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International

Trump Impeachment: What Now?

- President Donald Trump's impeachment process has entered a new phase. Following a 228-193 vote largely along party lines, the House of Representatives sent two articles of impeachment to the Senate, and named seven 'impeachment managers' who will prosecute the case against the President at the trial. The managers marched across the Capitol from the House to the Senate in a procession to deliver the articles of impeachment to the Senate. "What is at stake here is the constitution of the United States," House Speaker Nancy Pelosi said. "This is what an impeachment is about. The President violated his oath of office, undermined our national security, jeopardised the integrity of our elections." This is a remarkable moment in the history of the US. Trump is only the third President in more than 230 years to face an impeachment trial in the Senate. The House, which is controlled by opposition Democrats, impeached him in December. The Senate, where the President's Republican Party has a majority, will *decide whether to convict and remove* him from office. No President has ever been removed by impeachment. Senate trials of Presidents Andrew Johnson (1868) and Bill Clinton (1999) ended in acquittals. Richard Nixon resigned in 1974 before the House could vote on the articles of impeachment, after his impeachment and conviction appeared inevitable.

What Is Meant by Impeachment?

Under the US constitution, Congress can remove a President from office before the end of their term if enough lawmakers vote to confirm that the President committed "treason, bribery, or other high crimes and misdemeanors". The last phrase has its roots in the common law tradition of the United Kingdom, and means, in essence, an abuse of power by a public official in a high position. In 1788, Alexander Hamilton, a Founding Father of the United States and its first Secretary of the Treasury, said in one of the Federalist Papers that an impeachable crime is an "offence that proceeds from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated POLITICAL, as they relate chiefly to injuries done immediately to the society itself". The American constitution lays down that "the House of Representatives... shall have the sole Power of Impeachment" (Article 1, Section 2, Clause 5), and "the Senate shall have the sole Power to try all Impeachments" (Article 1, Section 3, Clause 6). After passing through the House, the process of Trump's impeachment has now reached the Senate.

What Is Trump Accused Of?

It started after a whistle-blower complained in August 2019 that White House officials believed they had witnessed Trump abuse his power for political gain. The President was accused of pressuring, in the course of a telephone call, Ukraine's President Volodymyr Zelensky, to open an inquiry against former Vice President Joe Biden, who could be Trump's Democratic opponent in the November election. At the time he spoke with Zelensky, Trump



had put a personal freeze on more than \$391 million of US aid intended for Ukraine's use against continuing Russian hostility. Without directly mentioning the money, Trump told Zelensky that "the United States has been very good to Ukraine", and suggested reciprocity. He then said, "I would like you to do us a favour", and subsequently brought up Biden and his son Hunter who at one time worked in Ukraine. The first article of impeachment, "Abuse of power", sent by the House to the Senate says Trump "**solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election...** through a scheme... that included soliciting... Ukraine to publicly announce investigations that would benefit his re-election", and "also sought to pressure... Ukraine... by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations". "In so doing, **Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process.** He thus ignored and injured the interests of the Nation." The second article of impeachment, "**Obstruction of Congress**", says Trump "**directed Executive Branch agencies, offices, and officials not to comply with... subpoenas [issued by the House], seeking to "arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct"**". In this Trump "acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States".

What Will Happen Now?

Senate majority leader Mitch McConnell accepted the articles of impeachment. The impeachment managers were scheduled to return to the Senate to read aloud the articles of impeachment. Article 1, Section 3, Clause 6 of the US constitution says, "**When the President of the United States is tried, the Chief Justice [of the Supreme Court] shall preside**". Upon being summoned by the Senate, **Chief Justice John G Roberts will go across from the Supreme Court to the Capitol, and will be sworn in as the presiding officer.** This was expected to happen around 2 pm (12.30 am on 17th January in India). Chief Justice Roberts will then administer oaths to all 100 Senators, who will raise their hands and swear to render "impartial justice", and proceed to sign a book to attest to their oath. Thereafter, the chamber will issue a writ of summons inviting the President to answer the charges brought against him. The Senate is expected to set specific dates for the receipt of trial briefs from the House impeachment managers and counsel for the President. American media were reporting that the proceedings are then expected to adjourn until Tuesday, when the trial will begin in earnest — with a debate on the rules of the trial, including whether witnesses would be allowed, and opening arguments by both sides. The trial is expected to continue for two weeks or longer. This means that the President could still be in the dock early next month, when the states of Iowa and New Hampshire will hold the first contests to pick his Democratic opponent.

Will Trump Be Removed from Office?

The possibility of that happening is extremely remote. Not only do the Republicans — who have vowed to acquit him — control the Senate 53-47, under the constitution, "**no Person shall be convicted without the Concurrence of two thirds of the Members present**" (Article 1, Section 3, Clause 6). All Republican Representatives voted against the House resolution to transmit the articles of impeachment. Trump is almost certain to survive. What is of greater



interest is how the trial impacts the President's re-election campaign. Trump has been aggressive in mocking and seeking to delegitimise the impeachment proceedings. He is expected to respond in writing. On Wednesday, even as the articles of impeachment were being signed and delivered, new details related to the impeachment inquiry were emerging. It remains to be seen how this new information, as well as any witness testimonies, if they are allowed, plays out.

Iran-US Tensions

→ How It Reached This Stage

The US and Iran have already been in confrontation for over a week, with each attack leading to a counterattack. On December 27, more than 30 rockets were launched at an Iraqi military base, killing an American contractor. The US responded on December 29 with airstrikes on sites in Iraq and Syria, killing 24 members of an Iranian-backed militia. On December 31, pro-Iranian militia members laid siege to the US Embassy in Baghdad, trapping American diplomats for more than 24 hours. Then came the US drone strike that killed Soleimani and others.

Retaliation Inevitable

The killing forced Iran's hand, and Tehran immediately warned of retaliation. In fact, on Saturday itself, two rockets hit Iraq's Al-Balad air base where US troops are stationed, while two mortars hit Baghdad's Green Zone that houses the US embassy, the AFP news agency reported. Such a backlash was being anticipated in US installations in Iraq. While the US has sought to justify the killing of Soleimani by citing the role the general and his Quds Force played in the deaths of Americans over the years, including the death in the December 27 strike, the fact is that neither side has managed to calibrate its attacks in a way that would have forced the other to back down. Each strike has led to a more severe retaliation. Also, by clearing the killing of Soleimani, President Donald Trump has taken a step his predecessors had avoided. Soleimani had been in the cross-hairs of the US for decades, but neither President George W Bush nor President Barack Obama went so far. According to The New York Times, both Presidents had reasoned that killing Soleimani would only risk a wider war with the country, undermining the US in a region that had already cost plenty of lives.

Can It Be War?

A lot will depend on how provocative Iran's inevitable retaliation turns out to be. If these provoke the US into a direct strike on Iran, it can potentially open up the threat of a sustained war. "While the possibility of an unintended slide to war is impossible to rule out, fears of World War Three — a phrase that trended overnight on social media — are overblown. Russia and China might strenuously object to American attacks, but they are no more likely to join the fight than they were when the United States invaded Iraq or helped to topple Libya's government," 'The Interpreter' noted.

Why Are the U.S. Targeting Shia Militias?

Also killed in Friday's air strike was **Abu Mahdi al-Muhandis**, the deputy commander of the **Popular Mobilisation Forces (PMF)**, an **umbrella organisation of pro-Iran Iraqi militias in which Kataib Hezbollah is a member**. The PMF was founded in 2014 under Gen. Soleimani's supervision when Iran was trying to put together militias in Iraq and Syria in the wake of civil

Shatabdi Tower, Sakchi, Jamshedpur



wars in both countries. Iran's main goal was to save the embattled regime of Bashar al-Assad in Syria and defeat the Islamic State (IS) in Iraq, which was threatening the Baghdad government in 2014. **The PMF is constituted of dozens of militias, including the Kataib Hezbollah, Badr Organisation and Kataib al-Imam Ali, through which Gen. Soleimani and Iran in general exercised enormous influence on Iraqi politics. The PMF played an instrumental role in defeating the IS.** The militias fought alongside the Iraqi Army, with the U.S. providing air cover, and liberated Iraqi cities in the north and west from the clutches of the IS. But once the IS Caliphate was destroyed and tensions were on the rise between Iran and the U.S. after the U.S. pulled out of the Iran nuclear deal in 2018, the PMF militias started targeting U.S. forces in Iraq. In September, the U.S. State Department shut the consulate in the southern Iraqi city of Basra, citing "repeated incidents of fire from Iran-backed militias". The decision followed a rocket attack on Basra airport close to where the consulate is located. As U.S.-Iran tensions soared in the wake of Washington doubling down sanctions on Iran, U.S. forces in Iraq came under several rocket attacks. The U.S. repeatedly blamed Iran-backed militias for the attacks. Unlike the previous attacks that did not have any American casualty, the rocket attack on a military base in Kirkuk on December 28 killed an American civilian contractor, following which the U.S. launched the hit on Kataib Hezbollah.

What Is Iraq's Position?

Iraq is caught between the U.S. and Iran. The U.S., since Saddam Hussein's regime was toppled, has been a major security partner of Iraq. **At present, America has about 5,000 troops deployed in various parts of Iraq.** On the other side, Iran is Iraq's more powerful neighbour. Most Shia political parties and leaders in Iraq have deep, historical ties with the Iranian regime. Also, the Shia militias are a parallel military force; it takes its orders directly from Tehran rather than from Baghdad. Thus, Iraq cannot totally ignore Iran. The U.S.'s unilateral use of air power within Iraq targeting Iraqi militias without the permission of the government has upset Baghdad. The Iraqi government had strongly condemned the U.S. air strikes on Kataib Hezbollah; a huge crowd participated in the siege of the American Embassy. The assassination of Gen. Soleimani triggered instant street protests in Iraq, with protesters chanting "Death to America".

- **The vote by Iraqi parliamentarians in favour of a resolution seeking to expel American troops was the first blowback the U.S. faced after it assassinated Iranian General Qassem Soleimani inside Iraq.** The outcome of the vote was expected as the lawmakers were under pressure from both the public and militias to act against the U.S. after the killing. The U.S. troops, which are in Iraq on an invitation from the Iraqi government to fight the Islamic State, have carried out air strikes against Iraqi militias in recent weeks, without the approval of the Baghdad government. This triggered public protests and led to the siege of the American Embassy last week. In an already explosive situation, the killing of Soleimani acted as a catalyst. The anger among Iraqi lawmakers towards U.S. actions was on full display inside the Parliament hall when they chanted, 'America out, Baghdad remains free', before the voting. **Parliament itself doesn't have the authority to expel foreign troops. But a resolution passed in Parliament is a call to the executive branch to act.** Iraqi Prime Minister Adil Abdul-Mahdi, who condemned the killing of Soleimani, has stated unambiguously that it is time for the Americans to go home. Government officials have already started working on a memorandum on the legal and procedural formalities to expel U.S. troops, according to him. **Iraq is a crucial ally for the U.S. in the war against terrorism in West Asia, and the Trump administration has nobody to blame but itself for the setback.** It pushed the Iraqis to a point where they had to choose



between Tehran and Washington. And understandably, they picked their powerful neighbour. But U.S. President Donald Trump still doesn't seem to be in a mood to listen. He has **threatened Iraq with sanctions** and a bill for billions of dollars if the U.S. troops are forced to pull back. This approach not only violates Iraq's sovereignty, it also escalates the situation to a three-cornered crisis involving the U.S., Iraq and Iran. Mr. Trump is primarily responsible for today's situation. His decision to pull the U.S. out of a functioning Iran nuclear deal was the trigger. When the U.S. reimposed sanctions on Iran, it was up to the other signatories of the deal — European countries, Russia and China — to save the agreement. Iran waited for a year before taking countermeasures. But they did nothing, barring issuing occasional statements in favour of the agreement. Europe, which has good ties with both the U.S. and Iran, should wake up at least now. It should use its diplomatic channels to rein in Mr. Trump and pacify Iran to prevent an all-out war. As a first step of de-escalation, what Mr. Trump could do is to order his soldiers to pack their bags and leave Iraq.

→ **Lebanon is home to Iran's most important regional collaborator, Hezbollah.** Although an autonomous political player, Hezbollah is **beholden to Iran for financial and military support** that has helped it solidify its base in Lebanon and confront Israel, a strong U.S. ally. It has acted as Iran's foremost proxy in the Syrian civil war and has contributed substantially to the Assad regime's victory over rebels. **Hezbollah considers Israel its foremost enemy against whom it last fought a major war in 2006.** Analysts assumed that Iran's immediate reaction to Soleimani's assassination would be to unleash Iranian-supplied Hezbollah rockets on northern Israel. Better sense appears to have prevailed in Tehran. Had a lethal conflict occurred between Hezbollah and Israel, Tel Aviv would have again destroyed much of Lebanese infrastructure and wreaked havoc on its population as it did in 2006. The Lebanese political structure, based on a delicate confessional balance and under stress from mass protests against the political elite, most likely would have collapsed leading to Lebanon joining the ranks of failed states. Iraq's problems are even greater. It has borne the brunt of the fallout of the latest round of U.S.-Iran confrontation, for which it has been the battleground. The U.S. strike that killed Soleimani took place in Iraqi territory. **The attack not only violated Iraqi sovereignty, but also killed Abu Mahdi al-Muhandis, the deputy head of Iraq's Popular Mobilization Forces (PMF) and the commander of Kata'ib Hezbollah, which played a leading role in the storming of the American embassy a few days earlier. PMF is a coalition of Shia militias that now acts as an arm of the Iraqi armed forces.** In retaliation for Soleimani's assassination, Iran targeted two U.S. military bases again in Iraq, further confirming its centrality in the U.S.-Iran confrontation.

Consequences for Iraq

Soleimani's assassination and the events that followed it have had four major consequences for Iraq. First, they have heightened **anti-American feelings in its populace, especially among the majority Shia,** which has led to the Iraqi parliament passing a resolution demanding the expulsion of all foreign forces from Iraqi soil. Second, it has brought to an abrupt end the demonstrations calling for an end to Iranian intervention in Iraqi affairs; instead, a sympathy wave has turned the tide of popular opinion in favour of Iran. Third, the wave of anti-Americanism also clearly depicts the fissure within the Iraqi polity between the Kurds and the Shia Arab majority: the Kurdish representatives, in addition to most Sunni Arab members, boycotted the parliamentary session that passed the resolution calling for U.S. withdrawal as most Kurds consider American military presence essential to safeguard their autonomy in the north and to continue the fight against the Islamic State (IS). Finally, the projected



removal of U.S. forces and Soleimani's killing are likely to embolden IS cells in Iraq to increase their terrorist attacks in the country and emerge once again as a threat to the Iraqi state and its population. Since 2003, Iraq has become the principal arena in which U.S.-Iran competition has played out in West Asia. The escalation of this rivalry is likely to add to its inherent fragility, once again opening up the possibility of its eventual descent into a failed state. Iraq is the centrepiece of the regional order that was constructed at the end of World War I. Its unravelling is bound to affect Syria and Lebanon, both suffering from state debilitation, and could lead to an unstoppable domino effect that may well change the map of West Asia as we know it today.

Why an American Attack on Iran's Cultural Sites Could Constitute A War Crime

- Following the assassination of Maj Gen Qassem Soleimani, President Donald Trump tweeted on Saturday that if "Iran strikes any Americans, or American assets" in retaliation, the US would target 52 sites in Iran, "some at a very high level & important to Iran & the Iranian culture". It was not clear what Trump would achieve by deliberately destroying Iran's cultural heritage, but such a step, should he follow through on his threat, could be considered a war crime. **Iran is home to one of the world's oldest civilisations dating back to 10,000 BC. Its rich heritage and culture are an amalgam of Arab, Persian, Turkish and South Asian cultures. Twenty-four Iranian sites are on UNESCO's World Heritage List, two of which are natural sites and the rest cultural sites.** Among the main World Heritage Sites in Iran are the **Meidan Emam and Masjed-e-Jame in Isfahan; the Golestan Palace in the historic heart of Tehran; Pasargadae and Persepolis, capitals of the Achaemenid Empire, founded by Cyrus II and Darius I in the 6th century BC; and the archaeological site of Takht-e Soleyman, which has the remains of an ancient Zoroastrian sanctuary.**

What Is the Problem with Targeting Cultural Heritage?

Following the unparalleled destruction of cultural heritage in World War II, the nations of the world adopted at **The Hague in 1954**, **The Convention for the Protection of Cultural Property in the Event of Armed Conflict**, the first international treaty focussed exclusively on the protection of cultural heritage during war and armed conflict. The Convention defined cultural property as "movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites....", etc. The signatories, referred to in the Convention as "the High Contracting Parties", committed themselves to protecting, safeguarding, and having respect for cultural property. **There are currently 133 signatories to Convention**, including countries that have acceded to and ratified the treaty. Both **the United States and Iran (as well as India) signed the Convention on May 14, 1954, and it entered into force on August 7, 1956.** The **Rome Statute of 1998**, the founding treaty of the **International Criminal Court**, describes as a "war crime" any intentional attack against a historical monument, or a building dedicated to religion, education, art, or science. **The International Criminal Court started functioning in 2002 with jurisdiction over four main crimes: genocide, crimes against humanity, war crimes, and the crime of aggression. Article 8 of the Rome Statute deals with war crimes.** Article 8(2)(b)(ii) says war crimes include "intentionally directing attacks against civilian objects, that is, objects which are not military objectives", and 8(2)(b)(ix) mentions "intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military



objectives". 122 countries are States Parties to the Rome Statute of the International Criminal Court. *The United States is a signatory that has not ratified the Statute. India has neither signed nor ratified the Statute.*

When Has Cultural Property Been Targeted Earlier?

- ❖ During the Siege of Dubrovnik in 1991-92 by the Yugoslav People's Army, the **old town of Dubrovnik in Croatia** was targeted in an attempt to wipe out Croatian history and cultural heritage. Subsequently, during the Croat-Bosniak war, Croat paramilitary forces destroyed the 16th century Stari Most bridge in Mostar in today's Bosnia-Herzegovina, in 1993.
- ❖ In 2001, the **Taliban destroyed statues of the Buddha** that had been carved into sandstone cliffs in Bamiyan, Afghanistan, between the 3rd and 6th centuries AD.
- ❖ In 2006, the UN and the Cambodian government established the **Khmer Rouge Tribunal** to prosecute the destruction of Cambodia's cultural assets that included mosques, churches and temples along with other sites of cultural significance.
- ❖ Between 2014 and 2017, the Islamic State destroyed several places of religious and cultural significance. In 2015, the IS captured and destroyed the ancient **Syrian city of Palmyra**, a UNESCO World Heritage Site.

In the Name of Self-Defence (Jay Manoj Sanklecha - Lawyer Specialising in International Law)

- Under international law, there is a general prohibition on the use of force, articulated in **Article 2(4) of the UN Charter**. **The Article proscribes any use of force by members against the "territorial integrity or political independence" of a state.** However, the Charter recognises two limited exceptions: first, in the use of force by a state in the lawful exercise of its right to self-defence; and second, when such an act is carried out with the prior authorisation of the UN Security Council (UNSC) and acting pursuant to the Council's emergency powers "to maintain or restore international peace and security".

Without Prior Consent

The use of force by the U.S. in Baghdad to kill Soleimani without prior consent from Iraq or the UN was, hence, a violation of such proscription, unless the U.S. can justify it as a lawful exercise of its right to self-defence. Not surprisingly, the Donald Trump administration was quick to claim that the killing was in exercise of its right to "anticipatory" self-defence. Mr. Trump claimed, without any further elaboration, that Soleimani was planning "imminent and sinister" attacks against U.S. diplomats and personnel. The legal basis for "anticipatory" self-defence remains deeply controversial and contested. There are both legal and policy arguments against recognising a right to anticipatory self-defence. First, Article 51 of the UN Charter recognises the inherent right of every state to use force in self-defence, only "if an armed attack occurs". Second, **unlike an "armed attack", which is an objective standard, an "anticipated" armed attack is a subjective one**, open to abuse by states. Since the object and purpose of the general prohibition on the use of force is to minimise resort to unilateral use of force, a stricter and restricted notion of the right to self-defence is perhaps more appropriate.



An Anticipatory Move

Nevertheless, contemporary Western scholarship, in view of the rise of terrorism and advancement of weapons technology, continues to advocate for a right to anticipatory self-defence. However even assuming that any such right has come into fruition, its contours are to be narrowly understood. As indicated, the threat of an armed attack must be so imminent that the need to act in self-defence should be “instant, overwhelming, leaving no choice of means, and no moment of deliberation”. The legality of the Trump administration’s decision to target Soleimani through drones in Iraq would, therefore, hinge on the disclosure of facts with regard to the imminence of a planned attack. Moreover, the administration will have to show that the strike was proportional to such (imminent) armed attack and necessary to respond to it. **It will also have to justify its use of force in Iraqi territory and prove that Baghdad was either unable or unwilling to prevent the imminent attack.** Finally, the U.S. will have to provide an explanation for the use of drones during peacetime, which resulted in collateral casualties.

Esmail Qaani: His Role in Quds Force, And Task as Soleimani Successor

- ➔ Following the killing of top Iranian military commander General Qassem Soleimani in a US drone strike in Baghdad, Iran’s supreme leader Ayatollah Ali Khamenei has chosen General **Esmail Qaani** to replace Soleimani as the head of the Quds Force of the **Islamic Revolutionary Guard Corps (IRGC)**. Khamenei overlooked several first-generation IRGC commanders such as Gholam Ali Rashid and Mohammed Kowsari. He instead chose Soleimani’s long-time friend and number two in the Quds Force.

For the Sake of Continuity

Soleimani had been expected to shift to politics eventually, and Qaani was widely seen as the likely successor to ensure continuity in the functioning of the Quds Force. Like Soleimani, Qaani too is close to Khamenei. The news agency IRNA quoted Khamenei as describing Qaani as “one of the most prominent commanders in service to Iran”, and as saying that under Qaani’s command “Quds Force will remain unchanged”. Qaani, for his part, promised to move ahead “with the same force” (as Soleimani) and seek to end US military presence in the Middle East. **The Quds Force is an elite wing of IRGC that reports only to Khamenei.** While IRGC’s responsibilities include Iran’s ballistic missile programme, its naval forces including units that keep tabs on US presence around Iranian waters, and Basij which is a voluntary force tasked with internal security, its Quds Force wing functions as the foreign arm of Iran’s security apparatus. Under Soleimani since 1998, Quds Force emerged as an organisation that combines foreign intelligence gathering with military operations that are most often run by paramilitary outfits not directly connected to the Iranian military. Over the last two decades, it mastered the use of proxy war to extend Iran’s influence across the Muslim world, and help contain Israel’s influence in Lebanon, and Saudis in Yemen.

Qaani, Before Joining Quds

Qaani was born in 1957 in Mashhad and joined the IRGC a year after the Islamic revolution that toppled the US-backed monarchy of **Reza Shah Pahlavi in 1979**. This is also when Soleimani joined the Revolutionary Guards. Qaani and Soleimani were subsequently part of the force that was sent to crush the Kurdish uprising. This was followed by Saddam Hussein-led Iraq’s invasion of Iran supported by the West. Soleimani and Qaani survived the eight-



year war but its scars informed their beliefs and shaped their worldview. Both had been regularly talking about the sacrifice of thousands of young Iranians who were sent out as human-wave assaults on Iraqi positions.

The Quds Force Role

When Soleimani was appointed chief of the Quds Force, he brought Qaani as his deputy and they worked together for the last two decades. The sketchy details available in the public domain suggest that while Soleimani focused on the Quds Force's operations on Iran's western front, Qaani dealt with the eastern front that included Afghanistan and Pakistan. Their work often overlapped. Some of the key assets of the Quds Force that were nurtured by Soleimani to contain the influence of the US and its allies, especially in Israel and Saudi Arabia, include the **Hezbollah in Lebanon, Shia militias in Iraq, Houthi rebels in Yemen, Shia groups in Bahrain etc.** The Quds Force is also seen close to **Hamas and Islamic Jihad in Palestinian territories. Qaani is seen as an important player in the creation of Shia militias in Afghanistan and Pakistan** that were formed to help in the war against the ISIS in Syria. **Liwa al-Fatimioun, a Shia militia from Afghanistan who are fighting in Syria and Yemen, was formed in 2014. A Shia militia called Liwa Zainebiyoun was organised in Pakistan too to fight ISIS in Syria.** Islamabad has viewed Qaani's efforts in both Afghanistan as well as Pakistan with suspicion, especially the formation of Shia battalions for fighting in the Middle East. The Quds Force, reports suggest, had lately been extending its influence over the Afghan Taliban. Qaani has also been leading a fight to control anti-Iran groups like Jundullah and Jaish al-Adl, that as per Tehran, operate and take shelter in bordering Pakistan territory. After a terror attack inside Iran last year, Soleimani had publicly castigated Islamabad. **Quds Force has been close to the northern alliance in Afghanistan (Soleimani had a friendship with Ahmad Shah Masood) while Soleimani and Qaani are said to have had long and close relationships with Indian agencies too.** In 2012, the US government during Barak Obama's presidency designated Qaani as a specially designated terrorist, along with an Iranian cargo airliner and a Nigerian shipping agency, soon after a shipment of weapons and ammunition was found on its way to Syria.

- But a bigger question is this: do these military setbacks weaken the regime? What appears to be happening is just the contrary. **Till a few weeks ago, the regime was fighting to quell widespread dissent** and protests. Economic hardships, largely because of crippling American sanctions along with the oppressive policies of the government, had triggered mass rallies across the country in early December, which were put down brutally. Hundreds were feared killed by the security personnel and thousands arrested. **The regime was in an embattled state. But a few weeks later, millions thronged the streets of Tehran, Mashhad, Ahvaz, Qom and Kerman to mourn the death of a military leader and a staunch defender of the Islamic revolution in one of the greatest displays of public support for the regime.** Soleimani united the several political factions in Iran through his martyrdom, which he could not even have dreamt of when he was alive. This unprecedented emotional display for a general who U.S. President Donald Trump called a "terrorist" has its roots in Iran's history and faith. **Iran is a civilisation state, not just a nation state. For centuries it has remained a political entity, even before the idea of a modern nation state emerged, defined by Persian civilisation.** Since the **Safavid dynasty** adopted **Shia Islam** as the official religion of the empire, Iran (Persia) has been majority Shia. And since the 1979 Islamic revolution that overthrew the Pahlavi monarchy, the two key pillars that carried the revolutionary state were **political Shiism and nationalism**. In Iran, martyrdom is one of the central tenets of both. **Shias revere their**



martyrs, starting from Imam Ali. By making Soleimani, an adherent of the Shia Islamic revolution, a martyr, Mr. Trump, knowingly or unknowingly, has stirred emotions of this collective victimhood of the Shias and the nationalist pride of millions of Iranians.

Politics of Martyrdom (History of Shia – Sunni Divide)

After Prophet Mohammed's death, his followers were divided on who should be his successor as the rightful leader of the ummah (the Muslim community). One faction wanted the successor from Mohammed's family. They supported Ali, the Prophet's cousin and son-in-law, while the other faction supported Abu Bakr, a companion of the Prophet. Abu Bakr became the first Caliph. Ali eventually became the fourth Caliph. The supporters of Ali became Shias and the followers of the Rashidun Caliphs (Abu Bakr, Umar, Uthman and Ali) became Sunnis. Ali's reign was marked by conflicts within the Islamic community and he was killed amid the Sunni-Shia power struggle, becoming the first martyr of Shia Islam. His son, Hassan, the second Imam of the Shias, assumed the Caliphate but would soon abdicate in the face of growing challenges and threats from the Umayyads. Hussein, Ali's second son, refused to pledge loyalty to the Umayyads ruler, Yazid. In 680, Hussein and 72 of his followers were killed in Karbala, in today's Iraq, by the army of Yazid. Hussein, who is the third Shia Imam, was beheaded and his head was brought to Damascus for Caliph Yazid. The Battle for Karbala holds enormous significance in both Shia faith and political Shiism. For the Shia believers, the Imam who refused to compromise on his beliefs even at the expense of his life, was the epitome of sacrifice. For political Shias, the Imam who challenged the corrupt Yazid caliphate was the epitome of courage. (Shias across the world take out Ashura processions on the 10th of Muharram, the first month of the Islamic calendar, to commemorate the martyrdom of Hussein.)

