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## THE EDITORIAL PAGE

The Indian EXPRESS

FOUNDED BY  
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

## BULLY &amp; PULPIT

Farm bills usher in needed reform but by bulldozing Opposition, government does disservice to reform and Parliament

**A**STWO OF THREE important farm bills that seek to deregulate the sale of agricultural produce were passed in Rajya Sabha on Sunday, after all three were cleared by Lok Sabha earlier in the week, the story so far: Scenes of uproar and chaos amid an Opposition protest inside the Upper House, street agitations by farmers who are defying restrictions imposed by the pandemic in Punjab and Haryana, a walkout by the sole minister of one of the BJP's oldest partners, SAD, from the NDA ministry. What should have been a moment to pause and prepare for moving towards a much-promised reform, is now one that ranges the intended beneficiaries against it, alongside the government's political opponents and an ally. And for this disgraced and disfiguring moment, the government cannot blame the Opposition alone. While the opposition parties may be seizing the visible unrest in sections of the farmers to score a political point, the fact is that the government has wielded a bludgeon when it could have used the subtle powers of Parliament. In fact, the forcible ramming through of the farm bills, the stubborn refusal to concede any elbow room to the Opposition, be it a discussion, a division of votes or a reference to a select committee, underlines a sobering message — this government may be in its second term, but it does not appear to have as yet understood the importance of Parliament, and of playing by its rules.

In Parliament, and outside it too, it often seems that the government believes that the winner takes all. In a constitutional democracy, however, there are, there must be, checks and balances, spaces for the political opponent and respect for the minority. There must be an attempt to moderate differences and forge common ground — and the greater ones for this is on the government. Already, amid the pandemic, parliamentary schedules have been truncated. But if the government uses the abbreviated time only to push through legislation — be it the consequential and crucial farm bills or the Industrial Relations Code Bill, 2020, which could water down the rights and protections of workers in small establishments — giving short shrift to the need to listen to the suggestions of the people's representatives or answer the Opposition's questions, it would be reducing the nation's highest deliberative forum to a mere clearing house. In an unprecedented pandemic, amid an economic downturn like no other, and with a grave face-off with China on the border, this short-circuiting of debate, and denial of the opportunity for MPs and Opposition to have their say, shrinks the possibilities of democracy to find a way out.

Of course, the farm bills do not seem the fears they appear to have stoked. Only the monopoly of the APMCs is sought to be dismantled, not the MSP regime. In any case, amid the pandemic, government will continue to be top procurer of agricultural produce, the bills will only put in place an enabling architecture for a later much-needed reform. This simple message needs to be communicated. But for it to be heard out, the government will first have to show that it is willing to listen.

## TOWARDS TOLERANCE

There is a slow but certain shift in the Arab Gulf. South Asia must recognise and support it

**A**STHE WORLD'S Jewish communities celebrated Rosh Hashanah, the traditional New Year, over the weekend, greetings came from an unexpected quarter — the Arab Gulf. The foreign ministers of the United Arab Emirates and Bahrain — which recently normalised ties with Israel under the so-called Abraham Accords — tweeted their best wishes in Hebrew and English. This simple gesture marks an important moment in the Middle East. The region's tolerance of non-Islamic faiths has seen a sharp decline in recent decades amidst the rise of radical political Islam that threatened the Arab Gulf kingdoms. Many Gulf rulers appeased the Islamists by adopting part of their agenda at home, letting them export extremist ideology to the rest of the world, adopting an uncompromising attitude towards Israel and lending a religious dimension to conflicts around the world involving Muslims.

The Arab Gulf, however, has begun to send a very different message. Since the signing of the Abraham Accords last week in Washington, official Gulf media has been recalling the history of peaceful coexistence through the millennia between the Arabs and Jews. One of the most significant recent statements on religious tolerance came from the Imam of the Grand Mosque in Mecca. Earlier this month, Imam Abdul Rahman al-Sudais offered a discourse on the Islamic teachings that emphasised respect towards non-Muslims and dwelt on Prophet Mohammed's positive engagement with the Jews. Many have read this sermon as signalling Saudi rethink on ties with Israel. Restrictions on religious freedom are the strongest in Saudi Arabia. A definitive change in Saudi Arabia may be some distance away, but the signs are more hopeful than at any time in recent memory.

The slow but certain shift towards religious tolerance had indeed preceded the Abraham Accords. Saudi Arabia's crown prince Mohammed bin Salman, for example, has taken small steps: home to reduce the hold of religious orthodoxy. The most visible expression of the new thinking was in the UAE, where promoting religious tolerance has become an active state policy. It has allowed the construction of a Hindu temple in Abu Dhabi, hosted the Pope, and is now letting the Jews practice their culture and faith. The UAE is constructing a complex in Abu Dhabi called the House of Abraham that will host a synagogue along with a church and a mosque. In recent decades, few regions have been as damaged by the extremist ideologies emanating out of Arabia as the Subcontinent. Once the exemplar of peaceful religious coexistence, the Subcontinent is now itself torn by religious and sectarian intolerance. Supporting the Arab turn to tolerance will hopefully help South Asia to reclaim its own tradition of religious coexistence and harmony.

## FREEZE FRAME

## EP UNNY



VIVEK KATIYA

THE ENORMITY OF the challenges confronting intra-Afghan talks that commenced in Doha on August 12 can only be appreciated if they are placed in the context of the turmoil that has continued in Afghanistan for over four and a half decades. For the first time, far-reaching changes involving the polity are being attempted through dialogue without the gun being the sole arbiter.

The country has witnessed the overthrow of the monarchy, a nationalist dictatorship, communist rule, the mujahideen era, the Taliban's Islamic Emirate and the current Islamic Republic. It has also experienced almost three decades of the presence of foreign forces and outside interference, especially from Pakistan. The balance of Afghan society and polity, shaken in 1973 with the monarchy's departure, has never been restored. Instead, sharpening ethnic divides, extremist ideologies and theologies, large migration to foreign lands, internal displacement, spread of narcotics and violence have become endemic. At the same time, over the past 15 years, a section of Afghan urban youth linked to the world through the social media wants more open systems within an Islamic framework.

Negotiators representing the Taliban and the rest of the Afghan political establishment and their masters bear in large or small measure the psychological and, in some cases, physical scars of this painful history. Hence, the search for durable peace and stability will not succeed unless all parties and, in some cases their foreign patrons, especially Pakistan, are willing to substantially relinquish entrenched thinking. If they fail to do so, the talks will fall flat. This may result in a collapse of existing political structures, splintering of the Afghan armed forces and higher levels of violence and criminality.

As the talks begin, the Taliban is in a position of strength. If the Kabul-based Afghan political class had succeeded in consolidating the republic and had kept the Taliban confined to a small area, it would have had the upper hand. That has not been so. Indeed, the Taliban with Pakistani support has shown remarkable resilience and has gained great confidence. It has inflicted a strategic defeat on the world's pre-eminent power. To effectively tackle them, American troops would have had to enter Pakistan territory and carry out a sustained



LEELA SAMSON

THE DIVIDE BETWEEN scholarship in the arts and the practice itself, runs deep. I imagine that it isn't just an Indian phenomenon. But it can easily tip over in a country like ours because of the existence of a large number of ancient texts on every subject under the sun including dramaturgy; because practice continues to this day in various forms and is living proof of the survival of these ancient practices, be they religious, artistic, craft or customs; and because of our diversity, which allows for opposite and contrary ways of practising the forms. Many artists who fancifully tried to straddle these two worlds have found themselves ostracised by both scholars and artists. In India, a local motor-mechanic who is perhaps formally uneducated is called *ustad* or *dada* for his understanding of the heartbeat of an engine and is given all the respect awarded to a guru. Such is the respect for a practitioner.

Kapila Vatsyayan straddled both these worlds and sought them out with an equal passion and vigour. In the last few decades, she included an even wider discourse in the social sciences and art — in social, political and economic theories, as they influenced societies and the relationship between individuals. Anthropology, archaeology, iconography, human geography, linguistics and social history — she saw how these roads met and linked them in a way few can. The building and subsequent support of art institutions was a cause she believed in. She thought of



Search for durable peace in Afghanistan will not succeed unless all parties relinquish entrenched thinking

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While the Taliban is largely cohesive, the Kabul political class is not. The 2019 presidential election was deeply flawed. The declaration of the incumbent president, Ashraf Ghani, as victor was dubious. Ghani was forced to accept his rival Dr Abdullah as the head of the Peace and Reconciliation Council, implying that he would have to share authority indecisive-making in the peace negotiations. Also, other members of the Kabul team represent civil society and other political forces including the Hizb-e-Islami. This will give opportunities to the Taliban and others to create disunity in their ranks.

The most significant issue in these negotiations relates to the nature of Islam in Afghanistan. The constitution of the Islamic Republic, adopted in 2004, begins with the Islamic shahada and commits the state to the "Holy religion of Islam". It also seeks to uphold the universal declaration of human rights. The Taliban accept Hanafi jurisprudence like the majority of Afghans but believe that the Islamic sharia in its extreme Deobandi interpretation along with distorted Pashtun social codes must be uncompromisingly followed. That manifests itself in the approach to other faiths, other Islamic madhabs, gender issues, social conduct and apparel and even facial hair.

It is almost impossible to predict how common ground can be found to accommodate fierily held beliefs on all sides on the issues of religious interpretation and social codes. Goodwill among the negotiators and leaders buttressed with creative Islamic jurisprudence and scholarship would be needed. At the same time the Taliban leadership and Pakistan would be aware that despite its strategic defeat and desperation to withdraw, the US retains the capacity to deny them the fruits of "victory". Also, the third decade of this century in the last decade of the Afghan century, the world has been transformed. To what extent will all this make the Taliban flexible is an imponderable. The Kabul elite would also have to make concessions on political issues and social codes.

However laudable it may be, it would be unrealistic to expect the Taliban to agree to a

## WORDLY WISE

DISCORD IS THE GREAT ILL OF MANKIND; AND TOLERANCE IS THE ONLY REMEDY FOR IT.

— VOLTAIRE

## The opening in Doha

At its core the Taliban is Pashtun. Its treatment of non-Pashtun Afghan ethnicities during its rule generated hatred and fear among them. Since then it has tried to put forward a pan-Afghan image and has succeeded in making some headway in a few non-Pashtun areas. However, old fears remain strong among many non-Pashtun especially in the cities. It will have to address these concerns.

How is India placed in Afghanistan as this dialogue begins? Clearly, Indian policy-makers refused to modify their Afghan approaches even as it became increasingly evident that the Taliban had gained ground in the country and was getting international legitimacy. Even while the Kabul authorities were trying to persuade the Taliban to the negotiating table, India continued to shun it. It saw the situation in black and white terms because of the Taliban connection and dependence on Pakistan. This resulted in India putting itself into a corner. It could have continued to strengthen its ties with Kabul and at the same time opened links with the Taliban. Diplomatic contradictions have to be managed. All other major powers were doing so. In India's case, this was especially needed because the Taliban was signalling that it was not a Pakistani proxy. That assertion should have been tested.

External Affairs Minister Jaishankar correctly emphasised that the talks should be Afghan-owned and led. In addition, India should also stress that in the interests of Afghanistan and the region the talks must succeed, that their failure would be catastrophic for the Afghan peninsula and the region. India should continue with its traditional policy of fostering close ties with any legitimate Afghan government.

The writer is former Indian Ambassador to Afghanistan

## SCHOLAR AND ARTIST

Kapila Vatsyayan sought the worlds of scholarship and practice with equal passion

herself as an artist, a dancer.

Unfortunately, when you live a long and fruitful life as she did, your disappointment in men and matters increases with each passing year. And that is not merely because your eyesight or hearing is failing you, especially in the auditoria of our time when the music can be loud and jarring. It is because you are, in your youth, been fortunate to have seen the great gurus in the form in the remotest corners of India, in the humble, yet aesthetic surroundings of their thatched homes, local temples, gurukulas, courtyards, in monasteries, forests and on the sand-dunes. That is art of another hue. One that is not self-conscious. One that is given freely, not to an audience, though there may be one, but because it is an offering to the gods.

Kapilaji was a tall person and she frowned quite a bit. You knew that she was caught up in a world of thought and philosophy. She had little time for the mundane. Yet she was gentle when she thought you needed her good counsel. Then she looked you straight in the eye and asked pertinent questions. She usually knew what was worrying you. She had seen the offices and corridors of the Ministry of Culture. She had worked under Kamaladevi Chattopadhyay in the Sangeet Natak Akademi. She had seen the great museums in the West, visited the monuments of art across the Subcontinent and most of all, interacted with the sharpest intellects and philosophers across the globe. If she had not

met them, she knew of their writings and had absorbed their theories.

