

America has lost the Afghan war

Once U.S. troops leave, the Taliban is sure to challenge Kabul one way or the other



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The Remnants of an Army, a famous oil on canvas by Elizabeth Butler, is a lasting image of the First Anglo-Afghan War (1839-1842). It depicts William Brydon, a medical officer in the British Indian Army, arriving in Jalalabad from Kabul on horseback in 1842. Both Brydon, who was wounded, and his horse look exhausted. Brydon was the only survivor of the 16,000 soldiers and camp followers who were retreating from Kabul after the British invasion went awry.

One hundred and thirty-seven years later, the Soviet Union sent troops to Afghanistan to bolster its client communist regime. A decade passed before the Soviet troops too withdrew in ignominy. And again in 2001, the U.S., the sole superpower of the post-Soviet world, sent troops to Afghanistan launching its 'War on Terror'. Now, after 17 years of the war, with the U.S. and the Taliban agreeing 'in-principle' to a framework for peace that would provide the Americans a face-saving exit from Afghanistan, it's hard to miss the echoes from history.

Repeating mistakes of the past Afghanistan has historically been a difficult place for external invaders, thanks to its complex tribal equations and its rugged mountainous terrain. It's a classic example of a country whose geopolitical destiny is defined by geography. The British Empire sent troops to Afghanistan in 1839 as part of the 'Great Game'. They feared that the Russians would take over Afghanistan and be at the border of India, "the jewel in the British Crown". To pre-empt that, they conquered Kabul, toppled the Emir of Afghanistan, Dost Mohammad Khan, and installed their protégé Shah Shujah Durrani in power. When the invasion became unsustainable in the wake of the violent resistance by tribal fighters, mainly the faction led by Dost Mohammad's son, Akbar Khan, the British decided to withdraw. But while withdrawing, all their troops but Brydon were mas-



"After 17 years of fighting, the war has reached nowhere." An injured American soldier in Arghandab Valley, Afghanistan, in 2010. •REUTERS

sacred, and Dost Mohammad went on to recapture Kabul.

The Soviets made the same mistake. They sent troops to Afghanistan after an intra-party coup in the country. The Soviets were wary of Hafizullah Amin, who captured power and assassinated Nur Mohammad Taraki, the leader of the 1978 communist coup. In December 1979, Leonid Brezhnev deployed troops to Afghanistan. The Soviets staged another coup, murdered Amin, and installed Babrak Karmal, a Moscow loyalist, as President.

Given their defeat in the Vietnam War and their loss of Iran following the 1979 Revolution, the Americans saw the Soviet intervention in Afghanistan as an opportunity. They began supporting the mujahideen, the tribal warriors who were fighting both the communist regime and its Soviet backers, with help from Pakistan and Saudi Arabia, which were worried about the expansion of communism to the Muslim world. A decade later, the Soviets realised that the occupation had become unsustainable and pulled back.

When the U.S. decided to attack

the Taliban regime in Afghanistan in 2001, President George W. Bush said the 'War on Terror' would not end "until every terrorist group of global reach has been found, stopped and defeated". This was a tall order. The U.S. toppled the Taliban quickly and Afghanistan eventually got an elected government under President Hamid Karzai. But after 17 years of fighting, the war has reached nowhere. Since 2009, when the United Nations started documenting the casualties of the war, nearly 20,000 Afghan civilians have been killed in conflict and another 50,000 wounded. The U.S., which has spent some \$877 billion on the war, has lost at least 2,000 military personnel in Afghanistan since the war began.

An unsustainable war

And what did it get in return? The Taliban, which retreated in 2001, is on the comeback trail. Some estimates suggest that nearly half of Afghanistan, mostly the mountainous hinterlands, is now controlled by the Taliban. In the east, a small cell of the Islamic State is well-entrenched and has carried out a series of sectarian

attacks in recent months, killing hundreds of Hazara Shias. The government is grappling with chronic corruption, and regional satraps call the shots outside Kabul.

