LONG STORY

REPORTAGE | TALKING POINTS | IDEAS | INSIGHT | THE BOTTOMLINE

STARTUPS WAKE UP TO A POST-CHINA WORLD

Many Chinese investors are looking to exit from portfolio companies in India. This could be a painful process

While Paytm has close ties with Jack Ma's (left) Alibaba Group, funding from 'Pony' Ma Huateng's (right) Tencent would be hard to replace for Indian startups. GETTY IMAGES

Mihir Dalal
mihir.d@livemint.com
BENGALURU

Last week, after India abruptly announced a ban on 59 Chinese apps, TikTok's CEO Kevin Mayer called for a virtual town hall with his India employees.

Over the past two years, ByteDance, which owns TikTok and Helo (also included in the list of the banned apps), had established a large presence in India. Despite the border conflict between India and China that led to the death of 20 Indian soldiers and the anti-China rhetoric that had been bubbling up here as the pandemic spread, the Beijing-headquartered ByteDance had no inkling that a ban was coming.

Mayer, who had joined TikTok as its global CEO only in May from the American entertainment firm The Walt Disney Company, sought to allay the concerns of the India employees. Mayer, 58, told the ByteDance employees that he was known to look after his employees as if they were family and that he would fight for his team. TikTok would continue to pay salaries and avoid cutting jobs for now, he added.

But Mayer's address, which lasted a few minutes, failed to provide much comfort to TikTok employees, two company executives said.

"His town hall was really brief and there were no details on what the company can do to deal with this. No one was convinced ... While we're still hoping that the ban will be reversed, I wouldn't say anyone expects it. Many have already started looking out for other jobs," one of the executives said.

The government's move, however, was cheered by local entrepreneurs and venture capitalists who expect startups in social networking, media and other spaces to benefit from the forced withdrawal of TikTok, Helo, SHAREit, NewsDog and others. Indian startups have faced existential threats mostly from American and Chinese companies that use their technology prowess and limitless capital to overpower local rivals. If the ban on Chinese companies stays, it'll provide respite to local startups by permanently removing one set of competitors whom they believe were engaged in the unfair practice of "capital dumping."

> The startup ecosystem, which developed in the past decade largely because of a policy vacuum, is now increasingly being shaped by the whims of the government

The ban was the second time in months that India had moved to put restrictions on Chinese companies and investors. In April, direct investments by Chinese investors into Indian companies without regulatory approval were prohibited. In that case, the impact on Indian startups was decidedly negative—Chinese investors have poured over $8 billion into startups directly or indirectly over the past decade, and in recent years, they had become the most important source of capital for small and large internet firms alike.

Put together, the two policy measures will lead to an immediate freeze on Chinese capital in India's startup ecosystem that is likely to last until a political resolution of the latest border dispute. It will leave a huge funding gap for internet firms that are already struggling to cope with the slump caused by the pandemic. This blow easily outweighs the potential benefits to a handful of social networking startups.

There is a small possibility that if the two governments reach a compromise, both venture capitalists and the banned companies from China will return. Hence, the long-term impact of the moves remain unclear. ByteDance is pleading its case with the government and has offered to set up an engineering office and data centres in India, among other steps.

It is clear that India's startup ecosystem has become a key geo-political battleground notwithstanding its small size—imports in sectors like smartphones and pharmaceuticals from China dwarf startup activity involving the two countries. But as foreign policy experts have pointed out, India has few viable options to undertake substantial retaliatory actions against China. In this context, banning apps and placing investment restrictions are seen as low-risk manoeuvres that could help the government save face.

One thing is certain: the startup ecosystem, whose development in the past decade had come largely in—and many say, because of—a policy vacuum, is now increasingly being shaped by the whims of the government. While it has benefitted from moves like demonetization and the Chinese app ban, the lack of consistency and stability in policymaking could easily swing the other way and hurt investor outlook over the coming years.

SOCIAL REVIVAL

For years, entrepreneurs and investors have talked big about "building for Bharat," but it was the Chinese firms that had led the way in creating products for the Indian masses. From 2016, the availability of fast, cheap internet connections together with the proliferation of low-cost smartphones (most of them Chinese) brought hundreds of millions of Indians in semi-urban and rural areas online.

Dozens of Chinese firms, which had seen a similar internet boom in their country, rapidly launched internet browsers, video apps, messaging services and other products specifically designed for this audience. By mid-2017, apps like Bigo Live, UC Browser, SHAREit and UC News had already become hugely popular among Indians in smaller cities and towns.

Looking at the success of the Chinese firms, investors started hunting for local startups in social networking, video and news content with a focus on vernacular language offerings. For a short period, companies like ShareChat, Clip and Dailyhunt became investor darlings.

However, the expansion of TikTok with its endless stream of addictive entertainment in 2018 nearly destroyed content startups. In 2018, ByteDance also launched Helo to crush ShareChat, from which Helo was copied, and outspent its stunned rival many times over to attract users. As a result, ShareChat's growth slowed, Clip was forced to sell itself for a pittance and investors deserted content startups.

After establishing a large user base, ByteDance began to sell ads on TikTok and Helo in 2019. TikTok was expected to become the fastest-growing digital ads platform this year and emerge as a serious rival to Facebook and YouTube, an achievement that no company has achieved in nearly a decade.

The ban has put the brakes on this transformation of India's social networking and online advertising spaces. One big beneficiary so far has been ShareChat. Its app base has risen by more than 50 million in the week after the ban. The company plans to raise a large new round of capital that will lift it into the unicorn club from its present valuation of about $600-650 million. ShareChat, incidentally, has at least four Chinese investors.

Short-video platform Roposo (owned by ad tech firm InMobi) followed by other TikTok clones like Chingari and Mitron have all registered a spike in app downloads since the ban. "If the ban continues, it'll be a defining moment for social networking startups," said Anand Lunia, partner at venture capital firm India Quotient, which was one of the earliest backers of ShareChat, Clip, Roposo and other social networking startups.

mint SHORT STORY

WHAT

The loss of Chinese capital will exacerbate the funding downturn and could lead to a higher number of startup failures and distress sales over the next two years

AND

Apart from losing access to Chinese capital, three large Indian internet companies in particular—InMobi, Oyo and Paytm—could be hurt by the standoff

BUT

There is a small possibility that if the two governments reach a compromise, both venture capitalists and the banned companies from China will return

Despite the optimism, it is unclear how many social networking startups will thrive at a large scale. Social networking tends to be a winner-take-most business, meaning that even if the Chinese apps are banned for good, only a very small number of local startups could end up extracting any meaningful value.

And while the banned Chinese apps served hundreds of millions, their actual business—through advertising revenue and in-app purchases—was relatively meagre, reflecting the low spending power of their users. One internet analyst estimated the overall business on these apps (excluding Club Factory and Shein, which are e-commerce marketplaces) to be easily less than $1 billion annually.

In addition, investors expect Google and Facebook to corner the largest chunk of ad revenues given up by the Chinese companies. "It is very likely that much of the ad spending that would have gone to TikTok or NewsDog will now be moved to YouTube (owned by Google), Facebook and Instagram (owned by Facebook)," an executive at a content startup said. "These apps are considered safe advertising options and their reach is unrivalled by any local startup."

HUGE BLOW

The purpose of India's curbs on Chinese investments in April was to prevent Chinese firms from buying local companies on the cheap during the pandemic.