Young artists like me, who had been trained in the old gurukulas or with the stalwart gurus of the early decades after independence, people and the region, finally lived in Delhi, often met her scrupulously. Her lectures were riveting, but also went over our heads. She was seen at functions and performances, but despised "the front row syndrome" of Delhi. Instead, even at the India International Centre, she would slip into a seat at the back row and leave at will. It was always a privilege to have her drop you a comment or criticism, later, in private.

Once at a Natya Kala Conference in Chennai, Sadanami Balakrishnan, a great Kathakali exponent, had demonstrated a story in abhinaya. People were deeply moved, she amongst them. She came on stage and asked the audience whether they understood how he had produced the rasa. The obvious reaction was he performed abhinaya or facial expression, augmented by an elaborate use of hasta mudras and thus told the story. She disagreed. She said that to produce the rasa he had used his breath and that he had brought colour and expression to his face through his very breath. And that is what an audience must appreciate. Such a sharp and sensitive mind is unlikely to be seen for generations to come.

The writer is former director, Kalaśchitra, and chairperson, Sangeet Natak Akademi

## SEPTEMBER 21, 1980, FORTY YEARS AGO

**ASSAM TALKS LIMBO**  
The Union government is hopeful of a package solution to the problem of foreign nationals incorporating some of the points suggested by the home ministry and others mooted by the Assam agitation leaders during the four-day talks. The minister of state of home affairs, Yogendra Malwana said that there will be a package deal "acceptable to them and involving give and take on both sides". But the Assam groups do not share this optimism. Both the ASU and the AAGSP continue to maintain that the NRC and the 1952 electoral rolls should form the basis of determining nationality. The home minister, however, suggested

that all electoral rolls since 1952 and all Census reports should be taken into account.

**POLISH WORRIES FOR US**  
THE US SECRETARY OF State, Edmund Muskie said that the USA is monitoring the situation regarding the movement of Soviet troops in the western parts of the Soviet Union and East Germany. Washington is plainly nervous about possible Soviet moves into Poland. Any such incursion would evoke sharp reaction from the US which has not recovered from the Soviet move into Afghanistan. Though the Soviets have always had more of a presence

in Poland as compared to Afghanistan, the current situation is Warsaw is different given that the Polish trade union leader Lech Walesa shared a platform with the Republican leader Ronald Reagan.

**CHAPPALS FOR RAO**  
CHAPPALS WERE HURLED at Karnataka Chief Minister R Gunda Rao as he arrived to inaugurate a community hall in Gadag in Hubli district. One of the missiles hit the chief minister. The Janata Party had organised a black flag demonstration against rising prices and inadequate water supply in the region of Gadag.

New Delhi

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## THE IDEAS PAGE

## Emerging from the abyss

India will have to swim against the tide to capture the shrinking pie of global trade. This requires fast-tracking reforms to improve the investment climate and attract investments



DHARMAKIRTI JOSHI

GOING BY THE flurry of revisions in forecasts since the National Statistical Office (NSO) announced that gross domestic product (GDP) in the April-June period had shrunk by 24 per cent, a much deeper hit to Indian economy this fiscal appears certain now.

We, for one, have revised our real GDP growth forecast for India this fiscal to (-) 5 per cent from (-) 5 per cent projected earlier in May. This revision, however, is not premised on first quarter data—our projection at (-) 25 per cent was anyway close to NSO's estimate—as much as on the unfettered spread of the COVID-19 infections and the inadequate fiscal stimulus convising the economy. Besides, unless inflation climbs down below 6 per cent, the Reserve Bank of India would be constrained from cutting rates.

As things stand, till the time a vaccine is found and mass distributed, forecasters in economic environment, and as a consequence, decision-making, will be dominated by what John Kay and Mervin King, in their recent book, refer to as "radical uncertainty"—a situation in which we know something but not enough to act with confidence. And that too when the stakes are high. If the experience of the last few months is any guide, it will indeed be a very complicated transition to what we regard as normal.

High-frequency economic indicators till August-end show a recovery vis-à-vis the first quarter. But they remain in contractionary phase, indicating that the economic contraction will continue in the second quarter, though not as severe. We expect the economy to contract by 12 per cent in the second quarter. If the pandemic were to peak out by October, GDP growth could move into mildly positive territory towards the end of this fiscal.

As was the case in the deep downturns in the past, 2021-22 could see a sharp mechanical lift from the deep trough this fiscal. Milton Friedman's "Plucking Model" could be used to explain if such a recovery does take place next fiscal in the absence of a notable fiscal push. Friedman compares an economy to a string instrument—while recessions pluck the string down, it bounces back thereafter. This has been used to explain the economic recovery in parts of Europe post the global financial crisis. "The Plucking Model" of recessions and recoveries" by Gregory Claeys and Thomas Walsh.

Quite in sync, we see India's growth rebounding to 10 per cent in 2021-22, on a very weak base and with some help from the rising global tide that will lift all boats. The key assumption here is the availability of vaccine in early 2021, in the absence of which, all bets are off. Even so, real GDP will merely catch up to the 2019-20 level in 2021-22. The economy will suffer a permanent loss of 13 per cent of GDP which works out to Rs 30 lakh crore in nominal terms. So a sharp recovery in 2021-22 can be highly misleading.

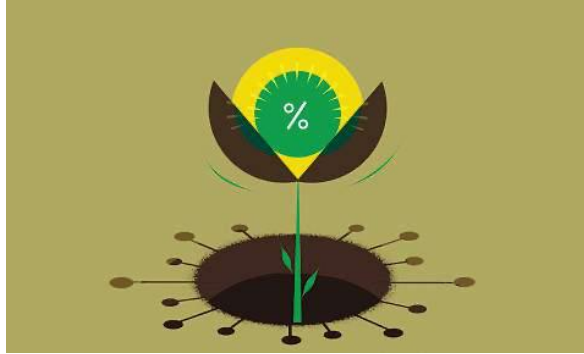


DURGA SHAKTI NAGPAL

COVID-19 took very little time to spread across the world economy. International trade has been constricted and global supply chains have, by and large, been disrupted. Each nation has been left to fend for itself. India's dependence on other countries has been exposed in several areas. The country should now focus on manufacturing, and be self-reliant.

Prime Minister Narendra Modi gave a call to fellow Indians to be "Vocal for Local" in May. This essentially means, as PM Modi explained, not only to buy and use local products, but to also take pride in promoting them. The Centre announced a well-considered programme, the Atmanirbhar Bharat Abhiyan (ANBA), as part of the post-pandemic economic revival package. Rs 20 lakh crore/10 per cent of India's GDP was earmarked for the purpose.

I see self-reliance as a synonym for self-esteem. Only a self-reliant nation can serve the diverse needs of its population and provide them with choices. A content nation can also contribute to the welfare of other countries with a serene mind. The COVID-related pressures and the unfortunate border tensions with its largest import partner, China, present a rare opportunity for India to reinvent itself, economically. There are, however, serious apprehensions keeping in view the country's \$65 billion worth of imports from China alone. Most of these imports are of essential items—raw materials, components and intermediates required in producing finished goods by a large number of enterprises across several sectors,



C R Sankar

The manufacturing sector is likely to recover faster than services with face-to-face contact (tourism, hospitality, and sports), which continue to be restrained by regulatory restrictions and a likely persistence of risk-averse behaviour of consumers till a vaccine is mass distributed. Countries such as China, which have already emerged from the pandemic, bear this out—demand for such services there is tepid even after opening up.

This is also reflected in India's manufacturing PMI rising faster than services in August. The rural economy, representing almost half of the Indian economy, appears to have held up somewhat better than its urban counterpart largely because of normal agricultural performance and the rural tilt of government's support. This shows up in demand for products with rural footprints such as tractors, motorcycles and fast moving consumer goods. But rural wages remain depressed and remittances are likely to have been hit due to reverse-migration.

Moreover, the pandemic's rapid spread to rural areas can challenge the rural story.

The critical question now is what happens to medium-term growth prospects after the next fiscal.

Data till the 1990s shows that in most instances, growth in India has rebounded, and that the medium-term average growth has not gone majority off-track even after a deep hit to the economy. During the global financial crisis, however, medium-term growth slid to 6.7 per cent per year from 7.9 per cent in the preceding five years. But, world GDP growth also slowed by a similar magnitude to 3.7 per cent from the pre-crisis rate of 4.9 per cent. The pre-crisis phase was an indeed an abnormal one for the world economy and the excessive leverage-driven fillip to growth could not be sustained with many economies expanding at half the pace post the crisis.

The current crisis, however, has no parallel and is suffused with massive uncertainty and lingering behavioural shifts not experienced in independent India. India is facing this crisis on a weak wicket, with growth slowing,

In the post-pandemic world order, relentless pursuit of efficiency will take a back seat as other considerations such as resilience and reliability take precedence.

And this, along with the accelerating trend of de-globalisation, could reduce reliance on supply chains in the current form. For developing countries such as India, the hit to global supply chains may limit the opportunity of industrialising through this route.

investments falling, and a stressed financial sector—it has been hit the hardest among its contemporary.

The manufacturing sector has been in recession since the second quarter of the last fiscal, long before the pandemic struck. Consequently, the share of manufacturing in gross value added fell from 18.1 per cent 2018-19 to 17.4 per cent in 2019-20. Given that investments are likely to take a substantial hit, with the government's ability and the private sector's willingness and ability to invest impaired, medium-term growth potential is likely to trend lower in the base case scenario. That said, India's medium-term growth trajectory will be largely influenced by domestic factors as the global environment will be less favourable.

The received wisdom is that in the post-pandemic world order, relentless pursuit of efficiency will take a back seat as other considerations such as resilience and reliability take precedence. And this, along with the accelerating trend of de-globalisation, could reduce reliance on supply chains in the current form. For developing countries such as India, the hit to global supply chains may limit the opportunity of industrialising through this route. India will have to swim against the tide to capture the shrinking pie of global trade. This requires fast-tracking reforms to improve the investment climate and attract investments, relocating away from China.

Policymakers will need to take more steps to address the current pain by raising spending to support vulnerable households and small businesses and services that have been debilitated by the pandemic. This will strengthen the recovery process and may also help contain the damage to the productive capacity of the economy. Together with accelerated efficiency enhancing reforms, this can create conditions for a sustainable push to growth over the medium run. Fingers crossed.

The writer is chief economist, CRISIL Limited

## WHAT THE OTHERS SAY

"Trouble with politicians, arguments about impartiality—these have dogged the BBC from the beginning."  
—THE GUARDIAN

## A slippery slope

Freedoms exercised by all mediums disseminating news are the cornerstone of our republic. They have onerous responsibilities to discharge



KAPIL SIBAL

AT LAST! A ray of hope. On September 16, the Supreme Court granted interim stay, preventing Sudharban TV from further telecasting the programme "UPSC Jihad". As the matter is sub-judice, it would not be fair to comment either on the content or the quality of the programme. The Court analysed the programme in the context of our constitutional edifice founded on values of co-existence of communities, India being a melting pot of diverse civilisations and cultures. The petition, seeking to prohibit its broadcast, was moved by five distinguished citizens who also hoped to persuade the court to draw up standards for programmes in the electronic media. This ray of hope will be realised if the Supreme Court mandates the setting-up of Citizens' Panel for TV channels to ascertain whether the programmes being viewed conform to the standards that the court may prescribe and evolve in the context of our constitutional values. The road ahead is a slippery slope. While we cherish the freedom of speech as a constitutional right, those who exercise it, have also to conform to their constitutional responsibilities. The parameters for such standards which deal with the right to free speech and the responsibilities involved in exercising it have to be carefully engrafted, ensuring that one is not eclipsed by the other.

The government's submissions in this regard were telling. It was contended that any guidelines framed would affect the freedom of the press, leading to disastrous consequences, amounting to exercising control over the media. For this government to espouse the cause of freedom of the media, and pretend to be its votary is ironic, given the freedom of the press as the present establishment has sought to silence and control the media far too often, and that too unabashedly.

We know that mainstream electronic media are controlled, disregarding existing statutory guidelines. The fourth estate was conceived to act as a watchdog of the three organs of the state. In recent years, significant players in mainstream electronic media, instead of discharging their responsibilities as watchdogs, have passed the test of being lap dogs with flying colours. If the fourth estate functions in tandem with the ideology of the ruling class, extolling virtues of its policies and taking forward its agenda through slanging matches on screen, where the anchor acts as a votary of the ruling establishment's policies and positions, such an outcome has certain unsavoury consequences. First, the voice of dissent is not allowed any space in mainstream electronic media. It is silenced wherever a contrary point of view is expressed. Second, the shouting brigade, singing the tune of the anchor, is given undue space and time which leads to biased outcome. Third, the blood bath on such channels, leads to an increase in TRPs, enriching the business houses fund-

ing these channels. Fourth, is the reach of such mainstream media whose salacious appetites are whetted by display of diatribes polluting minds, thereby serving the cause of a particular ideological mindset. Fifth, the increase in TRPs results in increased advertisement revenues, which again fuels such bloodbaths for yet another encounter. Opposition to setting standards for programmes in the electronic media as that will impact "freedom of the press", means that the government does not wish the Court to regulate the war-cries of ideological mindsets polluting young minds and serving vested political objectives.