During the Islamic revolution, Ayatollah Khomeini had invoked both sacrifice and courage to mobilise the public against the rule of the **Shah, Reza Pahlavi**. The monarch, according to Khomeini, *was the new Yazid*. He urged Hussein's followers, the oppressed, to rise. And it worked. Millions, from different streams of politics, joined the uprising against the Shah, forcing him to flee. After the monarchy's collapse, the Islamists captured the state in 1979, and turned it into an Islamic republic. *After the revolution, many experts and world leaders expected that the Mullahs would not be able to retain power in a country that was modern and secular. Within a year of the revolution, then Iraqi President Saddam Hussein, launched an invasion to precipitate the expected fall of the Ayatollah. It was a time when the Mullahs were finding it difficult to stabilise the post-revolutionary country. Leftists, trade unionists, Islamists and liberals had all joined the protests against the Shah and the Mullahs' capturing of the leadership of the revolution had created fissures within this coalition. But when Saddam attacked Iran, it became easy for Khomeini to mobilise people behind his leadership. Saddam was the new Yazid.* The Islamic regime carried out a brutal purge against leftists and liberals at home without triggering any regime-threatening public response while the war was under way. In other words, *the war Saddam launched with help from the Sunni kingdoms in the region as well as the U.S. helped the Mullahs tighten their grip on Iran.* During the war, Iranians carried out several suicide attacks against Iraqi troops, because for them "martyrdom" is god's approval of their path. For most Shia militias in the region, from Hezbollah in Lebanon to the Badr Brigade in Iraq, martyrdom is the bravest path to the "heavenly abode".



A Misreading

What is unfolding now in Iran and Iraq has echoes from the past. In March 2019, while awarding the Order of Zulfaqar to Soleimani, Ayatollah Ali Khamenei, the Supreme Leader, said, "I hope that Allah the Exalted will reward and bless him (Soleimani) with a blissful life and that He will make his end marked by martyrdom. Of course, not so soon." In less than a year, Soleimani is a martyr. By making him one, the U.S. has actually played into the political Shia narrative. For a political ideology that thrives in the memory of victimhood, persecution, the martyrdom of Soleimani is as much a blessing as a setback. That is where Mr. Trump has erred. What is the best outcome the U.S. could expect from this ongoing conflict with Iran? It is a change in the regime with minimum cost. An invasion would be catastrophic and there is no guarantee that the regime would still fall. The other risk-free option, which the U.S. appears to be pursuing, is to squeeze the Iranian economy, and create internal discord that could cumulatively weaken the regime. But then Mr. Trump decides to take out Qassem Soleimani, stirring up nationalist and religious passions, allowing Ayatollah Khamenei to seize the moment. **Mr. Trump may not have realised that he has just scored an own goal.**

Iran Shooting Down Ukraine Plane

- The shooting down of a passenger plane by Iran's military, a few hours after it launched missile attacks on U.S. troops in Iraq, is the most tragic outcome of the recent spike in U.S.-Iran tensions. **The Ukrainian jet with 176 aboard was hit by an Iranian surface-to-air missile shortly after it took off from Tehran's Imam Khomeini Airport.** After initially rejecting western assertion that an Iranian missile brought down the plane, Tehran said one of its soldiers fired the missile, mistaking the jet for an enemy aircraft "as it turned to a sensitive area". This is not the first time U.S.-Iran tensions have led to an aviation disaster. **In 1988, in the last stage of the Iran-Iraq war, a U.S. Navy warship shot down an Iran Air flight over the Gulf, killing all 290 passengers.** Then the U.S. troops said they mistook the plane for a military aircraft that was going to attack the ship. Iran says the same today. In both incidents, innocents, who did not have anything to do with the conflict, became victims. This time it was U.S. President Donald Trump's reckless decision to assassinate Soleimani that pushed both countries to the brink of a war. After launching missiles at U.S. troops in Iraq in retaliation for the General's killing, Iran's missile defence systems were on high alert, anticipating retaliatory American air strikes. Iran blames "human error" for the attack on the passenger plane. But whatever the context is, it cannot abdicate responsibility for what happened. Ukraine International Airlines says the flight took off after clearance from the airport. The airline also rejects the Iranian military's claim that the plane veered off its route. Iran's admission and apology is a step in the right direction. But it should carry out, along with international investigators, a thorough probe into what led to the "accident", and punish whoever is responsible for the "human error". Such mistakes are unacceptable even in war. Iran should have put in place the highest safety measures and followed international protocols while preparing itself for enemy retaliation. Clearly it did not do so. And innocent people paid a price for Iran's mistake. Both Iran and the U.S. should also ask themselves whether the confrontational path they have chosen since Mr. Trump unilaterally pulled the U.S. out of the Iran nuclear deal, in May 2018, was worth the risk. Both countries were on the brink of an all-out war early this week. At least 226 people, mostly Iranians, have already lost their lives in tragedies related to the Soleimani killing (over 50 were killed in a stampede at the funeral). If Iran is sincere in its apology, it should not only unearth what happened and punish the culprits but also take immediate steps to reduce tensions with the U.S.



What Are Black Box Technologies?

The Ukrainian aircraft, which was delivered in 2016, is a new generation jet equipped with modern avionics. Black box manufacturing is now a field populated by multiple manufacturers, the more prominent names being Honeywell Aerospace, L3Harris Technologies and Teledyne. **Black boxes are multi-channel recording devices, nowadays solid-state, and no longer tape. Tiny chips record hundreds of streams of data on parameters that include aircraft performance (speed, height, rate of climb or descent, flight path, location, fuel levels, engine temperature and exhaust as well as flap positions), the state of other systems and other equipment. Earlier, data had to be recorded on separate devices, but technology is now advanced to have one device cover a range of data recording functions. Regulation is also moving towards an aircraft having two such devices. Together, the data and cockpit recorders (electronic flight data recorders) help understand the 'what', 'how' and 'why' of the event. A black box must be able to withstand many accident scenarios.** According to the German Federal Bureau of Aircraft Accident Investigation, **tests include 'crash tests against concrete at 750 km per hour, withstanding a static load of 2.25 tonnes for at least five minutes, a maximum temperature of 1,100 degrees Celsius for 60 minutes and water pressure at a depth of about 20,000 feet. Modern devices emit signals on contact with salt water (emergency over sea), with a range transmission of 2 km'.** The voice recorder logs almost every sound in the flight deck which includes air traffic control transmissions, crew conversations and even the sounds of switches and engine noise. In newer devices, recording can go up to 120 minutes at a stretch before being overwritten. In modern aircraft, this is automatic. The data helps experts' piece together the cause of an accident or serious incident. Investigators, according to the German bureau, do not have to fully reconstruct a flight. Much of the information needed can be deciphered from the parameters rather than using a flight simulator or animation. Complete black box analysis can be done only by a few specialised agencies worldwide, especially as there are various models; the West leads in this. Specialised laboratories can pitch in too. The German bureau, for example, can examine western and Russian devices. Black box analysis can also give rise to controversies. A 'who best can read them' situation has often played out in air accidents in developing countries. In the final analysis, with the impact of some of the more recent air crashes/disappearances, such as Malaysia Airlines flight MH370, in 2014, **technology could move in a new direction: of data streaming using cloud-based satellite links and a data centre, cockpit video recorders, or even deployable recorders.** The new European Aviation Safety Agency cockpit voice recording mandate, with effect from 2021, requires a 25-hour voice recording capability. All this should help make flying safer and event construction better.

In An Air Accident Investigation, What Are The Obligations To Be Followed?

In an email reply to The Hindu, David Learmount, aviation journalist and consulting Editor, FlightGlobal, says accident investigation protocol is that **the state in which the accident happened is responsible for seeing that the investigation is carried out according to laid down international rules agreed at ICAO.** So, said Mr. Learmount, Iran is responsible for the investigation, and can exercise control over it. It could contract out specialist tasks, such as downloading the black boxes, to an expert third country such as France — France's BEA is to take part in the investigation. Normally, the accident investigator of the country that originally certificated the aircraft type (the U.S.) and the manufacturer (Boeing) would be invited to take part. Pointing out that the aircraft was most likely to have been hit by a missile, Mr. Learmount said, "Mistakes happen." For example, in 2001, a Siberia Airlines jet, flight



1812, from Tel Aviv to Novosibirsk was shot down by the Ukrainian military carrying out firing practice against target drones.

The most important point is that the purpose of an investigation is not to proportion liability of anyone but to find out the cause that led to the crash and prevent it from happening in the future.

Can A Civilian Aircraft Be Brought Down by A State?

According to Mr. Sarin, it is never easy for a state to order this. The “law” over this point is not very clear. **An amendment in the Chicago convention (many countries including India have not ratified this amendment), provides that states should refrain from exercising the use of weapons against civilian aircraft.** But while suggesting that states should refrain from such acts, it does not make the act illegal, provided the state had reasonable reasons to believe that the aircraft was on a destructive path. Legal scholars converge on the point that a state can shoot down an airliner if: 1) it has reason to believe that the aircraft is being used for terror 2) the aircraft is not responding to any other means of interception 3) it is headed towards a strategically important or a populated place. **In most cases, if it emerges that the airliner was wrongly judged, the state that took it down makes an ex-gratia compensation to families.** For example, in the 2001 Siberia Airlines case, after investigations showed Ukraine’s involvement, Ukraine and Israel signed an agreement where the family members of the Israeli citizens were awarded \$200,000 each. **In 1988, when the U.S. Navy shot down an Iran Air flight (Flight 655), the U.S. was insistent that there was no improper use of force, and thus, it did not have a duty to compensate.** It did so later on humanitarian grounds. In all these cases, the states (that shot down) have always pleaded that they had exhausted all other practical means of stopping the intrusion by the aircraft. The latest in this was the case of Malaysia Airlines flight MH17, which was shot down over Ukraine in 2014 using a complex BUK missile system, by suspected rebels supported by Russia — although Russia had denied any such involvement. Last year, four international arrest warrants were issued by a court in the Netherlands against the suspects. Thus, **in cases where it is found that the airliner was shot down by a state even when it knew that there was no reasonable apprehension of any terror act, the culprit state can be taken to the International Court of Justice.**

What is Protecting Power?

- Following the killing of Iranian military and intelligence commander Major General Qassem Soleimani in Baghdad in a drone attack carried out by the United States on Friday, the Iranian government registered its protest with the Swiss Embassy in Tehran. “The chargé d’affaires (for Switzerland in Iran) was informed of Iran’s position and in turn delivered the message of the United States,” Reuters quoted Switzerland’s Foreign Affairs Ministry as saying. **Switzerland represents the interests of the US in Iran. This is because the US itself does not have an embassy there. Iran’s interests in the United States, on the other hand, are represented by the Pakistan Embassy in Washington. In an arrangement such as this, Switzerland is the “Protecting Power” of the United States’ interests in Iran.** The instrument of **Protecting Powers** is provided for under the 1961 and 1963 Vienna Conventions on Diplomatic Relations. “If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled... the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State,” the 1961 Vienna Convention states. And the 1963 Convention reiterates: “A sending State may with the prior consent of a receiving State, and at the request of a third State not



represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.” The Swiss Foreign Affairs Ministry spells out its role on its website: “In the absence of diplomatic and consular relations of the United States of America with the Islamic Republic of Iran, the Swiss government, acting through its Embassy in Tehran, serves as the Protecting Power of the USA in Iran since 21 May 1980. The Swiss Embassy’s Foreign Interests Section provides consular services to US citizens living in or travelling to Iran.” The United States government describes the same role on a web page on the “US Virtual Embassy” in Iran. At the time Switzerland took over this role, a hostage crisis was playing out in Tehran with students having taken over the then US Embassy; the crisis lasted 444 days. Why Switzerland? It has historically represented a number of countries in territories where they have no diplomatic mission. **The news and analysis website Swissinfo say Switzerland represented 35 countries during the Second World War and had over 200 specific mandates, and between 1946 and 1964 had 46 mandates.**

Spotting an Opportunity in Changing Fundamentals (Sujan R. Chinoy, A China-Specialist And Former Ambassador To Japan)

- The “Phase One” trade deal between the United States and China gives both sides a reprieve, especially since the U.S. stayed its hand in not imposing additional tariffs worth \$160-billion in mid-December. But the rift runs deep. Beyond trade, the chasm is growing. A technology war has erupted in the areas of artificial intelligence, digital space and 5G. **Tensions have risen following the U.S.’s passing of the Hong Kong Human Rights and Democracy Act of 2019 and the proposed Uighur Act.** The slowdown in the global economy is compounded by the U.S.-China trade war. As more sectors get drawn in, costs are rising and disrupting global supply chains.

Energy Concerns

Slack demand for energy and surplus production mainly by the U.S. had lowered oil prices, which was good news for India, given its huge imports. Lower energy prices may help India address its current account deficit. It can also make India’s export sector more competitive. But oil prices have surged more than 4% following the U.S. air strike killing Iranian General Qassem Soleimani, Commander of the Qods Force. An outbreak of hostilities would send oil prices soaring. **Unlike India, China continues to buy Iranian crude oil and is its largest buyer.** Reports suggest that China will invest \$280-billion in developing Iran’s oil, gas and petrochemicals sectors and even station Chinese security personnel to guard Chinese projects. Dependence on China prevents Iran from criticising China on its policies in Xinjiang. In tensions with the U.S., Iran sees in China a sympathiser. India’s ramped up energy imports from the U.S. are likely to touch \$10-billion in 2019-2020. Meanwhile, China’s interest in Saudi Aramco’s initial public offering and interest in weakening the dollar in the global energy market has grown. It is forging closer ties with oil producers that are in the U.S.’s cross hairs on human rights and governance issues. This facilitates its naval presence in the western Indian Ocean, including the Strait of Hormuz.

On Trade

According to a State Bank of India “Ecowrap” report of July 2019, **India has scarcely benefited from U.S.-China trade.** Of the \$35-billion dip in China’s exports to the U.S. market in the first half of 2019, about \$21-billion (or 62%) was diverted to other countries. The rest, \$14-billion,



was made good largely by the U.S. producers. Going by a UN Conference on Trade and Development report of November 2019, additional exports from India to the U.S. market in the first half of the year due to trade diversion amounted to only \$755-million. U.S. tariffs on China seem to have made some other players such as Taiwan, Mexico, Vietnam and the European Union even more competitive. China is facing a great shortage of pork due to an outbreak of swine flu but India's meat exports, primarily buffalo meat, reach China indirectly through Vietnam and the Philippines, adding to costs and reducing market share. Besides, India's pork exports are meagre. China's ambitious thrust on artificial intelligence, robotics, autonomous vehicles and space technologies has goaded the Donald Trump administration into action. With tensions rising after the blacklisting of Huawei Technologies by the U.S., the spectre of a high-tech war looms large. The big three Chinese high-tech companies, Baidu, Alibaba and Tencent, together poured in \$5-billion in Indian start-ups in 2018. India could use this opportunity to try and force China to pry open its market to India's IT and other tech exports. The U.S.-China high-tech war threatens India's strategic autonomy. Yet India has decided to allow all network equipment makers, including Huawei, to participate in 5G spectrum trials. The outcome is far from clear. As U.S.-China tensions drive supply chains out of China, India could emerge as an alternative destination with the right policies, as Vietnam has done. Any impact on clean energy targets in China due to U.S. technology restrictions in the nuclear field could be a setback to efforts to reduce emissions and mitigate climate change in the entire region. Denial regimes often spur domestic research and development and if the development of India's own missile programme during years of U.S. sanctions is anything to go by, China may yet succeed in riding out the storm on the technology front. China claims that the U.S. is behind the disturbances in Hong Kong. There is no sign of the protests abating. If things turn uglier, India may have to cater to refugees of Indian origin.

Key Regional Issues

The situation in the South China Sea is weighted in favour of China given its fait accompli in occupying several man-made islands. India has no role in negotiating the "Code of Conduct" with the Association of Southeast Asian Nations, though it is a participant in the "Quad" dialogue on broader issues in the Indo-Pacific. India reserves the right to sail and fly unhindered through the South China Sea in accordance with the principles of freedom of navigation and overflight. On connectivity, the U.S.'s position is helpful to India. Recently, the U.S. Principal Deputy Assistant Secretary, Bureau of South and Central Asian Affairs Alice G. Wells criticised the China-Pakistan Economic Corridor, which traverses Pakistan Occupied Kashmir, as eventually worsening Islamabad's economic troubles. India is neither part of the Belt and Road Initiative (BRI) nor the Regional Comprehensive Economic Partnership. It is absent from the Indo-Pacific Business Forum created by the U.S., Japan and Australia as also from the Blue Dot network. A future challenge lies in India having to reconcile its own regional connectivity initiatives with the BRI projects that have mushroomed in the neighbourhood. In the ideological battlefield, China's economic success has emboldened it such that it challenges the liberal democracy model and offers an alternative developmental model based on its own system. Overall, the military advances by China notwithstanding, U.S. defence spending far outstrips China's budget. Its nuclear arsenal dwarfs that of China. With the creation of a U.S. Space Force as a separate arm under the U.S. Air Force, the U.S. will seek to increase its superiority in network-centric warfare. As China's anxieties in the Asia-Pacific theatre grow, India may yet have to contend with a greater Chinese military presence on its periphery. The Western Theatre Command created in 2016 is responsible for the border



with India. It is the largest of China's military regions, and the Tibet Military Command under it has been accorded a higher status than other provincial commands to widen its scope for combat preparedness. U.S.-China rivalry coincides with an upward trajectory in India-U.S. relations. This is important for equilibrium and multi-polarity in Asia, even as India and China try and build much-needed trust and cooperation.

Of Taiwan, Hong Kong, And Chinese Dreams

- The landslide re-election victory for the **Democratic Progressive Party's (DPP) Tsai Ing-wen** in **Taiwan** earlier in January has presented Beijing with a second pressing challenge in its backyard. In late-November, pro-democratic political parties swept the local district council elections in Hong Kong, which were widely seen as a referendum on the protests that have roiled the Special Administrative Region since June. On the surface, Taiwan and Hong Kong may seem to have little in common. Unlike Hong Kong, which returned to China's fold in 1997, **Taiwan has been entirely self-ruled since the end of the Chinese civil war in 1949**, when **Chiang Kai-shek** fled to the island to set up the '**Republic of China**'. Also, unlike Hong Kong, Taiwan has a thriving democracy and has held direct elections to choose its leaders since 1996 — incidentally, one of the five demands voiced by the tens of thousands who have taken to Hong Kong's streets in recent months.

A Referendum on China

Differences aside, the events in Hong Kong and Taiwan are not entirely unrelated. If the local elections in Hong Kong were a referendum on the protests, the DPP and Ms. Tsai made sure the elections in Taiwan ended up becoming a referendum on China — and specifically, on the "one country, two systems" model that is at the centre of debate in Hong Kong, and is seen by Beijing as an eventual solution to the 'Taiwan question'. One of the DPP's most evocative campaign advertisements, which aired on television three days before the polls, drew a contrast between the daily life of a young Taiwanese and that of a young Hongkonger. As one slept peacefully on the train ride home from work, the other was on the streets evading tear-gas and riot police. Protect democracy, it urged voters, or Hong Kong's future awaits. Earlier this year, Ms. Tsai was trailing in the polls and looked set for defeat, but the events in Hong Kong revitalised her campaign. She has been outspoken in her support for the protesters. No surprise that **since coming to power in 2016, Beijing has gone after Ms. Tsai, accusing her of pursuing a pro-independence agenda and making no secret of its preference for a Kuomintang (KMT) return. The KMT had pushed closer economic relations with Beijing.** It backed a first-of-its-kind economic cooperation agreement in 2010, and the then-leader Ma Ying-jeou, whose term ended in 2016, held a landmark meeting with Chinese President Xi Jinping in 2015. With Ms. Tsai on the other hand, Beijing has pushed with even more vigour an international strategy aimed at isolating Taiwan. **By the end of 2019, Taiwan was left with only 14 UN member states that maintain diplomatic relations, after losing the Solomon Islands and Kiribati which both shifted to recognising Beijing.** With every year, the list grows shorter. Yet Beijing's pressure, in some ways, worked to Ms. Tsai's advantage and reinforced her campaign's message, as she swept home with 57% of the votes. In her victory speech, she said this election's results "carry an added significance, because they have shown that when our sovereignty and democracy are threatened, the Taiwanese people will shout our determination even more loudly back." Ms. Tsai said that through Beijing's "increasing pressure and proposal of a 'one country, two systems' model for Taiwan, China has hoped to force us to accept conditions that are entirely unacceptable." Where does this



leave the future of “one country, two systems”? While Ms. Tsai sees the election as a resounding rejection of the model, Beijing sees things differently. Indeed, during a December visit to Macau to mark the 20th anniversary of its return to China, Mr. Xi said, “Macau’s successful experience speaks volumes about the viability and strength of one country, two systems, as long as we are committed to it and act on it”. Mr. Xi’s remarks were seen as being directed at Hong Kong, but carried relevance for Taiwan as well. Mr. Xi outlined what he viewed as the core of the model, which was “recognising that ‘one country’ was the premise and precondition for ‘two systems’.” Apparently drawing a contrast with Hong Kong, Mr. Xi praised the people of Macau for “standing by the red line of the ‘One China’ principle” and having a “tradition of loving the motherland, as well as a strong sense of national identity, belonging and pride”. **The problem for Beijing is that fewer and fewer people, both in Taiwan and Hong Kong, appear to share this view that elevates “one country” over the “two systems” part of the formula.** The recent election results in both territories make that clear, as do polling data that show delicate shifts in how Taiwanese and Hongkongers view their relationship with the mainland.

Sense of Autonomy

Polls conducted in Taiwan by the National Chengchi University in June 2019 showed that 56.9% identify as being only ‘Taiwanese’, up from 54.5% a year earlier, the first time that number had increased since a 60.6% peak in 2014. While 36.5% identify as being Taiwanese and Chinese, 3.6% identify as only Chinese. On the choice between independence and reunification, 86.1% favoured maintaining the status quo. Within this group, 26.9% preferred to maintain the status quo indefinitely, 19.9% preferred to maintain the status quo and move towards independence (up from 15.1% in 2018) while 8.7% wanted eventual unification (down from 12.8%). A poll conducted at the same time by Hong Kong University found that the number of people who identified only as ‘Hongkongers’ was the highest since the 1997 handover, at 53%. While 23% identified as “Hongkongers in China”, 11% identified as Chinese and 12% as “Chinese in Hong Kong”. These may seem to be subtle differences, but they have consequences. A record 71% said they were not proud of being a national citizen of China, a number that went up to 90% among the 18-29 age group. China’s leaders believe that the country’s “great rejuvenation”, which Mr. Xi has declared as the “China dream”, will not be complete without Taiwan’s return, for long the holy grail for the Communist Party. They believe the tide of history is on their side, and that the island of 23 million people (roughly the population of Beijing) will inevitably return to the fold. They may be right, and perceptions can, no doubt, change. Yet, if Beijing wants them to move in a favourable direction, the results have shown it will probably need to offer more than the stability, security, and economic growth that its model promises, when issues of identity and values are involved. At a time when China’s leaders have spoken confidently of offering “the China model” as a solution for the world, what better evidence to offer than show its flexibility when faced with challenges closer to home?

HC: Musharraf Cannot Be Punished Retrospectively

- ➔ In a huge relief for Pakistan’s self-exiled former dictator, **the Lahore High Court declared Pervez Musharraf’s trial in the high treason case as “unconstitutional.”** A special court had given death sentence to the ex-Army chief on December 17 for holding the Constitution in abeyance. Lawyer Usama Malik told The Hindu that according to the court, **when emergency was declared in 2007 and the Constitution was held in abeyance, the punishment for holding Shatabdi Tower, Sakchi, Jamshedpur**



Constitution in abeyance wasn't death penalty as the offence wasn't considered high treason. The High Court said this was added in the 18th Amendment passed in 2010. The court said Gen. Musharraf cannot be punished for something that wasn't punishable back then. Mr. Malik said the government or Gen. Musharraf have not appealed the December 17 decision of the special court before the Supreme Court yet. Whether they will do so or not will be confirmed soon — presumably after the detailed High Court judgment comes out. Faisal Chaudhry, Additional Advocate General Punjab, said "it seems as if Musharraf has been exonerated by the High Court." Asked about the future course of action, Mr. Chaudhry, who has also represented Gen. Musharraf in the treason case in the past, said that one will have to see how the legal fraternity like the Bar Associations and Supreme Court react. "There are fair chances that the Bars will react negatively to this verdict." A senior lawyer on the condition of anonymity said that after the passage of the Army Act, "Politics has been buried by the political parties themselves." The lawyer wondered what the Bar associations will do when all political parties have capitulated. Abid Saqi, member of the Pakistan Bar Council, said, "Setting aside of the verdict of the special court without availing appellate court and getting reversal of that judgment through collateral proceedings is not just unprecedented but inconceivable."

Foreign Affairs

Indian Passport Ranked 84th In the World

- Japan has the world's strongest passport; Afghanistan, at rank 107, the weakest. The Indian passport is closer to the bottom, ranked 84th in the world, according to the latest edition of the **Henley Passport Index**, widely acknowledged to be the most reliable of such rankings. According to Henley & Partners, the residence and citizenship planning firm that publishes the ranking, the Index lists the world's passports "according to the number of destinations their holders can access without a prior visa". The ranking is based on data from the International Air Transport Association (IATA), a trade association of some 290 airlines, including all major carriers. The index includes 199 different passports and 227 different travel destinations, the publisher of the rankings said in a press release last week. The data are updated in real time as and when visa policy changes come into effect, the release said. Japan has been topping the Index for three straight years; according to the 2020 index, its citizens are able to access 191 destinations without having to obtain a visa in advance. Singapore, in second place (same as in 2019), has a visa-free/visa-on-arrival score of 190. Germany is No. 3 (same position as in 2019), with access to 189 destinations; it shares this position with South Korea, which dropped from the second place it held a year ago, the release said. The US and the UK have been falling consistently over successive Indices. Both countries are in eighth place in 2020; a significant decline from the No. 1 spot they jointly held in 2015. "The Index's historic success story remains the steady ascent of the UAE, which has climbed a remarkable 47 places over the past 10 years and now sits in 18th place, with a visa-free/visa-on-arrival score of 171," the release said. Since the index began in 2006, the Indian passport has ranked in a band of 71st to 88th. (The number of passports ranked has, however, varied from year to year.) The Indian passport's 2020 ranking of 84th translates into visa-free access to 58 destinations, including 33 which give Indians visas on arrival. The Indian passport ranked higher in both 2019 (82, with visa-free access to 59 destinations) and 2018



(81, with visa-free access to 60 destinations). Twenty of the 58 visa-free access destinations in the 2020 list are in Africa, and 11 each in Asia and the Caribbean. Serbia is the only European country to which Indian passport holders can travel visa-free. There is no major or developed country to which Indian passport holders have visa-free access. The top 10 most powerful passports this year are ranked in this order: Japan, Singapore, South Korea, Germany, Italy, Finland, Spain, Luxembourg and Denmark.

Scoring A Foreign Policy Self-Goal (Happymon Jacob Teaches National Security at The Jawaharlal Nehru University, New Delhi)

- The frightening fall of a great nation has begun. Once a leading light of inclusiveness, democracy, and a major pole of stability in the comity of nations, despite occasional failings, India today is embarrassingly at the centre of attention for bad behaviour. While the present government's decisions on **Jammu and Kashmir** put the spotlight on New Delhi, the recently legislated **Citizenship (Amendment) Act, 2019, or CAA, 2019** pushed it over the edge. Not only has the Act deeply divided a communally sensitive country, its effect is bound to have long-term implications for India's foreign policy. India's global standing is ever more vulnerable today, and the chinks in India's diplomatic armour have never been so evident.