But as a blanket measure that covered even minority Chinese investments, it was criticized as misguided by VCs and entrepreneurs who pointed out that Chinese firms had anyway never sought to buy Indian internet companies. Though Chinese firms and funds have invested in startups across sizes and sectors, from Series A companies to unicorns and from e-commerce, mobility, logistics to financial services, healthcare and education, they are only minority shareholders.

After the restrictions were announced, law firms raced to complete funding deals in the small window before the rule took effect. Even afterwards, lawyers urged their Chinese clients to continue investing albeit in smaller volumes. The advice was: lie low and this will pass. At least two funding deals involving Chinese investors were signed in May and early June and sent to Indian regulators for approval (which hasn't been granted yet). Some startups trying to raise funds from Chinese funds had even discussed the possibility of shifting their holding company to Singapore to get around the new rule.

But the lethal clash between the two countries over the Galwan Valley dashed any hopes of a speedy return to normalcy for Chinese investors. Many of them are now actively looking to exit from portfolio companies, especially those that they believe are underperforming, people familiar with the matter said. They are willing to sell their shares in secondary share sales at significant discounts to these companies' present valuations, the people said. In portfolio companies that are thriving, Chinese investors are holding on for now.

> In future, Chinese firms could invoke shareholder rights that make it bothersome for their portfolio firms to raise fresh capital without the former's participation

The unravelling of Chinese holdings in Indian startups will be a long, painful process that will hurt both parties. In future, Chinese firms could invoke shareholder rights that make it bothersome for their portfolio firms to raise fresh capital without the former's participation. The more likely consequence of the India-China stand-off on startups, however, is that they will struggle to find replacements for Tencent's large cheques, or the deal volumes supplied by Shunwei Capital, especially in the current environment.

From late 2019, startup funding had started to slow in India and globally in the wake of the failed WeWork public offering. The pandemic then devastated many internet firms and forced VCs to freeze new investments, triggering a funding crisis. The loss of Chinese capital will exacerbate the funding downturn and could lead to a higher number of startup failures and distress sales over the next two years.

IN THE CROSSHAIRS

Apart from losing access to Chinese capital, three large Indian internet companies in particular—InMobi, Oyo and Paytm—could be hurt by the stand-off between the countries.

Unlike most Indian startups, which have avoided venturing into China, InMobi and Oyo have large operations there and count the country as one of their top two markets. InMobi has said that it generates about a fourth of its revenues from China, while Oyo has invested hundreds of millions of dollars on expanding in Asia's largest economy.

Any retaliatory action by China will cause significant damage to the two firms. Oyo seems especially vulnerable, as its business has collapsed globally; China, whose economy has reopened after it successfully controlled the pandemic, was one of the few markets where a strong recovery was possible for Oyo this year.

Paytm, India's most valuable startup, has close ties with China's Alibaba Group, which in turn is known to be close to China's ruling party. Alibaba's sister firm Ant Financial is the biggest investor in One97 Communications, Paytm's parent firm, while Alibaba is the biggest shareholder in Paytm E-commerce.

The Alibaba Group controls nearly 40% in Paytm and Paytm E-commerce. Alibaba and Paytm run a joint venture in online gaming Paytm First Games. Paytm has also said in the past that it uses Aliyun, Alibaba's cloud computing service. Given that financial services is considered a sensitive sector by India, Paytm's ties with Alibaba are likely to be scrutinized by regulators.

Paytm said that none of its "investors or other stakeholders" have access to its customer data. "All of the data across all our ventures are stored in India," a Paytm spokesperson said.

OUR VIEW

Our stock markets need a fresh supply of shares

Indian share indices are touching post-covid highs in a rally that looks rather fragile. To moderate equity price inflation, we could speed up disinvestment and ease IPOs by startups

Indian stock markets scaled another post-covid high on Tuesday, buoyed by a global rally and reports of a calming of border tensions between India and China. The 30-share BSE Sensex, an index of India's largest and most actively traded stocks, has soared by some 40% above its lockdown-shock low of about 25,638 in late March. This rally has been fuelled not just by retail money via mutual funds, but also by a glut of liquidity sloshing around global financial markets in search of returns. The covid crisis had prompted the world's big central banks to ease money supply in vast quantities, and ultra-cheap funds going into equities and bonds have raised concerns of asset price inflation. Indian shares have gained, too, as foreign portfolio investors poured ₹218.3 billion into domestic equities in June, the highest this year. Market momentum has been aided by upbeat data coming out of the US and China, lately, and some analysts have cited local factors to justify Dalal Street's optimism. Yet, our bourses seem to have run ahead of financial fundamentals, given that the full impact of the economic blow delivered by covid-19 is still to show up in corporate earnings. As bad news on performance filters in, more and more stocks will probably look overvalued. In all, India has had no let-up in coronaviral infections, uncertainty abounds on various fronts, and it could take very little for the fragility of the current rally to reveal itself.

With loose monetary policies unlikely to be reversed anytime soon, too much money could chase too few stocks for quite a while, inflating prices in the bargain. If dollar inflows keep the rupee's external value on an incline, then savvy global investors could count on carry-trade profits by borrowing cheaply in advanced economies and deploying the money in high-yielding risk assets in India. In such circumstances, it would help if the supply of equities were to rise, too. The government can play a major role in seeing this happen. It just has to offload chunks of its equity holdings in state-held companies. Its disinvestment target for the year, at ₹2.1 trillion, could perhaps even be met if it shuffles its offer list to put shares on sale that are likely to attract regular buyers, rather than strategic investors. Instead of Air India, thus, it could go ahead with an initial public offering (IPO) of a slice of Life Insurance Corporation, as envisaged, though the insurer's policy-holders would have to be assured that they won't be deprived of profit bonuses. Shares in other public sector enterprises could be hawked as well.

Old businesses, however, may not elicit quite as much interest as new ones. Every crisis that shakes up an economy tends to create a new set of winners, raring-to-go companies that either pivot quickly to new realities or seize opportunities presented by change. While almost all businesses have been hit by the covid crisis, some startups may be onto something that requires expansion money. Angel funds and venture capital have tended to these needs, largely, but it may be time for some of these to go public. Few may have the profit record needed for an IPO, under our current rules, but perhaps such preconditions could be eased a bit in favour of a primary market revival. Discerning investors might be keen to put prospectuses under their lens and acquire a bunch of new stocks for the post-covid era.

MY VIEW | ARTHANOMICS

Our government holds the lock but not keys to a self-reliant India

Policymakers can't create global champions but can foster conditions for these to emerge and thrive

R. JAGANNATHAN
is editorial director, 'Swarajya' magazine

The ongoing efforts to de-escalate tensions with China may or may not pan out as desired by India, ie, with the restoration of status quo ante, as in April this year. The killing of 20 soldiers sparked outrage, leading to calls for a boycott of Chinese goods and investments. The government has banned 59 Chinese apps and scrapped Chinese bids in some infrastructure projects, even as cargo from China has got delayed at Indian ports.

On another plane, it has also announced plans for *Atmanirbhar Bharat*, a self-reliant India, which ties in with its efforts to reduce over-dependence on Chinese imports. Many economists have derided these efforts, assuming that it will take India back to the era of costly import substitution. The boycott call has also been criticized because it may end up causing supply disruptions in our own economy.

These criticisms are at least half wrong. Import substitution works in areas where import costs are higher than domestic costs. This is manifestly the case with many defence imports.

However, critics need to be taken seriously in areas where competitive forces exist and the cost of import substitution will be high. In order to lure companies to "Make in India", incentives are being offered in sectors like APIs (active pharmaceutical ingredients) and electronics. While these sweeteners may help, they may not necessarily create Indian world-beating companies, or even get world beaters to shift their supply chains to India. The government would thus do well to understand what creates global champs. Governments have very little to do with their creation.

