

Business



Sam Zaid is chief executive of Getaround, the car sharing start-up. His company started the year by laying off employees and scaling back some operations after expanding too quickly. The pandemic made things worse. But in May, business bounced back when people began using the start-up's cars, like the one on the right.



PHOTOGRAPHS BY KELLY MCCALLAN FOR THE NEW YORK TIMES

Start-ups avoid a nightmare

SAN FRANCISCO

After expecting the worst as the coronavirus hit, many ventures flourish

BY ERIN GRIFFITH

Getaround, a car sharing start-up, started the year by laying off 150 employees and scaling back some operations after it spent too much on a rapid expansion.

Two months later, with the spread of the coronavirus, business got even worse. The company laid off 100 more employees, asked those who remained to volunteer for pay cuts, obtained a government loan of \$5 million to \$10 million and battled bankruptcy rumors.

But in May, something unexpected happened: Business bounced back when people began using the start-up's cars to get on the road again. Getaround's revenue in the United States for the year is now 40 percent above where it was a year ago. Last month, it brought back its furloughed employees and started hiring again.

"We have seen a very, very fast recovery," said Sam Zaid, Getaround's chief executive, adding that he was now raising more cash. "It's been a bit of a wild ride."

When the coronavirus pandemic first hit in March, many technology start-ups braced themselves for The End, as business dried up, venture capitalists warned of dark times ahead and restructuring experts predicted the beginning of a "great unwinding" after a decade-long boom. Five months later, those doomday warnings have not translated into the drastic shakeout that many had expected.

Funding for young companies has stayed robust, particularly for the larger start-ups. Some of them, like the stock trading app Robinhood and Discord, the social media site, have pulled in hundreds of millions of dollars in new capital in recent months, increasing their valuations. And initial public offerings of tech companies have come roaring back, alongside a surging stock market.

"Things generally are substantially better than our worst fears 90 days ago," said Rich Wong, an investor at Accel, a Silicon Valley venture capital firm.

The stabilization has created a surreal disconnect between tech start-ups and the broader American economy.

While retailers, restaurant chains and many other companies are filing for bankruptcy and are dealing with one of the worst downturns on record, the tech industry has largely sidestepped the worst of the destruction.

Demand has surged for start-ups that offer virtual learning, telehealth, e-commerce, video games, streaming and software for remote workers. Start-ups in areas like fitness or children's activities also quickly adapted their offerings to go virtual.

That doesn't mean tech start-ups have escaped unscathed. Some — like those providing travel services, restaurant software or tickets to events — watched revenue disappear. Stay Alfred, a luxury hospitality start-up in Washington State, recently began winding down its operations, blaming the virus. ScaleFactor, an accounting start-up in Texas, and Stockwell, an office vending machine start-up in California that was previously known as Bodega, did the same.

But over all, the money has continued flowing. Start-ups in the United States raised \$34.3 billion in the second quarter, down slightly from \$36 billion a year earlier, according to PitchBook and the National Venture Capital Association. Much of the financing went to the largest companies, with the number of "mega-rounds" (deals larger than \$100 million) on pace to top last year's total.

"People are trying to focus on who they believe the winners are, on companies that have pivoted successfully to meet the new norm," said Heather Gates, a managing director at Deloitte who advises start-ups.

Across Silicon Valley, the start-up panic began dissipating around May. That was when layoffs slowed to a trickle, according to Layoffs.fyi, a site that tracks start-up layoffs. Just 5 percent of the hundreds of companies that did layoffs went out of business, according to the site.

Hiring is picking back up. Job openings posted to a network run by Drafted, a recruiting company, increased 30 percent in the last month, said Vinayak Ranade, its chief executive.

Start-up expenditures also began rising again. Brex, which provides corporate credit cards to roughly 10,000 start-ups in the United States, said spending on items like software, servers and ads is now more than a third above February levels — though spending on business travel and office snacks remains depressed.

"Everyone woke up and thought,

"Wait a second, people are still going to do business," said Steve Sloan, an investor at Menlo Ventures. "They're just going to do it online."

Some of the shift was fueled by start-ups' adapting their businesses to the pandemic. One of those was ActivityHero, an online marketplace for children's activities. In April, the San Francisco start-up's bookings dropped 88 percent as summer camps around the country canceled their programs, said Peggy Chang, its chief executive. She worried the company wouldn't survive the year.

So ActivityHero encouraged its providers to offer virtual activities, promoting them to parents with free classes and small discounts. By the summer, bookings were back — just online. Now, Ms. Chang said, she sees online activities as a springboard to expand faster when in-person activities return.

Envoy, a start-up in San Francisco that sells sign-in systems to offices, also suffered its first monthly net loss in February and March, said Larry Gadea, its chief executive. But that changed in May after the company formed a service called Protect, with features for limiting capacity in the office and managing which employees are in the office.

"We have seen a very, very fast recovery."

Around that time, working from home was becoming untenable for some people and companies wanted a way to allow a limited number of workers to return. Around 100,000 workers have used Envoy's new system at 500 offices, Mr. Gadea said.

"It saved the business," he said. Some larger start-ups have seized the opportunity to raise even more cash from investors. DoorDash and Instacart, two delivery services that have become more popular in the pandemic, collectively raised more than \$600 million in funding in June, lifting their valuations to \$16 billion for DoorDash and \$13.7 billion for Instacart.

Robinhood, the online trading start-up, raised \$280 million in May and added \$220 million in July as day trading surged while people were quarantined. The growth of Canva, an online design software provider, accelerated as more people worked remotely, and it doubled its valuation to \$6 billion in June. Discord, a social media chat service whose use increased roughly 50 percent in the

pandemic, raised \$100 million in June in a matter of weeks.

Ruben Flores-Martinez, founder of Cashdrop, an e-commerce start-up, said he had struck out trying to raise funding for his company in January. But the virus pushed local merchants to move online, leading hundreds of them to try Cashdrop's software.

"Covid just came and accelerated stuff exponentially," said Mr. Flores-Martinez, who ultimately raised \$2.7 million in funding for his start-up in July. He said he didn't meet any of the investors in person, an increasingly common trait of start-up deal-making in the pandemic. In a June survey of about 150 venture capital firms conducted by OMERS Ventures, more than two-thirds said they were willing to do deals remotely. Half said their pipeline of new deals was the same as or more robust than it had been before the pandemic.

Cyan Banister, an investor who put money into Cashdrop, said she had expected new deals to dry up in the pandemic. But she said her firm, Long Journey Ventures, had met so many new companies over videoconferencing calls that she and her partners instead became concerned that they were investing too quickly. The firm has done five deals, and Ms. Banister has made six personal investments in the pandemic.

"People made enough bread and grew enough gardens and decided to start working on a start-up now," she said. "We're seeing people start to build things and come up with ideas."

Even some of the hardest hit start-ups are recovering. Sonder, a home rental start-up, laid off or furloughed 417 employees in March. Three months later, its chief executive declared that it had returned to "growth mode" with 100 employees returning or having their hours restored. In June, it raised \$170 million above a target of \$150 million, said Chris Arsenault, a venture capitalist at Inovia Capital, which has invested in Sonder.

Bookings for the home-rental company Airbnb, which initially lost more than \$1 billion in revenue from travel cancellations, has also improved to pre-pandemic levels, as people have looked for getaways within driving distance of their homes.

In a recent virtual meeting with employees, Brian Chesky, Airbnb's chief executive, expressed surprise at the rebound.

"This is something I never would have imagined telling you even eight weeks ago," he said. "It kind of defies logic in a way."

which was enjoying the longest expansion on record, housing — specifically rental housing — was troubled before the virus hit, with problems that went back decades. A little under four million evictions are filed each year, one in four tenant households spends about half its pretax income on rent, and each night some 200,000 people sleep in their cars, on streets or under bridges.

Those were the statistics in good times. Now, with unemployment above 10 percent and projected to stay there through at least next year, tens of millions of households could be at risk of eviction in the coming months. Even if only a fraction of those evictions actually take place, it would still be several times the current pace and the biggest disruption in rental housing in decades. Whatever the final tally, it is increasingly clear that if the Great Recession

Airline foray into oil didn't go as planned

Delta entered an industry whose cyclical challenges preceded the pandemic

BY CLIFFORD KRAUSS AND NIRAJ CHOKSHI

Jet fuel is known as the Steady Eddie of the refinery business, a predictable profit maker that balances the seasonal gyrations of gasoline and diesel sales. But for airlines, it is a headache — a big and unpredictable expense that confounds managers.

So Delta Air Lines tried a bold experiment: It bought an oil refinery outside Philadelphia in 2012, the first such purchase by a major U.S. airline. When jet fuel prices were high, as they were then, Delta figured the refinery, which turns crude oil into the stuff that planes, cars and trucks burn, could offset some of its expenses and perhaps even make money.

"A lot of energy guys hate it, and I can understand why, because we're taking money out of their pockets," Ed Bastian, the airline's current chief executive and then president, said at an industry conference in 2012.

But the refinery made only modest profits some years and lost money in others. This year, as the coronavirus hammered demand for air travel, it has become a liability for Delta, widely considered by analysts as one of the best-run airlines in the United States.

The energy industry critic Mr. Bastian dismissed appears to have correctly identified the flaws in Delta's strategy. Like airlines, oil refining is a cyclical enterprise that can be difficult in the best of times — refineries are expensive to

run, prone to accidents and subject to environmental regulations, and they earn meager profits.

Today, airlines and refineries face their biggest crises in modern times. The number of people flying is down about 75 percent from a year ago, and tens of millions of people are working from home, buying less fuel for their cars. Delta's refinery, Monroe Energy, has been one of many casualties in an industry that is working well below capacity, idling plants and losing money.

Monroe, in Trainer, Pa., lost \$114 million in the second quarter, and its future appears bleak. In 2018, Delta announced that it was interested in finding a partner to jointly own and operate it, but it never found any takers.

"The refinery may not even be a live albatross," said Tom Kloza, global head of energy analysis at the Oil Price Information Service. "We don't see jet fuel becoming a marquee moneymaker for refiners again until the middle of the decade, if then."

The coronavirus cut off demand for all transportation fuel in April as the economy shut down. Consumption of gasoline and diesel has recovered somewhat, but American refiners have still had to cut their fuel production by roughly 15 percent in recent weeks compared with last year.

Jet fuel has experienced the steepest downturn by far, forcing refineries to slash output by nearly half, to an average of 1.1 million barrels a day for the four weeks that ended July 24 from 1.9 million a year earlier, according to the U.S. Energy Department.

Air travel recovered a little in May and June, but stalled in July as infections surged across the country and oil, PAGE 8



The Monroe Energy refinery in Trainer, Pa., bought by Delta Air Lines in 2012, when jet fuel prices were high, lost \$114 million in the second quarter. Its future appears bleak.

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LEGAL NOTICE:
IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA, CIVIL ACTION NO. 4:16-cv-00253 WTM-GRS
SECURITIES AND EXCHANGE COMMISSION v. MEDIENT STUDIOS, INC., et al,
NOTICE IS HEREBY GIVEN TO DEFENDANT MANU SANDHA KUMARAN

You have been named as a defendant in a lawsuit filed by the U.S. Securities and Exchange Commission in the U.S. District Court for the Southern District of Georgia. The name of the case is SEC v. Medient Studios, Inc., Fom2, Inc., Manu Kumaran, Joel A. "Jake" Shapiro, and Roger Miguel, Civil Action No. 4:16-CV-00253-WTM-GRS. The lawsuit against you is pending before Judge William T. Moore, Jr. The SEC alleges that you and the other defendants violated the antifraud, reporting and registration provisions of the federal securities laws by engaging in a microcap fraud. Specifically, the SEC alleges that you made numerous false statements in press releases and public filings for Medient Studios, Inc., and participated in a promissory note backdating scheme involving Medient's stock. The SEC seeks permanent injunctions against you prohibiting further violations of the relevant provisions of the federal securities laws, an order barring you from serving as a director or officer of a public company registered pursuant to Sections 12 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. § 78; § 78o(d)), an order barring you from participating in an offering of penny stock, disgorgement of ill-gotten gains (plus prejudgment interest), and a civil penalty.

You are directed to contact W. Shawn Murnahan, Senior Trial Counsel, Securities and Exchange Commission, 950 East Paces Ferry Road, N.E., Suite 900, Atlanta, GA 30326, USA to provide him with a valid address so that he can send you a Summons and the Complaint for Injunctive and Other Relief. If you do not contact attorney Murnahan within 20 days of the publication of this notice, the SEC will be entitled to seek entry of your default in the above-referenced case pursuant to Fed. R. Civ. P. 55(a).

Whatever the final tally, it is increasingly clear that if the Great Recession

Renters in danger of losing shelter

Unless aid is renewed, millions of unemployed workers face eviction

BY CONOR DOUGHERTY

For the 108 million Americans who live in rental homes or apartments, Aug. 1 was a grim milestone. It was the first time rent was due after much of the nation's economic response to the coronavirus had expired.

The lapse of expanded unemployment benefits and federal, state and local eviction moratoriums is forcing lawmakers to figure out how to extend those protections. It has also left experts resorting to natural disaster metaphors ("avalanches," "tsunami") to describe the scale of potential evictions.

Unlike the overall U.S. economy,



PHOTO BY GETTY IMAGES

Affordable housing like this complex in New York could be converted for higher rents.

Opinion

What if some kids are better off at home?

For parents like me, the pandemic has come with a revelation: For our children, school was torture.

Joanna Schroeder

In the early morning hours of Monday, March 9, I was locked in battle with my oldest son, Izac, then a freshman in high school, over what felt like his one-billionth request to skip his 7 a.m. physical education class. He said he was tired and anxious and begged for a break. I told him that when you commit to something, you show up. End of story. And so off he went to school, bleary-eyed and resentful.

Four days later, all of my kids were home, with schools closed "out of an abundance of caution" to prevent the spread of Covid-19. Before long, the morning rush to get to class on time felt like a distant memory. The pandemic changed everything.

