian middle class, and investors, present opportunities on both sides, with Nepal's hills being potential locations for world-class tourism, as well as education and health institutions.

Three, tapping new economic possibilities. Nepal today faces an enormous trade deficit with India, as production competencies shrink and large inflows of remittances fuel growth in imports. The share of Nepal's manufacturing sector has plunged from a peak of 10 per cent of GDP in 1996 to around 5 per cent today. However, patterns of trade and industrialisation are evolving. The new emphasis, for example, is on fragmented tasks rather than complete industries. "Make in India" and related campaigns to turn the country into the next global hub for manufacturing presents a great opportunity for Nepal to latch on to fragments of the regional value chain. Sectors like textiles, auto parts, electronics, food-processing and pharmaceuticals embed low-hanging fruits. Nepal's hydropower can also spur high-energy high-tech sectors such as server farms.

Four, applying mass social innovation. Nepal is an early champion of welfare schemes even at a low stage of development, spending about 4 per cent of national income on social transfers. However, India's ambitious embrace of modern information and communication technologies, affordable insurance and pension schemes and guaranteed employment are breakthroughs in social innovation that could be emulated in the region. We must adopt and further viable social protection measures to stem the challenges posed by inequality and vulnerability.

How do we groom young people for jobs with technology-aided skills? How do we cooperate on mutually beneficial terms on water and clean energy, and help mitigate climate change? How do we accelerate the reduction of poverty, inequality and vulnerability? How do we build sustainable cities and livable habitats? How do we adopt new paradigms of production and exchange? Over the next decade, a sincere pursuit of the following clusters of development issues could lift us all.

Five, protecting the regional commons. The Himalayas are one of Nepal's — and the world's — greatest natural assets. South Asia will face a major shortfall in the supply of fresh water over the next decade. This crisis will directly hit subsistence, morbidity and the survival of tens of millions of people. Globally, we are all bound to help limit temperature increase to within 2-degrees above pre-industrial levels. Nepal's big rivers can be a source of clean energy that can displace dirty sources of power in the Subcontinent. The relative advantages of South Asian countries can be pooled to match each of our needs through common power grids. Just as upstream water pollution from cities and industries in Nepal could harm agriculture and drinking water in India in the future, air pollution transported to Nepal from much larger sources in India has already been documented to be adversely affecting Nepal's environment, including at the Buddha's birthplace, Lumbini. The emission of short-lived climate pollutants, such as black carbon, warms the atmosphere, changes monsoon precipitation patterns and melts Himalayan glaciers. Cooperation on governing our regional commons is vital for our shared quests of good health and progress.

Both India and Nepal are dominated by a youthful population with demographic dividends yet to be reaped. By 2020, the median age will still just be 29 in India and 25 in Nepal. During the visit to India this week by the Prime Minister of Nepal, Sher Bahadur Deuba, it will be a mark of departure to look to the future, not just the past, and to pledge a pursuit of a forward-looking development agenda where each country helps the other on initiatives that are transformative in nature.

The writer is vice-chairman, National Planning Commission, Nepal

WHAT THE OTHERS SAY

"Pakistan will not be able to simply ignore the demands of a US president who is an avowed isolationist with a fierce desire to see America's perceived enemies defeated."
—DAWN

Out on several LIMBS

A Legal Information Management & Briefing System can help reduce government litigation



BIBEK DEBROY

EARLIER THIS YEAR, the Union Minister of Law and Justice wrote a letter to other Union ministers and chief ministers of states. "As you are aware that government is a major litigant and it is a party to about 46 per cent of the 3.14 crore cases pending in various courts in the country, ranging from service matters to indirect taxes. The government must cease to be a compulsive litigant, and executive power should be made use to reduce the grievance of the future litigant."

Although the share depends on the level of the court (Supreme Court, high courts, lower courts), in aggregate, two-thirds of the cases are criminal. A crime is committed against society. Therefore, by definition, the government will be a party in criminal cases, depending on how government is defined. With this lens, 46 per cent is low — it cannot refer to all cases. It must mean civil cases. I doubt robust data exists to substantiate the figure. It is probably a guess, though it figures in the Department of Justice's June 2017 Action Plan to reduce government litigation. But one can live with the guess that half of civil litigation involves the government, as petitioner or respondent. That's high and the government's proclivity to litigate crowds private citizens out from accessing justice. At least two of the PM's speeches mentioned this undesirable trait. The first was on October 31, 2016, at the 50th anniversary of the Delhi High Court and the second on January 20, 2017, when the actual theme was tourism. In the first, he referred to the government as a litigant. In the second, he mentioned the phenomenon of two government departments litigating against each other.