Reality 1: Companies compete, while governments can only enable. Governments cannot create global champions, though mercantilist countries like Japan, South Korea and China did do so at one point. What governments can do is create an enabling policy and regulatory environment that fosters economic growth and lets companies scale up. Airtel and Reliance Jio did not emerge as India's two big telecom survivors because the government anointed them as winners. Nor did TCS, Infosys and Wipro become global outsourcing giants because of the government. They became global biggies because the policy environment for their growth was positive both in India and abroad.

Reality 2: This rule partly contradicts the first, but is an essential factor in global success. Once a domestic market declares its winners, governments matter in helping them go global. Big multinational companies are always viewed with suspicion, and so governments that don't stand four-square behind their own giants may find that they never graduate beyond the domestic market. Large government contracts and inorganic takeovers of iconic companies abroad cannot happen without government support for our companies with diplomacy and backroom heft. Today, a Jio is valued at over $66 billion and Vodafone plc at $44 billion. If Vodafone Group is on the block, and either Airtel or Jio want to buy it, it would require Indian political support.

Reality 3: The global market is increasingly favouring a winner-takes-all one. Google, Facebook, Amazon, Apple and Microsoft are all near monopolies in their respective areas. Even in manufacturing, China's global dominance involved specialization and investments on a massive scale. Indian companies competing with Google or Chinese manufacturers would be a 10-year project that would take more than incentives. In a winner-takes-all scenario, you need to first create a great product at a great price. Once that is established, you grow scale quickly before others get the idea. This is the story of Jio as much as of Google.

Reality 4: Don't fret about domestic monopolies too much. The point is you cannot beat an Amazon or Walmart even in India by obsessing about monopolies and big businesses. Indian companies have to scale up, gobble companies, and become national champs first, so that they can take on global giants. Such regulation should kick in after a monopoly or cartel develops in India, and not merely because current market shares look high. A big domestic share could mean nothing in the global context. We should look at dominance in a global context and not a local one. Consider what Jio's valuation would have been if the Competition Commission had barred it from taking on Facebook's $5.7 billion investment because it was already the Indian telecom market's leader.

Reality 5: Supply chains involving medium and small companies are created by large companies, not governments. There is a lot of loose talk about global supply chains moving to India. But it is companies that decide which supply chains to set up. Maruti has a supply chain in India and also in China and Japan. Its supply chain is determined by its needs.

In short, the government must not think it needs to create winners, but that it must foster the right environment for winners to emerge from the soil of India. Once they do, you must back them to the hilt.

The government holds the lock but not the keys to *Atmanirbhar Bharat*. As long as the lock is well oiled, companies will find the keys on their own.

10 YEARS AGO

JUST A THOUGHT

Beware the investment activity that produces applause; the great moves are usually greeted by yawns.

WARREN BUFFETT

MY VIEW | EX MACHINA

The untold story behind the evolution of privacy rights

RAHUL MATTHAN

is a partner at Trilegal and also has a podcast by the name Ex Machina. His Twitter handle is @matthan

Most people you ask will tell you that modern privacy law originated with an article called *The Right to Privacy* written by Sam Warren and Louis Brandies and published in the *Harvard Law Review*. It has been called the "most influential law review article of all time" and has affected the development of privacy law around the world. Roscoe Pound went so far as to remark that it did "nothing less than add a chapter to our law".

It featured prominently in the Right to Privacy judgment issued by nine judges of the Supreme Court of India in *Puttaswamy vs Union of India*, being mentioned by four of the five judges who wrote opinions. In his lead opinion, Justice D.Y. Chandrachud, while recognizing the shortcomings of using comparative legal and historical frameworks to establish Indian law, could not help but acknowledge its influence in articulating the notion that the right to privacy is an embodiment of the basic need of every individual to live with dignity.

When they wrote their article in 1890, Warren and Brandeis were young lawyers setting out to make a name for themselves and their eponymous law firm. They were both incredibly smart men who had graduated first and second in their class in Harvard—Brandeis with marks so high that they would not be surpassed for another 80 years. Like all good entrepreneurs, they tried to get published to showcase their scholarship, thereby enhancing the reputation of their practice. But why they chose this subject matter of all the options available to them is not quite clear. As good as it was, the article was nothing like the previous two they had authored in the *Harvard Law Review*—both of which had discussed the mundane but presumably more commercially lucrative Law of Ponds.

By all accounts, it was Warren who held the pen on this article. Brandeis reportedly distanced himself from the initial drafts, commenting that it was not as good as it should be. This in itself is strange, given that Brandeis was widely acknowledged as the "brains" of the duo. But when you consider Warren's personal circumstances, it all starts to make more sense.

Sam Warren had married well above his so-called station. His wife, Mabel Bayard, was the daughter of a prominent Boston senator and by no means a shrinking violet. As a result, she was often featured in the society pages of Boston newspapers, the subject of the sort of gossip and innuendo that upset Samuel Warren no end. His distaste of yellow journalism comes through clearly in the article where he states: "Gossip is no longer the resource of the idle and of the vicious, but has become a trade, which is pursued with industry as well as effrontery." It is for this reason that many legal historians have suggested that the Right to Privacy article was Warren's defence against a yellow press corps that he believed had its sights on his wife's family, and by association his own.

An 1890 article by Warren and Brandeis set the stage for our legal acceptance of the right to be left alone

However, recent scholarship has thrown light on another theory that sounds just as plausible. In a deeply researched article titled *About Ned* (bit.ly/3grIukX), Charles Colman assembles a compelling theory, suggesting Warren's motivation for writing the article was not gossip involving his wife, but the need to find a way to protect his younger brother, Edward. Young Ned Warren was openly homosexual at the time when to be so was not only a crime, but one for which personalities as famous as Oscar Wilde were aggressively prosecuted. Just a year before the article, newspapers in Boston had breathlessly reported the "Cleveland Street Scandal", about a homosexual services ring that catered to upper-class men.

Those were the particular circumstances under which Sam Warren set out to write the article. No doubt, all these factors had influenced his thinking, guiding his hand as he made a strong case for the development of a right to be left alone, which was clearly aimed at the press and its egregious intrusions.

The foundational impact that the article has had on privacy law is well known. But in the light of this new information, it is probably worth highlighting the role it has had in securing protections for the LGBTQ+ community. The US Supreme Court first reflected on the concepts set out in this article in *Olmstead vs US*, in which Louis Brandeis—who had by that time become a judge of the US Supreme Court—wrote a powerful opinion that was made law in the case of *Griswold vs Connecticut*. This, in turn, was invoked in a series of gay rights cases that culminated in *Obergefell vs Hodges*—the case in which the US Supreme Court recognized that everyone has a fundamental right to marry another person of the same sex.

In India, when a five-judge bench of the Supreme Court overturned the earlier decision of a smaller bench in *Navtej Singh Johar vs Union of India*, these cases featured in the rich tapestry of decisions from around the world that were cited in arguments in favour of writing down Section 377 of the Indian Penal Code in order to decriminalize homosexuality.

There is no way Samuel Warren could have made the motivations behind writing the article public at the time he wrote it. Back then, being even remotely associated with gay rights could have sunk his career. But his article on the right to privacy did eventually secure for the LGBTQ+ community the sort of rights and freedoms that he would have wanted for his brother. Even if it took over a century and a quarter to achieve.