One difference that became clear within a few weeks of lockdown: My son was happy.

Izac, my lanky, serious-faced 15-year-old who runs cross-country and listens to Kendrick Lamar, has A.D.H.D. He's never been disruptive — he's more the dreamy, nose-in-a-book type who likes a calm environment and a limited schedule. Sadly, he's rarely had that. But while my husband and I knew the pressure of a traditional school day could be challenging for him, we didn't realize exactly how miserable he was.

It felt like he started breathing again the day in-person school was canceled. He started smiling again. This happiness was profound.

We are not the only family experiencing this. Yes, students across the country are complaining that they miss seeing their

As soon as Covid-19 lockdowns were put in place, certain pressures instantly lifted.

friends, and many parents are struggling with the unsustainable arrangement that is working from home while supervising virtual learning. But amid all this, there's also a group of kids who, whether because of bullying, mental health issues or simple overscheduling and pressure, struggled at school in a way that's been made undeniable by the way they're thriving at home amid the pandemic. Parents like me are having to contemplate whether traditional school — a staple of American childhood — in fact hurts our children.

Jen Foreman, a mother of four children from 1 to 19, saw an immediate change in her 13-year-old daughter after Michigan's classroom closings kept her home. "Piper was thrilled to be in charge of her own schedule, get the sleep she needed and choose which friends to communicate with," Ms. Foreman told me. Piper has been noticeably less anxious. Her acne has even cleared up since she started distance learning.

One couple I spoke to, who chose to withhold their son's name to protect him from further bullying, told me he said his arm was broken when a classmate shoved him into a wall last fall. They weren't surprised to see his depression lift when he transitioned to virtual learning and no longer had to face his tormentors.

Olivia Hinebaugh told me she never quite realized the extent to which her 8-year-old daughter, who is transgender, was stressed by things like the implications of using the bathroom of her choice and unwanted questions and comments from classmates. But she would often come home from



school withdrawn.

"When we first started doing at-home schooling, I noticed her sort of take a breath," Ms. Hinebaugh told me. "She slept a little longer, seemed more engaged in her interests and wanted to talk to me more. I don't know if we'll ever want to go back to six- to eight-hour school days."

What is behind all this quiet misery that we now realize was part of daily life for some children? Rosalind Wiseman, the author of "Queen Bees & Wannabees" and "Masterminds & Wingmen," books based on years of research into the social and emotional lives of school-age kids, said a contributing factor might be the intense pressures that come with schooling in

2020. Just one example: The brutal world of youth athletics. "We didn't grow up with travel sports that separate wealthier families from poorer ones and parents who, during games, scream at each other, coaches and kids and then brag about their child's 'D+' opportunities with other parents," Ms. Wiseman said.

She said dynamics like this have turned school-based programs into competition with adult-level pressure on children who are often not mature enough to handle it in a healthy way. As soon as Covid-19 lockdowns were in place, all of that pressure instantly lifted.

Because of budget cuts, many public schools find themselves jamming 27 or

more kids into classrooms and teachers are forced to "teach to the test," which severely limits creativity and often goes against how they were taught to inspire students.

There are some children for whom this kind of environment is more stifling than enriching.

Perhaps this is what explains why Izac's school-related anxiety didn't return as I thought it might when teachers started assigning online work. Sure, we had some standard ninth-grade late work and panicked last-minute projects, but nothing at home has rattled him the way an average day at school did.

He's told his dad and me that even though the medication he takes greatly

reduces the symptoms of his A.D.H.D., he would still struggle to concentrate when a classroom got loud.

"Teachers at my school," he said, "don't see it as a problem because the kids are doing something positive, laughing or singing, but it does not have a positive effect on me, because I can't concentrate, and it makes me very stressed."

On top of the boredom and frustration, social media create an ever-present fear of doing something "wrong" or embarrassing in school that may be caught on video and plastered across classmates' accounts. This is particularly true if they are, in any way, social outliers because of

SCHROEDER, PAGE 11

Susan Rice's diplomatic disasters

Joe Biden doesn't need a running mate who has shown such poor judgment.



Bret Stephens

In its 2011 World Report, Human Rights Watch noted the following about Ethiopia under the rule of Prime Minister Meles Zenawi: The ruling party had won parliamentary elections with 99.6 percent of the vote. Supporters of opposition parties endured months of constant intimidation. Journalists and human-rights activists had been forced to leave the country. And hundreds of political prisoners were "in jail and at risk of torture and ill-treatment."

Meles died the following year. Susan Rice, then the Obama administration's ambassador to the United Nations, flew to Addis Ababa to deliver a eulogy. "Prime Minister Meles was an uncommon leader, a rare visionary, and a true friend to me and many," she said. While briefly allowing that the two could

disagree on issues of democracy and human rights, she showered the deceased strongman with praise. He was, she said, "uncommonly wise," "brilliant" and "selfless."

"I suspect we all feel it deeply unfair, to lose such a talented and vital leader so soon, when he still had so much more to give," she said.

Days later, the U.S. consulate in Benghazi was set ablaze by terrorists; four Americans were killed; and Rice became notorious for offering some factually challenged talking points regarding the cause of the attack. That performance likely sank her chances of succeeding Hillary Clinton as secretary of state. But it's her overall record as a U.S. diplomat in Africa that should be examined more closely as she is among the final few whom Joe Biden is considering as a running mate.

Until Benghazi, Rice's record in Africa was probably best known for a remark she reportedly made in the early days of the 1994 Rwandan genocide, as the Clinton administration dithered over its response. "If we use the word 'genocide' and are seen as doing nothing, what will be the effect on the Rwandan [congressional] election?" she asked during an interagency teleconference, according to an account by

Samantha Power. Rice claims not to remember saying this, but admits that, if she had, it would have been "completely inappropriate."

Rice was later named assistant secretary of state for African affairs during Bill Clinton's second term, and became a champion for a new group of African leaders then seen as dynamic, democratic and reform-minded: Ethiopia's Meles, Eritrea's Isaias Afewerki, Rwanda's Paul Kagame, Uganda's Yoweri Museveni. Some of these leaders did improve health and living standards. Meles in particular was a staunch ally against Islamist terrorism. Otherwise, all became ruthless autocrats.

What followed was a succession of African tragedies and U.S. policy fiascos. In 1998, a calamitous war broke out between Ethiopia and Eritrea. Rice and an administration colleague were sent to mediate.

"What is publicly known," according to a judicious 2002 analysis by Peter Rosenblum, "is that Rice announced the terms of a plan agreed to by Ethiopia, suggesting that Eritrea would have to accept it, before Isaias had given his approval. He responded angrily, rejecting the plan and heaping abuse on Rice. Soon afterward, Ethiopia bombed the capital of Eritrea, and Eritrea dropped

cluster bombs on Ethiopia."

Nearly 100,000 people were killed in the war that followed. But that wasn't the biggest debacle. Starting in 1998, several million people died in what came to be known as the second Congo war. It began when Rwanda and Uganda invaded the Democratic Republic of Congo, partly to clear out Hutu refugees and militia who had been behind the 1994 genocide, and partly to gain control of Congo's vast mineral wealth. In Congressional testimony, Rice strenuously denied that the United States had encouraged the invasion.

There is reason to be skeptical. The former New York Times correspondent Howard French, who covered West and Central Africa, noted that Rice seems to have taken the view that the best U.S. policy was to "look the other way" as Rwanda and Uganda went to war. Rice later consulted for Kagame's government when she was out of office, and gave him diplomatic cover when she was at the United Nations.

"After delaying for weeks the publication of a United Nations report denouncing Rwanda's support for the [Rwandan-backed rebel group] M23 and opposing any direct references to Rwanda in United Nations statements and resolutions on the crisis," The

Times's Helene Cooper wrote in 2012, "Ms. Rice intervened to water down a Security Council resolution that strongly condemned the M23 for widespread rape, summary executions and recruitment of child soldiers."

Since her relatively youthful tours of duty in the Clinton administration, Rice has filled higher offices and, presumably, acquired more seasoned judgment. It was interesting last year to see her attack the Trump administration for its decision to pull troops from Syria, given the Obama administration's own record of nonintervention in the country. Maybe she's more of a conservative internationalist — or a Kissingerian realist — than she lets on.

Still, a few facts about Rice seem to have taken the view that the best U.S. policy was to "look the other way" as Rwanda and Uganda went to war. Rice later consulted for Kagame's government when she was out of office, and gave him diplomatic cover when she was at the United Nations.

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Editors' Note: Susan Rice is a contributing writer for New York Times Opinion, on hiatus while Vice President Joe Biden considers her as a possible running mate.



Running mate matters

If the Democratic leaders on the ticket learn from each other, they can find a way to win

Presumptive U.S. Democratic nominee and former Vice-President Joe Biden has picked Kamala Harris, Senator from California of Indian descent, as his vice-presidential running mate, a fillip to his party's connect with African-Americans, the Indian-American community, women and its core base of mainstream liberals. Ms. Harris — her family and cancer researcher Shyamala Gopalan hailed from a Chennai-based family, and Jamaican father Donald Harris, a retired Stanford professor — made a name for herself as a tough lawyer, politically ambitious enough to throw her hat in the ring as a Biden challenger in the Democratic primaries. In a close parallel to former President Barack Obama picking his Democratic primaries rival Hillary Clinton for Secretary of State, Mr. Biden chose Ms. Harris from amidst a cohort of strong candidates, including former NSA Susan Rice and Senator from Massachusetts Elizabeth Warren. In picking Ms. Harris, Mr. Biden has consolidated his position at the helm of the Democratic Party mainstream, ensuring a convergence of views with his vice-presidential nominee on race relations, policing and criminal justice reform, immigration, the health-care insurance industry and education policy. The timing of her selection could not be better — as an outspoken leader on racism and a woman of colour, the symbolism of Mr. Biden picking her will offer hope to many, including 'Black Lives Matter' activists.

Ms. Harris will not only bring to the Biden ticket her broad appeal across the Democratic spectrum, but at 55, will help tip the overall age profile of a potential future Democratic White House in the right direction. However, if her 2020 presidential campaign was indicative, she will need to up her game on critical talking points including her record as a prosecutor in her home State, and on specifics regarding the complex question of health-care reform. More broadly, she and Mr. Biden will have to be prepared for an unusual campaign edge scenario, with less than three months before Election Day and the COVID-19 pandemic slashing a swathe of economic misery. Will they be able to go beyond the standard Democratic campaign playbook and adroitly craft a fresh approach to take on a politically weakened President Trump, who will nevertheless likely come out guns blazing? Have they pondered the deep lessons of Ms. Clinton's loss to Mr. Trump in 2016 and come up with robust ideas to alleviate the economic pain of working-class Americans perceived to be the result of policies supporting globalisation and immigration? Will she be able to go toe-to-toe with incumbent Vice-President Mike Pence and yet avoid alienating independent and undecided voters? If the two Democratic leaders on the ticket learn from each other, there is a chance that they might arrive at a winning formula.

Mayhem in Minsk

Belarus is at the crossroads after a disputed election triggered protests and violence

Belarus has seen dramatic political developments over the past few days. First, the Election Commission announced that long-term President Alexander Lukashenko was the winner of Sunday's election. His main rival, Svetlana Tikhanovskaya, rejected the results and called for a recount. Protests broke out in the capital, Minsk, which was met with a violent security crackdown. At least 2,000 people were detained and dozens injured. Then, as the country was slipping into chaos and anarchy, she fled to neighbouring Lithuania, saying she made "a very difficult decision". But her campaign committee has said that it would continue to support the protests against the "election fraud". This was the hardest fought election in Belarus, a former Soviet republic, since the USSR's disintegration. There has been widespread anger against the government over a stagnant economy. Mr. Lukashenko, often touted as Europe's last dictator, had cracked down on the Opposition even before the election. Ms. Tikhanovskaya entered the race after her husband and a popular YouTuber, Sergei Tikhanovsky, who was to contest against Mr. Lukashenko, was detained and barred from contesting for allegedly inciting unrest. Throughout the campaigning and the election, the Opposition accused the government of intimidation, cracking down on journalists and activists, and prohibiting independent observers. All these raised doubts about the fairness of the election.

It is too early to say if Ms. Tikhanovskaya's departure would remove the hurdles Mr. Lukashenko faces in extending his term further. If the protests questioning the legitimacy of his presidency continue, at a time of growing economic troubles, it could substantially weaken him. The crisis has already derailed his plans for a strategic realignment in Eastern Europe. In recent years, Belarus, a geopolitical ally of Russia with cultural links, has shown a willingness to work closer with the West. His bet was to raise the strategic profile of his landlocked country at a time when the contest for influence in Eastern Europe between Moscow and Washington was heating up. But many western countries have condemned the handling of the election and the protests, and called for a peaceful settlement. Moscow immediately sensed an opportunity to cement ties with Belarus, which is an important transit route of Russian gas to Europe as well as a buffer between Russia and European powers. Mr. Lukashenko has nowhere to turn to other than Moscow. He has to decide whether he wants to extend his 26-year reign at any cost or ensure the formation of a legitimate government that could address the country's vital problems. If he chooses the latter, he has to rein in the police, reach out to the Opposition and offer talks to find a peaceful settlement to the crisis.

Stop the dismantling of environmental rules

The government has a social obligation to protect the environment; it must withdraw the Draft EIA 2020 Notification



SONIA GANDHI

The Sanskrit words, 'Prakriti Rakshita Rakshitah', greet visitors at the Indira Paryavaran Bhawan, the home of the Ministry of Environment, Forest and Climate Change, (MoEF&CC). They mean 'nature protects, if she is protected'. This ancient Indian wisdom inspired Indira Gandhi throughout her life, as referenced in many of her letters and files. She shared a deep kinship with nature. She was also cognisant that the environment cannot be protected without eradicating poverty. The origins and spread of the global novel coronavirus pandemic and its catastrophic impact are a warning to the entire world. The protection of the environment must go hand in hand with promoting public health and access to dignified livelihoods for all.