Democratic freedoms exercised by all mediums disseminating news are the cornerstone of our republic. However, such mediums have onerous responsibilities to discharge towards the following outcomes. First, they ensure that all points of views are heard for the public to be informed—the essence of freedom of speech. Second, it saves young minds from being polluted. Third, no ideological mindset is wantonly served through the media. Fourth, anchors do not fuel agendas, which strike at the root of our democratic values.

That apart, it is imperative that the structure of media, which allows for such outcomes is also looked at in the context of our constitutional freedoms. Perhaps, free speech is not always "free" since it is fuelled by commercial interests. Free speech is tainted if business houses who wish to protect their empires are willing to compromise with governments. We have moved far beyond the age when print media would fund itself through contributions so that independent opinions could be shared. Our national leaders would write editorials to ensure that independent voices of those seeking freedom are heard. But in the 21st century, often these voices of those seeking to silence free speech, particularly in the electronic media are heard.

The shift has taken place because to run a TV channel requires enormous resources. While the voices that pollute are part of a significant section of mainstream media, those who have no platform for exercising free speech are now the voice of the social media. That is yet another problem which the Court will have to deal with in the near future. The nature of social media is such that even then, armies are employed to serve partisan enclaves. Independent voices are sought to be silenced. But social media is perhaps even more powerful because content is transmitted at breakneck speed. Fake news, images that churn stomachs, have resulted in mayhem in the digital world. While the print media is regulated by law, social media platforms epitomise lawlessness. The content is regulated as many operate under the mask of anonymity. Global players make money while the victims of social media have no recourse to law.

It is time for the state to ensure that our republic is not defaced and damaged by shrill voices and agendas masquerading in the name of free speech. It is time for the courts to uphold and uphold the scales of justice, making sure that they are balanced evenly. Otherwise, the tilt may endanger freedom itself.

The writer, a senior Congress leader, is a former Union Minister

## LETTERS TO THE EDITOR

## ANGRY FARMERS

THIS REFERS TO the report, 'Harsimrat will quit ministry to protest farm bills', Sukhbir tells Lok Sabha' (IE, September 18). Union Minister Food Processing Industries Harsimrat Kaur Bada's resignation is clearly due to pressure from farmers from the state of Punjab. This will be the first crack in the Prime Minister Narendra Modi-led National Democratic Alliance (NDA) government's armour vis-à-vis the ongoing protests over its three agriculture-related bills. This crack will surely widen further if the top leadership of the ruling party refuses to come down off its high horse to find an amicable solution to farmers' anger. This is because farmers from other states including Haryana are also up in arms over these bills. They all feel that the proposed laws will leave them at the mercy of unscrupulous traders.

Tarsem Singh, Multapur

## LAW FOR DATA

THIS REFERS TO editorial, 'Data Insecurity' (IE, September 18). The formation of a committee to probe the fate of over 10,000 Indian individuals by a Shenzhen-based information technology firm is a step worth applauding. But the news of the monitoring of Indian citizens is disturbing. We action by the big-data China firm further underlines the need for a strong Personal Data Protection Bill in India. As digitalisation is touching new heights each day, it becomes essential to preserve and

## IDEAS ONLINE

PROBLEMATIC QUEST FOR TANGIBLE ASSETS:  
CHINMAYI SHALYA

DIET DILEMMA:  
SHEILA VIR  
www.indianexpress.com

protect the data of Indian citizens. A large percentage of people in India are not even aware of digital and cybersecurity and how to protect themselves. A proactive approach by introducing a strong Data Protection Bill is needed.

Ayushi Singh, Agra

## REGULATING TECH

THIS REFERS TO the article, 'Faith in the machine' (IE, September 18). As the importance of technology has been on the rise, we must be vigilant—not to be biased and harmful if not monitored and regulated. With such a tremendous rise in technology, we will need effective laws to curtail and prevent any possible misuse or manipulation by any individual or organisation.

Daksh Solanki, via email

## OUR VIEW

## MY VIEW | PARALLAX VIEW



## Regulate social media on steadfast principles

A regulatory framework for social media looks imminent now. Let's focus on clear rules that will grant our citizens the rights to privacy and free speech with riders we deem appropriate

A government plan to legislate a governance model for social media has been in the works for months. Last year, a new law was expected to be in place by early 2020, after consultations among lawmakers. Covid set that schedule back. But Parliament has re-convened, and the very platforms under public scrutiny appear abuzz with a pressing need for checks and balances. The case for intervention cannot be overstated. Over the weekend, waves were made online by a Netflix documentary, *The Social Dilemma*, which portrays the perils posed by possibly addictive and uber-influential apps that keep us in touch. Among others, it cites Shoshana Zuboff, author of *The Age of Surveillance Capitalism*, which raised an alarm in 2018 over "persuasive tech". Several Big Tech insiders have since flagged the risk of a dystopia that features a "futures market" for users of user emotions and actions. No matter how overdone such worries may be, these platforms surely need regulation. The threat that hate speech poses our social cohesion is reason enough. We need a law that assures us all our rights to privacy and free speech, though with safety curbs placed by our Constitution on incendiary stuff. There is a rationale for a ban on yelling "fire" in a closed hall, and a version of it applies to various online settings as well.

On user privacy, those who ticked away their consent without reading an app's usage terms may not have a legal right to feel ripped off, but reports on the abuse of personal data have stirred valid outrage. Misuse simply has to be stopped. Under consideration, it appears, is a rule that would have apps ask for the explicit go-ahead of users before sharing their data—

even if anonymized for a bulk study—with specified third parties for purposes stated upfront. This is good, but does not go far enough. As a basic principle, all ownership of such data must rest with the users who generate it—as a self-evident truth. In other words, a user should be able to bar even the app's owner from access to it. If that means users must finally pay for the use of a platform, then this option should exist. Apps, though, should be allowed to reward people for parting with their data, so long as verifiable disclosures are made on its use. Also, a public data authority should need at least a judicial warrant to trace messages, pry open private chats, etc; and the security exigencies that may justify such an intrusion should be spelt out.

On content moderation, the sovereign norms that we frame for social media should not fall victim to arbitrary interpretation—be it by a private or public agent—of what is okay and what is not. Regardless of avowals by platforms on the integrity of their own processes, we should lay down the red lines on free speech and hold them accountable for violations. Broadly, free speech is fine, but not if it is inflammatory or tramples the rights of others in other ways. Multi-media messages may need special guidelines. Clarity on these would be crucial. With highly polarized views within the country on what is fake and what is dangerous, we cannot afford ambiguity. Legislative action should ideally be the outcome of a public debate aimed at forging a national consensus on harmful content. And, yes, we need a light touch. As we act to rein social media back, we must avoid the pitfalls of both uneven law application and regulatory overkill.

## A covid guide to flying through an exasperating jumble of rules

Fliers must deal with useless documents, possibly fictitious apps and other riddles of babu invention



**SANDIPAN DEB** is a former editor of 'Financial Express' and founder-editor of 'Open' and 'Swarajya' magazines

As I travel during these covid times I am deeply worrying for Indians. All airline websites have a must-read page about rules announced by the state you are travelling to—from downloading that state's app (many states have their own apps) to quarantine regulations. Plus, there are Union government rules—you need to have Aarogya Setu showing a green signal, you have to have baggage tags printed out and stuck on your luggage, and elderly citizens—above 65—are advised not to travel unless it's an emergency.

I have taken three domestic flights in the last one month. I have grave doubts whether these state apps actually exist, because no official at any airport has asked me about them. "Apps" could just be the latest sarkari buzzword. Of the three airports I went to, only Delhi asked me for a green Aarogya Setu. When I had to fly back with my mother from Kolkata to Delhi, I bought her a smartphone just to load Aarogya Setu on it. No one in Kolkata airport checked. Well, I suppose she can, if she wants to, now learn the joys of selfies and WhatsApp. My mother is 80, and it was emergency travel, so I got a doctor's certificate to that effect. No one asked for anything.

We downloaded self-declaration forms of good health from the airline website, printed them out, along with negative covid test results, and carried

them with as much care as we would our passports, but no one bothered. All the paper went into the dustbin in our Delhi home.

Ah, compulsorily sticking printed out baggage tags on our luggage! Just try sticking a sheet of paper on a nylon or polyester suitcase and making it stay. Use any tape you want. The result is that no one bothers. On my three flights, I did not see a single piece of baggage with a self-administered tag on it. It also does not make logistical sense. Baggage check-in is as it always was. As usual, babus make the rules, sitting in their bhavans, and leave office at 5pm, feeling satisfied that they have done a good day's work of how the citizens of India need to be managed.

That is why the revolutionary steps announced by the government over the past weeks to rebuild the entire Indian bureaucratic system are so important. Now to the permanent laws about airport security. Cellphones are to be switched off or put on aeroplane mode when the plane takes off. Till date, there is absolutely no scientific proof that cellphones interfere in any way with the plane's take-off electronics. In 1992, the US Federal Aviation Administration (FAA) studied the issue of electronic devices on aeroplanes. No proof of any risk was found. Being independently researched this and again could not come up with any evidence. But the FAA bureaucrats anyway decided to ban the use of all devices during the take-off and landing phases, and all airlines obeyed. They want you to think that they want you safe. It's about them, not us.

The permission to carry cigarette lighters and matchboxes is a very Indian case, as far as I know (I may be wrong). India does not permit cigarette lighters or matchboxes either in booked-in luggage or carry-on. This is another case of babu overreach.

In Europe or the US, I have never been stopped for carrying a lighter or a matches. In the US Transportation Security Administration allows you to

carry lighters in carry-on luggage. And if you are carrying a lighter in your pocket, it must stay there. You can hardly burn down or hijack a plane with a lighter or matchbox. But even if we accept the Indian law as having some logic (however inscrutable), most airports in India do not have scanning equipment that can detect a matchbox in your carry-on baggage. I will not name these airports, but I have been carrying matchboxes in my rucksack for years without a problem. The babu is happy he issued a regulation; and the citizen has found a way out.

Different airports have different security apparatus. In India's most modern—and privatized—airport (Delhi has been regularly voted as among the "world's best" among airports of its size), the check-in baggage screening systems are state-of-the-art. And the lighter goes through. But in airports like Goa's, which attracts so much international—and high-speed—traffic, we still have to go through what is essentially a manual scanning process where one has to lug one's bags up each airline's specific uphill conveyor belt. So, expensive Zippo lighters that cost up to \$100 stay back in Dabolim airport. A secondary market flourishes.

Finally, the personal security check. At Guwahati airport, I found that everyone goes in with their arms raised to the sky like they are being menaced with AR-47s. At Kolkata airport, the security man makes everyone turn right and then scans him. The logic escapes me.

Our airports have improved incredibly in the last 20 years. But why can't we still get our act together on simple things? From covid regulations which turn out to be either pieces of useless paper or possibly fictitious apps, to rules that much of the developed world sees as unnecessary, and which we don't even have the equipment to implement? It's not rocket science; just simple rational thinking.

But that may be too much to ask of our babudom.

### 10 YEARS AGO



### JUST A THOUGHT

Social media has taken over in America to such an extreme that to get my own kids to look back a week in their history is a miracle, let alone 100 years.

STEVEN SPIELBERG

### MY VIEW | MODERN TIMES

## Why social media isn't really the real villain of this age

MANU JOSEPH



is a journalist, and a novelist, most recently of 'Miss Lila, Armed And Dangerous'

*The Social Dilemma* is a documentary that conveys something you have heard many times, but with ominous background music. The fact is the 90-minute film takes less than a minute, it seems, to narrate: Social media and email are designed to keep you hooked to your phone and away from "real world", a superior place where people drink barley and eat sugar with real friends, or say "What's up" to real acquaintances and look over their shoulders to see if there are more interesting people around. Everything else about the documentary is melodramatic and dishonest evangelism of a band of "good guys" who were part of the tech industry that created social media and Google. Some of them encashed their stock options and are very rich today, while others appear to have lost out.

The band of late heroes is led by Tristan Harris, a type of man who calls himself an "ethicist", who looks angelic and unthreatening, who says all the right things, who pauses for effect and smiles sadly, a hero of

people who believe in heroes and therefore never ask what is behind a heroic action.