WORDLY WISE

IF THE ENGLISH LANGUAGE MADE ANY SENSE, LACKADAISICAL WOULD HAVE SOMETHING TO DO WITH A SHORTAGE OF FLOWERS. —DOUG LARSON

The Indian EXPRESS

FOUNDED BY RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

CRISIS OF THE FUTURE

Collapse of mid-day meal scheme in pandemic could affect food security of most vulnerable. There is much to learn from Kerala

ON MONDAY, a report in this newspaper highlighted how, in Bihar's Bhagalpur district, the COVID-19 crisis has laid low one of the main weapons in the country's fight against malnutrition — the Mid-Day Meal (MDM) Scheme. Children of one of the most marginalised Dalit communities in Bihar, the Musahars, have taken to rag-picking after the scheme, which guaranteed them one stable meal a day, came to a standstill in March. The state government claims to have taken immediate corrective action. After being prodded by the National Human Rights Commission and the Patna High Court, which flagged this newspaper's report, it has issued a statewide order to ensure distribution of rations to school children for three months and transfer of money to their bank accounts, or that of their guardians, in lieu of the food scheme. But is that enough, given that child health experts have questioned the efficacy of dry rations as a substitute for cooked meals? The case of the Musahar children of Bhagalpur should lead to conversations about food security for children from underprivileged communities across the country during the pandemic. With schools closed and anganwadi workers engaged in COVID surveillance work, there is a real danger that the nutrition of such children could be compromised.

Tamil Nadu was the first state to introduce the MDM scheme in the 1960s. The Central scheme to provide meals to school children began in 1995. However, initially, most states got away by providing dry rations. It took a Supreme Court order of 2001 for all states to introduce cooked meals. The order also specified that the meals should provide children with "at least 300 calories and 8-12 grams of protein each day of school for a minimum of 200 days in a year". Since then, a large body of scholarly work has shown how hot, cooked food attracted students to schools and improved their nutritional status. Recognising the centrality of the MDM scheme in the food security of children, the SC alerted state governments at an early stage of the pandemic: "Non-supply of nutritional food to the children as well as lactating and nursing mothers may lead to large-scale malnourishment, particularly in rural and tribal areas." Taking suo motu cognisance of the matter on March 18, the Court asked states to ensure that "schemes for nutritional food for children are not adversely affected". Most states, including Bihar, responded by substituting MDM with dry rations. But such rations may not be sufficient.

The pandemic has led to widespread economic distress. In such times, the need to strengthen food security programmes cannot be overstated, especially in Bihar — amongst the worst performers on child nutrition. It, and other states, have much to learn from Kerala, which ensured that the MDM scheme remained operational during the pandemic. States should also heed the SC's warning: "While dealing with one crisis, the situation may not lead to creation of another crisis."

END OF A DREAM

Kuwait's indigenisation drive points to impending return of migrants from Gulf — there will be challenges on both sides

KUWAIT'S MOVE TO reduce the share of expatriates in its workforce has deepened the spectre of an exodus of Indians from the Gulf. A draft Bill in the National Assembly has proposed that the percentage of Indian citizens in Kuwait should not exceed 15 per cent of its population — nearly 8 lakh Indians may have to leave Kuwait.

The possibility of a migrant exodus from West Asia is not new. Many countries in the Gulf region have been trying to replace expats in their workforce with locals. Saudi Arabia launched nitaqat — a Saudisation scheme which introduced quotas in the workforce — in 2011. Recently, Oman had proposed a phased reduction of expats in its workforce. Expat workers flocked to Gulf countries to build and run those economies following the oil boom in the 1960s and '70s. They were welcomed mainly because the local population lacked the necessary skills, or the will, to meet the needs of the new economy. The Subcontinent was a major beneficiary of this economic boom as it exported both skilled and unskilled workers. Kerala, for instance, built on its historic relations with the region to plug in to the Gulf economy. Remittances from the Gulf boosted the Kerala economy, even funding its welfare net, while also helping to check unemployment in the state. There are many pockets in India that have benefited similarly from the Gulf economy. Even before the pandemic, two main factors seemed to be driving a change in this symbiotic relationship that has lasted nearly five decades and benefited both regions. One, the national economies in the Gulf are slowing down, forcing companies to lay off people. Two, these countries now host a large indigenous population in the working-age segment that needs jobs. With no economic revival in sight, these nations may have to reduce dependency on expat workers and enforce quotas in the private sector to provide jobs to local youths.

While the nationalisation of the workforce is an ambitious project, it is doubtful if the emirates, with small populations and even smaller pools of skilled workers, can keep the largely consumption-driven economies afloat without expat workers. Saudi Arabia's experience is instructive. However, states such as Kerala are gearing to address the influx of migrant workers from the Gulf. Last week, it announced Dream Kerala, a project to support the returning workers, to augment the existing welfare measures for NRIs. Over 1.5 lakh people have returned from the Gulf countries after the outbreak of COVID-19, of which close to 70,000 have lost jobs. The challenge is enormous and can only get bigger in the coming months.

CARRY ON REGARDLESS

The dreadful double negative "irregardless" is given sanction by Merriam-Webster, and old fault lines resurface

THE ILLOGICAL AMERICANISM "irregardless" has been irritating teachers and purists for over a hundred years, and now they are fit to be tied because the Merriam-Webster dictionary suggests that it is a legitimate word. It is the boojum of double negatives, whose use is historically deprecated because they serve no useful function, since a much simpler word could take their place. Logically, irregardless only means regardful. But just to diddle you, it actually means exactly the same as "regardless", and only intensifies its impact in a droll sort of way. In fact, it is a portmanteau word masquerading as a double negative. Lexicographers surmise that it is a blend of "irrespective" and "regardless".

A few years ago, the Guardian put it right at the top of a list of infuriating double negatives like "undoubtedless" and "unforbidding". It noted their rising popularity, which it read as a sign that the English-speaking world was descending into linguistic barbarism. However, even Dr Johnson, the father of English lexicography, had done battle with them. He was apparently set off by the word "irresistless", in a villainous translation of the Song of Solomon.

But language researchers argue that the validity of a word should not be judged by its logical consistency. If a critical mass of people successfully use it to communicate, it's just fine. And so, horrifically, the word "miniscule", a common misspelling of "minuscule", has been judged to be a variant by the Oxford English Dictionary. "Kudos", which is singular in Greek but has a confusing plural ending in English, persistently litters the letters columns on the facing page, and no one cares. But like "irregardless", badly-formed words energise colloquial communication. Could a straight sentence possibly convey the power of common Hindi speech, as in the popular phrase, "My bad luck is itself bad"?

Line of actual decontrol

Over 10 years, India's import basket from China hasn't changed. There is need to think beyond trade barriers

P VAIDYANATHAN IYER

THE FIRST THAW in the Galwan Valley is a tentative one and no one's guessing how it will play out. With the India-China face-off continuing along the border, can it be business as usual for a democratically elected government? In times like these, it may be instructive to refer to Adam Smith's treatise, "An Inquiry into the Nature and Causes of the Wealth of Nations". Defending England's hugely discriminatory Navigation Act of 1651, which required cargo from British colonies to be carried only in British ships, Smith had said that defence is of much more importance than opulence. In simple words, national security takes precedence over welfare or prosperity of the people. This may sound antithetical to what the Scottish economist, philosopher and one of the earliest proponents of free trade stood for.