Erosion of the framework
India with its rich biodiversity and widespread inequality must especially pay heed now. Our nation has all too often sacrificed the environment and the rights of our people while chasing the chimera of unbridled economic growth. Of course, progress requires trade-offs, but there must always be boundaries that cannot be transgressed. But over the past six years, the government has thoughtlessly — or worse, with intent — eroded our environmental protection framework. The biennial global Environmental Performance Index report has consistently put India at the bottom of its rankings. We were an alarming 177th out of 180 countries in 2018, faring badly on virtually all indicators — environment, health, policy, biodiversity and habitat, air and water pollution and climate change.

The pandemic should have made the government reflect and reconsider its environmental and public health governance. Instead, the Ministry is handing out clearances during the lockdown without proper public consultations. The announcement of coal auctions by the Prime Minister in previously declared 'no go' areas, signals that the government is in no mood to course-correct. The disastrous Draft Environmental Impact Assessment (EIA), 2020 Notification, which among other provisions, gives a clean chit to polluters violating environmental regulations through ex-post facto approvals, will unleash unprecedented devastation on our environment.

Opaque reviews
It was apparent that a Narendra Modi-led Bharatiya Janata Party government would be destructive to India's environment going by Mr. Modi's track record in Gujarat as Chief Minister. During the 2014 election campaign, Mr. Modi slandered the United Progressive Alliance (UPA) government and the Environment Ministry for having impeded to the nation's progress. From the very start, the government has desperately sought to project an image of 'Ease of Doing Business' to the world, mindless of consequences. It formed multiple committees, diluted laws and regulations across the board, and opened up vast tracts of forest land to a select few in the private sector.

In 2014, the T.S.R. Subramanian Committee was set up to review six major environmental laws. Another committee was formed to amend the Coastal Regulation Zone (CRZ), 2011 Notification. Both committees recommended opacity and not consulting a wide range of stakeholders. The TSR Committee Report was never released, but some of its recommendations were surreptitiously implemented. On similar lines, the 2018 CRZ Notification was rejected by the National Fishworkers' Federation and the National Biodiversity Board. The government's greatest assault on the environment has been the rights of Adivasis and other traditional forest dwellers. The historic Forest Rights Act (FRA), 2006 was passed by the UPA government to undo centuries of injustice. Our deep cultural traditions as well as experience from all over the world have demonstrated



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that well-defined land rights to forest dwellers are beneficial for both marginalised populations and the environment. The twisted interpretation and shoddy implementation of the FRA, 2006, has led to Adivasis and forest-dwelling communities being harassed by the Forest Department. Their legal claims to land are buried in bureaucracy. The FRA link to project approvals has been abandoned in practice, and the curtailment or elimination of public hearings means that civil society and independent or concerned voices are muzzled.

India Gandhi had once said that forest development corporations had become forest destruction corporations. The veracity of her observation is borne out by several proposals or actions that negate against the interests of forest dwellers. For example, there is a proposal to overhaul the colonial Indian Forest Act, 1927 to give enhanced powers to the forest department and quasi-judicial powers of the forest officials. It gives forest officials powers to use firearms with unjustified levels of immunity from prosecution. Earlier, the Compensatory Afforestation Fund Act, 2016 was passed by the government in both Houses of Parliament, ignoring the Opposition which pointed out that it bypasses the FRA, 2006, and disempowers Adivasis, forest dwellers and gram sabhas.

Promote public health
In the name of reforms, the government rolled out the red carpet for crony capitalists, systematically disenfranchising the marginalised and vulnerable populations, and abandoned its responsibility to both domestic and international commitments on climate change and environmental protection. This is a completely wrong way to go about things. The government should recognise it has a social obligation to protect the environment and promote public health. India's environmental protection framework

is not a regulatory burden and the government must incentivise industry to shift its mindset from clearances to compliance. The Micro, Small and Medium Enterprises (MSME) sector must be subsidised to follow green norms. Nobody denies that India needs a modern EIA framework. But it must be based on best available scientific knowledge, enhanced public participation and regular social audits. The concept of cumulative impacts of projects in a region or ecology is to be adopted, for example, must be rejected. You cannot have 'Nirmal Ganga' without 'Avalir Ganga'.

India as a green hub
Simply put, the government must stop dismantling India's environmental regulations. An essential first step is to withdraw the Draft EIA 2020 Notification. What is essential is widespread public consultation to shape a national agenda that will place India at the forefront of the battle against global warming and pandemics. We have an incredible opportunity to reset our economy and demonstrate leadership in the world as a growth strategy that transforms India into a green manufacturing hub. The erstwhile Planning Commission's expert group report on low carbon growth strategy and the many suggestions in the 2019 Congress Manifesto can be a starting point. In times of mass reverse migration, environment protection through public works programmes including afforestation and watershed development, can be turned into a grass-roots movement involving youth, women, communities, gram sabhas and non-governmental organisations. India Gandhi was the first major world leader to recognise the environmental crisis confronting the world in Stockholm in June 1972. Can India once again rise to the greatest challenges of the 21st century?

Attack on Adivasis
The government's greatest assault on the environment has been the rights of Adivasis and other traditional forest dwellers. The historic Forest Rights Act (FRA), 2006 was passed by the UPA government to undo centuries of injustice. Our deep cultural traditions as well as experience from all over the world have demonstrated

infections require systematic screening for IgG antibody. Antigenic positives need not be vaccinated (no harm if vaccinated). All data should be saved permanently. Area-wise estimates of the numbers who need vaccination on a priority basis are necessary. Now is the time for State governments to capture all such data. A community's need for vaccination is two-fold. All those who must rebuild essential activities, i.e. economic, educational, trade, transport, sociocultural and religious, must be protected. A more ambitious aim is to break the novel coronavirus transmission and eradicate the disease altogether. With India's notable representation in decision-making bodies of the World Health Organization, India is uniquely positioned to play a crucial role in advocating global eradication of COVID-19.

Getting a plan ready
We need a vaccine-delivery platform to fulfil all such needs. A practical method is vaccination camps, supervised by a medical officer, staffed by health management and local government, and having the list of people who need vaccination. Information should be updated regularly, deleting those who got infected recently. Enumeration and registration of eligible persons can be started now. Vaccination by appointments will ensure that vaccination is without overcrowding and with minimum waiting time. Post-injection, the subject should be kept for half-an-hour in case of immediate side effects; emergency drugs to tackle side effects should be readily available.

The vaccine regulatory agency should take a call on the special question of vaccine safety during pregnancy. One vaccine is an inactivated virus and the second is a live virus but non-infectious. Both may be assumed to be safe; yet safety in pregnancy must be ascertained in bridge studies that must be conducted as soon as possible.

India's steel frame
While it may be true that the older batches of civil servants would find it difficult now in passing the coveted current civil services examination, (Editorial page, "The main bricks to use in India's steel frame", August 10), veteran

is not a regulatory burden and the government must incentivise industry to shift its mindset from clearances to compliance. The Micro, Small and Medium Enterprises (MSME) sector must be subsidised to follow green norms. Nobody denies that India needs a modern EIA framework. But it must be based on best available scientific knowledge, enhanced public participation and regular social audits. The concept of cumulative impacts of projects in a region or ecology is to be adopted, for example, must be rejected. You cannot have 'Nirmal Ganga' without 'Avalir Ganga'.

Phase 3 trial is usually in healthy volunteers, hence efficacy and safety profile in others will not be available when a vaccine is rolled out. However, senior citizens and those with co-morbidities must be vaccinated by priority. Some countries require that a proportion of volunteers should be the elderly and the vulnerable. In India, careful documentation of all side effects in all individuals, senior citizens, those with co-morbidities, and children must supplement trial data on vaccine safety. This 'post-marketing surveillance' must be built into the vaccine roll-out.

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T. Jacob John is retired Professor of Clinical Virology, CMC Vellore, and Past President, Indian Academy of Virology. M.S. Seshadri is retired Professor of Medical Endocrinology, CMC Vellore, and Medical Director, Thirumala Mission Hospital, Ranipet, Tamil Nadu

To read more online, scan the QR code.

bureaucrats would definitely pass the test of ethics, public probity, being unsuspecting to undue political pressure and upholding principles. There are numerous anecdotes of older generation civil servants calling a spade a spade. Transfers and being shunted to lesser-known posts did not deter them. It is a pity it is not now?

C. RAJAGAN, Chennai

More than a vaccine, it is about vaccination

As a COVID-19 vaccine is for all age groups, putting in place an innovative delivery platform in time is a must



T. JACOB JOHN & M.S. SESHADRI

Everyone eagerly asks: will we get a COVID-19 vaccine this year or only next year? During a pandemic, expecting vaccines the same year or the next, illustrates the power of technology, human, good, media hype — all at unprecedented frenzy.

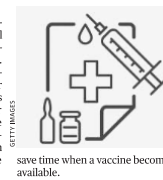
Where India stands
Globally, innumerable vaccine trials are progressing. In India, two candidates have advanced considerably. An inactivated coronavirus vaccine was created by Hyderabad's Bharat Biotech. It is safe and immunogenic (stimulates anti-coronavirus antibody) in laboratory animals and humans, to be re-confirmed in a phase 2 trial; phase 3 will assess the vaccine's safety and protective efficacy against COVID-19.

Pune's Serum Institute of India (SII) is testing Oxford University-AstraZeneca's vaccine using a Trojan horse approach — spiking chimpanzee adenovirus type 5 with coronavirus spike glycoprotein genes. When injected, adenoviruses are detected and devoured by immune system cells patrolling for invading microbes. The smuggled genes force these cells to synthesise and spew out spike proteins that is immunogenic. This adenovirus is harmless in humans. The SII is ready to upscale production after regulatory clearances in the

United Kingdom and India. Both company-owners have invested heavily, without extramural research support, or advance purchase contract by the government. Both seem to have the best interests of fellow Indians first in their hearts; profit comes second. Risks are a part of the game. Neither company has all its eggs in one basket — confidence in their flagship product is not absolute, both are pursuing alternate vaccine candidates also.

Some wealthy nations made bilateral financial agreements with manufacturers in order to hog vaccines. Such vaccine nationalism is 'measles of the world', borrowing the phrase from Einstein. Global public good should not be hijacked by wealthy nations. Gavi, the global vaccine alliance, created COVAX — a funding facility to ensure up-scaling vaccine production and its access to low income countries as soon as regulatory approvals emerge. COVAX will support the SII with funds to bring down selling price to \$3 per dose. With good news on supply side, what about the delivery side? India's Universal Immunisation Programme is a vaccine-delivery platform for children and pregnant women, funded by the central government but implemented by State governments. However, the COVID-19 vaccine is for all age groups, necessitating an innovative platform, prioritised on the basis of need.

Define policy for clarity
The first step is policy definition leading to a plan of action blueprint. The time to create them is now — it costs nothing, but will



GETTY IMAGES

save time when a vaccine becomes available. Policy emerges from objective facts, not wishes, in individuals and community. Priority for individual need is to protect those at high risk of death (senior citizens and those with medical co-morbidities) and front-line workers who expose themselves to infection while providing health care. Children may be vaccinated before schools reopen to protect them and prevent infection from being carried home.

Vaccine availability will be limited at first, when we must ensure that those on the priority list receive it. Those who already had COVID-19 or novel coronavirus infection require no vaccination; but how can we ascertain that? Past COVID-19 or infection cannot be readily identified unless we track archival information of all laboratory tests and medical records. Information on vaccine status should be able to the individual and the health management system, for which computerised data are critical. A nationwide database with identification details already exists, a valuable resource to identify those who need not be vaccinated. Identifying past asymptomatic

infections require systematic screening for IgG antibody. Antigenic positives need not be vaccinated (no harm if vaccinated). All data should be saved permanently. Area-wise estimates of the numbers who need vaccination on a priority basis are necessary. Now is the time for State governments to capture all such data. A community's need for vaccination is two-fold. All those who must rebuild essential activities, i.e. economic, educational, trade, transport, sociocultural and religious, must be protected. A more ambitious aim is to break the novel coronavirus transmission and eradicate the disease altogether. With India's notable representation in decision-making bodies of the World Health Organization, India is uniquely positioned to play a crucial role in advocating global eradication of COVID-19.

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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.

No communication gap
As a nation where many languages are spoken, it is impractical to expect all citizens to know Hindi nor should the language be linked to a misplaced enthusiasm for Hindi. Now that the CISF is making changes after the incident at Chennai airport recently (Page 1, "CISF to deploy personnel with 'working knowledge of local language' at airports", August 12), the force must ensure that personnel with

some knowledge of the local language of the area of posting or at least training in the basics of the language concerned should be posted in high-risk areas speaking States. The CISF also needs to ensure its personnel have some personnel skills. There are many voluntary groups willing to teach the basics of a local language, often free of cost. There are voluntary organisations in Bengaluru teaching Kannada to non-Kannada

groups especially for those working in the IT sector where a large migrant population is employed. I am sure similar institutions exist in Tamil Nadu, West Bengal or Maharashtra. The government talks of a three-language formula but often in practice it is two languages to the disadvantage of the local language. Learning another language is always a benefit.

H.K. RAMAKRISHNA, Bengaluru

Sputnik V
At this critical time, when scientists the world over are working day and night to develop the most effective vaccines for COVID-19, it is difficult to understand why some scientists seem so very cynical when it comes to Russia and its 'Sputnik V' vaccine. Of course, all the mandated vaccine protocols would have to be gone through, like any other nation, before the final approvals. However, this is also the time when

the global scientific community needs to come together as one. The world is waiting for a vaccine. A. MOHAN, Chennai

India's steel frame
While it may be true that the older batches of civil servants would find it difficult now in passing the coveted current civil services examination, (Editorial page, "The main bricks to use in India's steel frame", August 10), veteran

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C. RAJAGAN, Chennai

How the tiger can regain its stripes

Tiger conservation needs a reboot to match the scale of India's aspirations in other domains



K. ULLAS KARANTH

On International Tiger Day, July 29, authorities proudly declared that India should "celebrate" the increase in tigers from about 2,000 in 1970 to about 3,000 now. This is an annual growth rate lower than 1% after 50 years of incredible, sometimes heroic, efforts. Clearly, India has done better than other tiger range countries, but at what cost and what efficiency needs deeper scrutiny.