Regional Fallout

The present government's zealous pursuit of the CAA citing human rights violations in the neighbourhood and illegal immigration from it is a foreign policy self-goal. Clearly, the Bharatiya Janata Party (BJP) **could not have, if it were to derive domestic political utility from it, talked about illegal immigration to India without castigating Bangladesh, nor could it have pontificated about the human rights violations of non-Muslims in the region without pointing fingers at Pakistan, Bangladesh and Afghanistan.** It is such political expediency that has landed the government in an unenviable diplomatic spot today. It would, however, be foolish of those of us who are outside the government to assume that the leadership did not foresee the negative fallout its policies and rhetoric on **India's relations with two of its best friends in the region, Bangladesh and Afghanistan,** at a time when it does not have many friends in the neighbourhood. But that is not the point. That the BJP leadership would have, most likely, foreseen the serious loss of diplomatic capital with these countries and yet gone ahead with its anti-neighbour rhetoric given its domestic political utility is what makes it singularly worrying. Put differently: **the political bosses of the Indian government decided to sacrifice the country's crucial foreign policy interests at the altar of domestic political contingencies.** This becomes a diplomatic double whammy given how India is already losing its traditional heft and influence in the region and at a time a China-led balance of power is emerging in the region. Once again, New Delhi is not unaware of it. On the contrary, South Block's foreign policy mandarins are wary of the Chinese state's sure-footed engulfment of the neighbourhood. And yet, **the political bosses have preferred domestic political gains over diplomatic benefits, relegating foreign policy to the whims of electoral outcomes.** That from a foreign policy point of view the CAA is short-sighted is obvious, and that it will adversely affect India's regional influence and standing is an unavoidable outcome; what is shocking is that the political leadership does not seem bothered by it. That is what should worry us.



Reputational Costs

From Kashmir to the NRC to the CAA — one reckless action after another — New Delhi seems to have finally exhausted the goodwill of the international community. In December, the Office of the United Nations High Commissioner for Human Rights called the CAA “fundamentally discriminatory” — something unheard of in recent memory. Again, in December, the United States, arguably India’s best friend today, urged the country to “protect the rights of its religious minorities in keeping with India’s Constitution and democratic values”. The same month too, the International Commission of Jurists (ICJ) referred to CAA as not only “highly discriminatory and arbitrary” but also contrary to New Delhi’s “obligations under international human rights laws”. New Delhi’s attempts to reach out to the international community, albeit selectively, while assiduously avoiding those critical of its policies, have not met with much success. When India’s External Affairs Minister pulled out of a meeting with senior members of the U.S. Congress after U.S. lawmakers refused New Delhi’s demands to exclude Congresswoman Pramila Jayapal — she has been critical of the Indian government’s policies in Kashmir — the message that went out was that India is unable to justify its own policies. Or that it does not bother with what others think of it. For a government that steadfastly shied away from internationalising domestic issues, its own actions have done precisely that thereby bringing lasting damage to the country’s reputation. Now, one might ask as to why a state should worry about its reputation and whether it is not enough to use one’s material power to achieve foreign policy outcomes. For one, the BJP has traditionally been more concerned about India’s reputation, at least as a rhetorical plank, than anyone else. Second, India’s traditional foreign policy pursuit has been a careful mix of soft power and material capability with the balance often tilting in favour of soft power. Finally, reputation, among other things, is critical in aiding India’s quest for a place at the high table of international politics, such as acquiring a United Nations Security Council (UNSC) seat. More so, status quo powers, as opposed to revisionist ones, are far more favoured by the international order. India was the region’s quintessential status quo power that the world loved to engage and promote. This key characteristic of India may be undergoing a dramatic change, with many viewing India as a reckless power with revisionist ambitions — just as Pakistan has long been viewed.

Great Power Equations

India is a major power with great power ambitions and may even be an indispensable power in some respects. However, if India decides to shape its foreign policy based purely on domestic calculations, its indispensability and system-shaping abilities will take a serious hit. A great power, among other things, is a state that is willing to live up to certain global expectations and has the ability and willingness to help with system maintenance. Great powers have traditionally been supportive of India’s rise in the global order and have more or less stood by India in its pursuit of power and reputation. This is bound to change thanks to the government’s domestic preoccupations. While the Trump White House may be indulgent towards New Delhi, at least for now, the patience of the Washington establishment is fast running out. If there is a Democratic government in Washington DC next year, things might get harder for New Delhi. Moscow’s unequivocal support for New Delhi is now a thing of the past, and New Delhi’s fall from grace suits Beijing more than anyone. When was the last time we heard a mention of rising India? When was the last time someone “seriously” argued that India should be part of the UNSC? Our sheen has come off and the world is beginning to see the ugly realities within. Moreover, thanks to the heavy political fire-fighting



that it needs to do on a daily basis on issues such as Kashmir, the NRC, and the CAA, much of New Delhi's diplomatic capital is spent on doing precisely that. Its focus on crucial regional and global issues seems to be waning fast. With little talk of renegotiating the Regional Comprehensive Economic Partnership, no appetite to be part of the Afghan peace process, and disinterest in the Indian Ocean's geopolitics, among others, the regime in New Delhi resembles a provincial capital today. Meanwhile, the world is watching as we make a spectacle of ourselves.

Betrayals from Outside and Within (Tabish Khair - Indian Novelist and Academic Who Teaches In Denmark)

- The fight against the Islamic State (IS) was won with the help of **three major forces on the ground**, for the Western coalition on its own would not have managed to do much with remote-controlled bombs. These were the **Kurds**, the **Shia militia** and **ordinary Muslims** (Sunni and Shia) who spoke up against the kind of Islam espoused by the IS and its supporters, choking the movement of easy recruits. Towards the end of 2019, Donald Trump's **America betrayed** the **Kurds** and abandoned them. In early 2020, with the **'targeted killing' of Qassem Soleimani**, Trump's America **betrayed the second partner**: the very Shia forces with which the West had collaborated in both Afghanistan and Iraq to fight al-Qaeda and the IS. So, what is it that the third force, ordinary Muslims — whether religious, like so many, or irreligious, like me — should expect in the future?

The 'Muslim' Tag

Let's face it: Muslims like me in India can no longer avoid that designation. I grew up believing with my secular Hindu friends that I was an Indian first and last. 'Muslim' was not a tag I wanted. Recent legislative acts, supported by some of my 'secular' Hindu friends, have revealed to me that either they had been lying to me, or they had been lying to themselves. Obviously, 'Muslim' is the tag that many in India want to attach to people like me. I seem to have no choice in the matter, despite the fact that I remain what I was: Indian, secular, irreligious. Is the matter different in the wider world? I am not sure. Let us take the murder of Gen. Soleimani. Unlike Osama bin Laden and Abu Bakr al-Baghdadi, Gen. Soleimani was a high-ranking official of a sovereign nation. He was by no means a lovely human being, but then Mr. Trump himself is not a lovely human being. Very few high officials of autocratic nations are lovely human beings. That is not the issue, as it appears to be in many western articles, which focus on Gen. Soleimani's reported villainy. The issue is this: a country decided to openly murder a high official of another country with which it was not formally at war. This runs contrary to all international laws. It also sets a precedent by which any country can now decide to murder, if it can, the official of any other country. Why isn't this issue being taken up in the otherwise so law-abiding free 'West'? Instead, what is being discussed is the 'near war' between Iran and the U.S.: as if Iran, at least 100 times weaker in military power than the U.S., can dare to wage a war. Iran, it is obvious to anyone who pays attention, is fighting with its back to the wall. Its economy is crippled. It is surrounded by U.S. forces. After all, Gen. Soleimani was visiting Iraq, not Mexico or Canada. Western commentators talk of asymmetrical warfare being waged by Iran, when it appears to me that the main 'asymmetrical' warfare being waged today is by the U.S. — with its economic sanctions against every real or perceived threat, from China to Iran. Why are supposedly independent 'western' commentators — I am talking of The Guardian, not even Fox News — unable to



analyse these aspects? If I point it out, why am I suddenly a Muslim, and not a human being who wants a somewhat fair, democratic and secular world order? If someone like me feels that he is being pushed, both nationally and internationally, into being first and foremost a 'Muslim,' then what is it that practising Muslims must be feeling? I shudder to think of it. And I shudder to think of what mischief Islamists, Shia or Sunni, will hatch from this feeling among ordinary Muslims. It will be so easy for the younger generations to fall into the Islamist trap. It will be so easy for them to resist people like me, who have been saying endlessly and continue to do so: **be a human being first, be an Indian or American or French citizen first, keep your religion to yourself.** This has been contrary to what Islamists mostly preach: for them, being Muslim is the distinctive identity, and almost the only one. Let me end this essay of despair with a word of advice, and aimed only at Muslims, religious or not. For why shouldn't I address only Muslims, when so many are willing to address me only as Muslim? This is what I say: resist the Islamists. Yes. I say it still: resist the fundamentalists. For they are at the root of your problems. It is because **Islamists insist so narrowly on their own versions of Islam and because fundamentalists have been so intolerant of diverging Muslims within their own lands that Muslims across the world fail to support each other and anyone else who needs support.** The killing of Gen. Soleimani — mourned by many, celebrated by some in Iraq — was an illustration of this. As is the fact that the oil-rich, culturally similar states of West Asia need to be policed into 'peace' by the U.S. and other western powers.

Narrow Identity

At the core of the crisis in the so-called Muslim world is not the U.S. or any other external factor. **It is the narrowness of Muslims themselves. It is the narrowness of their understanding of themselves. By failing to allow other Muslims to believe or not to believe in their own ways, they do not just divide themselves up — persecuting the atheists, Ahmedis, Bohras, Shias, Sunnis etc. — they also cut themselves off from other communities.** If you cannot allow fellow Muslims to differ openly, how will you accept Hindus or Sikhs who do not believe like you do? This is at the heart of the problem. Religious Muslims need to expand their understanding of Islam in order to embrace — and be embraced by — the world.

PM And World Leaders to Attend Raisina Dialogue

- ➔ At least 12 Foreign Ministers, including Sergey Lavrov of Russia, Javad Zarif of Iran and Marise Payne of Australia, and seven former heads of state and government will attend the "Raisina Dialogue" organised by the External Affairs Ministry jointly with the Observer Research Foundation in Delhi from 14th Jan. Also attending are Afghanistan's National Security Adviser Hamidullah Mohib and U.S. Deputy National Security Adviser Matthew Pottinger. "The Dialogue has been India's contribution to global efforts to discover solutions, identify opportunities and provide stability to a century that has witnessed an eventful two decades," said a Ministry statement, explaining the significance of the conference held every year. Prime Minister Narendra Modi will attend the inaugural session where former leaders, including former Afghan President Hamid Karzai and former Prime Ministers Helen Clark of New Zealand, Stephen Harper of Canada, Carl Bildt of Sweden, Anders Rasmussen of Denmark, Tshering Tobgay of Bhutan and Han Seung-soo of South Korea, will be discussing future global issues. The title of the Raisina Dialogue this year is **"Navigating the alpha century"**. Mr. Modi will also host a meeting of all the visiting Foreign Ministers together. **The conference, which is in its fifth year, will host 700 participants from more than 100 countries,**



a statement issued by the Ministry said, adding that at least 40% of the speakers would be women. Australian Prime Minister Scott Morrison, who was due to give the inaugural keynote address, had to pull out due to the fire crisis in Australia, which means that unlike previous versions of the conference, this year will have no sitting head of government or state participating. Bangladesh Deputy Foreign Minister Shahriar Alam, who cancelled his participation on Saturday, will be replaced by the Information Minister Mohammad H. Mahmud. Another key feature of the event, a session on the Indo-Pacific that includes military or naval commanders from the “Quadrilateral or Quad”, Australia, India, Japan, and the United States, will also have a French Defence official on the panel this year.

Nation

The Warp and Weft of Religious Liberty (Gautam Bhatia - Delhi-Based Lawyer. Suhrith Parthasarathy - Advocate Practising at The Madras High Court)

- In December 2014, the Supreme Court of India placed a temporary ban on *madesnana*, a 500-year-old ritual performed at the Kukke Subramanya Temple in Karnataka. The practice involves persons, in particular those from Scheduled Castes and Scheduled Tribes, rolling over plantain leaves left behind with food half eaten by Brahmins, in the belief that doing so would cleanse their skin of impurities. Initially, in 2012, at the behest of a group of progressive-minded petitioners, including the seer of the Nidumamidi Math, a division bench of the Karnataka High Court put a halt to the ritual, but allowed it to continue in a modified form. Devotees could now voluntarily choose to roll over leaves containing prasada, that is offering made to the deity, so long as the food was not “tasted or partially eaten by the members of any community”. But this order was lifted two years later by another division bench of the High Court, which found little wrong with *madesnana* in its supposedly “original” form. The practice, the court said, did not, on its face, violate any law. What is more, in the judges’ belief, a proscription of the ritual until a final ruling was delivered would both hurt the sentiments of devotees and impinge on their constitutionally guaranteed right to freedom of religion.

What Is at Stake

It is cases such as this and many more, including the practice of female genital mutilation and the rights of Parsi women to enter fire temples, which are at stake when a nine-judge bench of the Supreme Court begins hearing arguments on questions concerning the relationship between the right to freedom of religion and the rights of individuals to dignity and equality. The establishment of the Bench emanated out of an order of reference made on review petitions filed against the Sabarimala judgment. But when the Bench assembles today, its remit will involve a rather more abstract exercise: to answer a series of wide-ranging questions and to expound the scope and extent of the Constitution’s religious liberty clauses. In answering these questions, the Court will be faced with a difficult question of balance. Within the Constitution of India, there are two impulses that may, at times, come into conflict with one another. The first impulse recognises that India is a pluralist and diverse nation, where groups and communities — whether religious or cultural — have always played an important role in society. Following up on this impulse, the Constitution recognises



both the freedom of religion as an individual right (Article 25), as well as the right of religious denominations to manage their own affairs in matters of religion (Article 26). The second impulse, on the other hand, recognises that **while community can be a source of solidarity at the best of times, it can also be a terrain of oppression and exclusion**. The Constitution, therefore, expressly provides for the possibility that there may be times when members of religious and cultural communities may need to be protected from authoritarian and oppressive social practices. **Thus, both Articles 25 and 26 are subject to public order, morality, and health; and further, Article 25 is also subject to other fundamental rights guaranteed by the Constitution, and to the state's power to bring in social reform laws**. These two impulses, and their expression in various provisions of the Constitution, speak to an observation made by Alladi Krishnaswami Iyer, one of the foremost drafters of the Constitution: that in our country, religion and social life are inextricably linked. As the Madhesana example shows us, religious proscriptions often spill over into broader society, and religious and social status often reinforce each other. A classic example, of course, is that of the practice of "untouchability", which the Constitution explicitly prohibits. Another is the practice of "excommunication", a practice prevalent among certain communities, where the head of the community has the power to expel recalcitrant members, and exclude them entirely from any form of interaction with their former friends or families.

Finding the Middle Ground

How then do we strike a balance between respecting the autonomy of cultural and religious communities and also ensuring that individual rights are not entirely sacrificed at the altar of the community? Over the years, **the Supreme Court has attempted to do so by carving out a jurisprudence that virtually allows it to sit in theological judgment over different practices. It has done this by recognising that it is only those practices that are "essential" to religion that enjoy constitutional protection. Any other ritual is seen as secular and amenable to the state's interference**. This doctrine of essential practices has invariably seen the Court play the role of a moral arbiter. **It invoked it, for example, to rule, in 2004, that the performance of the Tandava dance was not an essential tenet of the religious faith of the Ananda Margis, even though the followers of the religion conscientiously believed it to be so. Similarly, the Court, especially during the tenure of Chief Justice of India P.B. Gajendragadkar, struck down a number of rituals across religions on the grounds that those practices were embodiments of superstition as opposed to faith**. But was the Court at all competent to make this distinction? Many scholars have argued that it was not: the idea of a secular Court sits uneasily with investigations into the nature of religious practice. In response, the Court has often stated that the "essential religious practices" test is indeed the only way it can reconcile the two impulses of respecting religious autonomy and enforcing individual rights.

The Anti-Exclusion Principle

For these reasons, one option before the nine-judge Bench would simply be to affirm existing jurisprudence, as it stands, and has been incrementally developed over the years. That would certainly not be an unacceptable position to take. There are, however, other ways. **One way, for example, would be to ask whether the effect of the disputed religious practice is to cause harm to individual rights**. Madhesana, for example, is a clear violation of human dignity. A few years ago, the Bombay High Court found (similarly) that the exclusion of women from the inner sanctum of the Haji Ali Dargah was an indefensible violation of equality. The enquiry, thus, is not whether the practice is truly religious, but whether its effect is to



subordinate, exclude, or otherwise send a signal that one set of members is entitled to lesser respect and concern than others. Interestingly, in the Sabarimala case — out of which this reference arose — both the concurring opinion of Justice D.Y. Chandrachud and the dissenting opinion of Justice Indu Malhotra agreed that this ought to be the test; their disagreement was limited to whether, in the specific case of the Sabarimala temple, the practice, on its facts, was exclusionary or not. An articulation of the anti-exclusion principle would also take into account an important truth. In many religious communities, norms and practices are shaped and imposed from above, by community leaders, and then enforced with the force of social sanction. Dissenters are then faced with an impossible choice: either comply with discriminatory practices, or make a painful (and often unsustainable) exit from the community. It is here that the Constitution can help by ensuring that the oppressed and excluded among communities can call upon the Court for aid, and by ensuring that powerful communities are not exempt from guaranteeing the basic norms of fairness, equality, and freedom to all their members. When the hearings begin today, therefore, the nine-judge Bench will face a difficult and delicate task of constitutional interpretation. Much will ride upon its decision: the rights of women in particular (a group that has long been at the receiving end of discriminatory practices) and of many other vulnerable groups in general but also, the constitutional vision of ensuring a life of dignity and equality to all, both in the public sphere and in the sphere of community.

- The opening hearing before a nine-judge Supreme Court Bench, constituted to give an authoritative pronouncement on the nature of religious freedom under the Constitution, has revealed the conceptual confusion over the reference made to it. The Bench, headed by the Chief Justice of India, S.A. Bobde, has asked lawyers to “re-frame” the issues, or add to them, following submissions that the questions framed by a Bench of five judges were too broad. Further, **the CJI has clarified that the Court will not be deciding the petitions seeking a review of the verdict in the Sabarimala temple case. Instead, it would limit itself to “larger questions” such as the interplay between freedom of religion and other fundamental rights; and the extent to which courts can probe whether a particular practice is essential to that religion or not.**
- Instead of being subjected to a simple test whether the particular practice is protected by the freedom of religion, or can be curbed on the grounds of “public order, morality and health”. A signal flaw in the reference is that it did not emanate from Benches before which these matters were pending. Normally, such issues are referred to a larger Bench only if the Court is faced with apparently contradictory precedents, or feels that the settled law requires reconsideration. A five-judge Bench, while hearing the Sabarimala review petitions, had referred a set of questions to a larger Bench. But two dissenting judges had pointed out that it was up to Benches before which such cases came up to decide whether they should go by existing precedent, or refer the matter to larger Benches for fresh consideration. That the strength of the Bench was fixed at nine may indicate that the court is leaving scope for revisiting the 1954 seven-judge Bench decision in the Shirur Mutt case, holding that religious denominations had the autonomy to decide what religious practices were essential to them.



A Regime That Chooses Its Critics (Thulasi K. Raj - Practising Lawyer and Was an Indian Equality Law Fellow at Melbourne Law School; Bastian Steuwer - Political Philosopher at The London School of Economics)

- On November 16, 2019, the Central Bureau of Investigation raided Amnesty International's offices in Bengaluru and Delhi based on allegations that the NGO had violated provisions of the Foreign Contribution (Regulation) Act, 2010, and of the Indian Penal Code. **Amnesty has been vocal about human rights abuses, notably in Jammu and Kashmir and Assam.** The raid is not an isolated incident but part of a pattern of harassment of NGOs in India. **In early 2019, Greenpeace had to shut two offices in India and reduce its staff.** Since 2015, Greenpeace India has been barred from receiving foreign donations. In July 2019, there were **raids in the offices of the Lawyers Collective.** In **2019 alone, more than 1,800 NGOs lost their licence to receive foreign funding.** This is worrying given that international funding is crucial for NGOs to function. The contribution of NGOs to human rights and public awareness is significant in India. The recognition of the rights of homosexuals and transgender people, for instance, would have been unimaginable without the sustained effort of civil society organisations. Likewise, developments in the public provision of health and education are unlikely to come about without pressure by NGOs. Most NGOs are neither politically powerful nor have great financial capacity. For example, small environmental or tribal rights groups protesting against environmental violations by multinational companies cannot fight back against companies that use their resources — profits from elsewhere — for public relations, campaigning, and advertisement to resist the protests. Thus, there is a power imbalance in this struggle, exacerbated by financial restraints on organisations.

What Is 'Public Interest'?

The FCRA regulates the receipt of funding from sources outside of India to NGOs working in India. It prohibits receipt of foreign contribution "for any activities detrimental to the national interest". The Act specifies that NGOs require the government's permission to receive funding from abroad. The government can refuse permission if it believes that the donation to the NGO will adversely affect "public interest" or the "economic interest of the state". This condition is manifestly overbroad. There is no clear guidance on what constitutes "public interest". Consequently, a government could construe any disagreement with, or criticism of, any of its policies as being against public interest. The current government has already done this. For example, **in 2014, several groups including Greenpeace were accused by the Intelligence Bureau of stalling India's economic development.** In the government's narrow view, public interest is interpreted as being equivalent to its priorities. That is simply not the case. Thus, **an environmental or human rights organisation criticising the government can be accused of "acting against public interest".**

Consequences on Rights

The restrictions also have serious consequences on both the rights to free speech and freedom of association under Articles 19(1)(a) and 19(1)(c) of the Constitution. The freedom is based on the idea that individuals can form voluntary groups and pursue various interests. It is a form of collective expression and thought. The Supreme Court has held that this right includes the right to continued sustenance of the association, without unreasonable restraint (*Damyanti Naranga v. Union of India*, 1971). The foreign funding prohibition also negates the



significance of voluntary, non-profit associations in a democracy. Free speech is valuable not because everyone agrees, but because it enables a culture of dissent, deliberation, and debate. The right to free speech is affected in two ways. One, by allowing only some political groups to receive foreign donations and disallowing some others, the government can ensure a biased political debate. It can reduce critical voices by declaring them to be against public interest. Two, this chilling effect on free speech can lead to self-censorship. Speech that is protected by the Constitution can be construed as “against public interest”. Thus, the standard regulates speech in a manner that is incompatible with the Constitution. In *Shreya Singhal v. Union of India (2015)*, the Supreme Court was similarly faced with overbroad classifications in the Information Technology Act. Striking down Section 66A, the Court held that the Act could be used in a manner that has a chilling effect on free speech. This has already happened in the case of the FCRA. NGOs need to tread carefully when they criticise the regime, knowing that too much criticism could cost their survival. Democracy requires critics and civil society. This is why invoking the FCRA to curb the work of NGOs is deeply troubling. In a democracy, criticism should be welcomed, not repressed. No government should ever be able to choose its own critics.

Human Rights Are Not Solely An 'Internal Matter' (Ravindran Daniel - Human Rights Lawyer Who Has Served As Director With The UN Peacekeeping Missions In East Timor, Libya And Sudan)

- The human rights situation in Jammu and Kashmir (J&K) following the dilution of Article 370 and the passage of the Citizenship (Amendment) Act (CAA) have brought renewed international focus on India's human rights practice. Responding to criticism made by the United Nations agencies and others, the Indian state asserted that both J&K and CAA are entirely internal matters and there cannot be any interference in such sovereign decisions. What is remarkable about modern international human rights law is its recognition of individuals as subjects. Classic international law governed the conduct between states and did not recognise the rights of individuals. Countries made agreements on the premise that a sovereign state had the exclusive right to take any action it thought fit to deal with its nationals. Such a notion of absolute sovereignty was challenged in 19th century with the emergence of humanitarian intervention to protect minorities living in other states. Later, in 1919, the evolution of labour standards led to the establishment of the International Labour Office (ILO). In 1926, the Slavery Convention adopted by the League of Nations prohibiting slave trade heralded the first human rights treaty based on the principle of dignity of a human being. The Universal Declaration of Human Rights, adopted in 1948 by the United Nations, was the first comprehensive international human rights document. The Universal Declaration has acquired the force of law as part of the customary law of nations. It has provided the basis for binding human rights treaties and non-binding guidelines/principles that constitute a distinct body of law known as international human rights law.

Unsustainable Claim

This progress of international law in the last 100 years makes the Indian state's assertion of its sovereign right unsustainable. The evolution of international human rights law is also about the gradual weakening of the concept of unrestricted sovereignty. The Indian government has ratified several international human rights treaties and submits periodic reports to the respective treaty bodies. By doing so, it has acknowledged the principle that



the treatment of its citizens is not entirely an internal matter, and such measures do not enjoy an absolute sovereignty. The Indian government's response to concerns about its human rights practice has always been that international scrutiny is unwarranted since the country is the largest democracy in the world with an independent judiciary, free media, and an active civil society. These claims sound less credible after the recent developments in J&K and the passage of the CAA. Non-discrimination is a fundamental principle of human rights. **Discrimination in various forms occurs in all societies, but what is of concern is institutionalised discrimination.** Apartheid was pronounced as a crime against humanity since it institutionalised discrimination based on race. Similarly, for the first time in post-Independence India, a religious group has been excluded from the purview of a law dealing with citizenship. The Office of the High Commissioner for Human Rights (OHCHR), which is the lead agency within the UN system on all aspects related to human rights, has expressed its concern stating that the CAA "is fundamentally discriminatory in nature". It has also said that "although India's broader naturalization laws remain in place, these amendments will have a discriminatory effect on people's access to nationality." International human rights law includes safeguards against unwarranted foreign intervention and stresses the exhaustion of domestic remedies before an issue is considered by an international body. The Indian state always assured the international community that the judiciary, mainly its Supreme Court, would provide adequate remedies to victims of human rights violations. However, of late, the faith of the common people in the higher judiciary has been weakened. In the face of serious allegations about human rights violations in J&K, the Supreme Court has "ducked, evaded and adjourned", as put across by advocate Gautam Bhatia.

Weakening of Civil Society

While responding to criticism against its human rights practices, the Indian government also refers to the role of free media and civil society in protecting the human rights of vulnerable groups. However, in the context of J&K and the ongoing struggle against the CAA, the media has not come out any better. As for civil society organisations, the government since 2014 has systematically targeted them, including by making it difficult for them to receive funds from foreign donors. **Since 2014, the government has cancelled the registration of about 14,000 NGOs under the Foreign Contribution Regulation Act (FCRA).** It has also mainly targeted its own critics. Indian and international human rights groups are getting increasingly concerned about the actions of people associated with the ruling party who are engaged in the intimidation of critics, attacks against minorities, and restrictions on the freedoms of artistes. The brazen attack on JNU students on January 5 by armed goons and the total lack of response by the police is emblematic of free reign given to non-state actors in various parts of the country. The international community is sympathetic to governments that are committed to upholding human rights but lack human and other resources to pursue it. In the case of India, it is not a question of resources but an unwillingness to uphold human rights. **The government's action in J&K, the passage of the CAA, and its response to protests on the CAA demonstrate that the present regime is not fully committed to upholding human rights and does not respect international human rights standards.** Of course, it is possible for the Indian government, due to its diplomatic clout, to avoid robust intervention by the UN Human Rights Council and other UN human rights mechanisms. However, it would not be able to avoid scrutiny by the international community, which would complement the struggle of the Indian civil society to reclaim the Indian Constitution and advance human rights.



Suspension of The Internet

- On January 9, the Supreme Court significantly strengthened checks on the government's power to shut down the Internet. A major aspect of the verdict relates to the **Rules passed in 2017** that outline how and when the government can enforce shutdowns. *Before The Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules were notified, there were no codified processes to block telecom services and the Internet in the country.*

What Do the Rules Say?