At the very start of the documentary, the heroes say or imply that the tech industry is not evil by design. But soon the documentary agrees to realize that a successful story requires heroes, and heroes require villains. So it sets out to define the villains—the social media companies and Google and others whose products have invaded the world. But then Netflix, which streams this documentary, is even more addictive than social media. Without this streaming service and the transmission of its existence by word-of-mouth on social media, the documentary would have been doomed. Hypocrisy in good people is known as "irony".

The "ethicists" of the documentary inevitably tell you that if you're not paying for media content, then you are not the customer, "you're the product". The way they claim your time is harvested for "advertisers", you would think they have never heard of *The New York Times* or *The Guardian* or BBC, the revered products of their type whose golden years were funded by advertisers. Advertisers have always funded or greatly subsidized quality journalism. Now, on social media, they have a more efficient way of spending money.

The "ethicists" accuse social media of manipulating human psychology. But this is the objective of every business, including documentaries, streaming platforms and food industry players that permeate the three-dimensional "real" world seen at risk by *The Social Dilemma*. The manipulation of psychology is also the objective of all arts, but then these arts have failed on this front because they are run by cartels that promote dull self-absorbed bores who never ask, "What do you want?"

*The Social Dilemma* itself manipulates human psychology in very obvious ways. It exploits the emptiness of isolated people who see hope in every email, and the nameless grief of the bored, and the fear of parents that their children are turning into zombies like them. The film features some menacing actors who play the bad guys who run tech companies. They stand behind machines and turn dials to control your emotions. Social media algorithms are represented as the sentient machines you have

seen in films, so that you are suitably scared. Of course, there is no activist deced that is possible without the use of suicide data. The "ethicists" of the film imply that people kill themselves because of the emotions unleashed by social media.

Harris claims that the world is worried about social media. In contrast, he says, when the bicycle appeared, our ancestors had not complained. He is wrong. When the bicycle emerged, the sanctimonious dismissed it as a frivolity of the wealthy youth. Poet John Keats called it "the nothing of its day". It was deemed dangerous. Books, too, horrified people once.

The "ethicists" of every era have always whined about the way of the world, and about how no one has time for the wonderful art of the whiner. Guess the era of the novel this is extracted from: "Long novels written today are perhaps a contradiction: the dimension of time has been shattered, we cannot live or think except in fragments of time each of which goes off along its own

trajectory and immediately disappears". This is from the novel *If on a Winter's Night a Traveler* by Italo Calvino, published in 1979, and the whine against social media today is exactly the same. In any age, a lament of a noted writer is never an accurate analysis of the world, but rather the writer's grouse against fast becoming obsolete.

In trying to make the power of social media sound terrifying, the documentary mentions an American basketball star who was persuaded to believe that the world was flat. This is symbolic of the sham this documentary itself.

Unlike that basketball star, you do not believe the world is flat. Why? The intellect and mental health of a person has an overarching influence on what news he or she will consume. The platform itself is inconsequential. Your choice of disinformation will never be that the Earth is flat; it is likely to be more sophisticated—that Russia influenced the last American presidential election, or that *The Social Dilemma* is a work of honest humanitarianism.

"How do you wake up from the matrix?" a good guy in the documentary asks. Some people think that just because they can ask this question, it means they themselves are not part of the matrix.

## THEIR VIEW

## Let the insights of covidnomics shape our policy interventions

A good grasp of human behaviour is fundamental to framing policies that could contain the virus and its economic effects



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**B**oundaries between academic disciplines are always artificial creations intended to facilitate analysis, given our limitations. But as economist Albert Hirschman once argued, there are times when it is incumbent on us to trespass them. The ongoing battle against covid and its economic fallout is such a time.

The pandemic has cast a shadow over the global economy. So far, the two worst-performing economies in the second quarter of 2020 (April-June) were Peru and India, where gross domestic product (GDP) shrank by 30.2% and 23.9%, respectively, in year-on-year terms. These record declines were caused by the pandemic, but also by how we are dealing with it.

In Peru, for example, the crude mortality rate (CMR), the number of covid deaths per million people, is 939. The plunge in its GDP is clearly related to this.

Several European countries with high CMRs, such as Spain (647) and the United Kingdom (613), also have reported some of the deepest economic slumps. But India's CMR is only 60, which, though one of the highest in Asia and Africa, makes its sharp second-quarter contraction bigger than almost any country in the world difficult to explain—especially given that the Indian economy was among the world's three or four fastest-growing until five years ago.

How can we understand such anomalies? We need to recognize the interaction between medicine and human behaviour.

Consider the conventional wisdom that covid is more likely to be transmitted in closed spaces than in open areas. So, you are safer being close to someone in a park than in a restaurant.

We assume that this insight comes from medicine and physics, which tell us, respectively, that covid is highly infectious, and that aerosols carrying the severe acute respiratory syndrome coronavirus 2, or SARS-CoV-2 (which causes the disease), are likely to be blown away and miss your nostrils in outdoor parks. But that is not necessarily so, because aerosols are relatively heavy and tend to drop quickly in still air. Conversely, a breeze in an open space makes it likely that the aerosol will remain airborne for longer and thus pose a risk that does not exist indoors.

The claim that closed spaces are more dangerous may nonetheless be true—not because of what we know about the coronavirus and the dynamics of aerosols, but because of human behaviour.

Assume, for the sake of argument, that the probability of the virus being transmitted by an infected person nearby is 50% in both a restaurant and a park. Assume further that half the population is infected. So, if you are near a random person in a park or a restaurant, the probability that you will



contract covid is 25%. Suppose, however, that a trusted authority announces that the risk of contracting covid is greater in a restaurant than in a park. If people believe this, it can turn out to be a self-fulfilling prophecy. Restaurants will be less attractive to risk-averse people (say, those who don't go to places where the infection risk is higher than 25%). Thus, only more risk-tolerant people will go to restaurants.

It is reasonable to suppose that the restaurant patrons are, therefore, more likely to be infected, because they would have been taking more risk. Assume, for simplicity, that 75% of risk-tolerant people are infected, while only 25% of risk-averse people are. The probability that an infected person will transmit the virus is still 50%, as before. Then, if people believe that restaurants are riskier (and only the risk-tolerant enter them), the probability of contracting the virus in a restaurant is 37.5%, whereas the probability of contracting it in a park is less than 25%.

These probabilities will be borne out by the epidemiological data, and most people will believe that the pattern has something to do with the nature of the virus, rather than being driven entirely by human behaviour. By this argument, if the authorities had announced that restaurants were safer than parks, then parks would in time have become the riskier place. Even if parks were safer than restaurants for reasons of epidemiology and the physics of aerosol movement, you could face a bigger risk in a park than in a restaurant if it were widely believed that parks were more risky than restaurants.

Recognizing these kinds of connections creates scope for policy interventions that can contain the virus without crushing the economy. India's mistake was to impose a "lockdown"—a misnomer, because it forced tens of millions of migrant workers to spread out across the country, often on foot, after their jobs and wages in urban centres vanished overnight.

Once we pinpoint the links between medicine and economics, fascinating policy ideas begin to emerge, as the Georgia Institute of Technology's Joshua Weitz reported in a recent Stockholm School of Economics webinar.

Countries like India or Peru must design rules of behaviour that allow the economy to function, at least partly, while containing the virus. Here is an idea. As increased testing gives us a better sense of who has had covid and has SARS-CoV-2 antibodies, we can offer these people a very high wage to do covid-risky jobs—including in hospitals, and in business sectors involving face-to-face interaction. By using them as links between vulnerable people, we can keep supply chains intact while disrupting virus transmission chains.

Under normal circumstances, the market would do this on its own: demand for people with antibodies would rise, and so would their wages. But markets do not function well during a pandemic, when many externalities are at work. Governments, therefore, need to intervene with intelligent, well-designed policies, which would enable us to keep the virus under control without bringing the economy to a halt.

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## MY VIEW | IN THE MARGINS

## Covid is worsening inequalities of wealth and income

VIVEK DEHEJIA



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**A**s the covid pandemic looks set to extend into autumn, and with even many advanced nations preparing for a second wave of infections, it is becoming increasingly clear that the crisis has taken its worst toll on the poor, disadvantaged and marginalized.

In the United States, the burden of disease has fallen disproportionately on people of colour, minorities and women. In India, studies suggest that minority communities, Dalits and Adivasis have fallen deeper into debt and economic deprivation, disproportionately so compared to others. And, in all countries, the economic burden resulting from both the disease and public policy response—usually involving a partial or total lockdown—has most badly affected those least able to cope.

Some of this differential burden of the disease follows from the fact that well-to-do, "white collar" workers are more easily able to self-isolate, physically distance, and even work from home for months on end.

Famously, when covid struck, the New York rich decamped from their high-rise apartment buildings in Manhattan to their summer homes in resort communities, such as The Hamptons, where wide open spaces and the sparse population density greatly decreased the danger of infection.

In Mumbai, one has heard of the super-rich boarding private jets to fly off to (relative) safety in Dubai or London. Even in egalitarian Canada and Scandinavia, many who had the option spent large chunks of time away at mountain or lakeside cottages and chalets, far away from cities with their much higher infection burden.

Meanwhile, in all countries, "blue collar" workers—janitors, drivers, kitchen staff, shop assistants, and others whose occupation is tied to a physical activity that cannot be done from home, and, of course, frontline medical workers, all faced the double whammy of greater exposure to contracting the virus as well as a large economic hit if they were fired, laid off, or chose to stay away from work for safety's sake.

Other differential impacts are subtler but equally pervasive and important. One of the responses to the crisis is most advanced and some emerging economies has been unleashing the twin bazookas of fiscal and monetary

policy largesse. While new fiscal spending helps those in need—such as supplementing unemployment insurance for those laid off or furloughed on account of covid—unleashing an additional big dose of unconventional monetary policy has ensured that interest rates stay close to zero.

Paradoxically, this benefits big-time investors, who can invest in riskier but higher-yielding investments, including in emerging economies. This has fuelled asset price bubbles such as those preceding and following the global financial crisis. Meanwhile, small savers, who rely on a savings account at a commercial bank, earn little interest on their savings, and still pay high interest rates on borrowed funds such as through lines of credit or credit cards. Another subtle enabler of worsening inequality is the differential access to the perquisites of high-quality private education, especially, but not exclusively, in the US. Thus, while most large public institutions of higher learning in most countries

have opted for online-only teaching for the foreseeable future, many top private universities in the US, which charge their students top dollar in tuition fees, have opted for at least some face-to-face teaching on campus.

Thus, while most access educational content on their computers and mobile devices, and get none of the university experience, a few have the privilege of interpersonal interaction and networking, which are the value additions of attending a prestigious university. These few, already privileged, will be in positions of power, wealth and influence, 5, 10 or 20 years later.

Of course, in India, the most vulnerable have faced a triple whammy of the disease, loss of livelihoods, and the disorderly and sudden return-migration of many to their villages, worsened by a draconian and sudden lockdown, as argued in this column on numerous occasions. This group's prospects remain bleak if and when there is a return to normalcy.

Without doubt, covid and the response to

it have already worsened existing economic inequalities, and social cleavages will worsen further. What is more, this is occurring at a time when wealth and income inequalities were already high and rising throughout the world, in both advanced and emerging economies. When all is said and done, global inequality may well end up at a peak unseen since before the advent of the modern welfare state in the late 19th century.

An unprecedented global crisis tells us a lot about what a society is made of, not just on the surface, but much deeper down. In this regard, it seems to me that the countries of northern Europe, especially Germany, have been exemplary in the public policy response to the crisis—not just with economic and financial support, but with efforts to improve the quality of life for all citizens. This includes the reopening of theatres, concert halls and museums that were shuttered during the crisis. Not only does this generate income for artists and performers—among the worst hit during the pandemic—but it gives people a glimpse of a reality that may lie beyond the immediate crisis. As Beethoven wrote in his Ninth Symphony, *Ode to Joy*, "Alle Menschen werden Brüder". All men (and women) become brothers (and sisters).

## MINT CURATOR



London's Buckingham Palace may never be the same again if it goes furless. **NEUTROS**

## Royal guards could lose their iconic headgear

**B**earskin hats worn by the Queen's Guard are under threat after ministers bowed to animal rights campaigners on a proposed fur sales ban. In a victory for anti-fur activists, George Eustice, the Environment Secretary, confirmed that the Government plans to launch a consultation on banning the sale of fur in post-Brexit Britain next year. It follows pressure from Tory figures including Boris Johnson's fiancée, Carrie Symonds. In a letter to Giles Roca, the chief executive of the British Fur Trade Association, Mr Eustice wrote, "The Government will want to hear from all interested parties, including the fur sector, as it looks to develop proposals and form views on what the fur trade might look like after the transition period. "In addition, the Government will in all likelihood choose to consult on this matter."