On the same day, a functionary of the Delhi-based Global Tiger Forum admonished us not to aspire, ever, to have more than 3,500 wild tigers. In a country with such an expansive land base, a robust economic foundation, and a rapidly urbanising educated population cheering for the tiger, this dismal projection cannot be our vision. Even a back-of-the-envelope calculation can show that India has the potential to hold 10,000 to 15,000 wild tigers. What is lacking is a pragmatic plan to get to that goal.

In contrast to the above dismal scenario, I can report what I witnessed in the Malenad landscape of about 25,000 sq km in Karnataka. Field observations over 50 years and research suggest that there were only around 70 tigers in this landscape in the early 1970s. I had feared they would all be gone soon. The substantial increase of tigers that followed, against all odds, was due to the work of dedicated foresters and conservationists under the leadership of Prime Minister Indira Gandhi. There are now about 400 wild tigers in Malenad. My own estimates, based on long-term research, show that the Malenad forests can potentially harbour about 1,300 cats. Clearly my experience is at odds with the current bureaucratic projections.

Mission drift in tiger protection

Two legal instruments that enabled tiger recoveries in India were the Wildlife Protection Act of 1972 and the Forest (Conservation) Act of 1980, which reinforced Project Tiger. The political leadership and field efforts behind this recovery had to overcome very difficult social challenges:



Tiger cubs at the Tadoba Andhari Tiger Reserve near Nagpur in Maharashtra on July 29, 2019. K. K. DEBPA

slow growth of the economy, excessive reliance on forest exploitation for livelihoods and government revenues, dire poverty, and protein dependency on wild meat that drove massive local hunting. These challenges were overcome and tiger recoveries occurred, but only sporadically in a few reserves.

Around 2000, things began to change. There was a decline in political commitment to conservation and the gradual transition of the field-oriented Forest Department to one whose primary aspiration was to be like the multitasking Indian Administrative Service. This was followed by unnecessary and massive borrowings from the Global Environment Facility-World Bank combine to create new models for tiger recovery. Some of our conservationists, including Valmik Thapar and the late Sanjay Debroy, wrote to the World Bank to abandon the proposed eco-development model, but to no avail.

This mission drift in tiger protection overlapped with the upsurge of emancipatory political movements for the release of wildlife habitats for cultivation and exploitation by loose-lipped "forest-dwellers". This populist movement led to the implementation of the Forest Rights Act of 2006, which has turned into an open-ended process of forest conversion even within wildlife reserves. Impacts on tiger habitats have been severe.

At the end of the 20th century, accompanying these broader social changes, personnel changes too played a part in weakening tiger conservation. When Prime Minister Atal

Bihari Vajpayee promoted his capable and enterprising Environment Minister Suresh Prabhu, the portfolio landed in the lap of garden-variety politicians of the Dravida Munnetra Kazhagam. When one of the most capable leaders of Project Tiger, P.K. Sen, retired, he was replaced by a bureaucrat who managed to game the system to stay on for an unprecedented 13 years.

The tiger extinction in Sariska Reserve caused a public outcry in 2005, leading to the appointment of a Tiger Task Force (TTF) by Prime Minister Manmohan Singh. Unfortunately, the TTF turned out to be unequal to the task. Its politically correct ideologies and muddled science resulted in a report that created a tiger management model that benefited the Forest bureaucracy more than it did the tigers.

Based on TTF recommendations, the United Progressive Alliance government began investing heavily, but not very intelligently, in tiger conservation. Excessive funding of a few reserves while neglecting larger areas with greater recovery potential became the norm. Progress on voluntary village relocation schemes from within reserves slowed down (except in Madhya Pradesh and Maharashtra, where major initiatives funded by these States greatly helped tiger recoveries). Tiger reserve managers were soon attracted to the massively funded eco-development activities originally formulated by the World Bank. In reality, they needlessly replicated the rural development work already being done by several other agencies and NGOs.

Another feature of this emergent

government monopoly over tiger management was the lack of data transparency and rigorous, independent tiger monitoring.

Bound in red tape

The tiger was fully bound in red tape. One had hoped when the National Democratic Alliance (NDA) took over in 2014 and began to wind down bureaucratic inertia in favour of new initiatives and enterprise, that the red tape strangling the tiger would also be unwound. But there was no such luck: within two weeks of the NDA assuming power, the same national and international bureaucratic apparatuses that ran the show after 2005 performed a trapeze act and clasped the hands of the new masters.

Therefore, the show goes on: One prime example is the aforementioned Global Tiger Forum, an international bureaucracy snugly entrenched in Delhi. It has done so in defiance of its own original charter and attempts by multilateral aid institutions to pry it loose and park it in Southeast Asia. Another case in point is the National Tiger Conservation Authority. It has bloated in size, swallowing up schemes totally unrelated to tigers, such as the recovery of snow leopards and translocation of African cheetahs to India.

India needs to get out of this tiger circus. The role of the forest bureaucracy should be once again restricted to wildlife law enforcement. Merging Project Tiger with other Central schemes for wildlife conservation would be a good first step. Government monopoly over domains of tiger conservation such as tiger research, monitoring, nature education, tourism and possibly even conflict mitigation should be erased. The vast reservoir of talent and energy in society should be drawn in to engage with these diverse domains, by involving private enterprises, local communities, NGOs and scientific institutions.

India's tiger conservation needs a reboot to match the scale of the country's aspirations in other domains — a new vision that encompasses the talents and aspirations of a growing number of citizens who want to save tigers without turning the clock back on political progress.

K. Ullas Karanth is Director, Centre for Wildlife Studies, Bengaluru. Views are personal.

Shutting the door on Huawei

China's decision to weaponise trade and technology ties might now come back to haunt it



HARSH V. PANT

In a dramatic reversal of its decision in January allowing Huawei to have a limited role in its telecommunications network, the U.K. has finally decided to ban the Chinese company. This entails banning U.K. mobile providers from buying new Huawei 5G equipment after the end of this year as well as removing all of Huawei's 5G kit from their networks by 2027. The U.K.'s Secretary of State for Digital, Culture, Media and Sport, Oliver Dowden, put the blame on U.S. sanctions imposed on Huawei in May. "Given the uncertainty this creates around Huawei's supply chain, the U.K. can no longer be confident it will be able to guarantee the security of future Huawei 5G equipment," he said.

U.S. Secretary of State Mike Pompeo praised the U.K.'s decision and urged other like-minded countries to "push back" against Beijing's actions. For its part, China "strongly opposed" the U.K.'s "groundless" ban and warned that it would "take measures to safeguard" the "legitimate interests" of Chinese companies as "any decisions and actions must come at a cost". The British government has been forthright about the delay in 5G's roll-out as a consequence of its policy shift and the costs of its decision. At a time when London is looking to engage with major global powers in a post-Brexit environment to enhance its trade ties, this decision, which is likely to alienate China, will come with some serious strategic costs as well.

A domino effect across Europe

The U.S.'s imposition of sanctions on Huawei in May, which disrupted the company's global supply of semiconductors, altered the cost calculus for the U.K. The U.K. government had to go in for another round of security review which resulted in the National Security Council's decision to finally phase out Huawei's involvement in the country's 5G network. But the U.S.-U.K. relationship was also facing a moment of reckoning after the U.K.'s January decision to allow Huawei. At a time when the U.S.-China relationship is entering a phase of Cold War 2.0, the Trump administration had made it clear that the U.K.'s "special relationship" with the U.S. was under the scanner. Not only would their security and intelligence ties have been in jeopardy but crucial trade negotiations would have been hampered too. For the Trump administration, the U.K.'s change of stance is a

major diplomatic win as it might also convince fence sitters to make a final decision.

For Huawei, a domino effect across Europe might pose a serious challenge given that almost a quarter of its sales come from the European market. France also decided to limit the use of Huawei's 5G kit by issuing limited term licences. This is widely seen as a de facto ban on the Chinese company though the French government has not said it in so many words. Germany too is reducing its reliance on Huawei as the mood against China has soured across Europe. After years of kowtowing to the Chinese, the European Union is becoming more explicit than ever in challenging China. The issues range from China's initial mishandling of COVID-19 and Beijing's disinformation campaign in Europe to the new national security law in Hong Kong. China is viewed as a "systemic rival" that is hell bent on challenging the extant global order with all its concomitant treaties, norms and institutions. And Huawei is the latest flashpoint with individual countries shunning the company and the European Commission warning in a recent report that "member States have not yet established or communicated clear plans to effectively address existing situations of dependency on high-risk suppliers and prevent future dependencies".

Awaiting India's response

So what once looked like a battle which the U.S. was waging on its own has suddenly been joined by a number of other players. The Indian response is being closely watched. Last year, India had allowed Huawei to participate in 5G trials which did not happen because of the disruptions caused by the pandemic. Today, India-China ties have altered due to the border crisis and Chinese insensitivity to Indian concerns. New Delhi is toughening its posture across domains and it looks rather unlikely that Huawei would get to participate in the 5G network roll-out in India. India is signalling that it is willing to bear economic and technological costs if it means limiting Chinese involvement in critical infrastructure. What would not be lost on Beijing is that losing such a large market might be a devastating blow to Huawei as well. It is becoming increasingly clear that the decision on Huawei is not merely a technological or economic decision but a fundamentally political decision for most countries. China's decision to weaponise trade and technology ties might now come back to haunt it as other nations begin to pay back in the same coin.

Harsh V. Pant is Director, Studies at the Observer Research Foundation and Professor of International Relations, King's College London

A self-reliant foreign policy

In a multipolar world order, this means having variable combinations with like-minded partners

SREERAM CHAULIA

Self-reliance is the theme of India's 74th Independence Day. This concept is commonly associated with the economy and production of key goods and services within the country in light of the global "supply shock" caused by the pandemic. But it also has a parallel dimension in the domain of foreign policy. If the domestic goal is to reduce dependence on imports for critical commodities, the foreign policy corollary is to recalibrate the time-tested axiom of "strategic autonomy".

India has historically prided itself as an independent developing country which does not take orders from or succumb to pressure from great powers. Whether the world order was bipolar (1947 to 1991), unipolar (1991 to 2008, when the U.S. entered a long cycle of economic crises and China caught up with it in overall power), or multipolar (present times), the need for autonomy in making foreign policy choices has remained constant.

Showing flexibility

Yet, strategic autonomy has often been adjusted in India's history as per the changing milieu. In moments of crisis, India has reinterpreted freedom and shown flexibility for survival. During the 1962 war with China, the high priest of non-alignment, Prime Minister Jawaharlal Nehru, had to appeal to the U.S. for emergency military aid to stave off the Chinese from "taking over the whole of Eastern India." In the build-up to the 1971 war with Pakistan, Prime Minister Indira Gandhi had to enter a Treaty of Peace, Friendship and Co-operation with the Soviet Union to ward off both China and the U.S. And in Kargil in 1999, India welcomed a direct intervention by the U.S. to help Pakistan to back down. In all the above examples, India did not become any less autonomous when geopolitical circumstances compelled it to enter into de facto alliances like cooperation with major powers. Rather, India secured its freedom, sovereignty and territorial integrity by manoeuvring the great power equations and playing the realpolitik game.

Today, although there is no prospect of an outright war with China in the wake of its incursions across the Line of Actual Control, India is at an inflection point with regard to strategic autonomy. Non-alignment 2.0 with China and the U.S., as they slide into a new Cold War, makes little sense when India's security and sovereignty are being challenged primarily by the former rather than the latter. Fears in some quarters that proximity to the U.S. will lead to loss of India's strategic autonomy are overblown because independent India has never been subordinated to a foreign hegemon.

The essence of self-reliance

In the threat environment marked by a pushy China, which the U.S. is now beginning to confront frontally, India should aim to have the proverbial cake of American support and also eat the cake i.e., stay as an independent power centre by means of intensified cooperation with middle powers in Asia and around the world.

For India, which values freedom, placing all its eggs in the U.S. basket to counterbalance China would be an error, as that can constrict India's options in other theatres of national interest such as its ties with Iran and Russia and efforts to speed up indigenous defence modernisation.

Diversification is the essence of self-reliance. A wide basket of strategic partners, including the U.S., with a sharper focus on constraining China, is the only viable diplomatic way forward in the current emerging multipolar world order.

It is no longer a question of picking one out of two tins or oscillating between them. In an era of dense networks, India must reconfigure autonomy to mean what the American scholar Joseph Nye calls "power with others" to accomplish joint goals. We are free and self-reliant not through isolation or alliance with one great power, but only in variable combinations with several like-minded partners. India is familiar with the phrase "multi-vector" foreign policy. It is time to maximise its potential.

Sreeram Chaulia is Dean, Jindal School of International Affairs.

DATA POINT

Behind the moves

HOW TO READ THE TABLES I

The survey is based on face-to-face interviews with 963 migrants in rural households between May 30 and July 16 across 179 districts. Each table lists the % share of different responses given by the migrants to a set of questions. For instance, in response to question 1, 51.7% of the migrants said they returned to their villages by some form of motorised transport such as train or motorcycle.

1. How did you return from the city to the village?

Walking/bicycle/rickshaw/other	25.3
Any motorised transport	51.7
Walking plus a vehicle	6.9
Other	6.2
No response	10

2. After the announcement of the lockdown, did your boss give you the entire salary or wages for your work?

Yes	48
No	28.4
Only one month pay	19.6
No response	4.1

The most common reason that migrant workers gave for returning to their village from the city was COVID-19, according to the Gaon Connection and Lokniti-CSDS COVID Rural Survey 2020. One in four migrants either walked, cycled or travelled back to their village in hand-pulled rickshaws. More than half the respondents went a whole day without eating at least once before leaving their city. A significant share of the migrants said they would return to the city once the lockdown ended.