For India, defence and welfare have always complemented one another. Since 1990-91, when New Delhi, forced by an economic crisis at home, shunned its four-decade-heavy ideological burdens and walked the difficult path of reforms, growth through openness to trade has remained an unstated sine qua non of national security. The overhaul of industrial and trade policies, much to the chagrin of a section of domestic industry and many political parties, meant a gradual reduction in average customs tariffs, easing of foreign investment norms, and doing away with many licensing requirements. This, contrary to fears expressed then, helped the domestic industry achieve scale and become more competitive. It helped India grow. Higher growth rates meant more people being pulled out of poverty through the last three decades.

Globalisation stood the country in good stead. Buoyancy in world economic growth coupled with an upswing in global trade helped India clock a trend growth rate of 8-plus per cent a year in the mid 2000s. Take the five-year period 2003-04 to 2007-08, till the Lehman Brothers' collapse froze global financial markets, and the crisis spilled over to the real economy: India's GDP growth rate averaged at around 8.7 per cent a year on the back of robust exports which grew an average 25 per cent during the five years. India emerged as one of the fastest growing economies in the world.

It was this economic success that lent India weight in global geo-politics. As dark clouds gathered over the world economy in the second half of 2008, the then US President, George Bush, called for an emergency summit of the Group of 20 (G20) countries in Washington DC in November. To a correspondent who reported from three G20 summit venues in the first two years, it was clear that it was the spectacular growth over the previous five years that had catapulted India into the global league. India's advice was sought, and incorporated, in the G20 final declaration.

The trade policy since the 1990s — through its openness — contributed enormously to economic prosperity which acted like the bone and sinew to national security. India's merchandise exports quintupled from $63.84 billion in 2003-04 to $314.40 billion in 2013-14, recording a compounded annual growth rate (CAGR) of 17.28 per cent during the period. In the next five years, till 2018-19, however, the CAGR plunged, to just about 1 per cent. In fact, merchandise exports in 2019-20, at $314.31 billion, were exactly at the same level or a tad lower than in 2013-14, at $314.40 billion. In these six years, India avoided trade deals with other countries or blocs, and gradually raised tariffs across several segments, and the domestic industry continues to lobby for more.

There is telling evidence of New Delhi's rising dependence on Beijing for imports across key sectors. Both the UPA and NDA did precious little to link trade policy with industrial policy to strategically counter this. The composition of the basket of imports from China over the last 10 years shows nothing has changed. Four of the top five categories of items that India imports from China have remained the same in the decade leading up to 2018-19: Electronics, mechanical machinery, organic chemicals, and iron and steel.

The industrial policy hardly picked any cues from trade data. Midway into the UPA's second term, then National Security Advisor Shivshankar Menon and then Commerce Secretary Rahul Khullar did prepare a strategy to correct this imbalance. Among the biggest concerns then, and now — a disruption in supply chains, especially in sensitive sectors such as pharmaceuticals. A strategy document was prepared, only to gather dust.

Over the past few weeks, India's coercive diplomacy has seen a turn that is hardly surprising given China's belligerence and the national mood. A flurry of decisions such as banning Chinese apps, barring Chinese companies from bidding for road projects, stopping imports of power equipment, prohibiting Chinese investment in micro, small and medium enterprises, and blocking their consignments in ports, were taken. The intention is to send a message across that Beijing will have to incur an economic cost for such misadventure. But such sanctions by India alone will hardly sting China, which has responded in good measure to punitive trade actions by the US.

Over the past few weeks, India's coercive diplomacy has seen a turn that is hardly surprising given China's belligerence and the national mood. A flurry of decisions such as banning Chinese apps, barring Chinese companies from bidding for road projects, stopping imports of power equipment, prohibiting Chinese investment in micro, small and medium enterprises, and blocking their consignments in ports, were taken. The intention is to send a message across that Beijing will have to incur an economic cost for such misadventure. But such sanctions by India alone will hardly sting China, which has responded in good measure to punitive trade actions by the US.

But such sanctions by India alone will hardly sting China, which has responded in good measure to punitive trade actions by the US. For India, it may work only when there is a broader coalition among big economic powers, including the US, Japan, UK and Australia. Promoting domestic industry for everything that is imported from China will carry the risk of prompting perverse policy responses and more protectionism, with industry lobbies making the most of it.

The ongoing crisis opens a window for New Delhi to reset relations with China. More than barriers to trade, what is vital for the government is to reduce what TeamLease's Manish Sabharwal describes as "regulatory cholesterol". Labour alone presents obstacles to India Inc in the form of 463 Acts, 32,542 compliances and 3,048 filings.

Today, neither can China's role in the world economy be wished away, nor can its dominant position in the global supply chain be ignored. New Delhi's trade policy needs to be alive to the imperative of higher growth, which can be achieved only through more, not less, globalisation. Perhaps one way forward in redefining the engagement with China could be in not viewing this relationship in the binary of friend or foe, particularly since India shares a 4,056-km long border with it.

Post Script: In his book "On Adam Smith's Wealth of Nations: A Philosophical Companion", professor at University of Illinois, Samuel Fleischacker has a brilliant take on Smith's dialogic writing style. Yes, Smith concedes the Navigation Act as acceptable interventionism, but starts the discussion noting that the Act "is not favourable to foreign commerce, or the growth of that opulence which can arise from it."

pv.iyer@expressindia.com

THE REAL HORROR (FILM)

In 'Bulbbul', moment of dread is not about female demon, but husband inflicting violence

AAKSHI MAGAZINE

BULBBUL, NETFLIX India's latest release, is reminiscent of recent Hindi films like *Phillauri* and the earlier *Talaash* where the female ghost is a product of an unjust world. Writer Anvita Dutt started writing the film, which is her directorial debut, with an image — that of a woman hiding her feet under her sari in fear. The image made it to the film that is set in a 19th century upper caste landowning household in Bengal. Bulbbul's (Tripti Dimri) husband Indranil (Rahul Bose) is exasperated that she never wears shoes. She never learns, he says. It's an odd comment, for the scene is about the aftermath of his realisation that she might be in love with his brother, Satya (Avinash Tripathy). In the context of the film's running motif of Bulbbul's feet, however, the comment fits in perfectly.

The first time we see the child-bride Bulbbul is through a shot of her feet. While dressing her feet in alta, her aunt tells her that toe-rings prevent girls from flying away; they are for keeping you in control. Later her sister-in-law alludes to this when she comments on Bulbbul's relationship with Satya by saying that her toe rings have become loose. The demon-woman is known to have inverted feet and the first time we see the good doctor Sudip (Parambrata Chattopadhyay), Bulbbul comments on his obsession with her feet.

Her feet are also what her husband targets, as he hits her in a slow motion sequence.

What could have been only horror, plays out as fantasy. This choice comes from its gendered lens, for depicting the world realistically would have meant acting out status quo. If life in the film was realist and literal, the first Bulbbul would have long been forgotten, and the second Bulbbul would have never got the chance to exist.

Feet, that literally take us places, signify mobility, making them a dangerous prospect for women. The men, both Indranil and Satya, walk away to a new life when there is nothing left for them back home. The women have to find other ways.

Bulbbul often moves from the literal to the metaphorical, not just in its use of feet as metaphor, but also in its representation of its protagonist. There are two Bulbbuls. In the flashback scenes, she is childlike, unable to hide her feelings and unwilling to learn the rules of the adult world. The other is the Bulbbul of the present, in control, able to laugh at those who caused her misery in the past, aware of the power she yields over them. If the former Bulbbul exists despite patriarchy, the latter seems to transcend it in a household now free of its men.