The Rules, issued under the Indian Telegraph Act, 1885, stipulate that only the Home Secretary of the Union or a state can pass an order, and that the order must include the reasons for the decision. The order should be forwarded to a review committee the day after it is issued, and must be reviewed by the committee within five days to assess its compliance with Section 5(2) of The Telegraph Act, under which the government has the power to block the transmission of messages during a public emergency or for public safety. In the case of the central government, the review committee comprises the Cabinet Secretary and the Secretaries of the Departments of Legal Affairs and Telecommunications. In the case of states, the committee comprises the Chief Secretary, Secretary, Law or Legal Remembrancer In-Charge, Legal Affairs, and a Secretary to the state government (other than the Home Secretary). In "unavoidable circumstances", the order can be issued by an officer of the rank of Joint Secretary or above, authorised by the Centre or the state Home Secretary. Telecom service providers must designate nodal officers to handle such requests.

What Laws Governed This Area Before The 2017 Rules Were Notified?

Internet shutdowns were ordered under Section 144 of the Code of Criminal Procedure, which gives District Magistrates broad powers during dangerous situations. Even after 2017, many local shutdowns are issued under this law. **Section 69(A) of the IT (Amendment) Act, 2008** gives the government powers to block particular websites, not the Internet as a whole. The Centre has never ordered a nationwide Internet shutdown. Still, **India tops the list of Internet shutdowns globally**. According to Software Freedom Law Centre's tracker, there have been 381 shutdowns since 2012, 106 of which were in 2019. The ongoing shutdown in Kashmir is the longest ever in any democratic country.

How Did the Rules Figure in The Supreme Court Case?

Petitioner Vrinda Grover argued that the Internet shutdown in Kashmir was not compliant with the Rules. The Rules require the suspension to be temporary; also, the orders did not provide reasons for the restrictions. The petitioner contended that the order claims a law-and-order danger, as opposed to a public order danger specified in the Rules. The court said that because the Rules require the order to be in accordance with Section 5(2) of The Telegraph Act, the order must be during a "public emergency" or in the "interest of public safety". Also, the suspension must be "necessary" and "unavoidable". "In furtherance of the same, the State must assess the existence of an alternate less intrusive remedy," the court said. "Having said so, we may note that the... Suspension Rules have certain gaps, which are required to be considered by the legislature." The Bench also said that the State should make the orders freely available, even though the Suspension Rules do not specify this. The Rules



also don't specify a time limitation for the shutdown, the use of "Temporary" in the title notwithstanding. The Bench decided that an indefinite suspension is "impermissible". Ultimately, the court ordered the government to review its order, **ruling that the freedom of speech and trade on the Internet is a fundamental right**. "Law and technology seldom mix like oil and water. There is a consistent criticism that the development of technology is not met by equivalent movement in the law. In this context, we need to note that the law should imbibe the technological development and accordingly mould its rules so as to cater to the needs of society. Non recognition of technology within the sphere of law is only a disservice to the inevitable."

- The government had not made the shutdown orders publicly available. Pressed for disclosure, the Centre initially cited national security concerns and, only after persistent arguments over multiple hearings, filed some sample orders. **To not even provide the Supreme Court a copy of such orders was an extreme position**, but did not come entirely as a surprise. We have in the recent past seen such opacity, especially under former Chief Justice Ranjan Gogoi, clothed in what legal scholar Gautam Bhatia termed "**sealed cover jurisprudence**". Ultimately, it came as a relief that, to some extent, ordinary legality and common sense prevailed. **The apex court rejected the government's secrecy claims and directed the publication of orders recognising that, without them, litigants would not be able to seek judicial remedy**. However, eventually, it failed to judicially review the orders furnished in court and also permitted claims of privilege to prevent their disclosure.
- Even when it comes to the court's direction to conduct a periodic review of such shutdowns every seven days, it needs to be noted that the review committee will lack independence and real power to overturn the initial Internet shutdown orders. **The committee will be principally composed of bureaucrats and no independent members**. Further, the findings and recommendations of such committees, as scholar Nakul Nayak has shown, will not be legally binding. As Mr. Nayak has noted, those wanting to be heard by the review committee will face several procedural obstacles. Ultimately, the judgment has left it to the government to decide on such shutdown orders under pre-existing constitutional principles. The Supreme Court applied a limited rights doctrine and removed the anxiety among a section of the Indian public concerning drastic constitutional regression. Such mixed results can be understood by looking beyond the court to our present political environment. The verdict has come at a time when basic rights are being violated with impunity and public expectations for remedy from institutions are extremely low. And though the court may have rejected several contentions by the government, ultimately it seems to have accommodated the arguments of the executive branch on issues of national security.

An Act of Judicial Centrism

The ruling may be termed as an act of judicial centrism. The court clutched on to the basic constitutional norms to maintain legality, while showing reluctance to expand upon rights. An end product of such a posture is that it may not extend the true spirit of our fundamental rights and would perpetuate a status quo. **This was tangibly felt when the judgment shifted the legal review of the J&K shutdown orders — the principal question of determination — back to the government**. The court further avoided any comment on the legality of such orders given in the past, even those furnished by the government before it. **Martin Luther King admonished this kind of centrism when he said that it was "more devoted to 'order' than to justice; [that] prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice"**. On the whole, the judgment was a statist expression



of the law, neither conservative nor radical. For actual relief, petitioners will now need to approach the high courts, which will come at a huge cost to their time and the right to access the Internet. **The legal doctrines laid down in this ruling may be beneficial; however, the more difficult task will be to obtain clear-headed pronouncements that actually declare the executive orders, such as those that led to the shutdown of Internet in J&K, to be illegal.** Today, “We the people” is not a mere phrase of our constitutional preamble but a call for action to Indians. They must encourage **our institutions to shift from centrism to a progressive assertion of our fundamental rights.**

Centre-State Disputes and Article 131

- Kerala became the first state to challenge the Citizenship (Amendment) Act (CAA) before the Supreme Court. However, the legal route adopted by the state is different from the 60 petitions already pending before the court. **The Kerala government has moved the apex court under Article 131 of the Constitution**, the provision under which the Supreme Court has original jurisdiction to deal with any dispute between the Centre and a state; the Centre and a state on the one side and another state on the other side; and two or more states. The Chhattisgarh government filed a suit in the Supreme Court under Article 131, challenging the National Investigation Agency (NIA) Act on the ground that it encroaches upon the state’s powers to maintain law and order.

What is Article 131?

The Supreme Court has three kinds of jurisdictions: original, appellate and advisory. Under its **advisory jurisdiction**, the President has the power to seek an opinion from the apex court under **Article 143** of the Constitution. Under its **appellate jurisdiction**, the Supreme Court hears appeals from lower courts. In its **extraordinary original jurisdiction**, the Supreme Court has exclusive power to adjudicate upon disputes involving elections of the President and the Vice President, those that involve states and the Centre, and cases involving the violation of fundamental rights. For a dispute to qualify as a dispute under Article 131, it has to necessarily be between states and the Centre, and must involve a question of law or fact on which the existence of a legal right of the state or the Centre depends. In a 1978 judgment, *State of Karnataka v Union of India*, Justice P N Bhagwati had said that for the Supreme Court to accept a suit under Article 131, the state need not show that its legal right is violated, but only that the dispute involves a legal question. **Article 131 cannot be used to settle political differences between state and central governments headed by different parties.**

So How Is A Suit Under Article 131 Different from The Other Petitions Challenging The CAA?

The other petitions challenging the CAA have been filed under Article 32 of the Constitution, which gives the court the power to issue writs when fundamental rights are violated. A state government cannot move the court under this provision because only people and citizens can claim fundamental rights. Under Article 131, the challenge is made when the rights and power of a state or the Centre are in question. However, the relief that the state (under Article 131) and petitioners under Article 32 have sought in the challenge to the CAA is the same — declaration of the law as being unconstitutional.



But Can the Supreme Court Declare Legislation Unconstitutional Under Article 131?

A 2012 dispute between Bihar and Jharkhand that is currently pending for consideration by a larger Bench of the court will answer this question. The case deals with the issue of liability of Bihar to pay pension to employees of Jharkhand for the period of their employment in the former, undivided Bihar state. Although earlier judgments had held that the constitutionality of a law can be examined under Article 131, a 2011 judgment in the case of State of Madhya Pradesh v. Union of India ruled otherwise. Since the 2011 case was also by a two-judge Bench and was later in time, the court could not overrule the case. However, the judges did not agree with the ruling. "We regret our inability to agree with the conclusion recorded in the case of State of Madhya Pradesh v. Union of India and Anr. (supra), that in an original suit under Article 131, the constitutionality of an enactment cannot be examined. Since the above decision is rendered by a coordinate Bench of two judges, judicial discipline demands that we should not only refer the matter for examination of the said question by a larger Bench of this Court, but are also obliged to record broadly the reasons which compel us to disagree with the above-mentioned decision," the court ruled in 2015, referring the case to a larger Bench. Incidentally, the two judges who made the 2015 reference were Justice J Chelameswar (ret'd) and the current Chief Justice of India S A Bobde. The case is set to be heard in two weeks by a three-judge Bench comprising Justices N V Ramana, Sanjiv Khanna and Krishna Murari. The decision of the larger Bench in State of Bihar v. Jharkhand would have a bearing on Kerala's challenge to the CAA.

Can the Centre Too Sue a State Under Article 131?

The Centre has other powers to ensure that its laws are implemented. The Centre can issue directions to a state to implement the laws made by Parliament. If states do not comply with the directions, the Centre can move the court seeking a permanent injunction against the states to force them to comply with the law. **Non-compliance of court orders can result in contempt of court, and the court usually hauls up the chief secretaries of the states responsible for implementing laws.**

Is It Unusual for States to Challenge Laws Made By Parliament?

Under the Constitution, laws made by Parliament are presumed to be constitutional until a court holds otherwise. However, in India's quasi-federal constitutional structure, inter-governmental disputes are not uncommon. The framers of the Constitution expected such differences, and added the exclusive original jurisdiction of the Supreme Court for their resolution. The quasi-federal structure envisaged in 1950 has consolidated defined powers of the states. Under a powerful Centre with a clear majority in Parliament, faultlines in India's federal structure are frequently exposed. Since 2014, when the Narendra Modi government came to power, debates around the 15th Finance Commission, the Goods and Services Tax, the linguistic divide on the National Education Policy, land acquisition, and the proposed All India Judicial Services have all emerged as flashpoints between the strong Centre and states ruled by the Opposition.



A Nation Losing Democratic Steam (Kanak Mani Dixit, A Writer and Journalist Based in Kathmandu)

- These are bewildering times for members of civil society in countries bordering India, who are no longer able to appeal to New Delhi on the platform of reason, pluralism and even humanity. When New Delhi appeared arrogant or tone-deaf in the past, there were ways to make yourself heard, but today there is a silencing within that weakens not only the spirit of India, but the prospects of peace in South Asia. While the first term of Prime Minister Narendra Modi saw adventurism, from demonetisation within to blockade without, his re-elected government seems intent on changing the face of India through majoritarian intolerance under the banner of Hindutva. While putting fear in minority communities, this trajectory is also accelerating India's economic decline and weakening New Delhi's international influence.

A Geopolitical Folly

While the adoption of the Citizenship (Amendment) Act in December has triggered India-wide dissent, it began as an act of geopolitical folly. For domestic appeasement, Home Minister Amit Shah and Mr. Modi brought forth a Bill that essentially accused three selected countries of discrimination against their Hindu, Jain, Christian, Sikh, Buddhist and Parsi minorities. **In one stroke, New Delhi distanced itself from the friendly state establishments of Dhaka and Kabul, and deepened the divide with Islamabad.** Even discounting the fact that residents of glass houses must resist the urge to throw stones, this was an unexpected accusation. While no South Asian country is free of majoritarian discrimination, the concern of New Delhi's rulers was clearly not the well-being of the minorities of Pakistan, Bangladesh and Afghanistan, who have been in fact been made more vulnerable by the Act. The Indian authorities did not engage in sustained international effort to address the issue, such as through the United Nations Special Rapporteur on Minority Issues. The appropriate approach here would have been to join the 1951 UN Convention on Refugees, and to be open to foreigners of any faith or persuasion who seek refuge.

In reality, the adoption of the CAA is just a way-station on the Hindutva highway, which considers not just modern-day India but all of the notional 'Jambudvipa' as the Hindu homeland. Those galloping along this highway believe in a selective rendering of a Hindu subcontinent overrun by invaders from the northwest. This exclusivist project seeks to paint the variegated belief system of 'Hinduism' with a broad ideological brushstroke. Faith has been turned on its head, becoming less a quest for spiritualism. Many god-men, god-women, gurus and babas have boarded this Hindutva wagon, notably the mahant of Gorakhnath temple who is now also the Uttar Pradesh Chief Minister. The Indian establishment has thus super-charged its social engineering campaign, specifically targeting the country's Muslim citizenry. The campaign started with the revocation of the autonomous status of Jammu and Kashmir, followed by the Ayodhya verdict that privileged mass belief over evidence. The enactment of the CAA and the scheme to confirm citizenship through the National Register of Citizens is part of the plan.

Hunger for Political Power

Of course, India's population of 200 million-plus Muslims will not be going anywhere. India is their homeland, and they have no extra-territorial magnet similar to Israel vis-à-vis the Jewish people. One searches, therefore, for an explanation as to why Indian society has thus



been led to the cliff's edge. This seems to be motivated by nothing more than a hunger for political power using religion and ultra-nationalism as tools. Mr. Modi and Mr. Shah have essentially lined up behind Muhammad Ali Jinnah's two-nation theory, leaving India's Muslims emotionally drained and fearful. In a world increasingly defined by populist ultra-nationalism, seen in the ascent of figures like Donald Trump, Rodrigo Duterte and Jair Bolsonaro, India with its ancient-civilizational and modern-Gandhian heritage should have been framing the democratic response to myriad pressing issues, from global warming to nuclear weaponization. A confident, egalitarian-minded India would also have been leading the discourse on international migration and challenging China for its internment camps for Uighurs and for using facial recognition technology for surveillance. Instead, we have a regime whose topmost leader terms Muslim immigrants as 'termites' fit to be dumped into the Bay of Bengal; which keeps Rohingya refugees away with threats of deportation; and which is itself rushing to catch up with Beijing in building internment camps and using facial recognition and drones to control dissent. Looking at India from the outside, we see a ruling establishment that values mythology more than history and a society losing its scientific edge, its great universities being run to the ground. India under Mr. Modi is losing democratic steam, with its weakened courts, progressively politicised military, and a police force and investigating agencies that are willing instruments of power-brokers. Many of us have been there, done that. The genie that has been released through the enactment of the CAA must be forced back into the bottle, taking into consideration the sheer scale of human tragedy possible in the subcontinent. And, while the ongoing countrywide dissent against the CAA by lay-citizens has been spontaneous and heartfelt, it may not be enough to challenge a party that has just been elected with an overwhelming majority for a five-year term.

Seeking Greater Federalism

One used to regard India's Central government as the protector of citizens when the States went renegade, but what happens when the Centre goes rogue? Devolution of power and authentic federalism is clearly the solution for human dignity and social justice in a country as vast and diverse as India. Here, as a former Chief Minister of Gujarat, Mr. Modi could have set an example as the great federalist Prime Minister. Instead, he has presided over a further Centralisation of governmental power, with the Hindutva agenda part and parcel of this process. And this is why it is vital to recognise the institutional resistance to the CAA emerging from the States run by non-BJP parties. Amidst the gloom, one sees in the State-side reaction not only an immediate response to the CAA, but the glimmer of possibilities of a longer-term restructuring of the Indian state towards governance that is more accountable to the people. The centripetal force represented by Narendra Modi requires a centrifugal counter from the States of India.

The Indian Constitution's Unitary Tilt (Aradhya Sethia - M. Phil Candidate at The University of Oxford)

- Further, in a somewhat unprecedented move, the Legislative Assembly of Kerala went to the extent of passing a resolution, stating that the law "contradicts the basic values and principles of the Constitution". Indeed, the resolution is only symbolic, and has no legal ramifications. And, though the passage of any such resolution is not constitutionally barred, it may not be in tune with the federal scheme under the Constitution. Similarly, **Article 256** of



the Constitution obligates the State government to ensure implementation of the laws made by Parliament. If the State government fails to do so, the Government of India is empowered to give “such directions to a State as may appear... to be necessary”. The refusal to enforce the law even after the Centre issues directions would empower the President to impose President’s Rule in those States under Articles 356 and 365. The Supreme Court of India has also confirmed this reading of the law in S.R. Bommai v. Union of India — arguably the most significant case on Indian federalism.

Anti-CAA Ads in West Bengal

Another controversy arose in West Bengal, where the State government put anti-CAA advertisements on its websites. In an interim order, the Calcutta High Court directed the State government to remove those advertisements. The question — whether State governments are empowered to use public funds to campaign against a law made by Parliament — is open for final determination. In its final judgment, the High Court could bar the State government from campaigning against a parliamentary law. Therefore, **neither the refusal to implement nor the official protests registered by State governments carry much legal force**. However, we will be missing the forest for the trees if we fail to see the premise that has led to such proactiveness on the part of some State governments — the emergence of a dominant party at the Centre. Political analysts have offered various nuanced takes on what the rise of the Bharatiya Janata Party (BJP)’s dominance means for electoral politics. The impact of a single-party dominance on the functioning of our constitutional structure, however, receives little attention. For instance, **Parliament, the avowed “temple of democracy”, has been reduced to a site for procedural formalities. At least the Lok Sabha appears to be an extension of the executive, rather than a mechanism for its accountability.**

Power of Brute Central Majority

This truncation of the role of Parliament in the face of single-party dominance is further facilitated by the poor understanding of the role of a parliamentary Opposition in Indian politics. Once the competition for people’s vote is over, it goes, the losers should step aside, respect the democratic mandate, and let the government do its job. The Opposition may question the government like ordinary citizens, or prepare for the next election, but should not meddle in governance. Any further interference by the Opposition, particularly in such polarised times, would risk inviting the labels of anti-national “seditious cabals”. The brute dominance of the ruling persuasion has dwarfed any semblance of Opposition politics at the Centre. This is manifested through the absence of the Leader of Opposition in Lok Sabha for six years in a row (a consequence of an archaic and arguably unlawful practice requiring a party to secure at least 10% of total seats to occupy the position of Leader of Opposition), the denial of an Opposition vote in the appointments to various anti-corruption bodies, etc. Further, with the Opposition failing to show any signs of resilience, national politics seems to be operating in the absence of any credible political check. Arguably, such capture is not unprecedented. **Time and again, our experiences with single-party dominance have shown that in the face of comfortable majorities, our constitutional structure reveals its tendencies to concentrate power. The concentration of power, dormant in the times of coalition governments, is not merely a bug introduced by the BJP, but is embedded into the very structure of the Constitution. A ‘Centrist bias’ of the Indian Constitution further augments the powers of the brute national majority. In the backdrop of a bloody partition and threats of “fissiparous tendencies”, it was probably justified for the founders of the Indian republic**



to be hesitant in instituting a stronger federalism. If we wanted to be together, the argument went, we could only have so much federalism.

Electoral Federalism

But over seven decades, there have been changes in ground realities. Over the last couple of years alone, we have seen repeated examples of huge vote swings between national and State elections, separated by only a few months, in the same constituencies. And that too against a dominant national party with unprecedented organisational capabilities. These have offered convincing evidence that Indian voters are not only nuanced in their voting choices, but can also reconcile their seemingly contradictory votes in national and State elections. In other words, federalism is not a mere legal division of powers; the democracy and voters, too, are becoming federal. This popular embrace of electoral federalism may be one of the most significant achievements of Indian democracy. Hence, thanks to electoral federalism, the “losers” of national politics can still win State elections and form legitimately elected governments. The State governments are thus filling the Opposition deficit at the Centre. With this shift of Opposition politics from New Delhi to State capitals, the politics of Opposition is likely to become the politics over federalism. Is the whole greater than the sum of its parts, as the Central government would want us to believe? Or are the parts going to determine the future of the whole, as State governments are likely to argue? The conflict that the CAA has triggered might become a template for future contestations over the federal question. While the politics seems to be ripe for advancing federalism, the law is likely to constrain such a development. We should not be surprised if the Constitution, a product of its time, falls behind the demands of democratic politics. The protesters are fighting for upholding the founding commitments of the Constitution. Ironically, the very Constitution that could ensure the fulfilment of the protesters’ demands is empowered to hamper federal politics. Perhaps there also lies a cautionary note against constitutional idolatry.

Students in The Vanguard of Democratic Struggle (Prabhat Patnaik - Professor Emeritus, Centre for Economic Studies And Planning, Jawaharlal Nehru University, New Delhi)

- The conflict across campuses in the country today is over the concept of a ‘student’ and, correspondingly, over the concept of a ‘university’. The Bharatiya Janata Party (BJP) government would like ‘students’ to be no more than self-centred, self-absorbed buyers of education, who do not concern themselves with social issues and who concentrate their energies on becoming successful sellers of labour-power on the job market. The alternative concept of a ‘student’ is of an individual who is socially sensitive, and uses education in the service of building a democratic, secular and egalitarian India, as visualised in our Constitution; one who subjects everything, including government policy, to critical scrutiny. The corresponding differing conceptions of a ‘university’ are: a site where skills (which are not the same as education) are sold; or, alternatively, a site where there is intense and informed critical engagement with the burning issues of our time. The students, especially in the front-ranking institutions of the country, see themselves in the latter role. It is not surprising that the conflict, before the latest upsurge of protests over the Citizenship (Amendment) Act (CAA) where students all over India have played a major role, had expressed itself in some outstanding institutions: Jawaharlal Nehru University (JNU); the University of Hyderabad; the Film and Television Institute of India (FTII) of Pune; the Fine Arts



Department of the Maharaja Sayajirao University Baroda, and so on. The BJP government's effort to convert students into an inert, passive mass of skill-buyers had targeted precisely these institutions where the students had been most socially sensitive; indeed, it is this that had contributed to these institutions' excellence.

Making Campuses Apolitical

The methods chosen by the government have been many. One is to alter the student composition, by raising fees (as in JNU) so that only rich and career-oriented students come to the university; opening new departments that reduce the weight of critical disciplines like the humanities, social sciences and basic sciences; and doing away with reservations in admissions for students from socially deprived backgrounds, so that campuses cease to have an inclusive character. A second method is to prevent students from participating in demonstrations, and from organising interactions with persons unacceptable to the Sangh Parivar. Yet another method, being increasingly resorted to, is to call the police to the campus to unleash brutality on students or to book 'inconvenient' students under one or the other of the draconian laws that exist on our statute books. All these methods are brought into play by appointing, as heads of institutions, martinets who are Sangh Parivar loyalists. These persons have little sympathy for students, little pride in the institutions they head, and little accessibility to the university community at large. In JNU, for instance, the students' union has not even been recognised by the authorities despite a government-appointed committee of experts reportedly recommending talks with the union leadership (their report is not made public). Recognition of a students' union articulating students' perspective goes against the very conception of a "student" that the BJP government would like to institute. The question arises: why is the government so keen to populate our universities with apolitical docile students? The answer is: because an authoritarian society and polity requires precisely such students, and the changes being effected in our universities and other institutions are meant to facilitate the transition to authoritarianism.

Confronting Unreason

This is especially so at present. The BJP government represents the coming together of two distinct forces, a section of the corporate-financial oligarchy on the one hand and the Hindutva elements on the other whose goal is to push the country towards a 'Hindu Rashtra' by overthrowing our secular and democratic Constitution. The entire narrative that is used to justify a Hindu Rashtra is based on unreason, in the sense that it does not accept the role of evidence in establishing its truth-value. We thus have an alliance between corporate interests and unreason, sustaining the current BJP government, as indeed it sustains all fascist governments. While resisting this government through class struggle remains the task of the workers, peasants, petty producers, and agricultural labourers, the intelligentsia also has an extremely important role to play in confronting the currency of unreason, which substitutes mythology for history, beliefs for facts, and superstition for science. The students are the most youthful, energetic and hence active elements of the intelligentsia; they are therefore an extremely powerful force fighting against the Hindutva unreason. The BJP government's aim is to disarm this potentially powerful adversary. Students engaged only in pursuing their careers are no threat to the Hindutva project; but students who are socially sensitive, who are committed to the values of secularism and democracy, are a powerful bulwark against it, for they bring with them not only the energy of youth but also the



enlightenment of education. The desire to privatise and commercialise education is part of this effort to disarm the students. **Because of the high fees in private institutions, not only are students from impecunious backgrounds excluded, but even the richer students who fill these institutions remain unaware of social realities to which the proximity of poorer students would have exposed them; they remain socially insensitive.** The same fate awaits public institutions if they raise their fees, as JNU proposes to do. The few students from under-privileged backgrounds who join on the basis of student loans are so obsessed with the burden of loan repayment that they scarcely have time for social or political activism. The deadening effect of student loans on political activism is best illustrated by the U.S. where, since the days of the anti-Vietnam war protests, campuses have been relatively quiet; **student loans are certainly one reason for this.** In India, fortunately, despite the efforts of the Sangh Parivar martinets, students have not lost their social sensitivity. If anything, they have become even more engaged, going from issues of campus democracy, to broader issues like the CAA and the National Register of Citizens. What is remarkable is that they display among themselves the inclusiveness they would like to see in society. Students from other religious backgrounds fighting alongside Muslim students against the CAA, students from richer backgrounds fighting alongside their impecunious colleagues against fee hike, are excellent examples of camaraderie and solidarity. But, as the students have refused to be cowed down, the authorities, at the behest of the BJP government, have become more brutal in dealing with them. The brutality at Jamia Millia Islamia was unleashed by the Delhi police which is under the Central Home Ministry. The brutality at the Aligarh Muslim University (AMU) was unleashed by the Uttar Pradesh police under the BJP government of Yogi Adityanath. The brutality at JNU was unleashed by masked goons from outside helped by internal informers to attack their targets, under the benign eyes of the Delhi police, and with the university's own security staff mysteriously absent from the scene. Few things have cheered one up as much as the resilience of the students in the face of this brutality in upholding the values of the Constitution, values upon which modern India is founded and which Hindutva is undermining. This makes one confident that whatever the short-term travails, the future of the country is safe.

- By the end of elementary classes, many children know that there is a problem with inequality. Quite a few among them know from personal experience how it feels when you face discrimination. That the Constitution is against discrimination in any form or sense brings both solace and anguish. The solace comes from the realisation that the Constitution prohibits discrimination; the anguish is caused by the widespread acceptance of discrimination. It is hardly surprising that during many agitations held in the recent weeks, the Preamble to the Constitution was publicly read aloud. The obvious purpose was to convey the question: 'How is equality before law possible if a law does not mention all religions?' Harping on the specific context or meaning of the law in question cannot address the anxiety aroused by the law in question. The agitated youth of India is drawing attention to a more general, basic point. It will be terribly unfortunate if someone doubts the integrity of the young or perceives them as pawns in a power game. Two campuses located in the nation's capital have witnessed extraordinary scenes of violence. The chief administrator of one of these institutions has asked the students to forget what has happened and move on. This advice sounds strange, because education is all about reflection on experience. Violence represents a breakdown, not merely an aberration. **Pedagogic relations are basic to education, and these relations call for maintenance of trust and peace. Second, no memory of violence is easy to bury. Corporally punished children remember their experience**



throughout life. Injuries suffered in a library or in a hostel cannot heal easily. The thought that you had gone to an institution to acquire knowledge, but you got badly thrashed as you sat reading will linger and hurt. Educational sites of violence must allow the memory of violence to be used as a resource for learning. Restoration of peace is not like registration for a new semester. Participatory introspection — in which the administration and teachers join the students — is the only way to move forward. Inquiries and investigation are fine; properly carried out, they might establish the truth, but they will not restore peace which is essential for teaching. Many people are puzzled by the intensity of recent events. Indeed, **no one had expected that the generation ostensibly engrossed in a distracting technology would prove so sensitive to a legal shift.** Custodians of higher education are shocked because a vast majority of our colleges and universities are simply unaware of the knowledge that students bring from schools. Higher classes ought to introduce the young to a wider perspective, but our universities ignore the intellectual needs of students and underestimate their potential. The opportunity to go deeply into a subject should enable the young to see things from a higher perspective. This is the real meaning of the term 'higher'. Going deep into knowledge, irrespective of the subject or discipline, permits the mind to draw linkages between knowledge and life and between different fields of knowledge. The Chief Justice of India has recently emphasised the importance of inter-disciplinary learning for judges. His appeal is equally applicable to other professions. It is unfortunate that the institution best known for putting serious efforts to introduce inter-disciplinary teaching, namely Jawaharlal Nehru University (JNU), has faced sustained prejudice towards it and polarisation within it. In general, the system of higher education has treated the young quite poorly. They are protesting today on their own — as a generation let down by the institutional and political order. This is not merely a matter of poor economic prospects or frustration with the conditions prevailing in the institution. It is a cry of the young against the ethical and intellectual hollow they have spotted in the nation's public life.