3. Why did you deem it fit to return from the city to the village? What is the major reason?

No money/salary	28.9
Fear of COVID-19	35.6
Hunger/fear of dying of hunger	7.7
Wanted to be with family back home	7.5
Landlord was asking for money/ejected us	2
Work had stopped/lost job	5.3
I'm a student, had no money	1
No response	12

4. Were you ill-treated by a police person or a government official while coming here?

Yes	12.7
No	87.3

5. Were you ill-treated by people while coming here?

Yes	14.4
No	85.6

6. Did you face food problems/scarcity while coming here?

Yes	40
No	60

7. When you were in the city during the lockdown, how often did you or any member of your household not eat anything at all the entire day due to lack of money or resources — often, sometimes, not much or never?

Many times	13.4
Sometimes	23.1
Not much	15.1
Never	35.3
No response	13.2

8. Would you like to go back to the city once the lockdown or the pandemic ends?

Yes	32.6
No	27.5
Maybe	15.6
Yes, but some other city	8.6
No response	15.7

SOURCE: COVID RURAL SURVEY 2020, BY GAON CONNECTION AND CSO-LOKNITI

FROM THE ARCHIVES

FIFTY YEARS AGO AUGUST 13, 1970

Resident Mission in Cuba

The latest instalment of what is described sarcastically by some right-wing critics here as the "plianisismo and fortissimo" of Indian diplomacy is the decision to open a resident mission in Cuba headed by a Charge d'Affaires, while the Ambassador in Mexico will continue to be concurrently accredited to the Castro Government. Instead of posting a junior Foreign Service functionary as is customary in such cases, the Government proposes to appoint a former Youth Congress leader presumably to give some political importance to this gesture. In the normal course, such a decision to have a resident representative in the capital of a country with which India has been maintaining diplomatic relations since long would not have evoked much public interest, even if the appointment was intended to be a sinecure under the spoils system. But in the present post-survey context it is acquiring certain political overtones out of all proportion to its intrinsic importance. In their anxiety to give credence to the charge of subservience to the Soviet Union, the Prime Minister's political opponents cannot resist the temptation to seize on such instances and project them as part and parcel of a continual process of obeisance to Moscow by the Government.

A HUNDRED YEARS AGO AUGUST 13, 1920

The study of Indian poverty.

The poverty of India ever since the advent of British rule in the country is one of the almost universally admitted facts of modern Indian History. It is a matter of daily experience for the average Indian of the middle and lower classes whose hardships have been not a little enhanced. Indian politicians from the very beginning of their agitation recognised this as the direct outcome of foreign rule and exploitation and advanced it as an appealing argument for the grant of Home Rule. Foreign economists and historians, who have been owed serious thought on the subject, have also acknowledged this notorious feature of British administration in India, although in the diagnosis of the causes therefore, some of them have, not unnaturally, differed from the Indian view. The inevitable and direct connection of the problem with the poor average of Indian life, the appalling figures of avoidable infant mortality and the low level of development in education, agriculture and industry makes the problem one of importance.

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THE INDIAN EXPRESS, THURSDAY, AUGUST 13, 2020



THE EDITORIAL PAGE

The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

CANDIDATE KAMALA

Her selection as Joe Biden's running mate acknowledges change in America — and an imaginative political response to it

US DEMOCRATIC PRESIDENTIAL candidate Joe Biden's choice of California Senator Kamala Devi Harris as running mate is remarkable in so many ways. Harris, born to an Indian mother and a Jamaican father, is a classic American story of immigration and integration, of course. At a time when President Donald Trump has sought to turn the US insular and less welcoming to immigrants, Harris's choice offers an energising counter-narrative to a strain of populist politics that finds echoes across the world. It is also a defining moment for Black America pushed to the political and social wall, giving them a voice in the highest office. For the Indian immigrant community, too, after its success in technology and business, Harris's candidature prizes open spaces in politics and public affairs. The choice is also a testament to the robust institutional framework that binds the party structure in the US, in this case the Democratic Party, which enables leaders to welcome their rivals within and respond creatively to new social forces and realities to rally their base.

Harris, 55, was an ardent critic of Biden in her bid for nomination as the Democratic Party's presidential candidate. Her powerful advocacy of race issues was in contrast to the understated response of Biden to campaigns such as Black Lives Matter. Sure, Harris is more centrist than Bernie Sanders and progressives may find her too cautious but her formidable record as an attorney-general and her hyped-up history growing up Black and Jamaican-South-Asian brings to the Biden ticket a rare energy and an excitement and a strong counter to Trump's politics.

For all the understandable celebration in India about Harris's rise, it should not be forgotten that there is more an American story than an Indian one. Biden is not an unknown in New Delhi, he was Barack Obama's deputy for eight years. Whether the Biden-Harris ticket wins, only November will tell but the Democrats seem to be on an upswing — remarkable for a party that was written off barely months ago. Yet, Harris wades into a deeply polarised domestic political landscape when Washington's long-held assumptions on economics and foreign policy are being upended. For Biden to choose her from a wide field of Democratic candidates is also an admission that independent of personal preferences, a leader may need to respond to broader social resonances and engage with pushback from civil society for change to ride the tide.

SEAL OF JUSTICE

SC interpretation on equal inheritance to daughters is one more step towards ensuring gender justice

THE SUPREME COURT has placed Hindu women's right to inherit ancestral property beyond the pale of ambiguity — a welcome ruling and a logical culmination of a long process to weed Indian laws of patriarchal prejudice. It was an exercise that was speeded up soon after Independence, with the framers of the Constitution inscribing the promise of gender equality in the founding document of the nation. They walked the talk by pushing through the Hindu Succession Act, 1956, in the teeth of fierce opposition from conservative Hindu opinion. Over the years, the expansion of educational and other opportunities has bent social attitudes towards gender justice, making what seemed abhorrently subversive once (the right to divorce, the end of polygamy) a matter of reasonable progress now.

In 2000, the 174th Law Commission noted that "the framing of all property laws have been exclusively for the benefit of man" even though the right to property is "important for the freedom and development of a human being". It pushed for a change in law that barred women from being considered co-parceners (or joint legal heirs) of a Hindu undivided joint family. Only male descendants of an ancestor, their mothers, wives and unmarried daughters were given that right. The commission's report was followed through in Parliament by the 2005 amendment to the Hindu Succession Act, 1956 that said that a woman could be a co-parcener by birth "in her own right in the same manner as the son". Nevertheless, the gap between precept and practice was manifest in several cases and in several court judgments, when the interpretations of whether the amendment could apply retrospectively or depended upon the father's being alive in 2005 threw up conflicting answers. The three-judge bench of the SC has put an end to this confusion by emphasising again that it is a right "by birth" of a Hindu woman to become a joint heir to ancestral property. In doing so, the court has interpreted the law capaciously, keeping in mind the progressive intent behind the 2005 amendment.

Gender justice is far from being reality in India, with several other inequalities of caste, religion and class reinforcing the secondary status of women. But the judgment is in sync with a larger churn in Indian life, that has seen women extract similar concessions from families and religions, that involves citizens and communities using constitutional promises to push institutions towards change. This ruling is a seal on a substantive change in the Hindu undivided family.

GOODBYE, RAHAT INDORI

The poet who sang the news leaves behind a void that echoes with his powerfully simple verse

BEST KNOWN FOR his politically charged poetry about the rising tide of communalism and growing turpitude in public life, Rahat Indori's last verses concerned life and death. It was fitting, and also quite natural, because Indori always lived in the moment. His latest work reflected the grim reality of a pandemic sweeping the world, forcing the human race, which suffers from the delusion that it is the master of nature, to ponder its own mortality.

Not long ago, Indori had been the man of the moment as protests against the Citizenship Amendment Act ignited across the country and his poem *Agar khilaf hai* was recited in rallies, especially the line: "Kisi se baap ka Hindustan thodi hai" (India is not anyone's father's property). His verse connected viscerally with millions because he had abandoned formalisms rendered obscure by the passage of time, and preferred a simple diction which blended Hindi and Urdu, the spoken language of the common people of north India.

An accessible modernism and a determination to hold up a mirror to a nation in the throes of moral decay and ambiguity made Indori the rock star of mushairas. Along with peers like Basheer Badai, he was part of a new generation of poets who spoke directly to the heart, addressing potentates and paupers in the same register. His style recalls the Pakistani poet Nazeem Raza's terrifying simplicity as he describes (it is widely believed) the night of Partition: "Main hun, raat ka ek bha hai / Khali rasta bol raha hai / Aai to yun khamosh hai dunya / Jaise kuch hone wala hai..." (It's me, it's one o'clock at night / Only the empty road speaks / And the world is so calm tonight / That something must happen...)

A modest verse out of an old tradition of mushairas, which still shows its roots in



RAMACHANDRA GUHA

THIS LETTER IS written with respect as well as in anguish. I write as a historian and as a citizen, concerned in both capacities with the growing lack of faith among many Indians in the functioning of the Supreme Court (SC). Let me say straight away that this is part of a wider degradation of Indian democracy, in which the Court is by no means the central actor. Other (and possibly more serious) manifestations of this degradation are the politicisation of the civil service and the police; the creation of a cult of personality; the intimidation of the media; the use of tax and investigative agencies to harass and intimidate independent voices; the refusal to do away with repressive colonial-era laws and instead the desire to strengthen them; and not, least, the undermining of Indian federalism by the steady whittling down of the powers of the states by the Centre.

I should also make it clear that this on-going degradation of Indian democracy is not the fault of one party or one leader alone. Rather, these perversions of the democratic process were set in motion by the Congress Party when it was in power at the Centre; and they have been further deepened under the rule of the Bharatiya Janata Party since May 2014.

While the SC cannot be blamed in any way for why and how this degradation of Indian democracy originated, it has, in recent years, done little to stop or stem it. Some examples of its failures in this regard have been the Court's refusal to strike down laws like UAPA that should have no place in a constitutional democracy; its unconscionable delay in hearing major cases (such as with regard to election funding and the Citizenship Amendment Act); and its denial of basic human rights to the children and students of Kashmir, deprived for a full year of access to education and knowledge as a consequence of the longest internet shutdown in the history of any democracy. Constitutional scholars and practising lawyers can perhaps multiply these examples manifold.

The COVID-19 crisis has seen a further acceleration of this dangerous trend towards authoritarianism and the centralisation of power. The Union government and the ruling



CHAKSHU ROY

THE POLITICAL CRISIS in Manipur and Rajasthan, for the time being, have been averted. In Manipur, Chief Minister N Biren Singh won a confidence vote. And the Congress leadership is paving the way for reconciliation between the two factions in Rajasthan. But the crises have done irreparable harm to institutions in the states.

The Rajasthan High Court's stay on decisions of the Rajasthan Legislative Assembly for being contrary to previous Supreme Court decisions. Experts were also accusing Governor Kalraj Mishra of running aloof of the Constitution for initially disagreeing with the Rajasthan cabinet's decision on summoning the state assembly. In Manipur, there has been criticism of the Speaker's handling of defection proceedings. The anti-defection law is supposed to deter MLAs from defecting from their political parties. They can lose their seats in the legislature for defying their party. And if declared a defector, they cannot become a minister in a government for six months. But the constitutional provisions related to the anti-defection law have been reduced to a joke.

MLAs and political parties have become adept at using and bypassing the anti-defection law. This week six Congress MLAs defied their party's whip by absenting themselves from the confidence vote in the Manipur assembly. The anti-defection law is supposed to deter MLAs from defecting from their political parties. They can lose their seats in the legislature for defying their party. And if declared a defector, they cannot become a minister in a government for six months. But the constitutional provisions related to the anti-defection law have been reduced to a joke.

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Court must reflect on its calling as defined by the Constitution — and the direction it is taking

In the case of the Supreme Court, its capitulation to the state and politicians in power in the 1970s, before and during the Emergency, was followed by a steady assertion of its independence and autonomy in the 1980s and 1990s. One must likewise hope that the current decline may be arrested and reversed in the years to come. If, on the other hand, the forces of authoritarianism and sectarian bigotry continue to gather momentum, and the Supreme Court does little or nothing to check them, then the verdict of history and of constitutional scholarship will be even harsher than it is at present.

One cannot blame the top man alone. It may be that the powers of the so-called Master of the Roster are imperfectly defined, and can lead themselves to widespread misuse by the incumbent (as the present one held by [Chelameswar et al in 2018 asserted]). But, if the Court is complicit in the steady, continuing and accelerating degradation of our democratic processes and democratic institutions, this cannot be attributed entirely to the chief justices. I think the time has come for all the serving justices in the highest court of the land to think seriously about the ever-increasing gap between their calling as defined by the Constitution, and the direction the Court is now taking.

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party have used the crisis to further promote the cult of personality, to further diminish the powers of state governments, and to further attack the free press. Regrettably, as the hearings and orders of the past few months show, the Supreme Court seems unable or unwilling to check these ominous trends.

The failure of the SC is in part a failure of leadership. That one serving chief justice could tell a daughter wishing to see her mother who had been detained under a draconian act to be careful about the cold, and that another serving chief justice could tell migrant workers left jobless after the unplanned lockdown that since they were being given some food they should not ask for wages — that such callous and unfeeling remarks could come from the chief justice himself reflect poorly on the Court. And that, in the less than six years that the current government has been in power, one chief justice has accepted a Governorship immediately on retirement, and another has accepted a Rajya Sabha seat, also immediately on retirement, reflect even more poorly.

Yet one cannot blame the top man alone. It may be that the powers of the so-called Master of the Roster are imperfectly defined, and can lead themselves to widespread misuse by the incumbent (as the present one held by [Chelameswar et al in 2018 asserted]). But, if the Court is complicit in the steady, continuing and accelerating degradation of our democratic processes and democratic institutions, this cannot be attributed entirely to the chief justices. I think the time has come for all the serving justices in the highest court of the land to think seriously about the ever-increasing gap between their calling as defined by the Constitution, and the direction the Court is now taking.