After consultations in 2009, there was a National Litigation Policy (NLP) in 2010. This started with a laudable promise: "The National Litigation Policy is based on the recognition that Government and its various agencies are the pre-dominant litigants in courts and Tribunals in the country. Its aim is to transform Government into an Efficient and Responsible litigant." NLP had a lot of laudable statements and there was nothing to disagree with. There were platitudes in plenty, but nothing to pin down. There has been talk of a new version of the NLP. If this is old wine in an old bottle, it's not worth it. To be specific, let me cite Order 27, Rule 5B from the CPC (Civil Procedure Code). "(1) In every suit or proceeding to which the government, or a public officer acting in his official capacity, is a party, it shall be the duty of the court to make, in the first instance, every endeavour, where it is possible to do so consistently with the nature and circumstances of the case, to assist the parties in arriving at a settlement in respect of the subject matter of the suit. (2) If

in any such suit or proceedings, at any stage, it appears to the court that there is a reasonable possibility of a settlement between the parties, the court may adjourn the proceeding for such period as it thinks fit, to enable attempts to be made to effect such a settlement." This also applies to situations where government is litigating on both sides. Mandatory invoking of this is specific, not vague. However, unless done through executive action, courts can't do much.

There are specifics that go back to Law Commission's 126th report (1988) on a litigation policy and strategies for the government and PSUs. "To illustrate, an officer having been satisfied that the claim against the Government or the public sector undertaking, is genuine, yet, to avoid taking an affirmative decision by a policy of do nothingness, the litigation is invited. Once the court intervenes, it is assumed that the concerned Department or the undertaking should not take any decision and leave it to the court to adjudicate the claim. The indifference arising out of a lack of social audit encourages such (an) officer to prefer an appeal if the decision is adverse and by vertical movement, the matter generally reaches the apex court."

I am surprised Law Commission's report didn't mention Section 13 of the Prevention of Corruption Act (PCA). A clause in this guarantees risk-aversion. Add to that the inability of the government to pin down responsibility for decision-making and variance between the government's perceived costs (not just monetary) of litigation and social costs. Obviously, litigation policy (LP) also has to do with states. Following 2010, all states have LPs. But most are like long playing records, with motherhood statements.

A specific LIMBS (Legal Information Management & Briefing System) is better than a vague LP. LIMBS is in its infancy. Therefore, data are imperfect. Nevertheless, one has data (which will improve) to track Union government ministries/departments. As of June 2017, in the LIMBS database, there are 1,35,060 government cases pending, with 369 contempt cases. Railways has the most and Panchayati Raj the least. In some ministries/departments, there are several cases more than 10 years old. To state the obvious, there must be better ways of resolving service-related disputes. In the June 2017 document, the Department of Justice proposed an online platform with, progressively, mediation and neutral third-party arbitration. Naturally, service-related matters are somewhat different from tax litigation the Central Board of Direct Taxes or Central Board of Excise and Customs confront. In December 1991, the Cabinet Secretariat set up what later came to be called a Committee on Disputes. The intention was the prevention of government litigating against government, without it being first examined by the committee. This committee was later scrapped because it only added layers, without resolving anything. However, that 1991 intention now finds some traction in 2017.

The writer is member, Niti Aayog. Views expressed are personal

Tax, in the bigger picture

GST avoids the challenge of shifting to a higher proportion of direct taxes



AJIT ABHYANKAR AND SIMRAN DHIR

UNDERSTANDING IS NOT merely a product of objective analysis. It needs a perspective as well. The national debate on GST is a case in point. GST can not be admired and criticised merely based on Rs 10 or Rs15 toothpaste and shampoo. It has to be weighed upon a broader taxation policy perspective. The question at stake is the viability of taxation policy as a whole, which is a reflection of economic policy, and, in turn, the approach towards its duties by the state itself.

India's tax-GDP ratio is 18 per cent which compares miserably when with developed countries (between 30 per cent and 40 per cent) as well as comparable economies such as Mexico, Brazil, and South Africa (between 23 per cent and 26 per cent). India, on the launch pad of development, has to attain a thrust by improving upon this figure to reach a target of 25 per cent.

Second, of the total taxes collected in India, almost two-thirds come from indirect taxes while taxes on income and profits contribute only a one-third share. This is exactly in the opposite proportion when compared to other nations. In terms of healthy economic development as well as social policy objectives, such a low base of direct taxes and a high proportion of indirect taxes is the recipe for an adverse future. It is with this perspective on

taxation policy, that we must assess GST.