The penultimate fire sequence is tragic, for Satya follows in the tradition of his brother by starting the fire. But what are we really mourning? Perhaps we are mourning the loss of what could have been between Bulbbul and Satya. Unlike her, Satya is not untainted by patriarchy for even his jealousy towards Sudip is soon taken over by his desire to punish her for playing with the rules. Sudip, too, can only imagine Bulbbul in a binary — she has to be a devi (goddess) if she is not a demon. Perhaps, we are mourning the existence of this limiting binary.

Apart from recent films centred on female ghosts, Bulbbul also reminds me of *Qissa*, where patriarchy itself is personified as a ghost, lost and abandoned after destroying the lives of women around him. While both *Qissa* and Bulbbul depict the horrors of patriarchy, they are not just horror films. In Bulbbul, what could have been only horror, plays out as fantasy. This choice comes from its gendered lens, for depicting the world realistically would have meant acting out status quo. If life in the film was realist and literal, the first Bulbbul would have long been forgotten, and the second Bulbbul would have never got the chance to exist.

In fact, the horror moment in the film is not the chudail/female demon with her inverted feet, but the slow motion sequence of the husband inflicting violence. Raja Ravi Varma's "Jatayu Vadham" in the background seeks to contextualise his act, equating him with Ravana, perhaps to remind us how the film views his act of violence. The real horror, though, is that the sequence itself, shot in a painting-like style, becomes an uneasy reminder of how we end up immortalising acts of male violence, sometimes as courage, and in this case, as terror.

Magazine is a New Delhi-based writer and holds a PhD in film studies

JULY 8, 1980, FORTY YEARS AGO

DISPUTE SETTLED

THE INTERSTATE GODAVARI water dispute was settled by a tribunal which has ordered all the five concerned states to abide by the water sharing agreements they had earlier signed amongst themselves. Beginning 1975, the five states, Maharashtra, Karnataka, Andhra Pradesh, Madhya Pradesh and Orissa had signed seven agreements amongst themselves covering 80 per cent of Godavari's waters. The tribunal's final settlement has apportioned the remaining 20 per cent water equitably amongst these states. The decision of the tribunal also provides for the joint construction of several projects by these states. It also provides for the diversion of water from the Polavaram barrage to the Krishna basin and allocates the share of the upper basin states as a result of this diversion.

BANDH IN ASSAM

MORE POLICEMEN THAN employees were present in the Assam government offices, where normal functioning was completely disrupted on the first day of the 14-day picketing. At the state secretariat in Dimapur, there was hardly any activity even in the rooms of top officials. A round of the secretariat showed that about 200 of the 4,000 employees reported for duty, most of them top officers. The clerical staff was almost totally absent.

ASSAULT ON WOMEN

THE OPPOSITION IN the Lok Sabha raised a storm over the issue of criminal assault on women belonging to marginalised sections of society. Repeatedly, Jyotirmoy Basu of the CPM insisted on the admission of his adjournment motion on the issue. Pramila Dandavate of the Janata Party demanded prompt action against the culprits. She talked about the reported rape of 14 tribal women near Gonda village of UP last month by armed hoodlums, and the reported case of rape of nine SC women in a village near Banda, also in UP.

More sabre-rattling, more isolation

Chinese muscularity in the South China Sea is leading to a growing chorus of protest

JAYANT PRASAD

Chinese construction works on Johnson South Reef in the disputed Spratly Islands. • THE NEW YORK TIMES

The Philippines invoked the dispute settlement mechanism of the UN Convention on the Law of the Sea (UNCLOS) in 2013 to test the legality of China's 'nine-dash line' regarding the disputed Spratlys. In response, the Permanent Court of Arbitration (PCA) at The Hague decreed in its July 12, 2016 judgment that the line had "no legal basis." China dismissed the judgment as "null and void."

The South China Sea (SCS) is important not just to its littoral countries. It has been a transit point for trade since early medieval times, contains abundantly rich fisheries, and is a repository of mineral deposits and hydrocarbon reserves.

The PCA verdict

The PCA award undermined the Chinese claim. It held that none of the features of the Spratlys qualified them as islands, and there was no legal basis for China to claim historic rights and to the resources within the 'nine-dash line'. The UNCLOS provides that islands must sustain habitation and the capacity for non-extractive economic activity. Reefs and shoals that are unable to do so are considered low-tide elevations.

The award implied that China violated the Philippines Exclusive Economic Zone (EEZ). It noted that China had aggravated the situation by undertaking land reclamation and construction, and had harmed the environment and violated its obligation to preserve the ecosystem. China dismissed the award as "a political farce under the pretext of law."

Given the power equations, the Philippines did not press for enforcement of the award and acquiesced in the status quo. Not one country challenged China, which agreed to settle disputes bilaterally, and to continue work on a Code of Conduct with countries of the ASEAN.

Given that their economic ties with China are deepening, it may appear that the ASEAN countries are bandwagoning with China. In reality, there is growing discontent. While avoiding military confrontation with China, they are seeking political insurance, strengthening their navies, and deepening their military relationships with the United States.

Vietnam has added six Kilo-class, Russian-origin submarines to its navy. France, Germany and the Netherlands, respectively, have supplied Formidable-class stealth ships to Singapore, patrol boats to Brunei Darussalam, and corvettes to Indonesia. Japan is partially funding the upgradation of the Indonesian coast guard. Indonesia and the Philippines are in early stages of exploring procurement of the BrahMos missile from India. The other ASEAN countries that have shown interest are Thailand and Vietnam.

Growing Chinese muscularity in the SCS is visible in the increased patrolling and live-fire exercising by Chinese naval vessels; ramming and sinking of fishing vessels of other claimant countries; renaming of SCS features; and building of runways, bunkers, and habitation for possible long-term stationing of personnel on the atolls claimed by China.

Chinese exploration and drilling vessels compete aggressively with those of other littoral countries in the disputed waters. Petronas has been prospecting for oil in the Malaysian EEZ. A Chinese spokesperson claimed in early June that its own survey vessel in the same area was conducting "normal activities in waters under Chinese jurisdiction."

The festering regional resentment against China resulted in the unmuting of the ASEAN response to the growing Chinese footprint in the SCS at its 36th Summit on June 26, 2020.

China might have overreached by showing its aggressive hand prematurely. There is a growing chorus of protest against China. Having Vietnam, Japan and the U.S. riled up about its actions is nothing new for China. The Philippines and the ASEAN beginning to protest is new, even if their criticism is restrained. This does China little credit, and points to its growing isolation.

Indonesia protested to China about Chinese vessels trespassing into its waters close to the Nantua islands, towards the south of the SCS. The Philippines protested to China earlier this year about violations of Filipino sovereignty in the West Philippine Sea. It also wrote to the UN Secretary General (UNSG) in March disputing China's claim of "historic rights in the South China Sea." Two months later, Indonesia too wrote to the UNSG on this issue. It expressed support for compliance with international law, particularly the UNCLOS, as also for the PCA's 2016 ruling.

President Rodrigo Duterte said he had not followed up on the PCA judgment because the Philippines could not afford to fight China. Yet, when a Chinese firm bid to develop the Subic Bay, this was disallowed on the grounds that the use of archipelagic waters was exclusively reserved for Filipinos and that foreign investment regulations prohibited foreign equity for the utilisation of marine resources in archipelagic waters. Another recent decision, to extend the Visiting Forces Agreement with the U.S. for six months "in light of political and other developments in the region," as expressed by the Philippines Foreign Secretary, is a strategic setback for China. Only this June, the Philippines commissioned a beaching ramp on the Pag-Asa Island. A Filipino C-130 landed on its runway, which is being repaired. The Philippines is about to induct its first missile-capable frigate, built in South Korea, into its navy.