Structural Rift

The recent turmoil has also brought a structural fact into focus. The system of higher education in India is sharply divided between a beleaguered public sector and an insulated private sector. The latter has remained isolated from the suffering of the former. A handful of private universities flaunt their global connections and eminent faculty in social sciences and humanities. But faculty fame cannot compensate for disengaged pedagogy. Advertisements of inter-disciplinary studies and critical thinking remain hollow if an institution hides cocooned behind its security. **The silence one notices in high-fee charging campuses over what is troubling the young in public institutions offers an unexpected lesson in the real cost of privatisation. It explains why maintenance of good public universities is essential in a democracy if we define it as a system that encourages empathy across social divisions.** It is not news anymore that India has neglected the state-funded higher education system and encouraged privatisation. Saving public money in the name of opening up opportunities for private spending has grave implications for the political role of education. Denying or decrying this role is bad for nation-building if democracy is its chosen path. Recovery of institutional and systemic health is never easy, especially when it is not recognised as a policy goal. It will be a pity if the current unrest in some of our best institutions of higher learning intensifies the prejudice and disdain they have suffered over the years. If violence has vitiated the atmosphere in some of them, that is all the more reason why the role the public universities has played in building the nation is recalled and given



due respect. JNU is not the first university to be hollowed out by indefensible appointments. Nor is it the only one to have lost its autonomy. But its loss is symbolic of a systemic misfortune.

- Chilling and brutal, the visuals of the rampage of the Jawaharlal Nehru University (JNU) in New Delhi by a mob of masked criminals will torment the country's conscience for a long time to come. The mob ransacked hostels and grievously wounded students, professors and staff, going about it all in methodical madness for several hours. Not a single attacker was detained by the Delhi police, deployed in large numbers outside the campus. The street lights were turned off and the police personnel appeared to have given cover for the mob that leisurely walked away with abusive slogans. This evil will outlive its perpetrators and facilitators; and the night will continue to haunt India's dreams to mature itself as a democracy and as a society that treasures its institutions. The masks notwithstanding, it is not difficult to see the faces behind this outrageous assault on one of India's premier institutions **where access is not limited by pedigree or purse**. The Hindutva dispensation's extreme intolerance towards intellectualism in general, and institutions in particular, has been on naked display since 2014. JNU has been a special target, and that itself is telling. JNU recruits from India's vast diversity, and offers its students the best opportunity to develop critical thinking and excel in their chosen paths of life. This liberating potential and the questioning spirit of JNU has long been reviled by a political project that seeks to erase the distinction between myth and history; faith and fanaticism; and criticism and subversion. The charge that the Akhil Bharatiya Vidyarthi Parishad, the student outfit of the Rashtriya Swayamsevak Sangh (RSS), led this violence is credible, unless the serious injuries suffered by the students and teachers were self-inflicted. The list is long of those who stood behind the masks, and some of the faces are recognisable. The JNU's administration and its Vice Chancellor M. Jagadish Kumar have not merely failed in their duty as teachers and guardians; they have come across as desecrators of a place whose sanctity they were ordained to protect. The Delhi police, under its current Commissioner Amulya Patnaik, which had shown such alacrity in enforcing order recently that they stormed the library of Jamia Millia Islamia, stood by not as bystanders but as collaborators. Though they did not wear masks, they had their identities concealed by not wearing name badges. The Delhi administration apparently concluded that they had no responsibility whatsoever. There is little credence to the vague words of protest coming from some BJP functionaries and Ministers. The only way the Centre and Prime Minister Narendra Modi can prove that this mayhem was not sanctioned is to come down heavily on the police inaction and bring the mobsters to exemplary justice.

Theatre of The Absurd (Mohammed Ayoob - University Distinguished Professor Emeritus of International Relations, Michigan State University)

- IIT-Kanpur's decision to set up an investigation committee in response to complaints that the reading of Faiz Ahmed Faiz's poem, "Hum Dekhenge (We are sure to witness)", at an anti-Citizenship Amendment Act rally on December 17 was an anti-national and anti-Hindu act is nothing short of a theatre of the absurd. The complaints registered by a temporary faculty member and 16 others demonstrate their ignorance of Urdu literary idiom, poetic metaphors, Faiz's political views, and, above all, the context in which the poem was written.



Against Injustice

Faiz Ahmed Faiz (1911-1984) was arguably the greatest Urdu poet of his generation. The fact that he was a Pakistani national was purely an accident of birth. He was a native of Lahore, which fell to Pakistan's share. Additionally, Lahore had become a major centre of Urdu literature as well as progressive thought when he was growing up in pre-independence India and it was but natural that Faiz would find the literary and cultural atmosphere in that city conducive for the flowering of his poetic talent. **Faiz was a part of the All-India Progressive Writers' Association established in 1936. The goal of the association was to promote equality and social justice, and many of its leading lights belonged to the Communist movement.** The ideals of social equality and opposition to injustice and authoritarian rule inspired much of Faiz's poetry. His famous poem "**Mujh se pehli si mohabbat mere mehboob na maang**" (My beloved does not demand from me the earlier intensity of love)" is a classic embodying his quest for social justice. In it, Faiz tells his imaginary beloved not to expect the same intensity of love from him that existed earlier, now that he has become aware of the oppression inflicted on his people by an age-old system based on inequality and injustice. Consequently, he implies, his passion for his beloved is bound to be diluted because a major part of his energies has to be diverted to fighting oppression and injustice. Faiz's anguish when Partition accompanied independence was embodied in his poem "**Subh-e Azadi (The dawn of independence)**". It begins with the couplet, "**Yeh daagh daagh ujaalaa, yeh shab gazidaa seher; Woh intezaar tha jiska, yeh woh seher to nahin** (This blemished light infused with the darkness of night; Surely, this isn't the dawn we waited for so eagerly)". This political statement cannot be surpassed in its intensity of feeling by political speeches denouncing Partition.

A Clarion Call

Faiz spent a few years in Pakistani jails in the 1950s for his revolutionary views and produced an anthology of poems titled Zindan Nama (Prison Musings) while incarcerated. **He had to go into self-imposed exile from 1979 to 1982 because of persecution under the Zia-ul-Haq regime.** His poem, "Hum dekhenge", written in 1979 was a clarion call for resistance against Zia's authoritarian and fundamentalist rule. Written for a predominantly Muslim audience it effectively used Islamic imagery to denounce the fundamentalism and authoritarianism that had become the hallmark of the regime. It uses the allegory of judgment day when all false gods (authoritarian rulers) will be overthrown and all thrones and crowns will be destroyed ("sab taaj uchhale jayenge; sab takht giraye jayenge") in order to project a democratic and egalitarian future for the world. It is ironical that a poem condemning authoritarianism and Islamic fundamentalism should be denounced as being anti-Hindu and anti-Indian. It demonstrates the cultural philistinism of those making the charge and their total lack of understanding of the poem's context. "Hum dekhenge" was written to inspire the masses not only in Pakistan but everywhere to take their destiny in their own hands and overthrow authoritarian and bigoted rulers. For, as Faiz posits, the day is bound to come when dictators who behave like gods will be toppled and the will of the people will prevail.

CDS And the Path to Jointmanship (Harsh V. Pant - Director of Research at Observer Research Foundation, Delhi, Kartik Bommakanti - Associate Fellow)

- The announcement on a Chief of Defence Staff (CDS) last year and the appointment of Gen. Bipin Rawat as the first CDS has been one of the key policy decisions made by the Narendra

[Shatabdi Tower, Sakchi, Jamshedpur](#)



Modi government in its second term. In the aftermath of an emphatic election victory in May 2019, Mr. Modi pushed the needle on a long-pending reform for the **establishment of a CDS, which was recommended by the Kargil Review Committee in 2001**. The CDS will be **“first among equals”** in that he will consult and solicit the views of the services, but the final judgment will be the CDS’s alone and **he will be the principal military adviser to the Defence Minister**. The role here will be confined to the acquisition matters exclusive to each service and won’t extend to the procurement of big-ticket items such as warships or fighter aircraft, which will remain under firm control of the Department of Defence (DoD). The CDS will be the **single-point military adviser to the Defence Minister** on matters involving all three services and the service chiefs will be obliged to confine their counsel to issues pertaining to their respective services. **The CDS is also vested with the authority to provide directives to the three chiefs.**

A Chief as Well as An Adviser

Additionally, the **CDS will lead the Department of Military Affairs (DoMA) dealing with the three services**. Gen. Rawat will enjoy the **rank of Secretary within the DoD** and his powers will be confined to only the revenue budget. However, he is vested with the authority in prioritising inter-service procurement decisions as Permanent Chairman-Chiefs of Staff Committee. **While the CDS does not enjoy any command authority, in his capacity as DoMA, he will wield control over issues governing promotions, travel, appointment to key posts, and overseas assignments**. Consequently, the CDS will enjoy a substantial amount of influence. **He will also perform an advisory role in the Nuclear Command Authority (NCA)**. Above all, his core function will be **to foster greater operational synergy between the three service branches of the Indian military and keep inter-service frictions to a minimum**. Fundamentally, the CDS will perform two roles, as the single point military advisor to the Defence Minister and as head of the DoMA. With his inauguration as India’s first CDS last year, Gen. Rawat has hit the ground running with some important announcements. He has sought the establishment of an Air Defence Command (ADC) by directing the Integrated Defence Staff (IDS) to develop a proposal by June 30. An integrated ADC will enable nationwide coverage, prevent fratricide in the event of war and sustain jointmanship in air defence operations. In addition, Gen. Rawat has declared his intention to synergise logistics support, particularly in areas where two or more services are co-located.

Three Main Challenges

Gen. Rawat faces three main challenges. First, there are concerns over matters relating to service parochialism, though there have been no initial indications in this regard. If he privileges support for the Army, his parent service, he is likely to put himself on a collision course with the Naval and Air Force chiefs. A corollary is that as an infantry officer, he may become susceptible to bias in matters concerning procurement decisions or personnel issues focused on the infantry. The latter outcome could vitiate his capacity to address the needs of the armour and artillery corps. Any parochialism could potentially derail the primary objective of creating the CDS — promoting synergy and shaping acquisition priorities both within and between the services. Indeed, one of the tasks the CDS is to avoid wasteful expenditure and duplication of equipment in the inventories of the services. But, the **CDS’s role is not simply about tri-service cooperation, it is equally about fostering better cooperation between the MoD bureaucracy and the services and ensuring that projected and planned acquisitions of the services do not exceed capital allocations**. A secondary challenge



stems from the sheer levels of manpower in the Indian Army, which is the service that consumes the lion's share of the defence budget. As it is a **manpower-intensive fighting force, pruning the number of personnel in the Army will remain perhaps the most vexed challenge** for possibly the entirety of Gen. Rawat's tenure. This will demand innovation, given the fact that infantry-based operations geared for counterinsurgency warfare, which a large part of the Army is dedicated to undertaking, are manpower intensive. There are no instant remedies, but one pointer is towards greater investment in Artificial Intelligence (AI) over the long term, a process that has already begun, but will require a dedicated push from the CDS over the course of his tenure. The application of AI technology is likely to lend itself to tanks and artillery systems, as is visibly evident from the vigorous pursuit of AI by China's People's Liberation Army. The final challenge facing the CDS will be the extent to which he can encourage the services to support indigenisation. Cost saving is not simply about reducing manpower in the Army, it is equally about getting all the services, particularly the capital-intensive services, to rally behind a committed enterprise to support the native Research and Development for production and eventual deployment of weapons systems, which when procured from abroad drive a massive hole in the budget.

Fighting Radicalisation

- Chief of Defence Staff (CDS) General Bipin Rawat has a curious habit of saying things that raise the hackles of those who are concerned about military propriety and also officers in uniform speaking about civilian matters. Addressing a panel on countering terrorism at the Raisina dialogue organised by the Ministry of External Affairs and Observer Research Foundation at New Delhi, he argued that there has been a significant increase in radicalisation among young people in Kashmir — “girls and boys as young as 10-12”, included. He suggested that youth should be “isolated from radicalisation in a gradual way” and to be “taken out separately and possibly taken into some deradicalization camps”. He also revealed that such camps existed in the country. There is no doubt that radicalisation must be countered at all levels, whether in Kashmir or elsewhere. But the government should reveal the nature of these camps that the CDS claims are functioning as they raise questions about their legal status and the identity of the youth there. In the last few years, there has been a rise in protests and violence in the Kashmir Valley, besides disaffection that has peaked following the abrogation of Jammu and Kashmir's special status and its conversion into a Union Territory. This is unlike a decade ago, when terrorism and violence had reduced drastically when compared to the 1990s, and there was a spurt in participation in democratic processes, besides a gradual diminishing of the Valley's radical voice. Today, however, with political representatives, this includes those from among the mainstream polity, either facing curbs or under detention, the ground has become fertile for the revival of radicalism, which has been expressed either as a shrill form of separatism or invoked as extremist Islamist ideology. However, while deradicalization is certainly an imperative, Gen. Rawat's solution is way off the mark. Segregation of youth and individuals from family and community — many could be juveniles — is a recipe for further alienation and public revulsion and also plainly illegal. It is not the job of the Army or security forces to undertake what is a mandate for the agencies of the civilian State. Deradicalization is best achieved through effective teaching and incorporation of civic studies in the school curriculum for children who are getting radicalised due to the prevailing circumstances in the Valley. Besides this, there has to be an administrative outreach to the citizenry not to give in to radical demands and the rhetoric of extremists. More importantly, the reversal of repressive conditions such as limited Net access



and the detention of political representatives is a must. Winning Kashmiri hearts and minds is a long battle; short-sighted and illiberal measures from an authoritarian playbook could prove counter-productive.

Maharashtra's Second Farm Loan Waiver In 2½ Years

- The new Maharashtra government announced a loan waiver for farmers who had up to ₹2 lakh in pending loans between April 1, 2015 and March 31, 2019. Maharashtra thus became possibly the only state to have offered two consecutive farm loan waivers within two-and-a-half years of each other. The previous loan waiver was announced by the Devendra Fadnavis government in June 2017. A look at why this loan waiver was considered necessary, and how it is different from the earlier one:

The Loans, The Defaults

At the start of the cropping cycle, banks extend short term credits to farmers to finance their need of capital for purchase of seeds, fertilisers etc. **Financial institutions usually provide this loan at 7 per cent interest. Timely repayments allows farmers to get a 3 per cent interest subvention from the central government and a further 2 per cent subvention from the state government, thus effectively reducing the interest rate to just 1 per cent.** This is envisioned to help farmers access credit at the right time and keep them away from the clutches of money lenders who lend at exorbitant rates. However, a spate of extreme weather events, like droughts, floods, hailstorms etc, often results in farmers defaulting on their repayment. As of September 30, 2019, the outstanding crop loan in Maharashtra was ₹1,08,781.90 crore. Defaulting farmers become ineligible for new capital from the banks and are forced to knock at the door of private money lenders. To help the farm sector, state governments have time and again announced loan waiver schemes. Back in 2008-09, the then UPA government at the Centre had announced a loan waiver scheme for the entire country. States like Madhya Pradesh, Chhattisgarh and others have announced similar schemes in the recent past.

The 2017 Waiver

Faced with an unprecedented farmers' strike, the Fadnavis-led government had announced the **Chhatrapati Shivaji Maharaj Shetkari Sanman Yojana** in June 2017. Irrespective of the size of landholding, the scheme waived off outstanding crop loans up to ₹1.5 lakh per family. Farmers who made regular repayments got ₹25,000 as incentive for good credit behaviour. The scheme waived off loans pending from April 1, 2012 to March 30, 2016. Later, this was extended to include outstanding loans from 2001. Farmers whose outstanding was more than ₹1.5 lakh were expected to deposit the additional amount to get the waiver. For example, for an outstanding of ₹2 lakh, the farmer was to deposit ₹50,000 in the loan account after which the government agreed to waive off ₹1.5 lakh. Government records show about 44 lakh farmers have benefited from the scheme so far, with loans worth ₹18,600 crore having been waived.

The New Scheme

Calling for a complete loan waiver, the Opposition Congress and NCP described the Fadnavis government's scheme as a cruel joke on farmers. They promised a complete loan waiver in their election manifestos ahead of Assembly polls. Even the Shiv Sena talked about making farmers loan-free. The new coalition government announced the **Mahatma Jyotirao Phule**



Shetkari Karja Mukti Yojana. State government sources said this scheme would see ₹26,000 crore of outstanding loans of over 36 lakh accounts being waived off.

The Difference

Unlike the previous loan waiver, this latest scheme will see outstanding crop loan up to ₹2 lakh, pending from April 1, 2015 to March 31, 2019, being waived off. Farmers with more than ₹2 lakh outstanding are not eligible for the scheme. Also, the scheme has no incentive for farmers who are regular in their repayments. Farmers' activists have criticised these two provisions which they say defeats the purpose of loan waiver. Thackeray and senior minister Jayant Patil have talked of extending the scheme later to cover farmers with more than ₹2 lakh outstanding as well as for farmers who are regular with repayments. A new provision in the present scheme is that families with more than one loan account are eligible for waiver in each one of their accounts. The last waiver was limited to one account per family. Also, this time farmers will not have to file online forms to avail their waivers. It had led to major confusion last time.

One Government Proposes, The Next Disposes (Katherine B. Hadda - Prior Senior Diplomat)

- Since sweeping to power in Andhra Pradesh last May, Chief Minister Y.S. Jagan Mohan Reddy and his YSR Congress Party (YSRCP) government have **cancelled or put on hold a number of high-profile State contracts and projects**, many involving foreign partners who now face huge losses. Officials say reviewing commitments made by the previous government will increase accountability and decrease corruption in the State, but outside critics' fear that the goal is to refashion deals to benefit new government officials and their supporters. Analysts caution that it will be extremely hard for the State to attract foreign investors in future.

The Fallout

Other newly elected State governments (most recently Maharashtra) are also considering cancelling public work commitments made by their predecessors. However, is it prudent to risk alienating current and potential investors? In the case of Andhra Pradesh, potentially at risk is the reputation of what has been considered one of the most business-friendly States in India. Without investments, it will be harder for the State to raise the revenues it needs for social programmes and economic development. Further, if more States follow suit, the dependability of India as a foreign direct investment destination may be negatively affected. First, cancellations risk exposing the State to potentially costly and damaging legal challenges. The relative lack of information about how the reviews are being made, and whether stakeholders have a real voice in the outcome, will likely be a concern to investors. Second, investors look to the overall commercial environment before deciding whether to commit funds. In addition to project cancellations, the YSRCP government has made other reversals, including challenging the contracts awarded towards the massive national Polavaram dam project, sacking a large number of Naidu-era State bureaucrats, and restricting liquor licences and sales. Investors may regard the number and fast pace of dismantling prior government policies and programmes, no matter how justified, as signals that Andhra Pradesh is changing from an ease of doing business leader to a less transparent, predictable, and open economy. Andhra Pradesh and other States should rather create governing rules and bureaucracies that are more durable than any one leader or



administration. Establishing procurement regimes that allow for open tendering, stakeholder engagement, and outside audits would reassure domestic and foreign investors that governments are fair and open to all for business. Third, any new Indian State government must take into account the Modi government's encouragement of competitive federalism. Increased numbers of potential Indian business destinations mean that investors can look elsewhere if things in any State get tough. Granted, there is room for improvement in how the Central government encourages more States to liberalise commerce. The government could for example provide fiscal rewards to States that reduce investment barriers, even if the State is not BJP-led. Newly-elected governments certainly have the right to review potentially unjust or unwarranted deals. However, a State must be careful to provide explicit and clear evidence when making its case to trigger such reviews; it must also make clear which prior projects were reviewed and found to be sound. Recent events in Andhra Pradesh and Maharashtra — two of India's largest State economies — have chilled investor enthusiasm just as the Indian economy slows. Indian States and the Central government have a shared interest in reversing this trend.

Lessons from Maradu (Prakash Nellyat - Chennai-Based Researcher Working in The Areas of Environment and Sustainable Development)

- When there is weak enforcement of environmental laws, corruption, and undue political influence, violations become common. Such violations have been questioned, and strict action taken by the authorities concerned, on very few occasions. The four high-rise luxury apartment complexes in Maradu municipality in Kochi, which violated Coastal Regulation Zone (CRZ) notifications, were demolished on January 11 and 12 following a Supreme Court order. This incident points to the need for a paradigm shift in our environmental consciousness.

Supreme Court Order

The apex court stated that these apartments had been built on the shores of Vembanad wetland, renowned for its rich biodiversity. The wetland is a part of the strictly restricted zone for construction under the provisions of the CRZ notifications, which aim to protect the ecology of the coast. Hence, the violations cannot be lightly condoned. The illegal constructions in Maradu might have hindered the natural water flow of Vembanad and resulted in severe natural calamities such as floods, which Kerala witnessed in 2018. Following the court order, residents, about 350 families, started to protest. Despite this, the court gave strict instructions to the State government to speed-up the demolition process. After the court order, a house owner said, "We are innocent buyers who are frightened about losing our homes for no fault of ours". The rising demand for waterfront apartments has encouraged many builders to violate norms and construct apartments on the banks of rivers and lakes. It is quite difficult to believe that builders and buyers — the upper class community in Kerala — were unaware of the legal norms they are supposed to obey. The crime branch found that the builders had constructed the apartments after conspiring with panchayat officials in 2006. This indicates the gravity of institutional and policy failures. According to the Kerala Coastal Zone Management Authority, constructions had taken place in critically vulnerable coastal areas which are notified as CRZ-III, where no construction should be permitted except repairs of authorised structures. Builders and local body officials who supported the illegal constructions have been arrested. Builders' bank accounts have been



frozen and their properties confiscated. The court ordered that a compensation amount of ₹25 lakh be paid to each household. The demolition costs should be paid by the builders to the government.

Cost of Violations

The overall cost of violation is immeasurable. The house owners who lost their flats not only suffered financial losses but were also under mental pressure. There were major administrative challenges in demolishing the apartments. Expert consultations had to take place, the public needed to be made aware of what was happening and a safe demolition strategy had to be drawn up. Families in the neighbourhood were anxious about their life and property. The safety of public assets such as roads and bridges were also a concern. Besides, there were environmental costs of the demolition including air and noise pollution, contamination of the lake, and safe disposal of the debris. If an industry discharges effluent, the enforcement agency can fine or tax them (polluter pays principle) and/or insist that they install pollution control measures or follow safe waste disposal strategies. But if someone violates the law and constructs apartments in an ecologically sensitive zone, the removal of these buildings is the only solution; no heavy fine will fulfil the purpose of complying with the law. The apex court order to demolish the Kapico Resorts, also located on the banks of the Vembanad Lake in Alappuzha, is another landmark judgment. We don't know what will happen to other illegal constructions in India. But there is no doubt that the Maradu incident will persuade builders against committing future violations.

- After four apartment complexes built in violation of CRZ rules in Maradu, Kochi, were destroyed by controlled implosions over the weekend, the Kerala government faces the task of removing the debris and clearing the sites on waterfronts. The Supreme Court, on whose orders the buildings were razed, said the matter would not be disposed of until the state removed the debris. "There are reports that some portion of debris has fallen in backwaters. You have to restore the area," the court told the counsel for Kerala, PTI reported. The day after the second round of demolitions, area residents complained about the dust in the air, and the Maradu municipal body said water would be sprayed on the debris in the coming days.

Chalk and Cheese in Private Vs. Government Schools (William Wadhwa - Director, ASER Centre)

- One of the big debates in early childhood education is on children's "school readiness" and whether early childhood education provides them with the requisite skills to cope with the school curriculum. A vast literature exists on the importance of certain cognitive abilities that are supposed to be developed during the year's children spend in pre-school, so that they are "ready" when they enter school in grade one.

Home and Other Factors

In terms of what children learn in school, one of the big debates is whether children in private schools perform better than those in government schools. In the Indian context, the consensus seems to be that a large proportion of the differences in the learning levels of children enrolled in private and government schools can be attributed to "home factors". And, while the private school effect remains positive, even after taking into account the



child's home environment, learning outcomes in private schools are nowhere near grade competency. But when do these differences start to manifest themselves? Do children who start grade one in private schools have a learning advantage? Let us look at the case of language. According to the grade 1 curriculum, children are supposed to be able to identify and read words and simple sentences. According to the Annual Status of Education Report (ASER) 2019, 21% children in grade one of government schools could read words compared to 46.7% in private schools — an advantage of 122%. How is this possible? Is this a fair comparison? Are we comparing apples with apples? The answer is clearly no. First, the age distribution in grade one of government schools is very different from that in private schools. The Right to Education and national policy mandates that children enter grade one at age six. However, 26.1% children in grade one of government schools are four or five years old compared to 15.7% in private schools. At the other end of the spectrum, 30.4% children in grade one of government schools are seven-eight years old compared to 45.4% in private schools. Therefore, comparing learning levels in grade one between government and private schools becomes problematic. The higher learning levels in grade one, in private schools, may be partly due to the fact that grade one in those schools has a higher proportion of older children. Second, it is well known that children who go to private schools come from relatively affluent backgrounds. They also tend to have more educated parents. This affords them certain advantages which are not available to children who are from less advantaged families and are more likely to attend government schools. For instance, 30% of government school grade one children, in the ASER 2019 sample, had mothers who had never been to school compared to only 12% of grade one private school children. Further, 27.3% of grade one children in private schools had private tutors compared to 19.5% in government schools. Third, early childhood education is supposed to prepare children for school. Children are supposed to be exposed to activities that build their cognitive abilities and early literacy and numeracy skills. For instance, the National Early Childhood Care and Education curriculum framework talks about developing skills related to sequential thinking, predicting patterns, observing, reasoning and problem solving in the pre-school stage. These cognitive and early language skills are highly correlated with the child's ability to acquire further language skills. Therefore, children who enter grade one better prepared with these skills are likely to perform better. For instance, among the cognitive tasks administered in ASER 2019 (seriation, pattern recognition and puzzle) only 23.8% children of grade one in government schools could do all three tasks compared to 43.1% in private schools. Once we take into account all these factors — age distribution in grade one, home factors such as affluence, mother's education, home learning environment, and some baseline abilities that children enter grade one with, private schools still have a learning advantage. Where is this coming from? Since we are talking about grade one, this difference cannot be attributed to an accumulated effect of better teaching practices in private schools.

Pre-School Learning

What private pre-schools are doing is to start children on the school-based curriculum in pre-school itself. In other words, the private sector keeps children longer in pre-school and exposes them to school-like curricula even before they have entered school. For instance, 14% children in anganwadis could recognise letters or more compared to 52.9% in private pre-schools; and 12.9% children in these private pre-schools were already reading words (something they are supposed to learn in grade one) compared to 2.9% in anganwadis. It is not surprising, therefore, that children from private pre-schools perform better in school.



Finally, children in anganwadis do worse than private pre-school children on cognitive as well as early language tasks such as picture description. For instance, while 23.4% of private pre-school children could do all three cognitive tasks, only about half (12%) of the children in anganwadis could do them. India has a huge investment in its early childhood programme, administered through 1.2 million anganwadis under the Integrated Child Development Services Scheme. The findings of ASER 2019 make a clear case for strengthening these early childhood education centres so that they implement appropriate “school-readiness” activities. **A case can also be made for streamlining the curriculum at the pre-school stage so that all pre-schools focus on activities that build cognitive and early literacy and numeracy skills.** These will aid further learning.