The Telegraph

## The museum exhibit that had to be covered up

**A**Pittsburgh museum decided a dramatic diorama that had been on display for more than a century should remain out of public view while it considers ethical issues about its accuracy and appropriateness. The Carnegie Museum of Natural History has covered up the popular "Lion Attacking a Dromedary" diorama... The museum's interim director says the scene, which vividly depicts a lion attacking a camel and the man riding it, has disturbed some because it depicts violence against a man described as an Arab courier. The subject's costume has been determined to be "derived from" at least five separate North African cultures. The director, Stephen Tonsor, also says recent X-rays showed that the 1860s-era taxonomy was performed with real human bones from an unknown person.

AP

## Footprints spotted in the Arabian sands of time

**A**set of seven footprints made at a lake about 120,000 years ago have been hailed as the earliest evidence of modern humans on the Arabian Peninsula—a discovery experts say could shed light on the spread of our species out of Africa. The path by which Homo sapiens spread around the world was full of twists and turns. Genetic studies suggested it was not until 60,000 years ago that a migration of modern humans out of Africa led to a successful spread across Europe. However, it has been suggested that an incomplete skull found in Greece and dating to more than 200,000 years ago is from our species, while an 180,000-year-old Homo sapiens jawbone has previously been discovered in Israel. This is a story about the expansion of Homo sapiens into the heart of Arabia at an early date...

The Guardian

## The national park that sends tourists their litter

**I**f you litter in this Thai national park, your trash may just come back to haunt you. Well, not exactly haunt, but it'll be shipped back to you, as pointed out by a reminder that when out in nature, you better clean up after yourself. Authorities in the popular Khao Yai National Park near Bangkok will start sending rubbish back to litterers, Thailand's environment minister said. Offenders will also be registered with the police. Visitors to the park have to register with their addresses, making it easy for rangers to track them down if they leave rubbish behind. Environment Minister Varavut Silpa-archa posted pictures of trash collected in cardboard parcels ready to be shipped on his Facebook account. "Your trash—we'll send it back to you," the post warns, reminding people that littering in a national park is an offence...

BBC

## A helium-breathing alligator wins Ig Nobel prize

**H**ave you heard the one about the alligator that performed the party trick of breathing in helium so it could talk in a funny voice? Stephan Reber and colleagues performed the experiment to try to understand how alligators might communicate. It was a serious piece of research but its slightly comedic aspects have just won the team an Ig Nobel Prize. Ten science awards were handed out on Thursday by the science humour magazine *Annals of Improbable Research*. The annual Ig prizes are intended as a bit of a spoof on the more sober Nobel science prizes. Other 2020 winners included the team that devised a method to identify narcissists by examining their eyebrows; and the group that wanted to see what happened when earthworms were vibrated at high frequency.

BBC



## Fair and unfair

HC advice on restraint in criticism should not allow for frivolous efforts to invoke contempt

It is a matter of relief that the Madras High Court has decided not to pursue the ill-conceived attempt to initiate action against film actor Suriya for contempt of court. In a detailed order, the Court has rightly noted that "it is not the job of a constitutional court to use a sledgehammer for avoidance of something which can be perceived to be not capable of even being propped up as contempt, much less debated to the level of criminal contempt". In the course of a statement against the National Eligibility-cum-Entrance Test (NET) for medical admissions in the country, the actor had indirectly questioned the propriety of the Supreme Court allowing NET to be held across the country during the pandemic when the Court itself was holding virtual hearings out of fear of infection. A judge of the High Court had sought to construe the remark as an adverse comment on the judiciary in general and one questioning the devotion and integrity of judges. The observation might have been unwarranted, but it was quite clear from the beginning that it constituted no contempt, inasmuch as it did nothing more than raise the question whether Courts that went virtual in the interest of the safety of judges, lawyers, staff and litigants, could afford to risk the health of thousands of students. Fortunately, the Advocate-General, Vijay Narayan, whose opinion was sought by the Chief Justice of the High Court, Amreshwar Pratap Sahi, declined consent for initiation of criminal contempt proceedings. Agreeing with his opinion, a Bench headed by the Chief Justice, decided not to pursue the matter further.

However, the Court's 29-page order is not an unmitigated blessing. It lays much emphasis on the idea that criticism about the judiciary should be restrained, lest the line of fair comment be crossed. There is a lengthy section on the need for prudence and restraint on exuberance, but such observations would be relevant and apposite only if made in the context of a virulent attack on the judiciary. Did the actor's statement contain such unbridled criticism? There is no effort to parse the offending sentence to sell there was any adverse comment on judges in general, or any aspersions cast on the system of virtual courts. If only the Court had seen it as a comment limited to orders of the Supreme Court, it could have dropped the issue for lack of jurisdiction, as laid down by the apex court in *Vishesh Oberoi* (2017). In fact, the order itself notes that no court in Tamil Nadu has dealt with the NET issue. While the advice for restraint is, without doubt, reasonable and well-articulated, its elaborate delineation should not open up the possibility of more such demands for contempt action in the name of deterring unfair criticism. As long as there is no effort to obstruct the course of justice, criticism, whether fair or unfair, does not warrant initiation of contempt proceedings.

## Cricket in action

The IPL is in the UAE, but the venues do not matter for bio-bubble cricket

The Indian Premier League (IPL) is seen as the glitzy high of the cricketing season, with its daily share of short bursts of thrills stretched across the summer. Since its launch in 2008, the IPL became a seasonal fix as inevitable as soaring temperatures and the reflexive craving for ice creams. The Twenty20 tournament seemingly brooked no resistance while the purists leapt on the classical air that permeated Test cricket. Even in 2009 and 2014 when the Lok Sabha elections clashed with the IPL's schedule, the Board of Control for Cricket in India solved the logistical nightmare. South Africa played host in the first instance while the United Arab Emirates (UAE) conducted the initial set of matches in 2014. But 2020 has been a difficult year for humankind with the relentless spread of the coronavirus pandemic. Since March, sport with its social-gathering moorings had to pause; the Olympics was postponed and Wimbledon cancelled. The IPL was rescheduled too from its original start-date of March 29, before a window opened up for the event to be held in the UAE. Saturday night's inaugural contest of the IPL's 13th edition at Abu Dhabi's Sheikh Zayed Stadium, that pitted defending champion Mumbai Indians and last year's runner-up Chennai Super Kings, dished out a last-over climax with the latter stunning the former.

The lay-off from the game and the attendant rust was evident in the way the rivals fielded while the artificial crowd sound infused into the live telecast, reflects these fraught times of empty stadiums and bio-bubbles. Because of the constraints imposed by the virus and the cancellation of domestic cricket in India for now, the IPL at the Emirates, has turned out to be the season opener for the national players while also offering an opportunity for overseas stars to have a buff in the park. Eight teams playing 60 matches in 53 days across Abu Dhabi, Dubai and Sharjah, with a summit clash on November 10, will present its own set of challenges. The organisers have set stringent protocols even as a few tested positive in the lead-up to the championship. The players have to watch their health-parameters while helping cricket find its feet, an endeavour that England did first with remarkable efficiency by hosting the West Indies, Pakistan and Australia. It is a template worth emulating as fans starved of action will catch live moving images of M.S. Dhoni, Virat Kohli, Rohit Sharma, Steve Smith, Kane Williamson, AB de Villiers and other icons. Cricket in the Indian context has made a start and a lot is at stake as this IPL. Also offers a stage for Kohli and company to prepare for the coming tour of Australia.

# Define the contours of hate in speech

The Sudarshan News case is a chance to infuse clarity on offensive speech, hate speech, and the exceptional cases



Suhrit Parthasarathy

On Tuesday, the Supreme Court of India in a Hindi-language television channel, Sudarshan News, from continuing its broadcast of a series titled "Bindas Bol". This decision marked a departure from an order delivered on August 28, when the Court said that it must be circumspect in imposing any prior restraint on speech, especially since statutory authorities were vested with powers to ensure compliance of the law. But circumstances changed. Following the Court's original order, four episodes in the series were aired, portraying what the channel described as a *jihad* conspiracy by Muslims to infiltrate India's civil services.

To this allegation, the show added a number of evidently false statements. For example, it claimed that the upper age limit for Hindus attempting the civil service examination was 32 years, while the age limit for Muslims was 35; that Muslims were entitled to nine attempts at the examination when Hindus were entitled only to six. These assertions, the Court noted, were not only "indisputable" but were also made in "wantonly disregard of the truth". Therefore, even on the face of it, the episodes had brought the entire Muslim community into "public hatred and disrepute", and, in the process, had breached the Programme Code that regulated cable television.

### Delineating the ambiguous

The channel's contempt for facts, and its attempt to denigrate Muslims, might appear to be an obvious case of hate speech, but our laws present several complications when an attempt is made to distinguish permissible speech from hateful criminal conduct.

The Supreme Court's own past precedent has scarcely helped clarify matters. This case, therefore, represents something of an opportunity to infuse clarity in our legislation by identifying the distinction between merely offensive speech and hate speech, and by making clearer still those categories of exceptional cases where the Constitution permits prior restraint. To be sure, this exercise has to be delicately handled. But that it is fraught with difficulties must not deter the Court from delineating what has long remained ambiguous.

A working definition of hate speech will have to be gleaned by interpreting our laws in conjunction with the constitutional right to free speech. But in attempting to draw a line, it might be valuable to study the basic thesis that undergirds a consensus across most liberal democracies — with the notable exception of the United States — on why states must deny protection to hate speech. This view is predicated on a philosophical defence which is perhaps best exemplified in the works of the scholar, Jeremy Waldron.

In Prof. Waldron's definition, hate speech refers to utterances that incite violence, hatred, or discrimination against people on the basis of their collective identity, be it race, ethnicity, religion, gender or sexuality. He says the limitation in these cases should be restricted to those categories of minorities who are vulnerable. Under this conception, a merely offensive statement would not qualify as hate speech. For example, the tenets of Buddhism's tenets would not be illegal simply because it offends the sensibilities of its practitioners; on the other hand, speech



GETTY IMAGES/SHOOTING

that describes all Buddhists as amoral would qualify. Similarly, a work of satire on a religious figure that outrages the sentiments of his followers will be safeguarded, but speech that vilifies an entire community by describing them, say, as "anti-nationals" would go unprotected. This is because hate speech, as Prof. Waldron argues, attacks two key tenets of a democratic republic: the guarantee of equal dignity to all, and the public good of inclusiveness.

### Downside to free speech

Prof. Waldron's thesis has been met with substantial resistance from First Amendment scholars in America.

They argue that censorship is a bottomless pit, that it is impossible to conceive bright-line rules that can distinguish between speech that only offends and speech that arouses hatred. They do not deny that a right to absolute freedom of speech can be abused. But they believe the only answer to misuse of freedom is more speech. While there is some merit in this response, it ignores at least three significant factors.

One, that even under the First Amendment, not all speech is equal — commercial speech, libel, and fighting words are afforded a lower standard of protection. Two, that almost all laws are a matter of construction; after all, most European democracies adopt principled standards that distin-

guish hate speech from merely offensive or rebatable speech. Three, that countering speech with more speech is plausible only when there is a balance of power across society. Experience shows us that there can be no assurance that hate speech will somehow be sieved out of the veritable marketplace of ideas.

### India's laws

Prof. Waldron's theory is also appealing because it fits with India's democratic vision. Specifically, it animates the values of liberty, equality and fraternity that the Constitution's framers viewed as foundational. Until now, however, the country's hate-speech laws have suffered from a Delphic imprecision. Read literally, Section 153A and Section 295A of the Indian Penal Code (IPC), which criminalise, respectively, speech that seeks to promote enmity between different groups and speech/acts that outrage religious feelings, are no more than a poor imitation of what hate speech laws ought to be. They are vaguely worded, and they are frequently invoked to stifle speech that so much as offends a person's belief. As a result, they militate against the permissible grounds for limiting free speech enumerated in Article 19(2) of the Constitution, and, in particular, the restrictions allowed on considerations of public order and morality.

The first of those grounds demands that speech must reach a level of incitement to be criminalised. That is, the utterance in dispute must go beyond advocacy. The second ground requires a real imagination of our hate speech laws. It obliges us to read morality laws, not as societal morality but as constitutional morality. Seen this way, speech that merely causes offence and is no more than disparaging or unpleasant, would continue to remain shielded. But speech that

treats communities with disparage concern, by creating in them a sense of dread, a sense of exclusion from civic life, will go unprotected.

### Issue of prior restraint

While it is clear that the Constitution offers no protection to hate speech, the state's failure to apply the Programme Code uniformly is linked to a wider incongruence in the law's contents. Just like the substantive hate speech provisions in the IPC, the Programme Code is also much too vague. The Supreme Court must chisel its contents into a feasible, constitutionally committed model. Hard as this exercise sounds, this is the easy part — it is in deciding whether a prior restraint on speech can be imposed that the Court must tread a fine line.