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WORDLY WISE

THE CHILDREN OF THE UNEMPLOYED ACHIEVE LESS IN SCHOOL AND APPEAR TO HAVE REDUCED LONG-TERM EARNINGS PROSPECTS. — BEN BERNANKE

the language of the executive, and has become indistinguishable from the executive" (The Wire, March 16, 2019). Meanwhile, Pratap Bhanu Mehta has observed: "We look to the Supreme Court for a semblance of constitutional deliverance. We have no idea how a court will rule. But one of the lessons of our recent history is that we misunderstand how a Supreme Court functions in a democracy. The Supreme Court has badly let us down in recent times, through a combination of avoidance, mendacity, and a lack of zeal on behalf of political liberty" (IE, December 12, 2019).

These assessments are shared by many of the wisest and most experienced members of the Bar, who — unlike the scholars cited above — are not at liberty to express their anxieties in public. I broadly endorse the assessments of Bhatia, Mehta and Palshikar myself. At the same time, as a historian, I know that while institutions do decay, they can also be revived. In the case of the Supreme Court, its capitulation to the state and politicians in power in the 1970s, before and during the Emergency, was followed by a steady assertion of its independence and autonomy in the 1980s and 1990s. One must likewise hope that the current decline may be arrested and reversed in the years to come. If, on the other hand, the forces of authoritarianism and sectarian bigotry continue to gather momentum and the Supreme Court does little or nothing to check them, then the verdict of history and of constitutional scholarship will be even harsher than it is at present. I think the time has come for all the serving justices in the highest court of the land to think seriously about the ever-increasing gap between their calling as defined by the Constitution, and the direction the Court is now taking.

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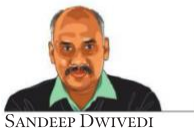
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THE INDIAN EXPRESS, THURSDAY, AUGUST 13, 2020

9 THE IDEAS PAGE

All-rounders or bits & pieces players?

Indian cricketers, including current stars, are not having the best of times. That has much to do with former greats turning out to be disappointing administrators



SANDEEP DWIVEDI

SANJAY MANJREKAR, A pedigreed Test cricketer and high priest of Mumbai's proud batting school, has written a painfully long apology cum job application to the Indian board. Last year while commenting, he had mixed up the classification of an India star, an error that got him the pink slip.

In an email with a tone suited to someone on his knees begging atonement, Manjrekar gives a tortuously infantile explanation for what at best was a semantic slip-up. He called an all-rounder a "bits and pieces" cricketer. Ready to toe the line now, he wants a second chance and a mic in hand.

Players of late aren't enjoying the best of times. A few days back, the chief of the players' body blamed the BCCI for dragging its feet on the welfare demand for their retired cricketers. Before that, a bunch of India's brightest young cricketers had shared with this newspaper their lockdown woes as they waited for the award money promised to them months back. The payment paralysis hasn't just hit the Indian board's junior wing. First class cricketers too aren't getting the cheques on time. Even the A-listers — Kohli and his boys — haven't been paid for the past 10 months.

And imagine, we were told this was to be Indian cricketers' "apna time".

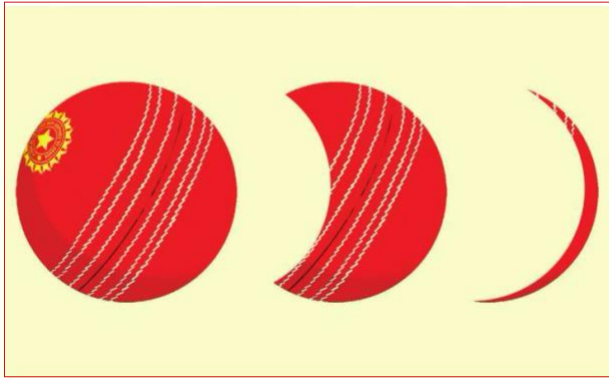
How it has all unravelled since last year's October revolution when Sourav Ganguly, Dada to several generations of players, reached the top of Indian cricket's officialdom. He wasn't alone, the court-approved BCCI constitution ensured that players are strategically placed to be at all levels of decision-making. Not too far back in time, this was unimaginable.

Historically, the popularity of players has been unmatched. Even during Indian cricket's periods of unquestionable one-man rein, when Jagmohan Dalmiya, Sharad Pawar and N Srinivas were unchallenged veto-wielders, cricketers legends Tendulkar, Ganguly, David, Kumble enjoyed unparalleled fame and unequivocal cult. Yet, it wasn't more than mere soft power. They might be hailed as Indian cricket's golden generation, but they remained the respected wise men of BCCI's grand durbar. Ganguly's elevation to the BCCI president was a watershed event, it was as unlikely as a navratna replacing Alkhan on the Mughal throne.

The enablers of this coup, the Lordships, were patting each other for empowering the cricketers. The very first churn had resulted in the most illustrious cricketer leader magically emerging as the new BCCI chief. The Committee of Administrators (CoA) were smiling on their last day in the BCCI office.

CoA chief Vinod Rai said he was "personally happy because he (Ganguly) is not a former cricketer but a very successful captain and an experienced cricket administrator". The man who headed the committee to form the new constitution, Justice RM Lodha, called it "a big success".

Chants of "Hail Dada", rang triumphantly. Around the country, players were on the phone, calling each other, dreaming of corner offices in swanky buildings. Players couldn't believe, they could



now be the decision-makers.

The script hasn't gone the way the courts, administrators, or even the majority of cricketers, would have liked. The SC-approved new BCCI constitution is being questioned by those who benefitted from it. Ganguly emerged as the president only because of the court order that made the old guard ineligible. Now here he was endorsing a BCCI plea in the Supreme Court to tweak the tenure clause so that he could stay at the helm longer.

However, in his so far short stint, Ganguly has ensured that he would easily go down as one of the most visible BCCI presidents. On most match days, he is on television, between overs, endorsing a fantasy game. He is extolling fans to earn five times more than they shell out.

Ganguly ends the sales pitch with a coy smile and a "Dada ka Vada" of winning Rs 1 crore if the gamers beat the team he has picked. Looking beyond Dada's many vices, this is about the question of propriety and conduct unbecoming of a BCCI president. Is it kosher for the BCCI president playing selector, even if it is for a fantasy game, every other day? More worryingly, can he have a commercial arrangement with a fantasy league game that's in direct competition with IPL's official partner?

There's more. Just last month, Ganguly put out an Instagram post where he is wearing a JSW Cement (Jindal Steel Works) T-shirt in his avatar as the company's brand ambassador. Those incestuous connections — JSW partly owns the IPL franchise Delhi Capitals and Ganguly's boss at JSW Cements is a regular at auctions and is seen at the dugout on match days — doesn't bother the BCCI president. Doesn't this amount to conflict of interest? Ganguly told this newspaper he doesn't think so.

Those celebrating Ganguly's rise to power last year are silent now. Neither the Lordships nor the administrators want to talk about his conduct, his reservations about the constitution or his many conflicts of interest. In private they do talk about disappointment, betrayal and a loss of faith.

The courts thought that the players would be "agents of change". They proved to be slaves of the status quo. They still remain at the mercy of officials for their commentary contracts and match fees. It doesn't really matter if the man at the top is a captain of industry, a political

The legal luminaries, like most blind fans, seemed to have made the common mistake of mixing the two contrasting worlds that the sporting icons seamlessly keep switching between. On the field, thanks to their extraordinary sporting skill set, they could be impeccably organised and outstandingly inspirational. Away from it, like most mortals, they would have their weaknesses and weak moments. Those who watch sports from a distance are mostly wedded to the romance and nostalgia of the sports celebrities' golden days. The images of some heroic innings or a final ball six are burnt on to the country's retinas forever. They expect them to keep performing miracles beyond the stadium.

The social media hype, the PR-team choreographed interviews and paid news arrangement add to myth-making. What used to be "good" once is called "brilliant" now, "genius" is the new "smart". While there is no recorded evidence of evolution of the human race in the last couple of decades, the population of "alleged superstars" has seen a massive spike. This is an era of hard sell and exaggerated claims. What you see, isn't what you get. The flaws and ordinariness of stars, raised and protected in echo-chambers, never reaches the masses.

This explains the surprise and shock over Ganguly's conduct and Manjrekar's apology. Ganguly was expected to turn around the BCCI, like he did with Indian cricket. Manjrekar was expected to stick to his stand with the same conviction as he had displayed when he called Tendulkar, "the elephant in the room". The faith, once again, was also based on Manjrekar's batting days and the courage he showed while dominating those mean paces of the 90s — Marshall, Ambrose, Walsh, Bishop, Imran, Wasim, Waqar. How wrong we were. We thought they were all-rounders, they turned out to be bit-and-pieces players.

heavyweight, a legal eagle or even the God of off-side.

So were the judges wrong in empowering players? Maybe not, but their optimism and sense of achievement on seeing a highly successful cricketer as BCCI chief was naive. When it comes to separating the good administrators from the bad, you don't look at runs scored, balls faced or captaincy records.

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sandeep.dwivedi@expressindia.com

WHAT THE OTHERS SAY

"Lai is destined to be spurned by Chinese history. He is a tragedy in which he, as a Chinese, picked the wrong side and walked on the wrong path. His argument over 'freedom of the press' cannot offset his betrayal in key moments." — GLOBAL TIMES, CHINA

The Rama I sing about

He comes to life in Tyagaraja's kirtanas, which beseech you to seek the Rama within



T M KRISHNA

HE HAS always been a part of my life: The tales my grandmother told me, Rajaji's *Ramayana*, Amar Chitra Katha pictorials, spiritual discourses on Valmiki's *Ramayana*, Kanakan and Sagar's television show *Rampani* and the all-encompassing hymn, *raghupati raghina*, have imprinted him on my mind. I do not have to look for him.

But on August 5, I did look for him. I looked for him in the celebration at Ayodhya. I looked for him on the stage set for the havan, in the faces of the personages gathered. I looked for him in the chants and the cheers. I could see devotion but of a kind — in political robes. I could see religion too, but again of a kind — in the shrill colours of triumphalism.

The Rama I know I could not find.

Who is that Rama? For me, the student of music, Rama is there in all I have heard and read but he steps out of texts and stories and comes to life only in Tyagaraja's *sirittams*. Tyagaraja capoteo, argued, pleaded with, demanded, celebrated and venerated him musically in ragas Kalyani, Bhairavi, Begada, Todi... the list is endless. My guru used to explain the meaning of every line, its mythological context and the attributes of Punahuttama. And, on occasion, I would like to believe, he sat quietly in a corner listening to us sing.

Tyagaraja's Rama is kind, soft spoken and charming. He refers to Rama's speaking voice as *mridubhasha*: someone who spoke *muduga*. These adjectives don't just refer to a superficial aural register. Rather, they are descriptive of a person of love, in Tyagaraja's words, "an ocean of compassion", which extends to all living beings. In the kirtana *Vachanagacharam*, Tyagaraja describes how Rama stopped himself from killing an animal. Would this Rama not have thought of the bloodshed and deaths that preceded the securing of this one specific place in Ayodhya? Would he have not hoped that, on this occasion, as a country, we would at least apologise to our Muslim fellow-citizens for having destroyed their masjid? The Supreme Court described the destruction as an "egregious violation of the rule of law".

Rama was also his ideal king. Tyagaraja asks, "Can there be anyone who can administer *Saleta* like you?" Describing his rule as one where the rains are regular, people were healthy and happy sans pride. To a ruler, the identity of the praja is irrelevant and, hence, Tyagaraja never mentions a specific section or special treatment for Rama's devotees. Everyone is equal, everyone prospers. As Ashoka said, "As I care for my own children, I care for the welfare and happiness in this world and the next of all my subjects."

LETTER TO THE EDITOR

GREEN BLINDNESS

THIS REFERS TO the editorial, "Green and red" (IE, August 12). The draft EIA notification gives an impression that environmental issues are a matter of low priority to the government and developmental projects take precedence. The existing EIA faces flak over its feeble public consultation process and bureaucratic apathy. At a time when the environment and project-affected communities need legal protection, the importance of a robust EIA procedure cannot be overstated.

Sagar Ganesh Borade, Kalyan

THIS REFERS TO the editorial, "Green and red" (IE, August 12). The need to reform the Environmental Impact Assessment procedure has been a long felt one. Green clearances hamper the ease of doing business. But that is more the fault of the bureaucracy than of the EIA system itself. The EIA is needed to balance the needs of the environment and industry. The proposed revisions won't serve that purpose.

Singidha Narayan, Ambala

FARM PRIORITIES

THIS REFERS TO the editorial, "After the harvest" (IE, August 11). From the look of it, it looks like a very good move to have a dedicated fund to boost agricultural infrastructure. But similar schemes already exist. So it makes better sense to combine them all together, because otherwise it is very difficult to monitor them and the purpose of the scheme is defeated. The objective of this fund is to reduce the time avail-

While the ground-breaking ceremony was for a *satyanandha* (Rama), no effort was made on August 5 to remind the people of India that the Supreme Court order also said: "While the ASI report has found the existence of ruins of a pre-existing structure, the report does not provide the reason for the destruction of the pre-existing structure and whether the earlier structure was demolished for the purpose of construction of the mosque." That, "since the ASI dates the underlying structure to the twelfth century, there is a time gap of about four centuries between the date of the underlying structure and the construction of the mosque." That "no evidence is available to explain what transpired in the course of the intervening period of nearly four centuries."

Tyagaraja drowned himself in Rama's bhakti and was consumed in him. No other god could ever come close to his *shiva devata*. He opens one kirtana with the line *Rama Ni Samanavevaru* ("Rama, is there anyone equal to you?") yet he never denounced any other deity, and even went on to say that there is no happiness in debating and arguing over each other's faiths. He emphasises elsewhere that "happiness is only bestowed on people who serve everyone without division or categorisation". Tyagaraja's Rama was a dharmata, one with the inner ethical compass of goodness.