U.S. President Donald Trump has made it clear many times that he wants to bring American troops back home. Yet he decided to send more troops to Afghanistan in 2017 to step up the fight against the Taliban. Since then, the U.S. has carried out large-scale air operations in Afghanistan, but it has failed to arrest the Taliban's momentum. The group continues to hold sway in rural Afghanistan and retains the capability to strike anywhere in the country. Just since 2014, Afghanistan has lost some 45,000 soldiers in battle. Amid mounting losses and an inability to break the stalemate in the conflict, the Americans, like the British Empire in the 19th century and the Soviets in the 20th century, seem to have realised that the first major war of the 21st century is no longer sustainable.

The role of the Taliban

The question is, what next? The U.S. says it has got assurance from the Taliban that the group won't provide a safe haven to terror groups in Afghanistan. It will also push for a ceasefire and intra-Afghan talks. But the fact remains that the U.S. has already conceded a lot to the Taliban. The Taliban said it would not talk to the Afghan administration; it does not acknowledge the government's legitimacy. The Americans accepted this and held direct talks with the insurgents, who negotiated from a position of strength. The U.S. has also agreed, in principle, to pull out troops, the biggest Taliban demand, without any clear agreement on the future role of the Taliban. This shows how desperate the U.S. is to get out of Afghanistan, a war it has lost badly. It will be exiting on terms largely dictated by the Taliban. It would be naive to say that the Taliban fought the war for 17 years only to reach an agreement with the Americans. It fought for power, which it lost with the arrival of American troops in 2001. And it's certain that once the Americans leave, the Taliban will challenge Kabul one way or the other.

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Wrong on the Rohingya

Deportation of refugees is legally and morally problematic



THULASI K. RAJ

In January, the UN High Commissioner for Refugees (UNHCR) called for a report from India on the deportation of a group of Rohingya refugees to Myanmar in October 2018. India's repatriation of the refugees contravenes international principles on refugee law as well as domestic constitutional rights.

Global framework

Refugee law is a part of international human rights law. In order to address the problem of mass inter-state influx of refugees, a Conference of Plenipotentiaries of the UN adopted the Convention Relating to the Status of Refugees in 1951. This was followed by the Protocol Relating to the Status of Refugees in 1967. One of the most significant features of the Convention is the principle of non-refoulement. The norm requires that "no contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." This idea of prohibition of expulsion lies at the heart of refugee protection in international law.

It is often argued that the principle does not bind India since it is a party to neither the 1951 Convention nor the Protocol. However, the prohibition of non-refoulement of refugees constitutes a norm of customary international law, which binds even non-parties to the Convention. According to the Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations, UNHCR, 2007, the principle "is binding on all States, including those which have not yet become party to the 1951 Convention and/or its 1967 Protocol."

Article 14 of the Universal Declaration of Human Rights provides that everyone has the right to seek and enjoy in other countries asylum from persecution. Moreover, Article 51 of the Constitution imposes an obligation on the state to endeavour to promote international peace and security. Article 51(c) talks about promotion of respect for international law and treaty obligations. Therefore, the Constitution conceives of incorporation of international law into the domestic realm. Thus the argument that the nation has not

violated international obligations during the deportation is a mistaken one.

Domestic obligations

The chapter on fundamental rights in the Constitution differentiates citizens from persons. While all rights are available to citizens, persons including foreign citizens are entitled to the right to equality and the right to life, among others. The Rohingya refugees, while under the jurisdiction of the national government, cannot be deprived of the right to life and personal liberty.

The Rohingya are "among the world's least wanted and most persecuted people," according to a BBC report. In Myanmar, they are denied citizenship, the right to own land and travel, or to even marry without permission, says the report. According to the UN, the Rohingya issue is one of systematic and widespread ethnic cleansing by Myanmar.

Therefore, the discrimination that the Rohingya face is unparalleled in contemporary world politics. In *National Human Rights Commission v. State of Arunachal Pradesh* (1996), the Supreme Court held: "Our Constitution confers... rights on every human being and certain other rights on citizens. Every person is entitled to equality before the law and equal protection of the laws. So also, no person can be deprived of his life or personal liberty except according to procedure established by law. Thus the State is bound to protect the life and liberty of every human-being, be he a citizen or otherwise..."