We have repeatedly seen the deleterious impact that injunctions on speech have on the right to information and democracy. Only last week the High Court of Andhra Pradesh gagged the press from reporting on a charge made against a former Advocate General of the State, despite the manifest public interest in the case. Likewise, the pitfalls of a rule of absolute prior restraint under the One-magistrate Act have been all too evident. We certainly do not need an analogous regime for the broadcast media. But, at the same time, a rule against prior restraint cannot be unconditional. When it becomes evident that the basic objective of a broadcast is to evoke hatred and to vilify a vulnerable minority the law must find a way to foil the harm. A lot will ride on how the Court strikes this balance — for hate speech, once uttered, not only leaves little room for retraction but can also ramify to serve ill manners of undemocratic ends.

Suhrit Parthasarathy is an advocate practising at the Madras High Court

# It's a no green signal from the farm world

There is good reason why opposition to the agriculture Bills may be a reflection of the genuine concerns of farmers



Himanshu

In a virtual rally, the Prime Minister blamed the Opposition parties for misleading farmers about the three Bills on agriculture, in Parliament. While the Opposition may have taken up the cudgels recently, the fact is that farmers have been protesting against the Bills ever since it was promulgated as ordinances in June. These are the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill, 2020, the Farmers (Empowerment and Protection) Agreement of Price Assurance and Farm Services Bill, 2020, and the Essential Commodities (Amendment) Bill, 2020. The resignation of Food Processing Industries Minister (and Shivrajji Akali Dal MP), Harinarayan Kaur Badal, from the Union Cabinet, and dissenting voices from various mass organisations affiliated to the Rashtriya Swamitvak Sangh suggest that the opposition to the Bills may not be politically motivated; rather, it may be a reflection of the genuine concerns of farmers.

In brief, the Bills aim to do away with government interference in agricultural trade by creating trading areas free of middlemen and government taxes outside the structure of Agricultural Produce Market Committees (APMCs) along with removing restrictions of private stockholding of agricultural produce. Attempts to reform the APMC are not new and have been part of the agenda of successive governments for the last two decades. Most farmer organisations also agree that there is excessive political interference and there is need for reform as far as functioning of mandis are concerned.

**No consultation**  
Several reforms at the level of the central government as well as at the State level have been introduced and welcomed by farmers. However, in this particular case, the issue is not about the Bills; it is also about the process of their introduction. As was pointed out by M.S. Badal, the government has failed to have or hold any discussion with the various stakeholders including farmers and government. This is also true when it comes to consultation with State governments even though the subject of trade and agriculture is part of subjects on the State list. The attempt to pass the Bills without proper consultation adds to the mistrust among various stakeholders including State governments. While the lack of consultation has certainly added to the element of mistrust between the government and farmers, some of the issues raised by farmer organisations are also genuine; recent trends in agricultural prices and incomes have only confirmed these fears.

While farmer organisations see

these Bills as part of the larger agenda of corporatisation of agriculture and a withdrawal of government support, the immediate concern has been the attempt to weaken the APMC mandis and eventual withdrawal of the Minimum Support Prices (MSP) guaranteed by the government. Although the government has clarified that these Bills do not imply withdrawal of procurement by the State at MSP, there is a genuine fear among farmers about the true intentions of the government. The mistrust is not unfounded given the track record of this government on many issues including demonetisation of 2016, the introduction of Goods and Services Tax and so on. There may not be direct evidence of crony capitalism, but the entry, in a big way, of two of the biggest corporate groups (Adani and Reliance) in food and agricultural retail and the timing of the Bills have not gone unnoticed.

**Reflects poor understanding**  
The idea of allowing greater participation of traders and farmers outside the APMC has already been in place in different form. Even otherwise, APMCs account for less than a fourth of total agricultural retail, but APMCs do play



REUTERS/ANAND

an important role of price discovery essential for agricultural trade and their procurement of less than 10 per cent of total agricultural produce. Attempts to reform the APMC are not new and have been part of the agenda of successive governments for the last two decades. Most farmer organisations also agree that there is excessive political interference and there is need for reform as far as functioning of mandis are concerned.

**The Bihar example**  
The second concern in this regard has been expressed by farmers in Punjab and Haryana. Farmers in these States have genuine concern about the continuance of the MSP-based public procurement given the large-scale procurement operations in these States. These fears gain strength with the experience of States such as Bihar which abolished APMCs in 2006. After the abolition of mandis, farmers in Bihar on average received lower prices compared to the MSP for most crops. For example, as against the MSP of

₹1850 a quintal for maize, most farmers in Bihar reported selling their produce at less than ₹1000 a quintal. Despite the shortcomings and regional variations, farmers still see the APMC mandis as essential to ensuring the survival of MSP regime.

While retail prices have remained high, data from the Wholesale Price Index (WPI) suggest a declaration in farm gate prices for most agricultural produce. This has happened despite increased procurement through the MSP-based regime for paddy and wheat. Decline in kharif rice prices for most crops where MSP-led procurement is non-existent, the decline has been sharper. Even cash crops such as cotton have seen a decline in farm gate prices. With rising input costs, farmers do not see the market providing them remunerating in staples. IPL cricket fans will look forward to the actions of the dazzling stars in the world of cricket. The two-month-long action-packed programme will indeed be a source of relief for sports lovers.

For the good and welcome return of sport will give the world a chance to understand the timeless values and lessons of sportsmanship — courage, positivity, sportsmanship, perseverance, and the immense hope and spirit that the world should embrace in any crisis.

M. Pradyumn, Thiruvananthapuram, Kerala

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

**Maternal health care**  
There are definitely 'miles to go' in maternal and child health care (Page 1). It's miles to go for a safer childbirth in Odisha's Kalahandi", September 20. India accounts for a quarter of global maternal deaths during pregnancy, and unless there is strong political will, health sector reforms and focused efforts on improving antenatal services occur, there will still be 'miles to go' before we can hold our heads high in the world stage.

Increasing the abysmal 128% allocation of gross domestic product on health services and improving the slow bureaucratic processes in the government to make

funding available at peripheral area will definitely help in improving maternal health care. D. Thomas Pal ocar en, Vellore, Tamil Nadu

**Heat thyself**  
The First Bench of the Madras High Court, with considerable steadiestness, has drawn the curtain of reticence to initiate contempt against Tamil actor Suriya. The matter would not have gained so much of controversy had the High Court judge concerned exercised restraint and not written a letter to the Chief Justice of the Madras High Court. It really was a case of much ado but nothing. As

the Chief Justice himself said, there is no need to use a sledgehammer to kill a fly. However the suggestion that the actor could have used a little more restraint is slightly off the mark as his comment was only normal and natural.

It is the judiciary which should exercise restraint in such situations. There is a great deal of institutional intolerance which is the antithesis of democracy and rule of law. Courts are not immune from this and have got into such a situation largely on account of themselves.

One recalls the courts initiating contempt against Justice V.R. Krishna Iyer and Justice Markandey Katju. It is that same level of intolerance which was

was always before a 'Sport' player, 'Rayudu and du Plessis orchestrate Super King's victory', September 20). Fal du Plessis's crucial innings also contributed to CSK's emphatic victory. It is still quite baffling as to why the experienced Rayudu was not in the reckoning for the Indian ODI team for the World Cup last year despite his good track record. It takes many years to create a dedicated and successful national-level cricketer, and all it needs is one wrong poorly judged decision by the team selectors to bury the international career of a promising player.

W.G.R. Prasad, Chennai

**Reflections on Day 1**  
Chennai Super Kings' batsman Ambati Rayudu, sure made a very strong statement with his sizzling, breezy, match-winning innings of 71 in the IPL opener against Mumbai, showing that he is still a

very reliable player as he

was always before a 'Sport' player, 'Rayudu and du Plessis orchestrate Super King's victory', September 20). Fal du Plessis's crucial innings also contributed to CSK's emphatic victory. It is still quite baffling as to why the experienced Rayudu was not in the reckoning for the Indian ODI team for the World Cup last year despite his good track record. It takes many years to create a dedicated and successful national-level cricketer, and all it needs is one wrong poorly judged decision by the team selectors to bury the international career of a promising player.

A. Mohan, Chennai



To read more news articles, visit the website.

# China's nationalist turn under Xi Jinping

How he established himself in the Party lexicon as its third great leader, after Mao and Deng



Ananth Krishnan

As a reporter for The Hindu and then India Today from 2009 to 2018, Ananth Krishnan travelled the length and breadth of China. His new book, *India's China Challenge: A Journey through China's Rise and What It Means for India*, provides an on-the-ground perspective of China's political, economic and social transformations over the past decade, and what they mean for India. An excerpt:

Xi Jinping had to apply no less than eight times before getting into the Communist Youth League—an organisation for young Party members. He then had to again apply ten times before the Communist Party accepted him—all because of his family's history.

Xi's father, Xi Zhongxun, was Red royalty—a hero of the Communist revolution. But he would later fall out with Mao Zedong, and had to endure humiliating public struggle sessions at the hands of Mao's Red Guards.

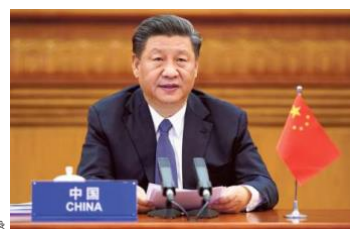
"Where is the verdict against my father?" Xi once asked. "When a fault is committed, there is a verdict. But where is the one against my father? What have I done? Have I written or chanted counter-revolutionary slogans? I am a young man who wants nature to build a career. What is the problem with that?"

Yet the lesson Xi seems to have learnt from his father's story may seem counterintuitive. Institutionalising the exercise of political power is not seen as the answer to curbing its excesses. Wielding it is.

Since taking over as the General Secretary of the Party in November 2012, Xi has proved far more adept and skilful than his predecessors, Jiang Zemin and Hu Jintao, in exercising power. Within five years of taking over from Hu, Xi established himself in the Party lexicon as its third great leader, after Mao and Deng Xiaoping.

In a short span of time, he has dismantled the collective leadership system that restrained both Jiang and Hu.

Indeed, it was this model of collective leadership put in place by Deng



Xi Jinping speaking at a podium with the Chinese flag

that arguably allowed China to escape the fate of other authoritarian countries ruled by the whims and fancies of a single dictator.

## Restructuring the party

Xi has dramatically restructured the Party-state apparatus, giving the Party a greater say in running the country, and breaking down the walls between the Party set-up and the state machinery that had, in the past, given China's bureaucrats a veneer of insulation in running government and policy.

Now, the Party is back. This has resulted in a two-decade-long shift that saw a somewhat diminished role for Party bodies. Xi has centralised power by setting up a number of Leading Small Groups (LSGs) that now decide policy on everything from national security to economic reforms.

This extends to foreign policy as well. Xi even heads an LSG on matters related to the South China Sea, underlining how he is now dictating policy directly on matters previously handled by the bureaucrats. In the past, questions were being asked on whether China's moves on the border—such as an incursion that took the spotlight away from Xi's 2014 visit to India—were being directed by PLA commanders and not the leadership in Beijing. The evidence now strongly suggests nothing happens today without Xi's approval.

That likely explains this summer's massive mobilisation by the Chinese military along the Line of Actual Control (LAC) in Ladakh.

What explains Xi's rise, and how has he able to grab power and redefine China's political landscape? For



India's China Challenge: A Journey through China's Rise and What It Means for India

Ananth Krishnan HarperCollins ₹599

one, Xi knows the ins-and-outs of the Party like few others. He was born Red. Like other princelings, Xi grew up in the heart of Beijing, in the elite compounds reserved for top leaders.

It's been mostly forgotten that the year of Xi's ascension, 2012, was an extraordinarily tumultuous one in Chinese politics. The Bo Xilai scandal had exposed a split in the leadership, while there were rumblings among the Party elite that Hu Jintao's said style had led to a drift, both in policy and leadership. There was a yearning for change.

Xi made the most of it. In one sense, as the scholar Cheng Li argues, Xi was 'lucky enough to arrive at just the moment in history when his consolidation of power—to upset the inertia and possibly even prevent a split of the CPC leadership—was appealing to the Chinese public and most other Chinese leaders'.

What helped him in this quest was his 'assembly of strong loyalist networks' in the Party, particularly among his fellow 'second Red generation', or Hongdars. This gave Xi the space to carry out 'bold political moves, endorsed by the political establishment, but only as urgent, ad hoc measures to safeguard Communist Party rule'.

Xi was the right man, at the right place, at the right time, Zhang Lifan,

a historian and follower of elite Party politics who lives in Beijing, told me. 'Before he came to power, there were many negative feelings about the collective leadership system inside the Party. Every member of the Politburo Standing Committee had their own power, their own opinion, and no one was taking responsibility. They wanted a strongman to take charge and change this situation.' They perhaps got more than they bargained for.