INTACH Efforts to Protect Buddhist Site Bear Fruit

- After a sustained campaign, heritage lovers and officials have been successful in almost stopping the stone-pelting ritual at **Bojjannakonda, a famous Buddhist site at Sankaram**, 3.5-km from Anakapalle and 41-km from here. The villagers, as a part of the ancient ritual, used to pelt stones at a belly-shaped object, believing it to be a part of a demon. However, following the intervention of the Indian National Trust for Art and Cultural Heritage (INTACH), the practice on the Kanuma day during Sankranti has almost been done away with. **“Bojjannakonda and Lingalmetta are the twin Buddhist monasteries dating back to the 3rd century BC.** These sites have seen three forms of Buddhism – the Theravada period when Lord Buddha was considered a teacher, the Mahayana, where Buddhism was more devotional, and Vajrayana, where Buddhist tradition was more practised as Tantra and esoteric form,” she said. **The name Sankaram is derived from the term, ‘Sangharama’.** It is famous for the whole lot of votive stupas, rock-cut caves, brick-built structural edifices, early historic pottery and Satavahana coins that date back to the 1st century AD. The main stupa was carved out of rock and then covered with bricks, where one can see a number of images of the Buddha sculpted on the rock face all over the hill. At the nearby Lingalmetta, one can see hundreds of rock-cut monolithic stupas in rows. “Vandalism, or defacing of any order like removing bricks and throwing stones at the heritage site, is highly condemnable. We want the administration to provide enough security on the Kanuma day to prevent damage to the archaeologically significant site,” INTACH, in a letter, urged district Collector V. Vinay Chand.

Pongal Spells Peril for Salem’s Foxes

- With Kaanum Pongal, the fourth and final day of the harvest festival, less than a week away, Forest Department officials in Salem are gearing up to prevent an **unusual jallikattu — one that uses foxes instead of bulls.** The jallikattu-like event using foxes, or vanga nari in Tamil, is usually organised on Kaanum Pongal on the outskirts of the district as villagers believe it will bring bountiful rain and good fortune. According to Forest officials, villagers, mostly from Ranganoor, Chinnamanaikenpalayam and Vadugathampatti in Vazhapadi taluk trap the foxes and bring them to the village temple. The animals are muzzled and their hind legs tied with rope. After special rituals are conducted, the hapless animals are chased through the streets, much like bulls in the more conventional jallikattu. After the event, the animals are released into the forest. Despite a ban, the event has been organised for decades now. District Forest Officer A. Periasamy said, “We have fined the violators earlier for organising the event and trespassing into forest areas and this year too, we will take stern action.” Officials said **foxes are a protected species under the Wildlife Protection Act, 1972, and**



hunting or capturing them is prohibited. V. Gokul, president of the Salem Nature Society, said, "The medium-sized Bengal foxes are generally found near agricultural areas."

Business & Economics

[Safeguarding the Idea of India \(Kaushik Basu, Former Chief Economic Adviser to The Government of India, Is Professor of Economics at Cornell University; Nirvikar Singh - Professor of Economics at The University of California, Santa Cruz\)](#)

India's Composite Culture

This is the time to remember the spirit of Guru Nanak, which led Guru Arjan to write, "No one is my enemy, no one is a stranger, I am connected with all," and Guru Gobind Singh to insist, "Recognise all of humanity as one." This is the time to remember Rabindranath Tagore's resonant verse: "Come Aryans, come non-Aryans, Hindus and Mussalmans/ Come today, Englishmen, come Christians/ Come Brahmin, cleansing your mind/ Join hands with all." It is the sharp erosion in these basic moral tenets in India that concerns us. India has had a turbulent history since its independence on that momentous midnight of August 1947. There have been dark times and events that we should all be ashamed of. **Following the end of the Second World War, many new nations were born as peoples and lands shook off their colonial shackles and declared independence. These nations began with idealism, embracing democracy and equality, but military coups and religious captures felled the ideals of one nation after another. But India stood out as a beacon of hope, committed to democracy, freedom of speech and secularism.** From the mid-1990s, it also began to see rapid economic growth. There are still many challenges to contend with. There is poverty and discrimination, there is corruption and a growing environmental challenge, and there is pollution that, if left unchecked, will damage the cognitive powers of future generations. We have to attend to these urgently. The steady progress of the economy since the mid-1990s was raising hope that we would take on these challenges head on. The divisiveness being advocated has, however, caused a setback. This is affecting trust and cooperation in the nation. For example, the use of the state machinery in Uttar Pradesh to seek "revenge," and to promote the ring-fencing of people and silencing of voices is ethically unacceptable and doing great damage to India's standing globally.

Trust Improves Economy

What is not always appreciated, but for which there is a lot of evidence, is that **societal trust and a sense of belonging improves economic outcomes, including growth.** Economists Yann Algan and Pierre Cahuc have used rigorous statistical analysis to show that higher levels of trust can cause national income to increase dramatically: **Africa, with Sweden's trust levels, would achieve six times its present per capita income.** A recent study, published in Harvard Business Review, shows that if workers feel appreciated and have a sense of belonging to their company, they have a 56% higher job performance, there is a 50% drop in turnover risk, and a 75% reduction in sick days. "For a 10,000-person company, this would result in annual savings of more than \$52M". One has to extrapolate this to a nation to get a sense of how economically important this sense of belonging is. Even before the turmoil of 2019, India's

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economy was already reeling, with industry, agriculture and exports all growing much slower than a decade earlier. But now, beyond the basic moral principles at stake, we argue that the promotion of hate and divisiveness is also hurting India's economy. We are at risk of a major downward spiral.

We are not suggesting that if we stand together and pull back from the brink of the precipice, all our challenges will disappear. India is a lower-middle income economy, with a great deal of injustice, unfairness and suffering that will not vanish in haste. Yet, if we resolve to reject the partisanship that is being preached and then strive to take on the many challenges, there can be hope, the hope of pulling back from the brink and building a society and an economy that will be exemplary for not just its own people but for the world.

The Nominal GDP Worry

- The government's advance estimates for economic output and growth for the fiscal year ending in March may raise eyebrows, but only for the wrong reasons. The National Statistical Office (NSO) has estimated that Gross Domestic Product (GDP) will expand by 5% in the 12-month period, in line with the Reserve Bank of India's sharp downward revision last month in its full-year growth forecast — from 6.1% projected earlier, to 5%. The NSO's estimate is a full 2 percentage points lower than the 7% figure that the Economic Survey had projected on the eve of the newly elected government's annual Budget in July, reflecting the continued sharp slide in momentum. However, disconcertingly, even the latest growth assumption appears grounded more on optimism than on real hard data. Given that the pace of growth slumped to a six-and-a-half-year low of 4.5% in the second quarter, thus dragging the first half's expansion to 4.8%, the statistics office's projection for the full year assumes that the economy will expand by a healthier 5.2% pace in the October-March six-month period. It is this premise that is hard to square with all the macro-economic data available so far, as well as the assumed estimates for the key expenditure components that together total up to the overall GDP. Take for instance the very cornerstone of demand in the economy, private consumption expenditure, the NSO's projection assumes that consumers would go out and spend an additional ₹4.77 lakh crore, or almost 12% more, in the second half, than what they had spent in the preceding six months. Not only do most high-frequency indicators, including automobile sales, belie this assumption, even the RBI's consumer confidence survey points to a decline in non-essential consumption compared to a year ago. The NSO's estimates also paint a picture of a distinct uptick in the final six months of the current fiscal in a key sector. Manufacturing, which contracted 0.2% in gross value-added terms in the first half, is now posited to turn around and post a 2% expansion for the full 12 months. This projected revival in the crucial job generating sector again appears premised more on wishful thinking given that industrial output data from October showed the sector having shrunk by 2.1% from a year earlier. With private investment activity still becalmed — full-year growth in Gross Fixed Capital Formation is estimated at just about 1% compared with 10% in the last fiscal — and a significant shortfall in revenue receipts leaving the government little room to bump up its own spending within the constraints of the budgeted fiscal deficit target, it may be time for radical solutions. And with the clouds of conflict darkening over the crucial energy supplying West Asian region, India's economy will be even more vulnerable now to another oil price shock. Clearly, it is time to expedite tangible policy interventions.
- The National Statistical Office (NSO) released the first advance estimates of the national income that projected growth in India's GDP at market prices for 2019-20 at 4.98% in "real" terms, the lowest since the 3.89% in the global financial crisis year of 2008-09. **But even more**



significant was the estimated growth of 7.53% in “nominal” terms, which is the lowest since the 7.35% for 1975-76. Also, this is the first time since 2002-03 that nominal GDP growth has been in single digits.

What Is Nominal GDP And How Is It Different from Real GDP?

GDP is the total market value of all goods and services produced in the economy during a particular year, inclusive of all taxes and subsidies on products. The market value taken at current prices is the **nominal GDP**. The value taken at constant prices — that is prices for all products taken at an unchanged base year — is the **real GDP**. In simple terms, **real GDP is nominal GDP stripped of inflation**. *Real GDP growth thus measures how much the production of goods and services in the economy has increased in actual physical terms during a year. Nominal GDP growth, on the other hand, is a measure of the increase in incomes resulting from rise in both production and prices.*

But Why Should Nominal Growth Matter at All? When We Talk About “Growth”, Isn’t It A Reference to How Much Real Production Is Increasing?

In the normal course, real growth is what one would ordinarily look at. But the current fiscal year seems extraordinary because the gap between nominal and real GDP growth is just 2.6 percentage points. This is marginally higher than the difference of 2.5 percentage points in 2015-16. But in that year, real GDP growth was 8%, which translated into a nominal growth of 10.5%. In 2019-20, not only is real GDP growth expected to be the lowest in 11 years, but also the implied inflation (also called GDP deflator, or the increase in prices of all the goods and services produced in the economy) is just 2.6%. **Simply put, producers have not gained from either higher output or higher prices.** Households and firms generally look at the “topline” — how much their income has grown relative to the previous year. When that growth falls to single digits in a country like India, which has been used to a minimum 5-6% GDP increase year after year and an equal rate for inflation, it is unusual. Low nominal GDP growth is associated more with developed western economies.

Are There Other Implications as Well, Say for Corporates and The Government?

In the past, listed companies have seen their turnover double in five years or so, which comes with a nominal year-on-year growth of 14-15%. If the latter falls to 7-8%, the same doubling would take 9-10 years. This can have a psychological impact — although it could also be the case that the value of their inputs, including salaries paid to employees, would also be rising at a slower rate. Their net earnings or profits would not, therefore, be hurt to the same extent. The problem is more serious when it comes to the government. In the 2019-20 Budget, Finance Minister Nirmala Sitharaman had assumed nominal GDP would grow by 12% to ₹211.01 lakh crore. However, the NSO’s latest projection of nominal GDP for 2019-20 is only ₹204.42 lakh crore, which is ₹6,58,374 crore below the Budget estimate. As a result, even if the Centre’s fiscal deficit is contained at the budgeted ₹7,03,760 crore in absolute terms, the latter would now work out to 3.44% of GDP, as against the originally targeted 3.3%. This is over and above the slippages in the absolute fiscal deficit itself due to the Centre’s revenues from taxes and other receipts, including disinvestment, turning out to be lower than the Budget projections. High nominal GDP growth also makes the government’s debt seem more manageable. The debt stock (numerator) can keep going up so long as it does not exceed the nominal increase in GDP (denominator). That equation changes in a low



nominal GDP growth scenario. For state governments too, low nominal GDP growth is a matter of concern because their budgets normally assume double-digit increases in revenues. The Centre's compensation formula to states from the Goods and Services Tax also promised to meet any annual revenue shortfall below 14%. That again, did not ever factor in the possibility of GDP growth (real plus inflation) falling to 7.5% levels.

So, Is Low Single-Digit Nominal GDP Growth the New Normal?

The only time India had as many as three consecutive years of single-digit nominal GDP growth was from 2000-01 to 2002-03, when Atal Bihari Vajpayee's government was in power. The nominal growth in those three years were 7.62% (2000-01), 8.2% (2001-02) and 7.66% (2002-03). A repeat looks unlikely as of now, given rising food and fuel prices, especially in the last three months or so. Also, the current real GDP growth of 4.98% is higher than the 3.8%, 4.8% and 3.8% respectively of those three years. With the ongoing efforts by the Narendra Modi government to revive growth and investment activity, things should hopefully improve from the coming fiscal.

How to Read High Food Prices?

- The National Statistical Office released data that showed annual consumer price index (CPI) inflation for December at 7.35%, which was the highest since the 7.39% of July 2014, and also more than the Reserve Bank of India's (RBI) upper target limit of 6%. But the real shocker was retail food inflation, which soared to a more than six-year high of 14.12%. Given that food items have a 45.86% weight in the overall CPI, this raises the question whether the current surge is merely transitory, or there are other factors that may come in the way of prices falling in the near future.

How Serious Is the Spike in Food Inflation? Is It More Than What Was Expected?

The sudden and sharp increase in the consumer food price index (CPFI) inflation has caught everyone by surprise. For an extended period from September 2016 to August 2019, the year-on-year CPFI inflation consistently remained below the overall CPI inflation. But CPFI inflation went up from 2.99% in August to 5.11% in September to 7.88% in October, then to 10.01% in November and 14.12% in December. This last figure was the highest since the 17.89% for November 2013. The extent of both the earlier decline and now the rise, is much more pronounced in the case of food than general consumer inflation.

So, What Accounts for This Sudden Spike?

The main reason seems to be the **uneven rains**. The southwest monsoon season (June-September) this year brought little rain almost until the last week of July. **The late onset of the monsoon resulted in lower and delayed sowing of the kharif crop.** However, **September, October, and even the first half of November saw heavy rain, which caused damage to the standing crop that was in the late maturity stage, or due for harvesting.** The production disruptions during kharif, ironically from more and not less rain, are the main reason for prices rising, especially from September onward.

Is This Then Temporary and Once-For-All?

The same heavy and unseasonal rain that wreaked havoc on the kharif (monsoon) crop has helped recharge groundwater aquifers, and filled the major irrigation reservoirs to near full

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capacity. This is proving beneficial to the rabi (winter-spring) crop. Government data show farmers have sown 8% more area during the current rabi season. That, together with vastly improved soil moisture conditions and a normal winter, should hopefully translate into a bumper harvest, offsetting any kharif losses. An illustrative example could be onions. The Agriculture Ministry has estimated the total production in 2019-20 for kharif/late-kharif at 54.73 lakh tonnes (lt), which is nearly 22% below the corresponding level of 69.91 lt last year. However, transplanting during the rabi season — which accounts for over two-thirds of India's onion production — has been about 19.5% more than in 2018-19 due to a combination of better water availability and higher prices received by farmers. This crop will start hitting the market towards March-end, which should go some way in easing prices. The same would apply to many other vegetables, which incidentally have reported the highest year-on-year CPI inflation of 60.5% for December.

Will Prices of All Foods Fall Similarly in The Next Couple of Months?

The likelihood is more for vegetables, which are mostly seasonal and short-duration crops. Farmers generally respond to the high prices in one season by expanding production in the following one. The situation could, however, be trickier in crops where supply cannot be ramped up in the immediate run. The best example here is milk, where farmers experienced low price realisations for much of 2015 to 2018. Many of them gradually reduced herd sizes or diverted more fodder and feed to animals yielding milk. The undernourished calves have grown to be less productive milkers, just as the pregnant females that have undergone delayed calvings. Better prices now — dairies in Maharashtra are now procuring cow milk at ₹31-32 per litre, compared to ₹21-22 a year ago — may make farmers invest in more animals and also feed them better. But the results will take time to show. It is not unlikely that the prices of milk will go up further in the next few months, particularly in the “lean” summer months, when production by buffaloes and cows falls in the natural course.

Is There Anything Else That Could Keep Food Prices High Even After March?

The thing to watch is global prices. The 2000s were a decade of high agri-commodity prices. Between 2003 and 2011, the world food price index (base year: 2002-04 = 100) of the UN's Food and Agriculture Organisation (FAO) soared from an annual average of 97.7 to 229.9. It then crashed to 161.5 by 2016. That major reason for benign food prices, including in India, has started showing signs of reversal. The FAO's benchmark index in December 2019 was 12.5% higher than in December 2018. This is also reflected in a hardening trend in the international prices of individual food commodities.

What Can the Government Do?

Food inflation is not bad news for farmers who have suffered from low crop prices and the end of the global commodity boom after 2014. A price recovery would give a boost to rural incomes, which is beneficial for consumption and overall economic growth in the current circumstances. But neither the government nor the RBI can afford to ignore food inflation that will hurt consumers and make further cuts in interest rate impossible. There is pressure now to open up — or allow more imports of — commodities such as pulses, milk powder, and edible oils. The government will ultimately have to take a considered decision that balances the interests of both producers and consumers.



The Perils of RBI's Fixation on Inflation (Pulapre Balakrishnan - Professor, Ashoka University and Senior Fellow, IIM Kozhikode)

- The establishment of some of the world's oldest central banks was inspired by the goal of maintaining financial stability. It was recognised that when private commercial banks fail, whether due to malfeasance or misjudgement, they not only harm their trusting depositors, they can also take down with them the rest of the financial system. The latter can take place when banks have lent to one another, which is not uncommon. In the crisis that ensues, there is a collapse of credit which, in turn, leads to a downturn in economic activity. To avoid this, the central bank was conceived of as the lender of last resort, one that could pre-empt a run on banks and give them time to put their books back in order. However, this was to be accompanied by the adoption of a tough regulatory stance, whereby the central bank would stay hawk-eyed towards the activities of banks, particularly risky lending. This was necessary as the knowledge that they could always rely on the lender-of-last-resort facility may leave banks less than diligent or even make them indulge in plain dishonesty. However, with the rise of neoliberalism, the central tenet of which is that markets should be given free play, the regulatory role of central banks took a back seat. They came to be primarily mandated with inflation control. It is hardly the case that central banks were unconcerned with inflation earlier, but they were at the same time concerned with financial stability and the level of economic activity.

Moving the Goal Post

In India, the RBI had earlier pursued a 'multiple indicators approach', implying concern for **outcomes other than inflation, including even the balance of payments**. But, developments in economic theory discouraged such catholicity by arguing that having economic activity as an objective of monetary policy leads to higher inflation. It should be noted that this argument **privileged low inflation over low unemployment, favouring owners of financial wealth over workers**. But, not to be left behind in the race to adopt the architecture of the West, the Indian government also instituted **inflation targeting as the sole objective of monetary policy**. The RBI was permitted to exceed or fall short of a targeted inflation rate of **4% by a margin of 2 percentage** points. This was hailed by the government as the adoption of the 'modern monetary policy framework' by India, and came into effect from the year 2016-17. The late Arun Jaitley as Finance Minister projected the attainment of macroeconomic stability, represented by slow inflation, as a major achievement of his tenure. Adherence to fiscal discipline and inflation targeting were taken to be the instruments. Throughout Mr. Jaitley's tenure, inflation remained within the range envisaged under the inflation targeting regime agreed to between the government and the RBI. But have all the objectives of the RBI's original mandate as a central bank been met as a result? I believe not. In 2018, within three years of the adoption of inflation targeting goal, a crisis engulfed **IL&FS**, a non-banking financial company in the infrastructure space. It defaulted on several of its obligations, including repayment of bank loans and the redemption of commercial paper. The IL&FS was not just another 'shadow bank'; it operated over 100 subsidiaries and was sitting on debt of ₹94,000 crore. Given this, its default had a chilling effect on the investors, banks and mutual funds associated with it both directly or indirectly. Since then, in 2019, a run on the **Punjab and Maharashtra Co-operative Bank** had to be averted by imposing withdrawal limits. It was discovered that fictitious accounts, reportedly over 21,000 of them, had been created so that the books would tally, even as deposits were siphoned off as loans to the promoters. **While**



in the case of IL&FS, some part of the problem may have been caused by a slowing economy, outright fraud underlay the crisis at PMC Bank. And now, in early 2020, curbs have had to be placed on withdrawals from the Bengaluru-based Sri Guru Raghavendra Sahakara Bank. Even if it is too early to declare that financial instability prevails in India, it is not too early to ask if the RBI's responsibility to regulate the financial sector may have taken a back seat after adoption of inflation targeting as the main objective. Has a fixation with inflation rate made the RBI take its eyes off the loan books of the banks?

Rise in Inflation

Further, even apart from regulatory infirmity, it is not as if the RBI is doing spectacularly on the inflation targeting front either. At over 7%, the inflation rate in December is the highest in five years. This may not be reason to panic, for the price rise could be seasonal and may well abate, but it does raise a question on the efficacy of inflation targeting as a means of inflation control. Inflation led by rising prices of food stuff cannot quickly or easily be contained by the mode of control underlying inflation targeting. It requires enhancing supplies which, in turn, would mean raising imports in the short run. Be that as it may, the extent of failure of inflation targeting right now is substantial indeed; the inflation rate has exceeded the permissible range of error by 65%. This must give pause as to how much the shift to the 'modern monetary policy framework' has delivered. If the inflation rate was within the intended range so far, that may have been due to both declining food prices and, for a phase, oil prices. Finally, we come to what the ordinary Indian considers the RBI's principal mandate, the management of the currency so that trade is facilitated. The central bank has the monopoly on the issue of notes. Why then is there an absolute shortage of small denomination notes in the bazaars of India? 'Bazaar' is here only a word for a site of commerce; from the north to the south of the country, from airports to village stores, trade and production is held up due to the absence of notes and coins of the denomination appropriate to the transaction. The RBI and the government showed themselves to be entirely out of touch with reality when, in 2016, the 1,000-rupee note was replaced with a 2,000-rupee note. It is anybody's guess whether the daily wage for a labourer is more than ₹500 in much of India. Small denomination notes are mostly unavailable, or, if available at all, are of so shabby an appearance that it makes you wonder whether those responsible for the management of our economy take any pride in discharging their tasks. In this department, India's central bank has failed substantially.

RBI Chalks Out Financial Inclusion Strategy For 2024

- The Reserve Bank of India (RBI) has chalked out an ambitious strategy for financial inclusion till 2024, in which it aims to strengthen the ecosystem for various modes of digital financial services in all Tier-II to Tier VI centres to create the necessary infrastructure to move towards a less-cash society by March 2022. While charting out a **National Strategy for Financial Inclusion (NSFI) for the period 2019-2024**, RBI said, "Financial inclusion is increasingly being recognised as a key driver of economic growth and poverty alleviation the world over." One of the objectives of the strategy includes increasing outreach of banking outlets of **to provide banking access to every village within a 5-km radius or a hamlet of 500 households in hilly areas by March 2020**. RBI said that the aim was also to see that every adult had access to a financial service provider through a mobile device by March 2024. With the aim of providing basic of financial services, a target has been set that every willing and eligible adult, who has been enrolled under the Prime Minister Jan Dhan Yojana, **be enrolled under an insurance**

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scheme and a pension scheme by March 2020. The plan is also to make the Public Credit Registry (PCR) fully operational by March 2022 so that authorised financial entities could leverage the same for assessing credit proposals from all citizens.

Opening Up of Coal Sector

- The Centre's decision to liberalise norms for entry into coal mining and relax regulations on mining and selling coal in the country is significant in many respects. Amendments to two legacy Acts through the Mineral Laws (Amendment) Ordinance 2020 cleared by the Cabinet will free the sector from restrictions that were inhibiting its development. This will open up the coal mining sector completely, enabling anyone with finances and expertise to bid for blocks and sell the coal freely to any buyer of their choice. **Until now there were restrictions on who could bid for coal mines — only those in power, iron and steel and coal washery business could bid for mines — and the bidders needed prior experience of mining in India.** This effectively limited the potential bidders to a select circle of players and thus limited the value that the government could extract from the bidding. Second, end-use restrictions inhibited the development of a domestic market for coal. The ordinance essentially democratises the coal industry and makes it attractive for merchant mining companies, including multinationals such as BHP and Rio Tinto, to look at India. The move was overdue considering that **the country spent a huge ₹1,71,000 crore in coal imports last year to buy 235 million tonnes; of that, 100 million tonnes was not substitutable, as the grade was not available in India, but the balance 135 million tonnes could have been substituted by domestic production had it been available.** Large investment in mining will create jobs and set off demand in critical sectors such as mining equipment and heavy commercial vehicles. The country may also benefit from infusion of sophisticated mining technology, especially for underground mines, if multinationals decide to invest. However, for that to happen, the government needs to do more such as whittling the time taken for approvals of mining leases and also easing the procedures for clearances. The test would come when 46 producing mines, whose leases expire in March, come up for bidding shortly. **The opening up of coal mining effectively ends Coal India's (CIL) monopoly status.** Coal Minister Pralhad Joshi took care to emphasise that CIL has been and will be allotted adequate blocks and that it will be supported and the interests of labourers will be taken care of. The company has been set a target of one billion tonnes production by 2023-24 — last year, it produced 606 million tonnes. **CIL is a Maharatna PSU and tremendous public resources have been invested in the company over the years.** It is the government's responsibility to ensure that CIL is not compromised the way BSNL has been by the opening up to private players. **The company employs about three lakh people, is listed and is a national asset.** It has to be nurtured even as private players are welcomed.

SC Stays NCLAT Order Reinstating Mistry

- The Supreme Court on Friday stayed a decision of the National Company Law Appellate Tribunal (NCLAT) to reinstate Cyrus Mistry as chairman of the multi-billion salt to software conglomerate Tata Sons. A three-judge Bench of Chief Justice of India (CJI) Sharad A. Bobde, Justices B.R. Gavai and Surya Kant issued formal notice to respondents, including Cyrus Investments Pvt. Ltd. and others, on appeals separately filed by Tata Sons Pvt. Ltd. and its chairman emeritus, Ratan Tata, among others, against the December 18 decision of the tribunal. Chief Justice Bobde orally remarked that prima facie the NCLAT may have



committed an “adjudication error” by ordering the reinstatement of Mr. Mistry. The court, however, agreed to hear detailed arguments on the aspect. It recorded in its order an assurance given by the Tata side that they “do not intend to take any steps with regard to Article 75”. The Article allows Tata Sons to “compulsorily purchase” shares of any shareholder. The NCLAT had also directed Tata Sons to not invoke Article 75 of the Articles of Association of Tata Sons against the Shapoorji Pallonji group, a minority shareholder. Mr. Mistry is a scion of the group. The assurance from the Tata side, represented by lawyers led by senior advocate Harish Salve, to not invoke Article 75 was given after senior advocate C.A. Sundaram, for Shapoorji Pallonji, vociferously argued against the stay order. Mr. Sundaram instead sought status quo, saying that as a minority shareholder with shares worth crores, he was “completely in the dark” about what was happening within Tata Sons. “We will protect you... so far nothing has diluted your shares,” the CJl responded. The court posted the appeals after four weeks, saying there was no urgency in the issue.

Hallmarking Made Must for Gold Jewellery

- No jeweller will be allowed to sell gold jewellery or artefacts without hallmark from the Bureau of Indian Standards from January 15, 2021, onwards, Consumer Affairs Minister Ramvilas Paswan announced. If jewellery or artefacts made of 14, 18 and 22 carat gold are sold without a BIS hallmark, then the jeweller could face a huge penalty and even imprisonment. The penalty may be worth five times the cost of the object and the imprisonment up to one year. Gold hallmarking is a purity certification of the precious metal and is voluntary in nature at present. The BIS is already running a hallmarking scheme for gold jewellery since April 2000 and around 40% of gold jewellery is being hallmarked currently. Instead of 10 grades earlier, hallmarked gold jewellery will now be available in three grades of 14 carat, 18 carat and 22 carats, he said. Jewellers have been given a year’s time to register themselves with the BIS. “There are only 28849 jewellers so far registered with us. We don’t have an exact estimate of the number of jewellers in the country but it could be 3-4 lakhs,” BIS scientist R.S. Pasriche said. The BIS will also be expanding its hallmarking centres. So far there are 892 centres across the country. Mr. Paswan said each district will now get one. Consumers have to watch out for four marks on hallmarked gold jewellery: BIS mark, purity in carat, assay centre’s name and jewellers’ identification mark. Mr. Paswan clarified that people who want to exchange their old gold jewellery which doesn’t carry a hallmark won’t be troubled. “This is only for jewellers who are selling new gold jewellery. The common man will not be harassed,” he said. The Minister said mandatory hallmarking will protect the public against lower cartage and ensure consumers do not get cheated while buying gold ornaments and get the purity as marked on the ornaments.