India lacks a specific legislation to address the problem of refugees, in spite of their increasing inflow. The Foreigners Act, 1946, fails to address the peculiar problems faced by refugees as a class. It also gives unbridled power to the Central government to deport any foreign citizen. Further, the Citizenship (Amendment) Bill of 2019 strikingly excludes Muslims from its purview and seeks to provide citizenship only to Hindu, Christian, Jain, Parsi, Sikh and Buddhist immigrants persecuted in Bangladesh, Pakistan and Afghanistan. The majority of the Rohingya are Muslims. This limitation on the basis of religion fails to stand the test of equality under Article 14 of the Constitution and offends secularism, a basic feature of the Constitution.

The American philosopher Ronald Dworkin argues that if we claim international law to be law, we must understand it as part of the greater morality. In such a conception, the deportation of refugees by India is not only unlawful but breaches a significant moral obligation.

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SINGLE FILE

The danger of cash transfers

It might incentivise the state to shirk its constitutional responsibility of providing basic entitlements to all

AKRITI BHATIA & CHANDAN KUMAR



With the general election around the corner and NSSO data revealing that the unemployment rate has hit a 45-year high, there is a spike in concern for the economic security of the people. Several recent proposals – whether the Congress's pre-emptive announcement of a minimum income guarantee scheme, or the Interim Budget's promise of a range of income transfers to farmers (albeit as low as ₹3 per day for a family of five) and a pension scheme for workers aged over 60 years in the unorganised sector, or the government's announcement of a 10% quota for the "economically weaker sections" in the general category – might appear promising but raise questions about their impact on the working poor.

If uplift of the poor is a priority, why not provide decent employment opportunities, minimum wages and social security to all workers? Why not spend on universalising access to, and provision of, basic public services to all? Why, contrarily, are there periodic cuts in social sector spending, including on public education and primary health; amendments in labour laws in favour of corporates; and privatisation and contractualisation even within the public sector?

In this context, cash transfers to the "poor" – also subject to gross exclusionary errors of identification – do not ensure accessibility, affordability or even sustained economic security given falling real wages. The scheme also doesn't indicate where that money would be spent by the beneficiaries. More importantly, the concern is that these cash transfers could replace, rather than supplement, existing schemes that provide subsidised goods and services. This would imply that citizens could be left at the mercy of private, for-profit players to avail even basic services. This might incentivise the state to shirk its constitutional responsibility of providing basic entitlements to all.

Case studies around Direct Benefit Transfers have shown that they play an instrumental role in dismantling existing welfare schemes and deprive ASHA and Anganwadi workers of their wages. These workers have been pillars in creating an ecosystem for ensuring nutritional security to women and children. Even in Europe, wherever guaranteed basic income has been implemented, provision of services has increasingly moved towards greater privatisation.

Finally, it is surprising that the same government that earlier opposed cash transfer schemes as "doles" is now advocating them. Politically the scheme seems to be the most viable option now, given the unemployment catastrophe. Hurried income transfers before the election could be considered as "cash for votes", but the larger danger entails the state's diminishing accountability towards its citizens, of upholding their rights to basic entitlements and to work.

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NOTEBOOK

'Why must we tell you?'

Often people revisit traumatic memories only to tell journalists their stories

MEERA SRINIVASAN

As journalists, we are often guilty of behaving like an entitled bunch. We ask questions, demand answers, call people at odd hours with or without an apology, or trouble a friend for a phone number we have lost.

It is one thing to pose difficult questions to those in power, those who are accountable to the people, or those who think privilege ought not to be challenged. But it is quite another to nudge people who are in the lap of danger or adversity to share their stories with us, so we can tell them.

It was late 2003, and I was in journalism school. A group of us were taken to Pappapatti, Keeripatti and Nattamangalam in Madurai district to try to understand, and report on the entrenched caste hegemony that was reflected in the periodic violence that mili-

tant sections of the dominant Thevar caste group unleashed on the oppressed Dalits. Despite the panchayats being reserved for Dalit candidates, most were forced to stay out of the contest. The few who took a risk paid with physical injury or, at times, life.