First, some positives of GST regime. Under reporting of turnover and evasion of taxes on goods and services is the first step towards evasion of taxes on profits and income. With a greater convergence of direct and indirect tax departments and also due to the creation non-erasable automated electronic trails by GST, it will not be easy for the business class to default on direct taxes. With GST, there will be a tremendous pull and push to be a registered and tax compliant business unit rather than remain an unregistered seller due to the peculiar system of tax input credit.

However, in spite of the great potential, the decisions with regard to tax rates and the exclusions made by the GST Council are, thus far, disappointing than promising.

Although it appears that India's GST rate is broken down into four rates — 5, 12, 18, and 28 per cent — the reality shows that at least seven rates would be in operation. This will not only defy the basic winning point of GST — "one nation one tax" — but also increase the possibility of corruption and falsification due to a multiple-slab, loophole-prone tax system.

Surprisingly, some glaring absurdities are seen in the classification of items. Gold, which as a fully imported item creates nothing but current account deficits and acts as a frequent

destination for black money, has been allotted only 3 per cent GST and diamonds, 0.25 per cent. Meanwhile, essentials like sanitary napkins and medicines are to attract 5, 12 or 18 per cent GST.

Certain items such as petroleum, electricity and taxes on liquor — which constitute a major chunk of states' income — are kept away from the purview of the almighty GST. It should be noted that the taxes on refined petroleum products in the country constitute about 40 per cent (diesel) to 56 per cent (petrol) of their retail prices. In the last three years in particular, there has been a rise of 122 per cent in the indirect tax collection from the petroleum sector. The exclusion of the petroleum sector from GST is not only travesty of justice, it also indicates the intention of the government to cling to its reliance on indirect taxes as the principal source of taxation rather than shifting to direct taxes.

In Malaysia, more than a year was given to industry to prepare for the tax change. New Zealand gave about two years. With GST, the fear is that a lack of preparedness may lead to near-term disruption for businesses and unnecessary chaos, as a large number of mid-size cities in India lack reliable internet access. Overall, internet penetration in India is at merely 32.8 per cent, out of which only 15.4

per cent is the rural population. Due to lack of infrastructural preparedness, there could be a temporary obstruction in small and medium businesses.

From a deeper exploration, it is clear that taxation, rather than just being an issue of ascertaining the exact liability of tax and its enforcement, is also a matter of discovery and voluntary disclosure. For various cultural as well as social-historical reasons, the tax psychology in India is of avoidance rather than compliance. GST uses a unique modified deterrent behavioural model, wherein it promotes tax compliance behaviour as a compulsion along with a self-profiting motive. However, to shift from non-compliance to compliance we need a paradigm shift in culture, which is completely overlooked in any discussion on GST. It is necessary to make India embrace a tax compliant business and social model which would make tax evasion a social offence and a matter of shame rather than a badge of smartness. The awareness of this gigantic task is not seen anywhere in the political race for credit, led by the ruling party.

Abhyankar, secretary, CPM Pune district committee, and Dhir are associated with Janavitta Abhiyan, a campaign against black money

LETTER TO THE EDITOR

MEANS OVER ENDS

THIS REFERS TO the article, 'Small steps, no giant leap' (IE, August 23). Pratap Bhanu Mehta rightly writes that "The court gives us a small victory" and it's true that we should not expect more from courts on social reforms. Social reforms are the task of society as a whole, and not just the courts. As Gandhiji said: Means come before ends. Even if the court delivers a "major" victory in social reforms, it would be achieving the end via inappropriate means. We, the people, have to bring change.
Suchak D. Patel, Ahmedabad

TACKLE CASTE

THIS REFERS TO the report, 'Talaq, Talaq, Talaq' (IE, August 23). It is a good news that the Supreme Court has finally struck down the questionable practice of triple talaq. Muslim women in India will now enjoy freedom and equality. This historic judgment, however, immediately raises questions about caste, which is still a stumbling block for 40 crore Dalits and Adivasis. Caste is inhuman and against what our Constitution stands for. It violates Article 14, 15, 17, 19 and 21. But yet, it continues in practice. The SC must look into this, the mother of all discriminations and inequalities in India.
Basudev Mazumdar, Kolkata

EMPATHY NEEDED

THIS REFERS TO the article, 'Where freedom has gone', (IE, 21 August).

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301. Letter writers should mention their postal address and phone number. THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

Suhas Palshikar's observation that an individual seems to care for the trend of liberty being diminished unless he is the victim is a pertinent one. The celebration of 70 years of Independence marks not freedom but, sadly, unfreedom. Now, there needs to be developed in each one of us the qualities of sympathy, empathy and compassion so as to fight for our brethren.
Nirmal Kapadia, Gandhinagar