Life & Science

Challakere To Be ISRO’s Astronaut Training Hub

- India’s world-class facility for training astronauts will come up not in the space headquarters in Bengaluru, nor in any glitzy metropolis. It will be established in three years at **Challakere**, a shrubby, arid oilseeds town on the Bengaluru-Pune NH4 in Chitra Durga district of Karnataka. The Indian Space Research Organisation (ISRO) has proposed a ₹2,700-crore master plan to create top infrastructure that will house its young Human Space Flight Centre

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(HSFC). K. Sivan, ISRO Chairman and Secretary, Department of Space, told The Hindu, "Everything connected with events and planning of the HSP [Human Spaceflight Programme] will shift to our campus at Challakere. We want to establish a self-contained facility there so that in future, whatever training and activities we are now doing in Russia for the Gaganyaan crew can all be done by us here." When ready, the 400-acre ISRO land at Challakere will be the single-stop consolidating infrastructure and activities related to space travellers. **The country pays a hefty, unnamed sum to use such facilities abroad. The first set of four astronaut candidates for the first Gaganyaan mission of 2022 are to train in Russia.** The amount sought for the HSFC is over and above the ₹10,000-crore approved budget of Gaganyaan. Pending its approval, the centre may take 2-3 years at the earliest to be set up, but would come up after the first Indian crewed flight. Currently, HSP work is split across various centres such as the Vikram Sarabhai Space Centre in Thiruvananthapuram and the U.R. Rao Satellite Centre in Bengaluru. The Institute of Aerospace Medicine of the Air Force has been roped in for their selection, basic and final training in Bengaluru. Apart from all this work, Challakere will also host work related to crew and service modules of the spacecraft that carries the astronaut and up to mission control. Such full-fledged facilities, Dr. Sivan said, were needed within the country as the HSP would not be a one-time affair with one Gaganyaan project. "We are going to have a sustained HSP and will need a large number of facilities for training [future] astronauts." The HSFC was formally announced in January 2019 and works from a temporary place at the ISRO headquarters, Antariksh Bhavan. S. Unnikrishnan Nair has been named its Founder-Director and R. Hutton the project director of Gaganyaan. Beyond that, the centre is tasked with pursuing future human space missions, complete mission planning, developing engineering systems for survival and safe return of the crew from space, as also selecting and training the astronauts. Human-focused infrastructure apart, the ISRO also planned to add a quarantine facility at the second launch pad (SLP) in the Sriharikota space port. Dr Sivan said it would ensure that astronauts who were about to enter the spacecraft before the launch stay unexposed. Among many human-rated projects, the SLP and the launch vehicle GSLV-MkIII will also be modified suitably for crew safety and comfort. Challakere, about 400 km and over three hours by road from Bengaluru, is also where premier scientific establishments have set up adjoining and interactive campuses on some 10,000 acres. **Called the Science City, it houses facilities of the ISRO, the Defence Research & Development Organisation's Advanced Aeronautical Test Range, the Bhabha Atomic Research Centre and the Indian Institute of Science.** Four male pilots of the Indian Air Force in their 30s and early 40s are scheduled to leave for Moscow in the third week of January to train at the Yuri Gagarin Cosmonaut Training Centre for 15 months as candidates for Gaganyaan. They were selected through basic fitness and health tests at the IAF's Institute of Aerospace Medicine in Bengaluru. In Moscow, they will learn the skills of life and survival in a narrow capsule, before, during and after travelling away from earth's gravity while managing the travel around earth.

[New Data Relay Satellites to Keep Gaganyaan Crew in Touch with Earth](#)

- India plans to ring in its own era of space-to-space tracking and communication of its space assets this year by putting up a new satellite series called the **Indian Data Relay Satellite System**. The IDRSS is planned to track and be constantly in touch with Indian satellites, in particular those in low-earth orbits which have limited coverage of earth. In the coming years, it will be vital to Indian Space Research Organisation (ISRO), whose roadmap is dotted with advanced LEO missions such as space docking, space station, as well as distant

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expeditions to moon, Mars and Venus. It will also be useful in monitoring launches, according to K. Sivan, ISRO Chairman and Secretary, Department of Space. The first beneficiary would be the prospective crew members of the Gaganyaan mission of 2022 who can be fully and continuously in touch with mission control throughout their travel. "When we have the Gaganyaan mission we want it to be covered and be visible 100% so that action can be taken in any exigency," he said. Work on the two IDRSS satellites planned initially has begun. The first of them will be sent towards the end of 2020. It will precede the pre-Gaganyaan experimental unmanned space flight which will have a humanoid dummy. A second one will follow in 2021. The two will offer near total tracking, sending and receiving of information from the crew 24/7. Older space majors such as the U.S. and Russia started their relay satellite systems in the late 1970s-80s and a few already have around 10 satellites each. They have used them to monitor their respective space stations Mir and the International Space Station, and trips that dock with them, as well as the Hubble Space Telescope. Dr. Sivan said IDRSS satellites of the 2,000 kg class would be launched on the GSLV launcher to geostationary orbits around 36,000 km away. In such apparently fixed orbits, they would be covering the same area on earth. A satellite in GEO covers a third of the earth below and three of them can provide total coverage. During the launch of the human mission and also when the crew craft orbits earth from a distance of 400 km, at least one ground station must see and track it. But with available ground stations, that would not be the case. Without data relay satellites, ISRO would have to create a large number of ground stations everywhere or hire them globally and yet the crewed spacecraft would not be visible all the time. "We require the IDRSS system when our astronauts are in space. But I would prefer the relay spacecraft to be in place even before we launch the unmanned mission," Dr. Sivan said.

GSAT-30 Gives India a Communication Boost

- The nation's latest communication satellite, GSAT-30, was sent to space from the Guiana Space Centre in Kourou at 2:35 a.m. IST on 17th January. The 3,357-kg satellite will replace INSAT-4A which was launched in 2005 and marks the first mission of the year for Indian Space Research Organisation. The high-power satellite is equipped with 12 normal C band and 12 Ku band transponders. ISRO quoted its Chairman K. Sivan as saying, "GSAT-30 will provide DTH (direct to home) television services, connectivity to VSATs (that support working of banks') ATMs, stock exchange, television uplinking and teleport services, digital satellite news gathering and e-governance applications. The satellite will also be used for bulk data transfer for a host of emerging telecommunication applications." ISRO hired a foreign launcher as GSAT-30 is much heavier than the 2,000-kg lifting capacity of its geostationary launch vehicle GSLV-Mk II. As for the newer and more powerful GSLV-MkIII that can lift up to 4,000 kg, the space agency plans to save the two or three upcoming Mk IIIs mainly for its first human space flight Gaganyaan of 2022 and two preceding crew-less trials, Dr. Sivan recently said. The first Indian crew-less test flight is planned later this year.

What Is H9N2, Which Has Infected Indian Child?

- Indian scientists have detected the country's first case of infection with a rare variant of the virus that causes avian influenza, or bird flu. In the December 2019 issue of the Emerging Infectious Diseases journal of the US Centres for Disease Control and Prevention (CDC), scientists of the National Institute of Virology (NIV), Pune, have reported avian influenza A(H9N2) virus infection in a 17-month-old boy in Maharashtra.



The A(H9N2) Virus

H9N2 is a subtype of the influenza A virus, which causes human influenza as well as bird flu. The H9N2 subtype was isolated for the first time in Wisconsin, US in 1966 from turkey flocks. According to the US National Centre for Biotechnology Information (NCBI), H9N2 viruses are found worldwide in wild birds and are endemic in poultry in many areas. However, they are somewhat neglected. According to a recent report by NCBI researcher T P Peacock, H9N2 viruses could potentially play a major role in the emergence of the next influenza pandemic. According to the World Health Organization (WHO), with avian influenza viruses circulating in poultry, there is a risk for sporadic infection and small clusters of human cases due to exposure to infected poultry or contaminated environments. Therefore, sporadic human cases are not unexpected.

Human Infections Rare

H9N2 virus infections in humans are rare, but likely under-reported due to typically mild symptoms of the infections. Cases of human infection have been observed in Hong Kong, China, Bangladesh, Pakistan, and Egypt. One case was detected in Oman recently. The first case globally was reported from Hong Kong in 1998. A total of 28 cases in China have been reported since December 2015. Cases continue to be reported mainly from mainland China and Hong Kong. The virus has, however, spread extensively among poultry populations. Surveillance for influenza viruses in poultry in Bangladesh during 2008-2011 found H9N2 virus to be the predominant subtype. The virus was also identified in poultry populations in surveillance studies in Myanmar during 2014-16 and Burkina Faso in 2017.

First Case in India

The virus was picked up in February 2019 during a community-based surveillance study in 93 villages of Korku tribes in Melghat district of Maharashtra. NIV scientists were looking to determine the incidence of deaths associated with respiratory syncytial virus (RSV) among children under age two. In the process, they identified A(H9N2) virus infection in one boy. The child had fever, cough, breathlessness, and difficulty in feeding for two days after illness onset on January 31, 2019, and was fully immunised with treatment. After a series of confirmatory tests, the findings were reported last month. The child was not exposed to poultry. A week before showing the symptoms, he had travelled with his parents to a religious gathering. The father showed similar symptoms but could not undergo serologic testing.

A Call for Surveillance

NIV scientists said H9N2 viruses have been observed in poultry in India several times. Now, identification of the first clinical human case of H9N2 virus infection highlights the importance of systemic surveillance in humans and animals to monitor this threat to human health, they said. The same concerns were expressed after the first reported case in Oman. "Despite the low pathogenicity of this subtype, the continuing emergence of the virus in unpredicted region and now rise in number of human cases pose a pandemic threat and the need to adopt a multi sector One Health approach, "



What Is Coronavirus?

- The Indian Express published a report, sourced from The New York Times, about a new virus identified by Chinese researchers. They said it was responsible for a new pneumonia-like illness that had swept Wuhan since last month, leaving 59 ill and created panic. The researchers described the infectious agent as a “coronavirus”, identified in a hospitalised person with pneumonia in Wuhan. **Coronaviruses are a specific family of viruses, with some of them causing less-severe damage, such as the common cold, and others causing respiratory and intestinal diseases. A coronavirus has many “regularly arranged” protrusions on its surface, because of which the entire virus particle looks like an emperor’s crown, hence the name “coronavirus”. Apart from human beings, coronaviruses can affect mammals including pigs, cattle, cats, dogs, martens, camels, hedgehogs and some birds.** So far, there are four known disease-causing coronaviruses, among which the best known are the **SARS** corona virus and the **Middle East Respiratory Syndrome (MERS)** coronavirus, both of which can cause severe respiratory diseases. In the newly identified coronavirus, a direct link with the disease has not been established yet. Previously, there was speculation that the mystery illness was related to the SARS epidemic in China in the latter half of 2002 that killed roughly 350 people. Now, the new coronavirus has been detected in over 15 cases so far. No deaths have been reported, nor has any case been reported of human-to-human transmission. As per state-owned CCTV, the new coronavirus is different from human coronaviruses already known. WHO said in a statement that further investigations are required to determine the source, modes of transmission and extent of infection caused by the new virus?

India Should Lead in The Fight Against Multidrug-Resistant Pathogens

- There is growing menace of disease-causing germs such as bacteria and fungi, for example, pseudomonas, E. coli, klebsiella, salmonella and TB, which no longer respond to the conventionally used antibiotic drugs. These emerging Multi-Drug- Resistant (MDR) germs sicken almost 3 million people across the world every year, and the UNO states that if we do not find drugs to fight and kill these MDR-germs quickly enough, the global death toll could soar to 10 million people by 2050.

Since penicillin and similar antibiotics (erythromycin, floxins) were introduced about 60-70 years ago, we have been using them with success, because each such conventional drug effectively kills millions of germs. Yet a tiny population of them had survived, thanks to some escape routes such as **slight change in their genes, leading to pathways that stop the drug from entering their cells or pathways that pump out the entered drug molecules.** Such escapees started growing and multiplying into millions over months and years, and became resistant to all the common antibiotics- these are the MDR-germs. What is needed in this scenario is for scientists and drug firms to do basic, fundamental research into the biology of MDR germs and develop effective drugs to fight and win over them. This often takes a decade or more to bring out the product and make them available in the market. Indeed, it was precisely such an R&D effort that has brought about the discovery and marketing of many drugs against chronic diseases such as diabetes, arthritis, blood disorders and cancer. And the amount of investment for R &D in each one of them has been billions of dollars, and the company expects to gain billions of dollars each year. It is here that the problem lies in the case of investing in drugs against MDR bugs. As Andrew Jacob points out in the above article, **major drug firms have shied away from work on MDR-germs, since unlike chronic**



diseases which are prescribed for long terms (months and years), antibiotic drugs are prescribed for days and at best for weeks, and so no long-term profit is made!

Public Spirited Players

To do research and development and come out with drugs against MDR-germs, too, is no different, and this also requires long-term effort and involves billions of dollars input. And it is here that some private firms have pitched in. Happily, enough, they have been getting R&D funds as grants from private foundations and governmental sources. The article describes how the biotech company Achaogen succeeded in obtaining a billion-dollar grant from the US government's Biomedical Advanced Research and Development Authority (BARDA), spent 15 years of research and development work and came out with the drug called Zemdri, effective against hard-to-treat urinary tract infections. Zemdri was approved by the Food and Drug Administration (FDA) and the WHO. Sadly, Achaogen could not make any sustained profit, the investors were unhappy, and the firm went bankrupt. Similarly, the firm called Tetrphase, which obtained a major grant from a non-profit group and produced the drug Xerava, which is effective against some MDR-bugs, had to cut down its staff and its plans to conduct further R & D efforts since its stock price was plummeting. And so was a third firm, Melinta Therapeutics, which has successfully produced Baxdela, an FDA-approved drug for drug-resistant pneumonia. It is of interest to note that the firm Achaogen was bought over by CIPLA-USA, which is the US arm of the Indian public-spirited drug company CIPLA. This involved buying all the equipment and the rights to acquire the technology and to make and sell the drug Zemdri across the world. CIPLA's move in this area holds out an example for other Indians and firms to enter the field. They may likewise interact with other such firms in the US, acquiring them, or as partners or owners (even set up labs in India), gain the hard-earned technology of making drugs active against MRD-germs, and make these available for use by the needy not only in India but across the world. Note that a recent paper on the mortality burden of MDR-pathogens in India (S. Gandra et al., Clinical Infectious Diseases 2019; 69(4):563-70) which studied 10 hospitals across the country for MDR pathogens and the patient mortality outcomes shows that 13% is the overall rate of death. If this be for hospital-based deaths, we can imagine the millions affected and dying across the towns and villages of India. And surely such a situation would be true in parts of Africa, southeast Asia and other low-income, high-population countries. R&D efforts by Indian scientists will thus be of public health and economic value. Fortunately, Indian government and its funding agencies are keen in offering grants in this Focal Theme area to researchers in government-operated R&D institutions and universities, as well as to private non-governmental research institutions, and drug companies. Private non-profit foundations in India should also open up their purses (not just the Wellcome Trust of the UK or the Bill and Melinda Gates Foundation of the US). Many of us in our own country do not realise that India has become the major vaccine provider for children across the world. **Just a handful of vaccine-makers across India now provide about 35% of childhood vaccines globally**, through their R&D efforts. There is thus no reason why India cannot be a major player in offering good health to the 7 billion people across the world through our efforts in the area of fighting infection by traditional, MDR-type and other emerging disease-causing germs.

WHO Prequalifies Serum's Low-Cost Pneumococcal Vaccine

- ➔ Pneumococcal vaccine developed by the Pune-based Serum Institute of India has been pre-qualified by the World Health Organisation (WHO) in the third week of December 2019. The

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prequalification of the vaccine by WHO was based on the results of a phase-3 trial (the final phase of human clinical trial) carried out in 2,250 children in Gambia, a small West African country. According to a November 2019 UNICEF report, pneumonia caused 1,27,000 deaths in India in 2018, the second highest number of child mortality under the age of five in the world. **In India, pneumonia and diarrhoea cause the most deaths in children under five years.** The pneumococcal vaccine PNEUMOSIL is a **conjugate vaccine** to help produce *stronger immune response to a weak antigen*. Serum Institute had optimised an efficient conjugate vaccine manufacturing processes for its meningitis A vaccine (MenAfriVac), which was used for manufacturing the pneumococcal vaccine. This helped the company reduce the manufacturing cost of pneumococcal vaccine.

Low Cost Vaccine

"We intent making the vaccine available to low- and middle-income countries for about \$2 per dose, while countries pay nearly \$3 when the vaccine is co-funded by Gavi," says Dr. Rajeev Dhere, Executive Director of Serum Institute. "This will make the vaccine 30% cheaper than the Gavi price and dramatically lower for countries that do not get the vaccines through Gavi." The company already has a licence to manufacture and export the vaccine. The company has just completed the phase-3 trial in India and will soon be submitting the data to the Drugs Controller General of India (DCGI) for licensing. In 2017, pneumococcal conjugate vaccine was included in the under India's Universal Immunisation Programme (UIP). It has been introduced in a phased manner starting with Himachal Pradesh, parts of Bihar, Uttar Pradesh, Madhya Pradesh and Rajasthan. A vaccine manufactured by a multinational company is being used for immunisation. The efficacy of the Serum vaccine was tested against an already approved pneumococcal vaccine (Synflorix). In the Gambia trial, three doses of the vaccine were given to 2,250 infants at 6, 10, and 14 weeks and a booster dose was given to 675 infants at nine months age. "The efficacy of our vaccine was comparable with the existing approved vaccine tested during the trial," says Dr. Dhere. "It was based on the clinical trial data that the WHO prequalified the vaccine."

Offers Wider Protection

There are about 90 serotypes of pneumonia-causing bacteria (Streptococcus pneumoniae). The disease serotypes vary from one region to another. The 10 serotypes that are widely prevalent and responsible for causing pneumonia in Latin America, Africa and Asia, including India have been chosen for Serum's pneumococcal vaccine so that the vaccine confers greater protection. Compared with existing 10-valent vaccine, Serum's vaccine contains two serotypes that are present in 13-valent pneumococcal vaccine. "The two serotypes present in the 13-valent vaccine have been included in our 10-valent vaccine to offer wider coverage of serotypes seen in Africa and Asia," says Dr. Dhere. This makes Serum's pneumococcal vaccine better than the currently available 10-valent vaccine.

Clinical Trials

Phase-1 and phase-2 trials were earlier carried out in India. A phase-3 trial on 600 infants carried out in different places in India has just been completed. The trial tested the efficacy of the vaccine when given at 6, 10, and 14 weeks without a booster dose. "Since the phase-3 trial data from Gambia were already available before the trial could begin in India, the DCGI permitted the trial to be carried out on fewer children and without the booster dose," says



Dr. Dhere. The trial was carried in collaboration with PATH with funding from the Bill & Melinda Gates Foundation. Currently, Serum is conducting another trial in Gambia and India where the vaccine is given at 6 and 10 weeks and a booster dose at nine months of age. Using the two primary dose and a booster dose will help reduce the cost of immunisation. The two primary and booster dose schedule provides almost the same immune response as the three primary and a booster dose schedule. "The three primary doses coincide with the pentavalent immunisation schedule, while the booster dose at nine months coincides with the first dose of measles vaccine," says Dr. Dhere.

[Taking A Holistic Approach to Dengue \(Dhileepan Selvarajan - Consultant Physician and Cardiologist Based in Thiruvapur, Tamil Nadu\)](#)

- The advent of a new **tetravalent vaccine against the dengue virus** has thrown new light into the evidence-based management of dengue. An article recently published in the New England Journal of Medicine revealed that this vaccine confers about 80% protection to children vaccinated between 4 and 16 years of age without any major side effects. It was a **double-blind, placebo-controlled, randomised, multi-centre trial** which included 20,017 participants from the dengue-endemic countries. However, apart from promoting the use of the vaccine, gaining control over dengue will also require a holistic approach that has to include within its ambit **vector control and proper case management**. Dengue is essentially a tropical disease that occurs in the countries around the Equator; **hot weather and intermittent rainfall favour the sustenance of Aedes aegypti** — the vector transmitting the dengue virus —and **Aedes albopictus**, a minor contributor. **Aedes eggs can remain dormant for more than a year and will hatch once they come in contact with water**. Urbanisation, poor town planning, and improper sanitation are the major risk factors for the multiplication of such mosquitoes. **Aedes mosquitoes cannot fly beyond a hundred metres**. Hence, keeping the ambience clean can help prevent their breeding. Further, these mosquitoes **bite during the daytime**, so keeping the windows shut in the day hours is also useful.

Shortage of Skilled Manpower

Many other source reduction activities can be undertaken, including **preventing water stagnation** and using **chemical larvicides** and **adulticides**. These chemicals need to be applied in periodic cycles to kill the larvae that remain even after the first spray. Unfortunately, the number of skilled workers available for such measures is low; many posts in government departments remain vacant despite there being a dire public health need. Due to this deficiency of manpower, active surveillance is not being done in India, says the National Vector Borne Disease Control Program. **Also, dengue cases are often under-reported due to political reasons and also to avoid spreading panic among the common people**. Further, there is a lack of coordination between the local bodies and health departments in the delivery of public health measures. A comprehensive mechanism is required to address these issues. Moreover, epidemiological measures are essential in the management of any communicable disease. **Singapore uses one successful model of mapping and analysing data on dengue, using Geographical Information System (GIS)**. This involves mapping the streets with dengue cases for vector densities. **Dengue is mostly an asymptomatic infection, and only a very few develop severe disease**. Those very young or very old and those who have a chronic ailment are at a greater risk of developing severe disease. But the worldwide case fatality rate is as low as 0.3%. The dengue virus has four serotypes and only a second infection



with a different serotype will cause a severe disease. Fluid management is the cornerstone in the management of severe diseases like dengue haemorrhagic fever and dengue shock syndrome. Here, the role of platelet depletion in exacerbating the condition of a patient is overemphasised even by many medical personnel. Contrary to the common belief, platelet transfusions are not needed even in cases of active bleeding, as per the guidelines of the World Health Organization (WHO). Coagulation abnormalities are not due to a reduction in the number of platelets alone. This is why the WHO recommends fresh whole blood or packed cell transfusion in the event of bleeding. The platelet count will increase automatically as fever subsides.

Alternative Medicine Drugs

Finally, despite the adequate and well-formed guidelines for the management of dengue cases by the WHO and the Indian government, the usage of complementary medicines like Nilavembu kudineer (a Siddha medicine) and papaya leaf extract are rampant among the people. Nilavembu sooranam, which reportedly contains about nine different substances, has been widely promoted for use to treat dengue fever despite the safety of and complex interactions among its different constituents not having been tested. The efficacy of Nilavembu kudineer in the management of several other diseases is based on very primitive forms of research like case reports, in-vitro studies, and animal studies. There are case reports where *Andrographis paniculata*, an active constituent of Nilavembu sooranam, showed anti-fertility effects in animal models, causing abortion. Even meta-analysis of various studies has shown that there is no credible evidence for the use of papaya extract in dengue fever. However, for unknown reasons, even some pharmaceutical companies are being allowed to market papaya extract pills. In Tamil Nadu, complementary medicine practitioners often argue that a proper double-blind, randomised, placebo-controlled trial cannot be conducted as it involves huge money and manpower. Though this argument is partially correct, patients cannot be treated as guinea pigs. For any medicine, safety is more important than efficacy. Every modern medicine drug has come out after rigorous safety and efficacy studies for around 10 years, with an informed declaration of the side effects. Hence, instead of carrying out distribution of medicines like Nilavembu kudineer, the government can concentrate its energies on other public health activities. Modern medicine is not against any complementary medicine; when such a medicine is approved after rigorous testing, modern medicine will absorb it, and there are many examples of that. However, in the absence of evidence, the efficacy of such medicines remains in the realm of belief instead of science.

Genome of Indian Cobra Sequenced

- The Indian cobra, common cobra, spectacled cobra are names for the same species, *Naja naja*, and is part of the so called 'Big 4': the Indian cobra, the common krait (*Bungarus caeruleus*), Russell's viper, and the saw-scaled viper. The quartet has long been considered responsible for most snake bites on the Indian subcontinent. The king cobra (*Ophiophagus hannah*), another poisonous snake, had its genome sequenced in 2013 by a research team in the U.K. (along with an international team). The foray into the Indian cobra genome involved making a map of its 38 chromosomes. Chromosomes are where DNA is tightly packed and the reptile's gene map — unveiled in the latest issue of the scientific journal, *Nature Genetics* — revealed over 12,000 genes. The human genome, in comparison, has 23 chromosomes and the estimated number of protein coding genes in the 20,000-25,000 range.

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Among the genes mapped are **139 toxin genes**, or those that produce biological products specific to toxins. **Nineteen of them are venom-specific, and expressed only in the venom gland.** These are the constituents of venom that cause **paralysis, internal bleeding and death associated with snakebite.** Knowing these genes, the scientists argue in their paper, **can help scientists design new antivenom using recombinant protein technologies.** If genomes of more snakes are sequenced, there is a bigger possibility of genes commonly associated with venom production (across snake species) are identified and more broad-spectrum antivenoms are made.

Though bites from 60 of 270 species of Indian snakes are known to kill or maim, the antivenom now available is effective only against the 'Big 4'. The study is titled "Beyond the 'big four': Venom profiling of the medically important yet neglected Indian snakes reveals disturbing antivenom deficiencies", published in the journal, PLOS Neglected Tropical Disease. For instance, **the monocled cobra (Naja kaouthia), found in east and north-east India, is not among the 'Big 4', but its venom, tested in mice, is more potent than that of the Indian cobra. But the commercial antivenom is not effective against the monocled cobra.** Sunagar's research also shows that the **antivenom is effective against the common krait in south India but is not against the same species in Punjab.** His study also notes that while various medically important species of cobras (N. sagittifera, N. oxiana, N. kaouthia), kraits (B. andamanensis, B. fasciatus, B. niger, B. sindanus), vipers (Hypnale hypnale, Ovophis monticola, E.c. sochureki, Macrovipera labetina), coral snakes (Calliophis nigrescens, Sinomicrurus maccllellandi), sea snakes (Pelamis platurus, Enhydrina schistose, Hydrophis cyanocinctus) and sea kraits (Laticauda colubrina), etc., are capable of delivering clinically significant and, even, fatal bites, specific antivenoms do not exist. This is because **snake venom is surprisingly varied and comes in a staggering variety that has not been completely understood by scientists.**

How Is Antivenom Made?

Antivenom is made by extracting venom from the snake and injecting small amounts into rabbits or horses. In the case of the polyvalent antivenom available in India, it is made by injecting it into horses. The antibodies that form are then collected from the domestic animal's blood, purified and isolated. The first antivenom for snakes was actually made for the Indian cobra by Léon Charles Albert Calmette, a French scientist of the Pasteur Institute, in 1894. The process is considered laborious, expensive and time consuming. Using recombinant technology, the genetic sequence for each toxin can be pasted into a yeast or E. coli bacterium, and have them multiply. Then they can be compared to libraries of human antibodies to check which ones stick best and make stable antivenom.