We approached a middle-aged woman in the Dalit village, hoping to get her perspective. "Why must we tell you?" she screamed. "Who are you? So many media folk come here and ask us questions, but has anything changed for us? Can you assure me that you can publish the truth and make a difference?" Obviously, we couldn't promise change, but we reported what we saw.

About a decade later, in 2012, I went to Idinthakarai in Tirunelveli district to report on how locals felt about the imminent commissioning of the controversial Kudankulam nuclear power plant. I walked

towards a woman seated in front of her house and even before I could say a word, she said: "What? Interview? We don't need the nuclear plant." Clearly she was in no mood to tell us. But after some time, when more women joined her, she began speaking with less anger, and explained in painstaking detail why they were opposed to the plant that, they believed, would endanger their health, community and village.

From time to time, I sense scepticism among some people I meet in the war-affected areas of Sri Lanka, especially those under continuing military surveillance. After speaking to them, we reporters might come back with a compelling human story, but the residents have to continue living there, at risk and experiencing anxiety everyday. Invariably though, a few minutes into the conversation, they begin sharing very personal stories of

love, pain, loss and distress. Retelling them means revisiting traumatic memories but they still do. They let a complete stranger into their homes, serve tea, and are willing to trust sooner than we'd think.

For a decade now, Sri Lankan activist Sandya Eknaligoda has been campaigning for the truth about her disappeared husband, the dissident journalist-cartoonist Prageeth Eknaligoda. Sandya challenges powerful politicians boldly, turns up for every other protest on enforced disappearances – be it in Colombo or in the north. She has given many interviews to local and foreign media, meticulously sharing details of Prageeth's disappearance each time. Some time ago I asked her, "How do you agree to tell this story again and again, it must be hard." She said: "Yes, it is. But since giving up is not an option, I do it."

FROM THE HINDU ARCHIVES

FIFTY YEARS AGO FEBRUARY 5, 1969

Ajitha's bail application rejected

Mr. P.K. Lakshmanan, District and Sessions Judge, to-day [February 4, Calicut] rejected the bail application filed on behalf of Miss Ajitha, said to be one of the top Naxalite leaders, now under remand in connection with the attack on Pulpalay wireless station. The Judge, however, granted bail to another accused, Mohanan, on health grounds. The Judge observed that though the investigations in the case had not yet been completed, a prima facie case had been made out against Miss Ajitha in all the cases in which she was alleged to have been involved. Miss Ajitha was credited with being the "motive force or live wire" of the group which was alleged to have committed the offences. The Judge said that since several others alleged to be involved in the crimes were yet to be apprehended, the danger of the crimes being committed again if the accused was enlarged on bail, could not be over-ruled.

A HUNDRED YEARS AGO FEBRUARY 5, 1919

Tragedy in a Hotel.

About 1 O'clock this afternoon [February 4] a report of a revolver was heard in Taj Mahal Hotel [in Bombay]. The waiters, thinking that it must have been the sound of the bursting of a motor tyre at the taxi stand below, took no notice of it. A little later someone was heard calling out for help from room No. 442, and on a waiter peeping through the half-closed doors he found a gentleman lying flat on his chest on the floor. The waiter immediately rushed downstairs to the Manager's Office to obtain help. On his way down he was stopped by an officer who enquired of him as to what was the matter. On the waiter informing him that something serious had happened in room No. 442 the officer at once rushed upstairs to the room, picked up the gentleman and put him on his cot. Assistance came in promptly and the gentleman, whose name is Lt. H.R. Playfair, was placed in a motor ambulance and removed to Colaba War Hospital. He had a bullet wound on his right shoulder. Lt. Playfair has been staying at Taj Mahal Hotel for some time and he was alone in his room when the revolver was heard to go off. The police found a revolver in his room with an empty cartridge in one of its chamber. The matter is under investigation.

CONCEPTUAL Matching hypothesis

PSYCHOLOGY

This refers to the idea that people are more likely to be romantically attracted towards people who are as attractive as themselves than those less or more attractive. While physical attractiveness can determine the mating preferences of people to a significant extent, social and other non-physical forms of attraction can also determine mating patterns prevalent across various human societies.

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