A complicating factor for China is Russia's growing military and economic equities in the SCS. Russia and Vietnam have a defence cooperation relationship, which they are committed to strengthening. China has objected to Rosneft Vietnam BV prospecting within the Chinese defined 'nine-dash line.' Rosneft has also been invited by the Philippines to conduct oil prospecting in its EEZ.

India's relevant options

From India's perspective, foreign and security policy in its larger neighbourhood covers the entire expanse of the Asia-Pacific and extends to the Persian Gulf and West Asia. India straddles, and is the fulcrum of, the region between the Suez and Shanghai, between West and East Asia, and between the Mediterranean and the SCS. The SCS carries merchandise to and from India. It follows that India has a stake in the SCS, just as China has in the Indian Ocean.

India must continue to actively pursue its defence diplomacy outreach in the Indo-Pacific region: increase military training and conduct exercises and exchanges at a higher level of complexity, extend Humanitarian Assistance and Disaster Relief activities, share patrolling of the Malacca Strait with the littoral countries, etc. The Comprehensive Strategic Partnerships that India has concluded with Australia, Japan, Indonesia, the U.S., and Vietnam could be extended to Malaysia, the Philippines, Thailand, and Singapore.

India must also buttress the military capacity of the tri-service Andaman and Nicobar Command. According to one of its early Commanders-in-Chief, Lt. Gen. Aditya Singh, the manner in which the 368 islands, have been neglected "can only be termed as criminal." These have immense geo-strategic value, as they overlook Asia's maritime strategic lifeline and the world's most important global sea lane. In this time of turbulence, India cannot afford to continue undervaluing one of its biggest assets.

Jayant Prasad, a former diplomat, served as Director General of the Institute for Defence Studies and Analyses

Bollywood's many maladies

While nepotism is widely discussed, there are other structural injustices in the industry that need to be addressed too

HARISH WANKHEDE

The suicide of actor Sushant Singh Rajput has instigated a discussion on how certain individuals or families control the film industry and often exclude the 'outsider'. There are allegations that certain powerful elites decide the flow of the industry's economy and also distribute the privileges without much concern for professional ethics. The allegations go that talented artists suffer due to the "nepotism" in the industry. Sushant's death has ignited a critical discussion on the many maladies in Bollywood.

Dominated by social elites

The debate on nepotism also reveals other structural injustices in the industry. There is lack of social diversity in Bollywood films, with technical and artistic units being dominated by the social elites. A discussion on Bollywood's middle-class bias would also demonstrate that the urban poor are the new neglected 'outsiders' in the multiplex business. Such exclusivity has halted the improvisation of cinema as a socially responsible art form. This domination has excluded the poor as the audience and has disallowed Dalits, Bahujans and Adivasis to become an integral part of the film-making process.

First, the rhetoric that cinema is the mirror of society is untenable. The mainstream narratives of the films represent the taste and values of the social elites and visibly neglect the life stories of the Dalit-Bahujan-Adivasi world. Instead, popular Bollywood films project the cultural desires and social imaginations of the caste elites while veiling the terrible social realities of the majority of the people. The industry avoids hard questions on caste and social exclusion. Even if such issues are explored on screen (*Sujata*, *Ghulami*, *Mrityudand*, *Manjhi*, *Article 15*, etc.) the industry has to operate according to the emotive and psychological concerns of the social elites. Marginalised social groups have remained the perpetual outsiders.

Second, more than relationships based on nepotism, the economy functions with a conventional culture network and often disallows the 'outsider' to enter. Dalits, Bahujans and Adivasis are considered as outsiders because they lack attributes of social networking and also the required 'niche' professional skills. Hindi films are written, directed, technically assisted and produced by a dominant set of clan and club members who are mostly social elites. Even film critics, reviewers, historians and scholars on cinema belong to similar sociocultural groups.

Film-making is an expensive and competitive market. In the post-liberalisation period, the political economy of Bollywood has changed substantively. Now, corporate capital invests mainly with the popular names for any venture, making cinema production an exclusive enterprise. The privileges and profits of the business are therefore regulated through a well-knit social network that is often based on caste, regional and clan affiliations (often called as favouritism). Such an atmosphere undermines creative instincts and a robust respect for artistic talent. It shows its limitation in breaking the clutch of commercial logic and has failed to produce cinema that can be honoured at the global level for its creative motifs. Even in online streaming shows, mediocrity is visible.

Pushing away the poor

Third, the poor working class audience is deliberately pushed away from cinema viewing today. Films are specifically made to cater to the tastes of the upper middle-class audiences, especially those who have the capacity to spend three times more than the average film-goer. The multiplex culture has marginalised the single-screen audiences, mainly the poor. Hindi films, which earlier used to entertain and respond to the dreams and values of the average Indian, are now categorically meant to propose specific kinds of surreal narratives (films like *Omkara* or *Gangs of Wasseypur*), likeable mainly to the new middle-class, educated audience.

Marathi and Tamil cinema have recently demonstrated that stories with strong social themes, a diverse cast and emotive logic are well appreciated at the box office. However, Hindi cinema has not taken much of a clue from its regional counterparts. Though Bollywood directors such as Anurag Kashyap and Dibakar Banerjee have qualitatively improvised the storytelling conventions on screen, they haven't democratised the themes and social values that shape stories.

Bollywood has not addressed the popular criticisms emerging from historically neglected groups. The concern of caste diversity on screen and behind it has recently been debated within the Dalit circles but it is yet to find a wider deliberative audience. Further, very few think about the avenues to connect the poor audience to the cinema again. When we are discussing the ills of nepotism in Bollywood, these partner maladies also need equal diagnosis so that a more comprehensive cure can be prescribed.

Harish S. Wankhede is Assistant Professor, Centre for Political Studies, JNU

Ethiopia's bloody mayhem

The Oromos are furious that Hundeessaa has been killed even as traditional fault-lines are being redrawn

GARIMELLA SUBRAMANIAM

The gruesome death of at least 80 protesters following the cold-blooded murder of Ethiopian political singer Haacaaluu Hundeessaa shows that tensions in Ethiopia continue to fester. The iconic musician, who belonged to the largest but highly marginalised Oromo ethnic community, was killed on June 29. Haacaaluu, a cultural icon, used to sing about the enduring nature of state-sponsored Oromo marginalisation.

Unrest since 2015

Since 2015, there have been protests in Oromia, sparked by the decision to extend the administration of the capital into Oromia Region, the territory of the Oromos. They subsequently morphed into a broader resistance against the autocratic Ethiopian People's Revolutionary Democratic Front (EPRDF) regime and left hundreds of people dead.

The expression of dissent has become more normalised from 2018. Months after Prime Minister Hailemariam Desalegn tendered his resignation in February that year, the government lifted the state of emergency and eased its repressive measures. Thousands of political prisoners were released and bans against prominent government critics in the media and other sectors were lifted. The most significant concession was the EPRDF coalition's decision to appoint the new Prime Minister from the Oromo People's Democratic Organisation (later called the Oromo Democratic Party), one of its constituents. The current incumbent, Abiy Ahmed, the 2019 Nobel Laureate for Peace, is the first Oromo to be appointed to the nation's highest office in years.