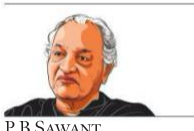
Was there any dharna in flaunting the bhoomi puja, making a national spectacle of it, knowing full well that an entire section of the population, not just Muslims, was feeling excluded, deprived, in fact diminished? When the occasion could have been used to embrace them, it was decided to prove a point. With such contrivances at work, would Ayodhya be even a semblance of Rama Rajya? In multiple compositions, Tyagaraja says, "If a person cannot keep his mind under control, if he is egotistic, what is the point of a pooja or a temple or a deity or a river?" Self-reflection and surrender to the divine are two sides of the same coin and Tyagaraja never lost sight of this. He hoped that human beings would put aside thoughts that led them astray, "chede buddhi manana manasa", he said. And in the composition *Dhyanane* he asks us to shun slander and violence. Those who claim to be true bhaktas of Rama but engage in violence, he spoke of retaliation, abuse and hatred must reflect upon his words. And we should keep in mind Tyagaraja never indulged in whataboutery; neither did he point fingers at others to justify his own shortcomings.

Tyagaraja was a pilgrim, travelling across towns and villages, seeking his Rama. Yet he was acutely aware of the need to seek Rama within. Even as he sang the praise of the deities in every temple he visited, he spoke of the pointlessness of it all, if we are unable to experience and hold on to that purity within. Even Ayodhya becomes immaterial.

In the words of the ideal devotee: *Nadachi Nadachi chucheru impidala nagaramu gnanu*

They walk and walk, all the way to Ayodhya, yet they were unable to find him.

The writer is a musician



P B SAWANT

OUR POLITICAL culture has reached its nadir. What is worse, no one feels any compunction about it. It is treated as a usual occurrence of no concern. Apart from the corruption and criminalisation of political life, we are today treated to open defections of elected representatives for pelf and power, a phenomenon which combines blatant corruption, moral depravity, lack of character, unprincipled public and private conduct, open defiance of the electorate and poses a challenge to our democratic political system. It is also acclaimed as the "Chanakya Neeti" in some quarters.

The herding of elected representatives in some resort in order to protect them against poaching is yet another contribution we have made to democracy.

The evil practice which started in this country some years ago was ridiculed as "aya Ram and gaya Ram" and had aroused the conscience of the people and Parliament, leading to the enactment of the Tenth Schedule to the Constitution in 1985. The enactment, however, was not enough to stop the practice.

Only by the people

Law must be amended to make it mandatory for defectors to seek fresh elections

One was that unless there is a split in a political party and at least one-third of the members in the party in the legislature constitute a separate group, the defecting members will be disqualified from the House. The second was that for a merger with another party or to form a new political party, at least two-thirds of the members of the party were necessary. The Tenth Schedule was later amended in 2004 to omit paragraph 3 dealing with the split. The Tenth Schedule, no doubt was enacted to deal with the malpractice of defection. However, it has now led to mass defections, the remedy proving to be worse than the disease.

Modern states have been compelled to resort to representative democracy because it is no longer possible to have direct democracy of the kind in the Greek city-states because of vast territories and populations. However, the unseen wall created between the people and government by representatives does not take away the sovereignty of the people. The people elect representatives to govern the state, not to be a puppet of the state.

representatives are, for all political purposes, their agents. Following the emergence of political parties first in the loose form in the second half of the 18th century, at the initiative of Edmund Burke, the English politician, and thereafter systematised between 1882 to 1884 by Charles Powell, the Irish politician, all modern democracies have political parties with particular ideologies, policies and programmes as permanent organisations. In India, The Representation Of The People Act requires that political parties are registered for candidates at the nominees of particular parties. The elected candidates are bound by the manifesto and the policy and programme of the party during their tenure. If in the midst of the tenure, they change their views and dissociate from the party, they owe it both to the party and electorate to resign their seats and contest elections afresh. But

to do so is to betray and deprive both the party and the electorate of a representative of their choice. That is against the grain of democracy.

If the present open and free market horse-trading is to be stopped, and our democracy is to be saved from the ridicule of the world, the Tenth Schedule must be amended to require every defector to resign his or her seat and contest elections afresh. This will end the farce to which the elections have been reduced. The electorate is no longer sure that the party and the candidate whom it has voted to office will abide by the mandate. Topping the governments and nullifying the verdict of the people, because of the lure of individual gains, has become normal practice. It may bring joy to those who are out to destroy democracy, but is a matter of grave concern for those who want to save democracy and the Constitution.

The writer is a former judge of the Supreme Court and former chairman, Bar Council of India

able to farmers to sell their produce. But to do that, the government needs to address loopholes in existing schemes then launch a new one with much fanfare.

Bal Govind, Noida

TAXING POOR

THIS REFERS TO the article, "Tax and the crisis" (IE, August 11). The Centre's economic policies seem to be pro-rich and anti-poor. Taxes on petrol and diesel have been increased. The subsidies on grocery items used by common people. Bank interest rates are much lower than the inflation; this affects people from the low income strata who keep money in banks, earning meagre interest is also not a good idea. Government should reform the tax system for inclusive growth and sustainable development.

Anil Kumar Jain, Jaipur

OUR VIEW



Kamala Harris validates Biden's White House bid

The Democrat candidate's pick of the feisty senator as his running mate should enhance his odds of victory. She is far more than her identity. And what's good for the US may be good for us

Let's be clear. These are words that Kamala Devi Harris, 55, is fond of prefacing her statements with. So let's: The selection of this senator from California by the 77-year-old Democratic presidential nominee Joe Biden as his vice-presidential running mate for the upcoming US election is the political equivalent of a home run. Or, in cricket terms, a six smashed over long on, to give her Indian-Jamaican heritage its due. By way of strategy, Biden could not have made a better choice. As a centrist, he always had appeal among the swing voters whose support would be needed to topple Donald Trump's divisive presidency, but as a Democrat wary of leaning too far left, he seemed unable to enthrone a crucial constituency of party loyalists for whom America's dismal state of race relations was the defining issue of 2020, especially after an African-American named George Floyd was lynched in May. Age was seen to be against Biden, too. Now with Harris on his electoral ticket, covid-19 on Trump's failure list, and an electorate found by pollsters to be keen on change, he can expect the backing of a social coalition that is both diverse and determined to usher him into the White House next year.

That Harris lends Biden's liberalism credence by virtue of her multicultural identity is self-evident. Born to an Indian mother and a Jamaican father, she is the first "woman of colour"—and of partly descent, we might add—to be the US vice-presidential candidate of a major party. As a lawyer, she has a record of fighting social inequality. As someone who "gets it", she has made her sensibilities clear. She has often spoken of being a fan of Bob Marley, whose songs still serve as anthems of justice

around the world. In politics, she has resolutely been anti-racism and pro-immigration. And she appears self-assured and feisty on issues that call for true leadership rather than an echo of popular opinion. Her call for major police reforms after Floyd's death rang out loud and clear. And let us not forget the jab she landed on Biden himself in a primary debate for the party's White House candidacy. She had reminded voters of his 1970s' dalliance with race segregation, forcing him on the defensive over his somewhat late adoption of racial equality as a core value. That the two leaders have made up since and joined hands against Trump speaks of the efficiency of America's political system in converging forces for a cause.

As random sample polls place Biden comfortably ahead of Trump, a lead that Harris is likely to boost, the rest of the world would want to know what a change in US leadership would mean for its foreign policy. While New Delhi has invested much in its relationship with Trump, Republicans are usually considered friendlier to India than Democrats, and Harris raised concerns over Kashmir a little less than a year ago, a Biden-Harris administration could serve our larger interests well. The US role in world affairs could do with both coherence and predictability. The threat posed by China to a hard-won global order based on market democracy cannot be seen off without active US involvement. In this context, what must assume priority in geopolitics are the values that countries share, as opposed to the myopic deals of mutual back-scratching that the current White House seems to prefer. And an America less divided within may also be easier for us to do business with.

MY VIEW | LEARNING 4.0

Three ideas for us to achieve our higher education goals

KAPIL VISWANATHAN & RISHIKESHA KRISHNAN



are, respectively, vice-chairman of Krea University and director of Indian Institute of Management Bangalore

In terms of its stated vision and aspiration for higher education, in particular, the new National Education Policy 2020 (NEP) ranks among the best policy documents ever written in India. It correctly identifies many of the shortcomings of the current higher education system relating to its regulation, governance and the affiliating university system. It proposes "a complete overhaul" in order to create a new system that can offer quality higher education at a gross enrolment ratio (GER) of 50%, almost double what it is now.

While few would disagree with the NEP's bold vision, there are important questions—both quantitative and qualitative—about how to achieve it. Simple arithmetic tells us that doubling the GER in higher education, for example, requires the setting up of at least one new higher education institution (HEI) each week for the next 20 years. Having played a key role in the evolution of two HEIs—Indian Institute of Management,

Indore, and Krea University—I can vouch for the fact that this is indeed a gargantuan effort. Qualitatively speaking, the NEP necessitates a cultural shift among faculty, students and parents, away from a herd mentality, to engage Prime Minister Narendra Modi, to embrace critical thinking and holistic learning.

Faced with this formidable execution challenge, we focus here on three ideas that could help us move in the right direction. The first is collaboration among existing HEIs to quickly create multi-disciplinary learning experiences. Many cities in India have multiple high-quality disciplinary HEIs. For example, Bengaluru has three top-ranked institutions in different categories of the national institutional ranking framework—Indian Institute of Science, Indian Institute of Management, Bangalore, and National Law School of India University. Even in younger cities like Srirangapatna in Karnataka, we have an Indian Institute of Technology, an Indian Institute of Science Education and Research and Krea University within commuting distance of each other. One way of creating genuine multi-disciplinary experiences for students is to encourage collaborative programmes between institutions in the same city or

region. Regular classes could be online to save travel time, but periodic physical interaction can be arranged to facilitate mutual learning (post-Covid, of course). Two things would help make such collaboration possible—the use of technology and a standard credit system. While the NEP acknowledges the importance of technology, it hesitates to embrace it fully because of concerns around effectiveness and access. To address this, there is a need for much higher investment in the science of education itself. Such an inquiry interweaves the traditional learning and pedagogy.

The NEP envisages the creation of a national education technology forum (NETF) of experts to advise on technology adoption. However, given the pace of

change in technology, the process has to be much more dynamic. HEIs must be encouraged to experiment with technology (in the spirit of autonomy and discovery that the NEP advocates) and forums must be created to share outcomes and best practices. The results should feed directly into the deliberations of broader policy.

Having a uniform definition of credits (or at least an easily translatable set of alternate systems) would allow collaboration and facilitate giving students multi-disciplinary exposure and experience across institutions. Perhaps this should be a priority in the implementation process. Second, to address the sizeable need for new faculty and their development, we suggest doubling the

number of PhD fellowships in our best institutions, particularly for the humanities and social sciences; we need to hasten faculty development programmes to enhance the skill sets of existing faculty; and a structured programme to attract Indian scholars teaching overseas. This should be a mission by itself.

Third, a good information technology backbone is needed for effective administration and governance of the large multi-disciplinary universities envisaged by the NEP. Current enterprise resource planning (ERP) systems are expensive, and do not provide adequate support for the student life-cycle, which is at the heart of any university. There is an urgent need for a reasonably-priced ERP system tailored to meet the needs of Indian higher education. The government may like to use its good offices under the umbrella of the Atmanirbhar Bharat programme to catalyse development by leveraging the capabilities of our companies.

Ultimately, the big challenge in making the NEP work would be the resources required. While the US has the world's best recognized system of higher education, its costs have been increasing at a rate much higher than inflation. As we rationalize teaching hours and expect faculty to do more research, we may face a similar cost spiral. Philanthropy and government funding alone may not be adequate to meet such rising costs. We need to hasten our pace, so that 20 years from now, we can confidently say that we have executed the NEP as brilliantly as we designed it.

These are the author's personal views

A plea to educators at the cusp of a seminal shift in education

We should set aside small differences and look at the policy's positives to help transform education



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dNEP. There are a few other matters that I will not mention here. I don't want to fall prey to the "narcissism of small differences" that I have written about in Other Sphere earlier, wherein, despite large agreement on something, vehement energy is misapplied on the few disagreements.

Education Policy is a profoundly contentious matter. It is invested with the hopes and aspirations of all people. It is a vehicle, process and theatre—for power, politics and ideology, in the deepest sense. It must negotiate with and deliver on all this, while ensuring epistemic soundness as well as educational effectiveness, and do so with limited resources.

So, the widespread positive response to the NEP is remarkable. Even some leaders of political parties in the opposition have felt compelled to commend it. It has been received equally positively by people in education, while a few have opposed it sharply. Since educators can play crucial roles, let me try to persuade everyone in the sector to support the implementation of NEP wholeheartedly, and offer a constructive critique which may improve it. The only ones I would not attempt to persuade are those who are reacting negatively because of their apprehensions of a loss of personal power or setback to commercial interests.

Some may stop their attacks once they accept that this is not an implementation plan, since their peevishness is about "how will all this happen". Others have their own specific differences with the NEP, which may have influenced their response. They must decide whether opposing the entire policy over a few disagreements is prudent.

Then there are many who are apprehensive of and disappointed by the language of the NEP and its absence of details. The text seems ambiguous and non-committal on many matters. This should only be expected, since the formal written language of any government is by nature cautious. But this

could undeniably lead to problems. Not just now, but over the long term. Such inadvertent and motivated interpretations are possible, which may be antithetical to good education. An energetic use of the "principle of charity" from philosophy may be an effective counter to this. This means drawing the best and the strongest possible interpretation of a text and putting one's might behind implementing that interpretation quickly, thus setting things on a course that would be hard to tamper with later.