The consequence of centralization is that all responsibilities fall on you too, Zhang told me. 'If you do well, everyone will support you.' However, the reverse, of course, is also true. Fall at any of the hurdles, and there will be no shortage of people ensuring there is no second chance. And in China's system, failure is unforgiving. Ask Bo Xilai.

Xi knows he has to succeed at any cost. The Chinese legal scholar Jiang Shiguo, who has emerged as one of the influential intellectuals in the Xi era, argues one key asset in Xi's favour is the Party's turn to nationalism, captured in Xi's signature political campaign, which is 'The Great Rejuvenation of the Chinese Nation'.

**Selling the Chinese dream** In Xi's view, the Party under Xi is turning 'the brilliant political imagination of thousands of years of Chinese civilisation [to] successfully fill the spiritual vacuum left by the weakening of the Communist vision', something he blames on Xi's predecessors.

A sense of 'national self-confidence and feeling of pride' are the Party's biggest asset, in his view, which would lead Xi to adopt a strong nationalist governing philosophy. This explains why Xi's first big campaign was selling the 'Chinese Dream' of rejuvenation.

One compelling reason for Xi's emphasis on ideology and nationalism is the awareness that the basic post-Tiananmen compact has a shelf life. The Party is turning to nationalism as an important source of legitimacy and unity, having come to one key realisation: economic growth cannot forever be the source of its legitimacy.

Excerpt with permission from HarperCollins. The book will be published on September 30

## FROM THE READERS' EDITOR

### Tilting at windmills

There seems to be no common ground to address the vexatious question of bias in our polarised reality



A. S. Panneer Selvan

In 2008, the Organization for Security and Cooperation in Europe under the leadership of its Representative on Freedom of the Media, Miklós Haraszti, brought out 'The Media Self-Regulation Guidebook', which over the years has become a tool for most news ombudsmen to deal with specific complaints. Mr. Haraszti has an excellent definition for self-regulation. He wrote: 'Media self-regulation is a joint endeavour by media professionals to set up voluntary editorial guidelines and abide by them in a learning process open to the public. By doing so, the independent media accept their share of responsibility for the quality of public discourse in the nation, while fully preserving their editorial autonomy in shaping it.'

I have read several manuals on media regulations as well as various codes of ethics that guide journalists. This rich oeuvre of literature dealing with media regulations aimed at balancing rights and responsibilities has concrete ideas to handle and resolve complaints on issues such as breach of privacy, inaccuracy, non-protection of vulnerable persons, discrimination, fairness, balance, good taste, use of anonymous sources, invasion of privacy, plagiarism, and conflicts of interest. The role of a self-regulatory mechanism is to ensure that the news organisation adheres to its code of ethics or editorial values.

## Measuring bias

In this context, it is evident that there is no universally accepted yardstick to measure 'bias' in media coverage. An ombudsman adjudicates on issues based on facts and the core values of journalism. If a news report is editorialised or packed with comments, then it is fairly easy to point out the breach. However, if there are complaints of bias against opinion articles, editorials and analytical pieces, then it becomes a conflict of two views. There seems to be no common ground to address this vexatious question of bias in our polarised reality. In earlier columns, I dealt with the idea of 'filter bubbles' and 'confirmation bias' in an age of technological disruption, yet they failed to address the question of bias in a language that was

acceptable to all.

For instance, S. Pushpavarnam, a reader from Tiruchirappalli, Tamil Nadu, considered the editorial 'Ill-advised move' (September 8), which was on the threat of contempt proceedings against actor Suri's observation on NEET, a media excess. He contended that the sentence in the editorial, 'No responsible person who reads Mr. Suri's statement would construe it as contempt of court', an attempt to brand all other opinions as unreasonable. He was unhappy with the newspaper's stand on the contempt proceeding against advocate Prashant Bhushan. He drew our attention to another editorial, 'Something rotten' (September 1), on actor Sushant Singh Rajput's death and social prejudices. The editorial had said that sections of the media had 'handed out instant verdicts in the newsroom'. He wondered how *The Hindu's* editorial on judicial contempt was different from these sections of the media which the newspaper criticised. The difference is the distinction between news and views. In *The Hindu*, all news is reported without fear or favour. But the editorial is a considered opinion of the newspaper, and readers are free to disagree with it.

## A polarised environment

The latest study by the 'Trust, Media and Democracy' research programme of the Gallup and Knight Foundation gives us some pointers to understand bias. It's 2018 report found out that 'while Americans valued the role of the news media as an important institution in a free society, they did not believe it was fulfilling its democratic roles well.' Its recently released 2020 study documents many issues that contribute to the idea of media bias among citizens. The vast majority (84%) of Americans believe that the media is vital for democracy. At the same time, nearly half (49%) of all Americans think the media is very biased. Most importantly, the survey pointed out that distrust of media runs along partisan lines, where nearly 71% of Republicans have an unfavourable view of the media compared to only 22% of Democrats. Also, more Americans (69%) say they are concerned about bias in the news other people are getting than they worry about their own news being biased (29%).

It can safely say that the polarised environment is not restricted to the U.S., but has a debilitating and corrosive presence in India too.

reader.editor@thehindu.co.in

## Great power, little responsibility

The way the international system is structured poses enormous obstacles to peace

Sheeram Chaulia

The International Day of Peace (September 21) is an occasion for deep reflection about the prevalence of war, violence and insecurity in many parts of the world. In the last calendar year, eight countries—Afghanistan, Yemen, Syria, Turkey, Somalia, Iraq, Mexico and Libya—suffered at least 1,000 deaths each (mainly civilians) through militarised attacks and battles, according to the World Population Review. If one includes the Maghreb and Sahel regions of North and West Africa, over 25 countries are being ravaged by deadly wars today. To boot, 79.5 million were displaced at the end of 2019, due to armed conflicts, persecution and other reasons, according to the UN Refugee Agency.

The way the present international system is structured poses enormous obstacles to peace. The countries that are escalating violence are predominantly the great powers who have military and economic might.

**Fuelling instability** On paper, the U.S., Russia and China uphold peace and stability as the permanent members of the UN Security Council. But in practice, they fuel instability or have a finger in the pie of most ongoing wars.

For example, the tragedy in Yemen, which the UN has declared as the world's worst humanitarian disaster, is the outcome of the intervention of the U.S.-backed coalition of Saudi Arabia and the UAE, whose geopolitical goal is to counterbalance Iran. Yet, undaunted by the moral burden, the coalition's militarisation is eagerly selling copious quantities of lethal weapons to its Gulf allies in the name of their 'security'.

War is at once a geopolitical game and big business. This holds true not only for the U.S. but also Russia. Libya's descent into chaos is the product of the active involvement of mercenaries and weapons pumped in by Russia and the U.S.-allied Gulf Arab monarchies to push back Turkey's influence.

Like the calamity in Syria, Yemen and Libya are victims of the conduct of great powers who arm and finance

regional actors to prey upon weak states for counterbalancing rivals and sustaining profits of their military-industrial complexes.

Not to be left behind the U.S. and Russia, China has catapulted into the ranks of top sellers of weapons. Chinese small arms enable ethnic violence and external human rights abuses from South Sudan and the Democratic Republic of Congo to Pakistan and Myanmar.

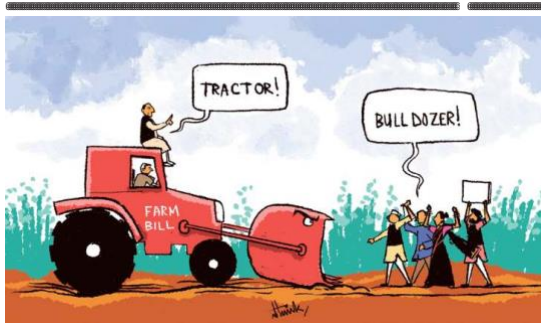
China also aims to tighten its grip over developing countries through 'internal security' aid, a code for technological tools of domestic surveillance and repression, which in turn build up societal pressure and armed revolts against authoritarian regimes. Moreover, China's own hegemonic expansionism against its neighbours and its 'new Cold War' with the U.S. have significantly raised risks of military clashes in Asia.

This year, the UN Secretary-General is campaigning for a 'global ceasefire' so that every attention shifts to fighting the COVID-19 pandemic. The UN as well as regional organisations like the African Union and the European Union are trying to negotiate cessation of hostilities in various war zones.

**The core problem** But targeted micro-level diplomatic initiatives cannot ameliorate the underlying macro-level problem of great powers and their allies acting with broad impunity. On the International Day of Peace, we should diagnose the core problem—the unjust structure which privileges great powers and permits their ghastly murder through a peace process. To more fires can be lit as long as the global 'system' that reproduces violence and aggression is in place.

Intellectuals, social movements and responsible states should prioritise struggling for an equitable world order. Nothing less will suffice to silence the guns.

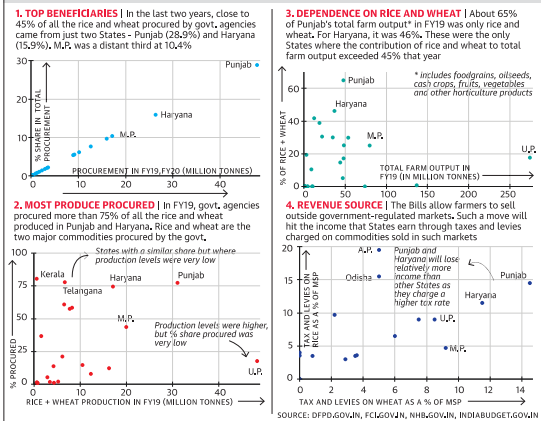
Sheeram Chaulia is Dean, Jindal School of International Affairs



## DATA POINT

### Farmer angst

The two agriculture-related Bills passed in the Rajya Sabha on Sunday have been opposed by several farmer organisations for various reasons. The chief concern seems to be the fear of losing government procurement at the Minimum Support Price. Farmers in Punjab and Haryana depend more on procurement by government agencies compared to their counterparts elsewhere in the country. This could explain why protests are concentrated in these States. By The Hindu Data Team



## A HUNDRED YEARS AGO SEPT. 21, 1920

### The Anglo-Egyptian Treaty (From an Editorial)

The Legislative Assembly of Egypt, so Routr informs us, has approved of the draft Treaty which has been drawn up by the Minister Mission in consultation, though not, as we now know, in complete agreement with the Nationalist Mission headed by Zaghlul Pasha. Some more details of the terms of the Treaty than were wired to us by Routr appear in the *Times* received by the latest English mail. We shall here set forth the main features of the Treaty as summarised by our contemporaries. The first and most important is the recognition of Egyptian independence by Great Britain, who guarantees Egypt's integrity against outside aggression and will have on account of her privileged position access to Egyptian territory in case of war. Secondly, Great Britain is to maintain a garrison in the Canal zone. Thirdly, Egypt is to control her foreign policy and have the right to have her own diplomatic representatives abroad. No treaties are to be made in variance with British policy, and in countries where no Egyptian representative is appointed Britain will represent Egypt. Further, the Capitulations are to be abolished, but a veto on legislation affecting foreigners will be vested in the High Commissioner.

## AGRICULTURE REFORMS

## Modi govt's farm bills aim at empowering farmers

The new legislations seek to put money into the hands of the farmers, something which no political party or leader has ever dared to attempt.

## OPINION

SANJU VERMA

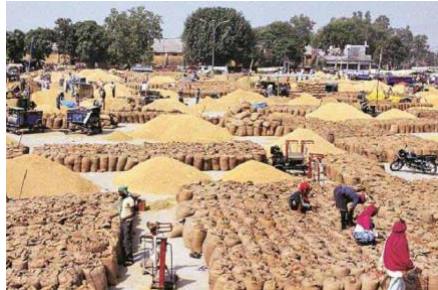


Agriculture and allied activities employ more than 50% of India's workforce. To empower the country's farm economy, the Modi government passed three historic bills. The first bill is the Farmer's Produce Trade and Commerce (Promotion and Facilitation) Bill, 2020. The key provisions of the bill are — (a) to create an ecosystem where farmers and traders enjoy the freedom to sell and purchase farm produce outside registered mandis under States' APMCs; (b) to promote barrier-free inter-state and intra-state trade of farmers' produce; (c) to reduce marketing and transportation costs and help farmers in getting better prices; and (d) to provide a facilitative framework for electronic trading.