A Health Emergency

- Based on the risk of international spread of poliovirus, the World Health Organization announced on January 7 that polio will continue to remain a **Public Health Emergency of International Concern (PHEIC)** for three months. The decision was taken based on the recommendation of the emergency committee under the international health regulations that assessed the situation last month. The committee arrived at the unanimous decision based on the "rising risk" of international spread of wild poliovirus type-1. **Polio was declared as PHEIC in 2014 and has continued to remain one since then.** There were **156 cases of wild polio type-1 cases in 2019 compared with 28 in 2018.** With **128 cases, Pakistan accounted for the greatest number of cases, while Afghanistan reported 28 cases.** Besides the four-fold

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increase in cases, there were instances of the wild type-1 virus getting exported from Pakistan to Iran and Afghanistan, as also on the spread from Afghanistan to Pakistan. In addition to the virus causing polio in children, it was found in the environment in Pakistan and, to a lesser extent, in Afghanistan. This is particularly a concern as the number of children not vaccinated in Afghanistan has been increasing. In 2018, a total of 8,60,000 children in Afghanistan did not receive polio vaccine due to security threats. The situation did not improve in 2019 and, as a result, a large cohort of children in the southern region of the country remains unprotected. Therefore, even other parts of the country that have been free of the virus in the past are at risk of outbreaks. An equally disturbing development is on the outbreak of vaccine-derived poliovirus cases in 16 countries; in all, there were 249 vaccine-derived poliovirus cases in 2019. Surprisingly, of them, only 30 were in countries where vaccine-derived poliovirus is endemic. "The rapid emergence of multiple circulating vaccine-derived poliovirus type-2 strains in several countries is unprecedented and very concerning, and not yet fully understood," the committee noted. But, not a single case of vaccine-derived poliovirus was reported from Afghanistan, while Pakistan had just 12 cases. In comparison, the number of cases in Angola was 86 and the Democratic Republic of the Congo was 63. While Nigeria reported 18 cases of vaccine-derived poliovirus, not a single case of wild poliovirus type-1 has been reported from the country for over three years; the last reported case was in August 2016. A country is said to have eradicated polio when no new case of wild poliovirus is reported for three successive years. Nigeria is all set to be declared as having eradicated polio this year, and in turn, the entire African region will become free of wild poliovirus.

Crocodile Population on The Rise in Ghodahada Reservoir

- Twenty-one mugger crocodiles live in ten village ponds adjoining Ghodahada reservoir of Odisha's Ganjam district that houses 44 of these reptiles. This example of peaceful coexistence of humans and crocodiles in the Digapahandi forest range under Berhampur forest division was revealed during annual crocodile census conducted in the region. The number of mature crocodiles is increasing in the region. In 2018, their number was 45. Digapahandi Forest Range Officer Pramod Kumar Khadagraj said that highest number of five crocodiles were in the Ujaleswar temple tank at Khambarigaon village on the banks of the reservoir. The other nine village ponds around the reservoir housed 10 muggers. As per the locals and forest officials, in the British era, the area zamindar had kept some crocodiles in the Ujaleswar temple tank. The crocodiles of the Ghodahada reservoir and its adjoining village ponds have never harmed any villagers or domestic animals. According to zoologists, muggers are less ferocious than other crocodile breeds and they seem to be satisfied with fish in the reservoir and its adjoining ponds. Villagers are fishermen and involved in pisciculture in the reservoir and conservation of crocodiles.

Who Is Diego, The Giant Tortoise?

- **Diego has retired.** A member of the *Chelonoidis hoodensis*, or the giant tortoise species, Diego has spent much of his long life — he is 100 years old — in saving his kind. His phenomenal sex drive ensured he produced enough progeny to secure the future of his species. On January 10, the **Galapagos National Park**, where Diego lived, called off the captive breeding programme. "Based on the results of the last census conducted at the end of 2019 and all the data available since 1960, both of the island and its turtle population, we



developed mathematical models with different possible scenarios for the next hundred years and in all the conclusion was that the island has sufficient conditions to keep the turtle population that will continue to grow normally, even without any new repatriation of juveniles," said Washington Tapia, director, Giant Tortoise Restoration Initiative (GTRI) of the National Park. Diego will soon be returned to his home in Española Island, from where he was taken around 80 years ago. Diego joined the breeding programme in 1976, and the tortoise population has since gone up from 15 to 2,000. The New York Times has quoted James P Gibbs, a professor of environmental and forest biology at the State University of New York in Syracuse, as saying that paternity tests indicate Diego is responsible for about 40 per cent of the offspring produced. "Another more reserved, less charismatic male — 'E5' — has generated about 60 per cent," the NYT report quotes Gibbs as saying. "The third male — 'E3' — virtually none. So, Diego has been critical." Diego's contribution becomes more apparent when contrasted with Lonesome George, another gaint tortoise living in Galápagos. George's species, *Chelonoidis abingdonii*, was wiped out because he never fathered any progeny in all his years at the park. As the figures show, Diego is not the most prolific male tortoise in the park. But it is his "personality" that makes him special — and far more famous than E5. Diego is loud, aggressive, and demonstrative. According to Professor Gibbs, "It might come as a surprise to many but tortoises do form what we would call 'relationships. The social hierarchies and relationships of giant tortoises are very poorly known." According to the NYT, Diego has a "long leathery neck, dull-yellow face and beady eyes". Fully stretched out, he extends to about five feet, and weighs about 176 pounds. The long neck is critical for his species' survival, helping the tortoises crane their neck to feed on cactii. Tortoises on the Galápagos Islands served as excellent source of food for seafarers in the 1800s. They could survive inside ships for upto a year, and so a large number were picked up from the islands. Not all were eaten — they would be cast off a ship when it needed to lose ballast. Feral goats on the islands posed another danger, competing for food, destroying the tortoises' habitat.

A Giant Fish Is Declared Extinct

- One of the largest freshwater fish has been declared extinct in a study published in the journal *Science of the Total Environment*. The **Chinese paddlefish (*Psephurus gladius*)** was an iconic species, measuring up to 7 m in length, dating back from 200 million years ago, and therefore swimming the rivers when dinosaurs ruled the Earth. Its ancestral home was the **Yangtze River**. But how did the study determine that it has gone extinct? Chinese researchers made this conclusion based on the Red List criteria of the International Union for Conservation of Nature (IUCN). The Red List has several categories for extinction, or for how endangered a species is. For example, "**extinct in the wild**" means a species survives only in a captive environment while "**locally extinct**" means a species has ceased to exist in a particular area but may exist in other areas. Then there is "**functionally extinct**", which means the species continues to exist but it has too few members to enable to reproduce meaningfully enough to ensure survival. To be "**globally extinct**", it means a species has no surviving member anywhere. Such a conclusion is reached when there is no reasonable doubt left that its last member has died. Declaring a species extinct is an elaborate process. It involves a series of exhaustive surveys, which need to be taken at appropriate times, throughout the species' historic range and over a time - frame that is appropriate to the species' life cycle and form. When these surveys fail to record the existence of any individuals belonging to that species, a species may be presumed to be extinct. Once declared extinct, a species is not eligible for protective measures and conservation funding; therefore, the



declaration has significant consequences. In the case of the Chinese paddlefish, the researchers made the conclusion over long-term surveys. It was once common in the Yangtze, before overfishing and habitat fragmentation — including dam building — caused its population to dwindle from the 1970s onwards. Between 1981 and 2003, there were just around 210 sightings of the fish. The researchers estimate that it became functionally extinct by 1993, and extinct sometime between 2005-2010.

Why Eruption of a Tiny, 'Complex' Volcano Is Causing Concern

- In the Philippines, a volcano called Taal on the island of Luzon, 50 km from Manila, erupted, spewing lava on the ground, and ash and smoke into the sky. Although Taal is a tiny volcano, the eruption has caused concerns in the Philippines. There are several reasons:

A Complex Volcano

Taal is classified as a “complex” volcano by the Philippine Institute of Volcanology and Seismology (PHIVOLCS). A complex volcano, also called a compound volcano, is defined as one that consists of a complex of two or more vents, or a volcano that has an associated volcanic dome, either in its crater or on its flanks. Examples include Vesuvius, besides Taal. The Taal volcano does not rise from the ground as a distinct, singular dome but consists of multiple stratovolcanoes (volcanoes susceptible to explosive eruptions), conical hills and craters of all shapes and sizes, as per NASA’s Earth Observatory. Taal has 47 craters and four maars (a broad shallow crater).

Unpredictability

Taal has erupted more than 30 times in the last few centuries. Its last eruption was on October 3, 1977. An eruption in 1965 was considered particularly catastrophic, marked by the falling of rock fragments and ashfall. Before that, there was a “very violent” eruption in 1911 from the main crater. The 1911 eruption lasted for three days, while one in 1754 lasted for seven months. Because it is a complex volcano with various features, the kinds of eruption too have been varied. An eruption can send lava flowing through the ground, or cause a threat through ash in the air.

Location

Taal’s closeness to Manila puts lives at stake. The BBC quoted James White, head of geology at the University of Otago, as saying: “Metro Manila is a few tens of kilometres away with a population of over 10 million, and there are multiple cities within 30 km that have more than 100,000 people in each, not counting the smaller towns in between.” Since the events, thousands living on the island have been fleeing their homes. The volcano is currently at alert level 4, which means that a “hazardous eruption” could be imminent within a few hours to a few days. Hazardous eruptions are characterised by intense unrest, continuing seismic swarms and low-frequency earthquakes. Because the country is situated at the boundaries of two tectonic plates — the Philippines Sea Plate and the Eurasian plate — it is particularly susceptible to earthquakes and volcanism.



Species-Rich Forests Offer Stable Carbon Capture

- Spending over six months conducting surveys inside Anamalai Tiger Reserve and using satellite data from multiple locations in the Western Ghats, an international team of researchers has shown that carbon storage was highest in species-rich evergreen forest. The paper published in Environmental Research Letters adds that the rate of carbon capture was more stable across years in forests than in plantations, and carbon capture by forests was more resilient to drought. The study was done in natural evergreen and deciduous forests, and in teak and eucalyptus plantations. **The studied eucalyptus plantations had comparatively lower carbon storage, while teak plantations stored nearly as much carbon as deciduous forests.** The team identified the trees, measured their girth and height in 250 square plots inside the Anamalai Tiger Reserve, and used the measurements to estimate carbon storage in different forests and plantation types. They then used satellite data from Parambikulam Tiger Reserve, Rajiv Gandhi Tiger Reserve, Wayanad Wildlife Sanctuary and Bhadra Tiger Reserve, along with Anamalai to assess the rate of carbon capture and how they varied across years (2000-2018). All the study areas used to be exploited for timber and for raising plantations of commercially important trees in the past, but are now strictly protected as wildlife reserves. Annual rainfall and stressors like drought were all taken into consideration for the study. **The results showed that the species-rich evergreen forests stored carbon at approximately 300 tons per hectare. The storage in teak and eucalyptus plantations was 43% and 55% less, respectively.** The researchers also found that the **rates of carbon capture remained nearly the same year after year in natural forests compared with plantations.** “This study can help transform reforestation policies. Currently, according to government data, over half of compensatory afforestation plantations use five species or less, which is way lower than in natural forests and totally inadequate. We know that this is not good for biodiversity, and now this study has shown that it is not great for the stability of carbon capture too,” explains one of the authors. He adds that we also need to think about where the afforestation measures are being carried out. **Grasslands help in carbon capture themselves and planting trees there can cause more harm than good.** The first author of the paper Dr. Anand Osuri says: **“Our findings suggest that protecting and regenerating natural forests comprising a diverse mix of native tree species is more reliable in the long term than raising monoculture or species-poor plantations as a strategy for mitigating climate change.”** “Species-rich forests are beneficial for biodiversity as they also provide habitat to many other components — insects, birds, etc. Previous studies have shown that species-rich forests are also resistant to diseases.” Keeping the Australian fires in mind, when asked if species-rich forests have better resistance to fire, she said that different trees have varying degrees of fire resistance depending on the thickness of the bark. Also, the ability to regenerate the seeds differ across species and so a **multi-species forest would likely show greater resilience in case of a fire.**

What Carbon Numbers Mean for Climate Target

- The State of Forest Report (SFR) 2019, while showing an increase in the carbon stock trapped in Indian forests in the last two years, also shows why it is going to be an uphill task for India in meeting one of its international obligations on climate change. India, as part of its contribution to the global fight against climate change, has committed itself to creating an **“additional carbon sink of 2.5 to 3 billion tonnes of carbon dioxide equivalent” by 2030.** That is one of the three targets India has set for itself in its climate action plan, called **Nationally**



Determined Contributions, or NDCs, that every country has to submit under the 2015 Paris Agreement. The other two relate to an **improvement in emissions intensity**, and **an increase in renewable energy deployment**. India has said it would reduce its emissions intensity (emissions per unit of GDP) by 33% to 35% by 2030 compared to 2005. It has also promised to ensure that at least 40% of its cumulative electricity generation in 2030 would be done through renewable energy.

What Is the Relationship Between Forests and Carbon?

Forests, by absorbing carbon dioxide from the atmosphere for the process of photosynthesis, act as a natural sink of carbon. **Together with oceans, forests absorb nearly half of global annual carbon dioxide emissions**. In fact, the carbon currently stored in the forests exceeds all the carbon emitted in the atmosphere since the start of the industrial age. An increase in the forest area is thus one of the most effective ways of reducing the emissions that accumulate in the atmosphere every year.

How Do the Latest Forest Data Translate into Carbon Equivalent?

The latest forest survey shows that the carbon stock in India's forests (not including tree cover outside of forest areas) have increased from 7.08 billion tonnes in 2017, when the last such exercise had been done, to 7.124 billion tonnes now. This translates into 26.14 billion tonnes of carbon dioxide equivalent as of now. It is estimated that India's tree cover outside of forests would contribute another couple of billion of tonnes of carbon dioxide equivalent.

How Challenging Does This Make It for India In Meeting Its Target?

An assessment by the Forest Survey of India (FSI) last year had projected that, by 2030, the carbon stock in forests as well as tree cover was likely to reach 31.87 billion tonnes of carbon dioxide equivalent in the business as usual scenario. **An additional 2.5 to 3 billion tonnes of sink, as India has promised to do, would mean taking the size of the sink close to 35 billion tonnes of carbon dioxide equivalent**. Considering the rate of growth of the carbon sink in the last few years, that is quite a stiff target India has set for itself. **In the last two years, the carbon sink has grown by just about 0.6%. Even compared to 2005, the size of carbon sink has increased by barely 7.5%**. To meet its NDC target, even with most optimistic estimates of carbon stock trapped in trees outside of forest areas, the **sink has to grow by at least 15% to 20% over the next ten-year period**.

So, What Is the Way Forward?

There are two key decisions to be made in this regard — selection of the baseline year, and addition of the contribution of the agriculture sector to carbon sink. The baseline year can impact the business-as-usual projections for 2030. BAU projections are obtained using policies that existed in the baseline year. Now, there has been a far greater effort in recent years to increase the country's forest cover. So a 2015 baseline would lead to a higher BAU estimate for 2030 compared to a 2005 baseline when less efforts were being made to add or regenerate forests. The FSI projections made last year used a 2015 baseline. If 2005 baseline is used, India's targets can be achieved relatively easily. India's emissions intensity target uses a 2005 baseline, so there is an argument that the forest target should also have the same baseline. But there is a strong demand for a 2015 baseline as well, so that it results in some concrete progress in adding new forest cover. **When India announced its NDC in 2015,**



it did not mention the baseline year. It has to decide on it before it reconfirms its NDC targets ahead of the next climate change meeting in Glasgow towards the end of the year. At that time, India would also have to specify whether it wants to count the carbon sink in the agriculture sector in its target. The NDC specifically mentions that and “additional” 2.5 to 3 billion tonnes of carbon sink would be created through “additional forest and tree cover by 2030”, but Environment Ministry officials insist that tree cover outside forest areas must include agriculture as well.

Decade Ended 2019 Hottest Ever

- 2019 was declared as the second warmest year ever by the European weather agency’s Copernicus climate change programme. Only 2016 has been measured to be warmer. Just two days earlier, the India Meteorological Department (IMD) had said 2019 was the seventh warmest year on record for India.

How Warm Was 2019 Globally?

The Copernicus programme, run by the European Centre for Medium Range Weather Forecasting, said the average annual global surface temperature in 2019 was 0.59°C higher than the average of the 30-year period 1981-2010, which is taken to be normal in current assessments. Compared to pre-industrial times, a reference to the 1850-1900 period, which is considered the baseline in climate change debates, 2019 was 1.2°C warmer. Within 2019, December clocked its own record. With temperatures 0.74°C above average, 2019 had the warmest December ever, alongside the 2015 December which was similarly warm. Only 2016 has recorded marginally higher annual temperatures. That year was 0.63°C warmer than the 1981-2010 average. 2017 has been the third warmest year till now, with a temperature of 0.54°C above average. The extent of sea ice, both in the Arctic and the Antarctic, is often taken as an important indicator of the impact that global warming was causing. The Copernicus programme said the Antarctic sea ice extent was the third lowest ever in December 2019 since the start of satellite observations in 1979. The Antarctic sea ice extent was 9.3 million square km on an average, which was about 15% lower than the 1981-2010 average for the month. In the Arctic, the sea ice was 11.8 million square km, about 8% below the average. The lowest December sea ice near the Arctic was recorded in 2010 when it was 11% below the average.

What Are the Findings of The Climate Report on India?

The IMD, in its climate report for 2019, said India had warmed by 0.61°C in the last 100 years. The IMD maintains weather records since 1901. During last year, the annual mean surface air temperature averaged over the country was 0.36°C higher than the 1981-2010 average. For India too, 2016 has been the warmest ever, with temperatures 0.71°C above average. This is followed by 2009 (+0.541°C), 2017 (+0.539°C), 2010 (+0.54°C) and 2015 (+0.42°C). Annual temperatures have remained high despite the winters being one of the coldest in recent decades. The winter season extending from November 2018 to February 2019 was colder than average, globally. Meteorologists attributed it to be the effect of a phenomenon called the **Arctic vortex**. Generally, cold winds blow from west to east around the North Pole. But due to global warming, warming over the Poles happens at a faster rate than other regions on the globe. As a result, these cold westerly winds, which otherwise remain restricted to the North Pole, were disturbed and started blowing to southern latitudes of the northern



hemisphere. During the last winter season, these winds even reached India in the form of cold blasts. All of north India recorded severe cold that triggered snow avalanche in higher reaches. According to Met officials, snow avalanches are common in the years when there is very severe snowfall leading to huge amounts of snow accumulation. **Despite the cold winter, the annual average temperatures were way higher than normal, indicating the rest of the year was unusually warm. And it was indeed so.** April 2019 was the seventh warmest April since 1901, with a mean monthly deviation of +0.77°C from the 1981-2010 average, June 2019 was the fourth warmest (+1.02°C), July 2019 was the warmest ever (+0.68°C), and November 2019 was the third warmest (+0.72°).

Why Was India Warmer In 2019?

Temperatures in India were in line with global trends in 2019. And though there could have been a variety of other local and regional reasons that contributed to the warming over India, scientists point out at least two that would have been responsible. One of these was an El Niño that prevailed for a particularly long time. The other factor was the timing of the monsoon.

EL NIÑO: **El Nino, the abnormal warming of the equatorial Pacific Ocean, was a low-intensity one in 2019, but its prevalence till July could have contributed to the warming,** scientists said. Temperatures recorded during El Niño years and their subsequent years have usually been higher than normal. This has been noticed all along the El Niño years during 1951-2019. These are 1951, 1953, 1957, 1963, 1965, 1969, 1972, 1982, 1987, 1991, 1997, 2002, 2004, 2009 and 2015. "El Niño years are warmer usually, as they interfere with the monsoon, make both summer and winter warmer than normal. There is excess clouding experienced that pushes the temperatures. In fact, the year could have been warmer had it not been for the two extreme cold months, recorded in January and December of 2019, said Pai.

DELAYED MONSOON: A week-long delay in the onset of the southwest monsoon in June last year contributed to the season being the warmest ever. "The rainfall gained momentum only from August and continued to linger on till mid-October," said Pai. This delay, coupled with less rainfall recorded during June and July, led to a further increase in the season's average temperature. The June to September monsoon season saw a record warming in 119 years. The average seasonal temperature was +0.58°C higher than normal. This, despite the season producing excess rainfall, ending with 109 per cent of the Long Period Average.

Reading Australia Fire Signals

- For more than three weeks now, striking photographs from Australian towns and villages, bathed in an orange background, have been making global headlines, and circulating on social media. The gloomy orange background is because of smoke from an unprecedented spate of forest fires in large parts of Australia for more than three months now. Forest fires, or bushfires as they are known in some parts of the world, are common occurrences in Australia during the summer season, but the scale and intensity this year have been extraordinary, and scientists are already attributing it to climate change. Many of them are warning that the scenes from Australia could be a glimpse of the future that awaits our planet if urgent action is not initiated on climate change.



What Causes Forest Fires?

Forest fires, or wild fires, routinely occur across the world in hot and dry seasons. Dry leaves, grass, shrubs, deadwood etc are easily combustible. Ignition happens naturally, from **lightning strikes** for example, or accidentally, from sources such as **cigarette stubs**. Suitable speed and direction of wind helps spread a forest fire faster. It usually comes to an end due to rain or because there is no further contiguous vegetation to spread to. Sometimes, fires are ignited on purpose, either to clear the land, or even to control an incoming forest fire by removing vegetation that would have aided the incoming fire's further spread. Last year, the fires in the Amazon forests in Brazil had become controversial because they were largely seen to have been a result of deliberate burning by farmers and large agro-industry players keen on getting more land. Major forest fires were reported last year in the US, Canada and Europe too. During the summer months, fires are common in the forests of India as well, though their scale and impact are much smaller.

How Common Are Forest Fires in Australia?

Australia, where the summer starts around October, is known to be the **most fire-prone of all continents**. This is mainly because **Australia is also the driest inhabited continent**. Almost **70 per cent of its area comprises arid or semi-arid land, with average annual rainfall less than 350 mm**, according to the Australian government's Department of Environment and Energy. Australia has about 134 million hectares of forest land, most of it in the north and east. Bushfires are pretty common every year in summer. Australian government data show that about 55 million hectares of forest land, more than 40 per cent of the entire forests, had been affected by at least one such fire in the period between 2011 and 2016.

So, How Are the Ongoing Fires Different?

This Australian summer, the spread and intensity of forest fires are something never seen before. According to a Reuters report earlier this week, the fire has impacted more than 10.3 million hectares of forest land so far, an area the size of South Korea. Twenty-seven people have so far died, while reports suggest millions of wild animals might have been killed. Australia's Environment Minister said up to 30 per cent of the koala population was feared to have perished in the fires. **Several record-breaking weather conditions are believed to have contributed to this unprecedented wave of forest fires**. The Australian Bureau of Meteorology confirmed that 2019 happened to be the **warmest and driest year for the country since 1900**. **Daytime temperatures were, on an average, 2°C higher than normal, while average rainfall for the country was 40% below normal**. Heat and dryness are the key preconditions for the ignition and spread of forest fires. Australia is in the midst of a prolonged drought, now spreading to three consecutive years. **The three years between 2017 and 2019 were the driest 36-month period ever in the Murray-Darling Basin and New South Wales**. For last year at least, the problem has been compounded by the presence of **one of the strongest-ever positive Indian Ocean Dipole (IOD) events**. The IOD, which refers to the difference in sea-surface temperatures in the eastern and western Indian Ocean, either aids or cuts off moisture supply to Australia, depending on whether the western Indian Ocean is cooler or the eastern. This year, the eastern Indian Ocean has been unusually cold, and that contributed to the rainfall deficiency over Australia.



(Playing out to the north and south of the equator, the progression of monsoon winds more or less corresponds to the natural occurrence of troughs and ridges in the same pressure field as seen on the weather map. Every trough is matched by a crest somewhere — troughs represent areas of low pressure featuring ascending motion of air and its cooling, clouds and rain while ridges mean the reverse: high pressure from descending motion of air, dryness, heat, no clouds or rain. **The 2019 June-September monsoon in India started its withdrawal on October 9, against the normal date of September 1, making it the most delayed in recorded history. It was also the strongest in recent years with a surplus of 10% in 2019 — both attributed in part due to the positive phase of the Indian Ocean Dipole (IOD).** During a positive IOD phase, the west Indian Ocean warms up anomalously (creating lower pressure and wet climes) relative to the east (higher pressure and a dry phase, towards the Australian side). **Climate models had indicated that the positive IOD may persist longer than typical events do — active right from May 2019 before peaking in October-November and decaying only during the first week of January 2020. In this manner, a positive IOD that persisted longer than usual is thought to have contributed to a delay in transition of the monsoon trough from the Northern Hemisphere to the Southern Hemisphere and onset of the Australian monsoon.** The IOD breakdown occurs when the monsoon trough moves into the southern hemisphere in early December (this is when the North-east monsoon in India draws to a close.)

Another indicator of the extent of dryness this year is the condition of soil moisture which is at historic lows in the areas most affected by the fires. Scientists also point to a **rare stratospheric warming over Antarctica — temperatures were 30°C to 40°C higher than normal in the region 10 to 50 km from Earth's surface —** as yet another extraordinary weather event that could have contributed to the unusual heat and dryness in Australia.

Can It Be Attributed to Climate Change?

Usually, scientists are wary of attributing any single contemporary event to climate change, mainly because of the difficulty in completely ruling out the possibility of the event having been caused by some other reason, or a result of natural variability. In this case, however, there is strong evidence to indicate that nearly all the drivers of the extraordinary heat and dryness in Australia, which has led to these unprecedented forest fires, could directly be linked to climate change. **The warming trend that made 2019 the warmest year on record for Australia, the prolonged drought, severe rainfall deficiencies, the strongly positive IOD and low soil moisture can all be easily attributed to climate change.** More significantly, exactly these kinds of bushfires, of higher intensity and wider spread, have been predicted by climate change studies in the past. **As far back as 2007, the Intergovernmental Panel on Climate Change (IPCC) had said in its fourth assessment report that climate change was likely to increase the frequency of fires in Australia.** This has been re-emphasised in all recent IPCC reports. "In south-east Australia, the frequency of very high and extreme fire danger days is likely to rise by four to 25 per cent by 2020 and 15 to 70 per cent by 2050," the IPCC report had said in its 2007 report. The fiercest fires this season have also been concentrated in south-east Australia. "In both Australia and New Zealand, the fire season length is likely to be extended." the report had said. The Australian bushfires are therefore being seen as one of the biggest climate disasters of our times. And it is likely to intensify even further, considering that the Australian summer is not yet over. Thousands of people have already been rendered homeless, and Australian authorities told the people to be ready for more



mass evacuations, particularly those living in the south-eastern parts where the fires have caused the maximum devastation.

Why Does It Matter?

Experts say climate change has worsened the scope and impact of natural disasters such as fires and floods. Weather conditions are growing more extreme, and for years, the fires have been starting earlier in the season and spreading with greater intensity. South-east Australia has been abnormally dry since September under prevailing positive IOD conditions, which means that it would need bouts of significant rainfall to have an impact on the fire risk. Although the region experienced some rain early this week, it is not enough. Given this, the risk of additional fires remains high. **Early in January, the State of Victoria had declared a state of disaster and NSW (New South Wales) a state of emergency.** The State of Queensland also briefly declared a state of emergency in November. There are currently more than 2,000 firefighters working on the ground in NSW alone, and more support is on the way with the U.S., Canada, and New Zealand promising to despatch additional firefighters. But unfortunately, Australia is only just entering its summer season.

What is 'OK Boomer'?

- "OK Boomer" expresses the frustration of young people with an inheritance that they feel is broken, conveys their rejection of parents-know-best condescension, and announces the giving up of all hope in the ability of the earlier generation to even see, let alone clean up, the mess that they have created. As the young New Zealand politician wrote in an Op-Ed in The Guardian, "My "OK boomer" comment in Parliament was off-the-cuff, albeit symbolic of the collective exhaustion of multiple generations set to inherit ever-amplifying problems in an ever-diminishing window of time." Expectedly, the snub has provoked a backlash. As the popularity of "OK Boomer" skyrocketed (there was merchandising, and some young people even attempted to trademark it), critics complained about an entitled and ageist slur that was rude and offensive at best and "equivalent to the n-word" at worst. Workplaces began to discuss the inappropriateness of the word "Boomer" itself. Some pointed out, smugly, that the phrase was a "passive admission as to who is really in charge". Of course, the resonance in India will be limited, never mind the cheeky posters in the youthful crowd. The "Baby Boomer" concept is rooted in the demographic history of the US, and is alien to India. Post-World War II couples reuniting during a prosperous time led to a subsequent surge in population in North America, along with a new confidence, better health, and unprecedented control over their circumstances. The situation in post-colonial India was totally different. That said, intergenerational tensions may still have some universal expressions — especially in today's interconnected, globalised world in which everything is everywhere at almost the same time. As more colleges and universities around the world become centres of dissent and more family WhatsApp groups the theatres of strong political disagreements, an Internet-fuelled generation will continue to make its voice heard — even if it is to ignore those before them.