There are also some people who are opposing the policy because they are committed to opposing the political party in power at the Centre. Some believe that the text of the NEP is mostly good, but this government will never implement it. Others draw the worst interpretations from the text of the policy because of their opposition to the government. And then there are those who appear to be attacking the NEP without having read it.

Opposing the NEP is an ineffectual political strategy. A powerful political party cannot be harmed by opposing an education policy. Instead, if they also use the "principle of charity" in their reading of the NEP, they will find many things that they have themselves battled for in education over the decades. For instance, its explicit commitment to strengthen the public education system as the foundation of a vibrant democratic society. And then they too could put their might behind implementing those matters well. In other words, if they don't trust the words as they are in the policy, they could call it bluff by trying to make those words reality.

Many of them have been deeply committed educators. On the NEP, they need to act as educators, not politicians.

We are at a moment in Indian education that could be seminal. It is up to us to make it so. Irrespective of our politics, ideology or differences, if we use the good in the NEP and make it happen, we will change education and thus help change India for the better.

10 YEARS AGO



JUST A THOUGHT

Let's be clear. [The US] is a nation founded by immigrants. Unless, you know, your history is of... your ancestors being kidnapped and brought over on a slave ship, unless you are Native American, your people are immigrants.

KAMALA HARRIS

GUEST VIEW

Technology could make justice delivery efficient and affordable

The adoption of online dispute resolution mechanisms can pre-empt a spike in cases and lighten the burden of our courts



AMRITABH KANT & DUSH GAURAV SEKHRI are, respectively, chief executive officer and officer on special duty, NITI Aayog.

The covid-19 pandemic continues to challenge the way traditional services are delivered, including justice delivery. Access to justice in the post-pandemic phase will be critical, and given the high pendency and time taken for resolution of disputes, measures to ensure that are required. The pandemic has led to introspection and an immediate need to adjust to this new situation by fast-tracking innovation led by technology. The way the Supreme Court has adjusted shows a progressive vision that is also flexible. Efficient justice delivery will require the intervention of technology, and a three-tiered approach that stratifies dispute avoidance, dispute containment, and dispute resolution. The courts, through an online approach for now, which would eventually move to a hybrid model involving virtual and in-court hearings, are framing a road map for courtroom resolution. For dispute avoidance and containment entailing low- and medium-value civil matters, online dispute resolution (ODR) could work. It has the potential to pre-empt disputes at an early stage.

In adapting to an online format, the Supreme Court's efforts have been exemplary, far exceeding the volume of online hearings conducted in other jurisdictions across the world. The Court has also introduced e-filing, and facilitated the creation of infrastructure around the New Delhi district courts for lawyers and litigants to access hearings. It is safe to say that impressive efforts are being made to integrate technology in the court system. The Lok Adalat mechanism too has seen pilot projects for the adoption of e-Lok Adalats. The integration of technology could make the delivery of justice more affordable and convenient, and this is what ODR can help accomplish across the country. Many courts are already said to be contemplating its adoption for appropriate matters.

ODR has the potential to be both transformative and disruptive in helping reduce matters before the courts, through avoidance, containment and, when required, resolution. Technology can now aid the resolution of disputes by offering analytical insights for that purpose. The Vidhi Centre for Legal Policy recently released a white paper titled *ODR: The Future of Dispute Resolution in India*. In it, Vidhi sets out the distinctive benefits from an efficiency standpoint of ODR and the use of technology. These include asynchronous communication, as also doing away with the need for parties to be present in person. Essentially, litigants and a neutral party do not have to deposit simultaneously and can record their responses at a time and place convenient to them. This does technology adopt the role of a "fourth party".

Another aspect in the paper is how ODR provides a cost-effective and easily accessible forum



for dispute resolution. Relying on video conferencing and technology to transmit information could sharply reduce the expenses involved in resolving a dispute. As the physical presence of parties is not needed, ODR makes access to justice mechanisms more equitable.

Even before the covid outbreak, there was a growing recognition that in a country as large and fast-growing as ours, it was essential to resolve a bulk of disputes outside the courts. Collaborative resolution mechanisms could help achieve this. ODR could potentially help solve small- and medium-value disputes at scale before they reach formal court processes. In the words of Justice D.Y. Chandrachud at a meeting organized by the Niti Aayog in June, "Above all, there needs to be a fundamental change in the mindset: Look upon dispute resolution not as a table to be placed, namely a court where justice is administered, but as a service that is availed of." This, in essence, sums up what India's approach to dispute resolution in the post-pandemic era must entail.

Across the world, the pandemic has necessitated adjustments that are adaptive and innovative. Several institutional arbitration centres across the world, including the Singapore International Arbitration Centre, have released guidance documents for video-conferencing-led remote participation in hearings. For e-commerce disputes, globally, ODR has been able to resolve hundreds of millions of matters at the conflict level. In the European Union, an ODR platform provided by the European Commission helps make online shopping transactions fairer and safer. The EU, in fact, man-

dates all merchants in member countries to inform consumers of the availability of ODR systems.

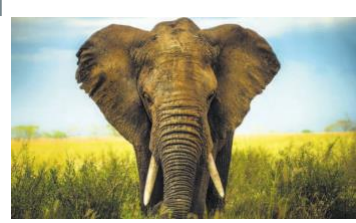
The United States launched MI-Resolve in response to covid-19. This is an online tool to resolve small disputes. Vidhi's paper also cites international examples of ODR being used as a tool for settling small-value claims; it places a spotlight on the online dispute resolution centre of New Mexico's courts for debt and money-due cases at the district level in the US, the online mechanism for the settlement of money claim disputes in the UK, and also a civil administrative tribunal for small-value disputes in Canada.

For Indians at large, ODR at the district level could be an ease-of-living initiative that assures affordable access to justice. Similarly, the ease of doing business could be stimulated by ODR mechanisms that ensure timely resolution in large numbers. Given current expectations of a major increase in claims and conflicts, an affordable technology-led solution is the only way to reduce the burden on courts. So ODR deserves high priority, even as efforts are underway to collaboratively build capacity, capability and efficiency.

In these extraordinary times, our approach must be to make life simpler for every person seeking access to justice. This is a good time to introduce innovative justice delivery solutions and build capacity to prepare for a potential rise in disputes. ODR could well be what binds instant adaptability with India's larger goal of finding technology-driven solutions that help the common man secure timely, affordable and efficient justice delivery.

These are the authors' personal views.

MINT CURATOR



Pachyderms are known to have a natural fear of bees

Bee fencing to safeguard farms from elephants

Watchtowers in trees, tripwire alarms, radio collars, chilli smoke and beehive fences: scientists and conservationists across Asia and Africa are coming up with safe and humane ways to keep elephants at bay and reduce conflict with humans. For farmers living close to an evergreen forest, there is another lucrative deterrent—a beehive fence. Beehive fences were first successfully trialled and implemented in Kenya by Lucy King of the Elephants and Bees Project, where it was found that the fences could exploit the African elephant's natural fear of bees. Inspired by a meeting with King at a conference, Mehta decided to try out the fences in Uttara Kannada. Farmers in the district have traditionally practised apiculture, so they were already comfortable handling hives.

The Guardian

Nanotechnology can turn bricks into batteries

Regular house bricks could be used to power electronics after a major breakthrough in energy storage technology. Researchers at Washington University in St. Louis, Missouri, discovered that the cheap and ubiquitous material could be converted into energy storage units to hold electricity, potentially transforming houses into giant supercapacitors. "Our method works with regular bricks or recycled bricks, and we can make our own bricks as well," said Julio D'Arcy, assistant professor of chemistry at Washington University. "As a matter of fact, the work that we have published... stems from bricks that we bought at Home Depot right here in Brentwood (Missouri). Each brick was 65 cents." The researchers achieved the feat by making use of the material that creates the red pigment in bricks: iron oxide.

The Independent

Why so many are uber bullish on artificial meat

As more Australians flirt with the idea of reducing their meat intake, a new report has found that plant-based alternatives are on average nutritionally better or similar to their real meat equivalents. Non-profit alternative meat think tank Food Frontier analysed the nutrition information and health rating of almost 100 plant-based meat products in Australia and New Zealand and compared them to their animal meat counterparts across six categories, including sausages, burgers, bacon, mince and schnitzels. The report, released on Wednesday, finds that plant-based versions have, on average, much less saturated fat, more or comparable protein and lower or similar kilojoules and sodium. They are also a source of dietary fibre, which meat is not.

The Sydney Morning Herald

The Isle of Wight may have been a jurassic park

A new species of dinosaur related to the Tyrannosaurus rex has been discovered in England. Paleontologists at the University of Southampton have spent months studying four bones that were found last year in the village of Shanklin, on the Isle of Wight, off the south coast of England. They finally determined that the bones were from the neck, back and tail of a new dinosaur "previously unknown to science," according to a release. The dinosaur would have measured about 4 meters (about 13 feet) long, and is a type of theropod dinosaur—a group of carnivores that typically walked on two legs instead of four, which includes the Tyrannosaurus rex. It lived in the Cretaceous period, about 115 million years ago, according to the release. Scientists named the dinosaur Vectaerovenator inopitatus...

CNN

What bone tools reveal of ancient British diets

Archaeologists say they've discovered the earliest known bone tools in the European archaeological record. The implements come from the renowned Boxgrove site in West Sussex, which was excavated in the 1980s and 90s. The bone tools came from a horse that humans butchered at the site for its meat. Flakes of stone in piles around the animal suggest at least eight individuals were making large flint knives for the job. Researchers also found evidence that other people were present nearby—perhaps younger or older members of a community—shedding light on the social structure of our ancient relatives. There's no sign of any other tools elsewhere in Britain; during excavations, archaeologists uncovered hundreds of stone tools, along with animal bones, that dated to 500,000 years ago.

BBC

THEIR VIEW

Innovation is too important to leave just to innovators

DANI RODRIK



is professor of international political economy at Harvard University's John F. Kennedy School of Government

Innovation is the engine that drives contemporary economies. Living standards are determined by productivity growth, which in turn depends on the introduction and dissemination of new technologies that allow an ever-wider variety of goods and services to be produced with fewer and fewer of our planet's resources. Policymakers and the public at large understand the importance of innovation. What is less well appreciated is the degree to which the innovation agenda has been captured by narrow groups of investors and firms whose values and interests don't necessarily reflect society's needs.

In today's advanced economies, private firms undertake the bulk of research and development (R&D). The business sector's share of total R&D spending ranges from 60% in Singapore to 78% in South Korea, with the US closer to the higher end, at 72%. But it is the public sector that provides the essential social, legal, and educational infrastructure that sustains private R&D. Innovation in the private sector depends crucially

on government funding of basic science and research labs. It relies on scientific talent trained in universities supported by public funds. The state provides innovators with monopoly rights through the patent system, and ensures the private appropriation of value. Private R&D is heavily subsidized by the State through tax credits and other policies. As a society, we should care not just about how much innovation takes place, but also about the types of technologies that are developed. We need technologies that are safe, environmentally sound, empower rather than simply replace human labour, and are consistent with democratic values and human rights.

The direction of technological change is not fixed or determined from outside the social and economic system. Instead, it is shaped by incentives, values, and the distribution of power. Despite the State's heavy involvement in supporting innovation, governments typically pay remarkably little attention to the direction technological change takes in private hands. But private firms' priorities often lead them to underinvest in technologies that have significant long-run returns, such as those that reduce climate change, or to pay inadequate atten-

tion to the human-rights or privacy implications of digital innovations.

Moreover, firms tend to over-invest in automation in order to increase the return to capital and managers, at the expense of employees. As the economists Daron Acemoglu and Pascual Restrepo have noted, this may result in "so-so technologies" which produce few overall productivity benefits, while leaving workers worse off. A fixation with automation can lead the smartest investors astray. In 2016, Elon Musk announced that Tesla's Model 3 would be built in a new, fully automated car factory, which would operate at speeds exceeding what is feasible for humans. Two years later, the plans had foundered, and severe bottlenecks at the new factory made actual production would fall far short of targets. Musk was forced to set up a new assembly line: full of human workers.

"Humans are underrated," he conceded. Innovators' priorities are naturally shaped by their own cultural and social milieu. In a

recent paper, Harvard Business School professor Josh Lerner and Ramana Nanda have quantified how distant their values and priorities may be from those of ordinary folk.

In the US, venture capital (VC) plays a disproportionate role in financing innovation by startups. The VC industry is highly concentrated, with the top 5% of investors accounting for 50% of the capital raised. The San Francisco Bay Area, Greater New York, and Greater Boston account for about two-thirds of the industry and over 90% of top firms' corporate board membership. The social and educational backgrounds of those who make investment decisions is also homogeneous. Lerner and Nanda report that three-quarters of partners with at least one board seat in top VC firms attended an Ivy League university, Caltech, MIT, or Stanford. Nearly a third are graduates of just two business schools (Harvard and Stanford). It would be surprising if the decisions taken were not influenced by the social composition of the group.

If technological breakthroughs are to serve society, their direction must reflect social priorities

Lerner and Nanda suggest that the geographic concentration of VC firms may have contributed to the "hollowing out" of innovative activities in other parts of the country.

Biased priorities prevail in public innovation programmes as well. The largest single programme supporting tech innovation in the US is the Defense Advanced Research Projects Agency (DARPA), which is oriented toward military applications. While many DARPA projects have yielded civilian benefits as well (not least the internet and GPS), agency priorities are clearly shaped by defence considerations. DARPA's clean-energy technologies counterpart, the Advanced Research Projects Agency-Energy (ARPA-E), has barely a tenth the budget. Perhaps the biggest omission is that no government currently has programmes devoted specifically to funding the development of labour-friendly technologies.

Technological innovation is to serve society, its direction must reflect social priorities. Governments have evaded their responsibility here, because of the pervasive belief that it is difficult to alter the course of technology. But we haven't tried nearly enough to steer technology in the right directions. Innovation is too important to leave to innovators alone.

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