The second bill is the Farmer (Empowerment and Protection) Agreement of Price Assurance and Farm Services Bill, 2020. The key provisions of this bill are — (a) farmers can enter into a contract with processors, wholesalers, exporters or large retailers for sale of future farming produce at a pre-agreed price; (b) marginal and small farmers, who account for 86% of total farmers in India, with

land less than five hectares, per farmer, to gain via aggregation and contract; (c) to transfer the risk of market unpredictability from farmers to sponsors; (d) to enable farmers to access modern technology and get better inputs.

The third bill is the Essential Commodities (Amendment) Bill, 2020. The key provisions of this bill are — (a) to remove commodities like cereals, pulses, oilseeds, onion and potatoes from the list of essential commodities. It will do away with the imposition of stockholding limits on such items except under 'extraordinary circumstances' like war; (b) the bill will attract private sector/FDI into the farm sector, as it will remove fears of excessive regulatory interference in business operations; (c) to bring investment for farm infrastructure like cold storages and modernising food supply chain; (d) to help both farmers and consumers by bringing in price stability; (e) to create competitive market environment and cut wastage of farm produce. The erstwhile Union Minister for Food Processing Industries, Harsimrat Kaur Badi, resigned, saying that the aforesaid bills were against the interests of farmers, in a misguided display of political posturing. Are the bills 'anti-farmer'? Of course, not. New legislations will do the following: (A) Accelerate agrarian growth through private sector investment in agri infrastructure. (B) Create greater employment opportunities



in rural India. (C) Since the bills will not override Agriculture Produce Marketing Committee (APMC) Acts of the states, the mandis will continue to exist. (D) The APMC's require farmers to only sell to licensed middlemen in notified markets, usually in the same area where the farmers reside, rather than in open markets, thereby, scuttling price discovery and hurting farm profits. But with these reforms, farmers will have the added option and choice to sell outside existing mandis, without having to route their produce via middlemen. (E) Since APMC's will face competition, it will enable food traders to buy farmers' produce from any market, rather than bind them to the specific markets where they are licensed to operate. (F) Contract farming will enable farmers to engage with processors, wholesalers, exporters, or large retailers for the sale of future farming produce at a mutually pre-agreed price, even before the crop is harvested. (G) The Essential Commodities Act will come in only if retail prices rise 50% in case of non-perishables and 100% in case of perishables, from the average retail prices in the

preceding 12 months or last five years. Lack of stock limits will thereby allow farmers to sell surplus at lucrative prices and traders too can buy in bulk, without resorting to hoarding. (H) Any dispute resolution between farmers and counterparties will be quick, as it will be resolved via a Conciliation Board, under the aegis of the Sub Divisional Magistrate, rather than civil courts, which are already overburdened. (I) The Opposition's baseless allegations that these reforms undermine MSP and the food procurement process are a pack of lies. If anything, as recently as June 2020, the MSP for paddy was Rs 1,868 per quintal and for wheat, at Rs 1,925 per quintal, have been the highest ever. Who is opposing these bills? A trader with a valid licence as per the State APMC Act can operate in APMC mandis and a valid licence to operate in 'Trade Area' allows him to operate here as well. The catch, however, is that existing mandis established under the APMC Acts have been excluded from the definition of 'Trade Area' under the new legislation. In effect, mandis will have to compete

with Trade Areas now. While farmers are happy with more choices, wealthy mandi agents are opposing the bills as their monopoly has been snatched away. Agents in an APMC often get together to form a cartel. This creates a 'monopoly' or a market situation where there is only one buyer or trader, who then exercises control over the price at which he buys. Produce is procured at manipulatively discovered prices and sold at far higher prices, defeating the very purpose of APMCs. While a farmer gets only 20-25% of the final consumer price, loading, warehousing, traders and commission agents skim off the rest. Prime Minister Narendra Modi's landmark Farm Bills seek to end this profiteering. Further, APMC's play a dual role as the regulator and wholesale buyer. Consequently, their role as a regulator is undermined by a conflict of interest. Why are most protests from Punjab? No market fees, cess or levy, under any State APMC Act, shall be levied on farmers or on any electronic trading platform in a 'Trade Area', say the proposed new legislations. Under the existing system, in states like Punjab,

APMC/mandi fees come to around 8.5% — a market fee of 3%, rural development charge of 3% and the middleman (Arhatiya's) commission of 2.5%. The 'Arhatiya' system is more influential in Punjab than elsewhere in India and hence, most protests are from this region. In FY20, 36,000 Arhatiyas in Punjab reportedly pocketed commissions worth Rs 1,600 crore, while the state of Punjab collected Rs 3,600 crore in trade fees. Farmers made precious little. Prime Minister Modi's Farm Bills, however, seek to put money into the hands of the farmers, something which no political leader has ever dared to attempt.

The path-breaking Farm Bills of 2020 are a culmination of a slew of agri reforms by the Modi government. The Rs 1 lakh crore Agriculture Infrastructure Fund (AIF) to give credit at subsidised interest rates for building warehouses, cold storages and other facilities to reduce post-harvest losses, the release of Rs 17,100 crore to over 8.5 crore farmers under the PM-Kisan scheme, an extension of 2% Interest Subvention (IS) benefit and 3% Prompt Repayment Incentive (PRI) to farmers for all crop loans up to Rs 3 lakh and the decision to establish 10,000 Farmer Producer Organisations (FPOs) in the next three years to improve the bargaining power of farmers are all truly outstanding moves by the Modi government.

PM Modi has famously said, "The mind is never a problem, the mindset is." Well, it is time for India's beleaguered Opposition to wake up, smell the coffee and change its mindset, because the agri-reforms are certainly here to stay for good.

Sanju Verma is an economist, the chief spokesperson for BJP Mumbai and the bestselling author of 'Truth & Dare: The Modi Dynamic'.

## PERSPECTIVE

JOURNALIST'S ARREST

## VIGILANCE IS THE PRICE OF DEMOCRACY

The arrest of Rajeev Sharma, a strategic affairs analyst, and two others under the Official Secrets Act by the Delhi Police for allegedly passing classified information on Indian troop movement to the Chinese, has raised serious questions. An accredited journalist, Sharma worked for a premier news agency as well as two prominent newspapers, and over the years covered varied topics. He had close connections with Indian intelligence agencies, and the supreme irony is that a tip off from one of them, led to his arrest by the police. While it is for the courts to determine whether he is guilty of the extremely serious charges levelled against him, it is evident that if indeed he was passing critical information to another country, he must have had access to certain people in key positions, in the Defence and Home Ministries. Therefore, it is equally important that those individuals should be identified and taken into custody.

Several journalist bodies have condemned his arrest and have accused the police of framing him. However, the allegations are of a grave nature and must be fully probed to reach a proper conclusion. Journalists, in the course of their work, come in contact with all kinds of people. Many of them have connections with the deep state and are regularly supplied information which influences public opinion. It is not uncommon for foreign media organisations, to appoint representatives in various capitals, who are well entrenched and closely connected with intelligence agencies. Select Indian journalists posted abroad occasionally receive inputs on vital matters from intelligence agencies as a matter of routine. The path-breaking Farm Bills of 2020 are a culmination of a slew of agri reforms by the Modi government. The Rs 1 lakh crore Agriculture Infrastructure Fund (AIF) to give credit at subsidised interest rates for building warehouses, cold storages and other facilities to reduce post-harvest losses, the release of Rs 17,100 crore to over 8.5 crore farmers under the PM-Kisan scheme, an extension of 2% Interest Subvention (IS) benefit and 3% Prompt Repayment Incentive (PRI) to farmers for all crop loans up to Rs 3 lakh and the decision to establish 10,000 Farmer Producer Organisations (FPOs) in the next three years to improve the bargaining power of farmers are all truly outstanding moves by the Modi government.

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## NEP 2020

## REGIONAL UNIVERSITIES AND CHALLENGES BEFORE NEW EDUCATION POLICY

## OPINION

SURINDER KUMAR AND ANUPRIYA SHARMA



The current system of higher education in India has become dysfunctional especially in the regional universities. The new National Education Policy 2020 (NEP) has outlined a new roadmap for complete revamping and restructuring of the higher education system in India. Two basic institutional changes recommended for the universities are complete transformation of the governance system and teaching-learning process in the multi-faculty

framework. It has been underlined that for creation of culture of excellence and innovation in the universities, all world-class institutions globally have strong self-governance and outstanding merit-based appointment system of institutional leaders and teaching faculty. Effective learning involves appropriate curriculum, engaging pedagogy and continuous formative assessment for development of scientific temper and analytical capabilities of students. Teaching

faculty and the universities have to be completely autonomous in decision-making regarding the curriculum and medium of instructions taking local needs into consideration. The teaching faculty will be autonomous in taking decisions regarding the teaching-learning process. The regulatory architecture of higher education will also be made more accountable and transparent. These are laudable recommendations but we need to examine the necessary and sufficient conditions for successful transformation in the quality of education and academic culture of our regional universities.

For governance, it is proposed that universities will have a board of governors, which will consist of highly qualified, competent and dedicated persons and the state will ensure that the institutions are free from outside interference. Ground reality is that regional universities are administered by the vice-chancellor as the chief executive, on the direction of the executive council (EC) and academic council (AC), which are the authorities of the university.

Overtime, the autonomy and authority of EC and AC have been completely compromised and taken over by the state bureaucracy and now all decisions are subject to the approval of the state government. AC and EC have been reduced to debating clubs only.

The state Governor in his capacity as Chancellor of the university, appoints the Vice-Chancellor (VC) on the recommendation of the search committee consisting of three experts appointed by the executive council and the Chancellor of the university. However, past experience informs us that the VC is ultimately appointed on the recommendation of the Chief Minister, generally on political considerations ignoring academic and administrative merit of the candidates. Past experience also tells us that the VC works on the direction of the chief minister and has effectively been reduced to a puppet in the hands of the state bureaucracy. Most of the senior administrative and statutory posts are lying vacant, year after year, and the vice-chancellor appoints teachers of his choice temporarily as additional charge

till further orders. The VC is deprived of the benefit of mature advice for long-term policymaking. To appoint the board of governors and the VC who are persons of high integrity and academic excellence, is a million-dollar question in the present milieu in the society!

Teaching faculty in the universities is appointed through all-India competition on the recommendation of a selection committee, which consists of experts as laid down by the UGC. In practice, most of the appointments are on non-academic considerations and political interference in appointments is rampant. Interbreeding in appointments is also emerging as another big challenge. In regional universities, most of the teaching faculty does not have adequate academic exposure and required competence to frame the curriculum in an interdisciplinary framework. It lacks skills for interactive teaching involving continuous assessment, comprising innovative assignments, term papers and end-semester examination. This requires both changes in the work ethics & work culture. For this, most of the

teaching faculty requires massive upgradation of their knowledge and teaching skills imbining into autonomous functioning with built in accountability for which a lot of effort and investment in training will be required. Institutional and work-culture change is a very slow process and needs to be handled with utmost sensitivity and care.

Another challenge is that about 40 percent of the teaching posts in most of the universities are lying vacant and basic teaching requirements are met through contractual appointments. NEP has rightly underlined that contractual appointments must be dispensed with, as it is no substitute for regular and competent faculty. All vacant faculty positions must be filled up on priority basis. Past experience is not very reassuring. Most critical challenge is the financial stability and autonomy of the public universities. Over the last 30 years, most of the regional universities are starved of public funding. Three decades back, the share of state funding to public universities was about 80 percent and now it has been reduced to about

20 percent. Most of the affiliating universities are forced to meet their expenses by levying various types of service charges on the affiliated colleges, examination fee, and charges from distance education students, which is like a 'monopoly rent'. When the affiliation system is discontinued as proposed by the NEP, all these universities will be in a serious financial crisis. It is appreciable that NEP recognizes expenditure on education as public investment.

It has also been highlighted that public expenditure on education in India is one of the lowest in the world at 4.43 percent of GDP. It has been resolved to raise it to 6 percent of GDP at the earliest, an unfulfilled commitment of the last 50 years. The Kasturirangan Committee, which drafted the Education Policy document, recommended that public expenditure on education should be raised from 10 percent of the budgetary expenditure of the central and state governments to 20 percent over the next ten years. The policy document approved by the Government of India is silent on this commitment. However, it states that commercialization of education will be completely dispensed with. If the government does not make adequate financial commitment to implement the new national education policy, either proposed policy will fall flat on the ground or fees from students will have to be raised substantially. Apprehension is that the private corporate sector will be called upon to fill the gap, making education very expensive and depriving higher education to weaker sections of society.

NEP 2020 has placed before the nation a very ambitious agenda for shaping its new generations to meet the challenges of the 21st century. To accomplish this much-cherished goal, a firm political commitment will be required to ensure adequate public funding and non-interference in the autonomy of the universities. Otherwise, it will be rendered toothless and an empty box of lofty ideals and wishful thinking. Surinder Kumar is former director, New Institute of Development Studies, Lucknow, and Anupriya Sharma is an independent researcher.