Comprising a third of the population, the Oromos are challenging the Tigrayans, who make up a mere 6% but continue to wield political power and influence disproportionate to their number. The Amharas, the second largest ethnic community, have rallied behind the Oromos, setting aside mutual differences, to demand greater political representation and better opportunities. The growing assertiveness of the two numerically largest groups has predictably provoked a backlash from the traditional power elites. Mr. Abiy's cabinet overhaul and the removal of the heads of the army and intelligence services soon after he assumed office were criticised as targeting the Tigrayans.

An inclusive national identity

Meanwhile, commentators began to speculate whether the continued eruption of violence was an unfortunate corollary to the new dawn of freedom in 2018. Last November, over 70 people were killed when a prominent media mogul alleged that he was under threat of attack by the security forces. Amid this internecine conflict, Mr. Abiy is keen to promote his version of an inclusive Ethiopian national identity as distinct from the ethnicity-based model of federalism as per the 1995 constitution. To that end, he disbanded the EPRDF, which represented the four major ethnic communities, in November 2019 and launched the Prosperity Party, risking the alienation of not just the Tigrayans but also the Oromos who once backed his ascent. This bold move, and the substitution of the state-driven developmental approach with economic liberalisation, can bear fruit only through a strict enforcement of the rule of law.

Last week's deadly protests following Hundeessaa's murder symbolise the Oromo's fury that one of their own should have been cruelly removed from their midst when the traditional fault-lines in Ethiopian society are being redrawn. Mr. Abiy was awarded the Nobel Prize for brokering the historic 2018 peace agreement with neighbouring Eritrea, ending a two-decade military standoff. His reputation for promoting reconciliation at home would have been tested next month, but that general election has been postponed indefinitely in view of the COVID-19 pandemic. In order to reassure the citizens of Ethiopia, Mr. Abiy must shed the General's instincts in him that critics suspect. He must expeditiously bring to justice those behind the tragic shooting of Haacaaluu which has led to a bloody mayhem.

garimella.subramaniam@thehindu.co.in

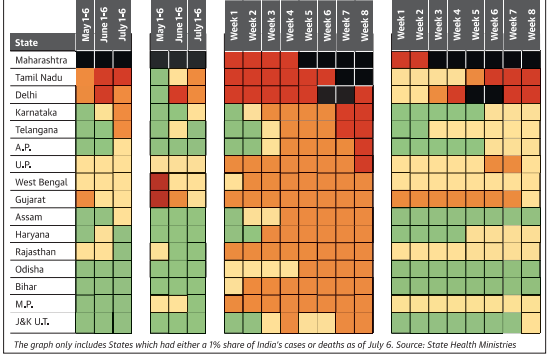
DATA POINT

Shifting burden

The COVID-19 disease burden has constantly shifted from one State to another with the exception of Maharashtra which has been badly affected from the start. In May, the virus was mostly confined to Maharashtra, T.N., Delhi, W.B. and Gujarat. By June it had intensified in T.N. and Delhi, while Gujarat and W.B. saw a slight decrease in disease burden. In July, Karnataka, Telangana, A.P. and U.P. are seeing sharp upticks, while Delhi's burden has eased

SHARE OF CASES/DEATHS The first set of tables depicts the State-wise % share of cases/deaths in the first six days of the last three months. Legend: ■ >30% **cases or deaths**; ■ 14%-30%; ■ 7%-13%; ■ 3%-6%; ■ <3%

NUMBER OF CASES/DEATHS The second set of tables depicts the absolute number of weekly cases/deaths in the last eight weeks between May 13 and July 6. Legend: ■ 0-499 **cases**; ■ 500-999 cases; ■ 1,000-4,999 cases; ■ 5,000-19,999 cases; ■ >=20,000 cases
The darker the colour, the higher the number of deaths that week



The graph only includes States which had either a 1% share of India's cases or deaths as of July 6. Source: State Health Ministries

The Hindu.

FROM THE ARCHIVES

FIFTY YEARS AGO JULY 8, 1970

Non-stop refugee influx

The Union Government is greatly concerned over the continued influx of refugees from East Pakistan into West Bengal. Nearly a lakh of persons have crossed over since January. The Prime Minister has been holding a series of discussions with her senior colleagues as to how best they could be rehabilitated. It was noticed that Bengal had reached saturation point. Six Joint Secretaries visited some States which have agreed to take the refugees for resettlement and had discussions with the authorities concerned on measures to expedite rehabilitation. The States include Bihar, U.P., Madhya Pradesh, Orissa, Rajasthan and Maharashtra. Mr. D. Sanjivayya, Union Minister for Labour and Rehabilitation, had talks with his junior Ministers and the Ministers of State in the Home Ministry on a crash programme for quick resettlement in the six States. The Prime Minister is believed to have emphasised that pending permanent rehabilitation arrangements, steps should be taken to provide temporary accommodation. So far, 55,000 persons have been provided temporary accommodation in the States.

A HUNDRED YEARS AGO JULY 8, 1920

More White-wash.

(From an editorial)

The decision of the Army Council in regard to General Dyer does not, we gladly acknowledge, realise our worst apprehensions. On the other hand it cannot be said that the reputation of the British Army for highly civilised ideals of conduct has been vindicated by the decision of its chiefs. We have not as we write the details of the decision but reading between the lines one marks clearly a desire, as in the case of the civil authorities who have had to pass judgment on the conduct of General Dyer, to hasten the obsequies of an unsavoury episode. General Dyer has been found guilty – portentous word leading up to a ridiculous anti-climax – of an "error of judgment". The Commander-in-Chief's decision is endorsed and he is not to be offered further employment outside of India. In plain English he is not wanted in the army, though it is not known whether he will be placed on the retired list. That is a small price to pay for a quarter of an hour's intensive massacre. Human life, especially Indian life, is cheap in these spacious days.

OPINION

A social network that can't be reformed

Charlie Warzel
Writer at Large

ERIN SCOTT/REUTERS

Mark Zuckerberg's Facebook has been in a defensive posture since the 2016 election.

"We know we have more work to do."

That was the line from numerous Facebook representatives last month in reaction to the #StopHateForProfit advertising boycott campaign. Intended to pressure the company to curb hate speech and misinformation, the boycott has been joined by several high-profile brands, including Unilever and Verizon, and could make a rare dent in Facebook's ad revenue.

The campaign seems to be having an effect. In late June, Facebook announced that it would add labels to content about voting and expand its hate speech policies. The company also added a "newsworthy" tag for hateful content from political figures that violates rules but is allowed because of its news value. Facebook stressed that all these moves were part of a continuing cleanup. "We know we have more work to do," the statement read.

We Know We Have More Work to Do (let's call it W.K.W.H.M.W.T.D. for short) is the definitive utterance of the social media era, trotted out by executives whenever their companies come in for a public shaming.

In just eight words, it encapsulates the defensive posture that Facebook has been crouched in ever since the 2016 election, when it became clear that its tolerance of hate-filled communities on its platforms turned them into witting vectors for disinformation and propaganda.

The phrase is both a promise and a deflection. It's a plea for unearned trust — *give us time, we are working toward progress.* And it cuts off meaningful criticism — *yes, we know this isn't enough, but more is coming.*

In Facebook's case, what is most dangerous about W.K.W.H.M.W.T.D. is that it glosses over the fundamental structural flaws in the platform. The architecture of the social network — its algorithmic mandate of engagement over all else, the advantage it gives to divisive and emotionally manipulative content — will always produce more objectionable content at a dizzying scale.

Facebook frequently uses its unfathomable amount of content as an excuse for inaction. "We've made huge strides," a Facebook spokesman, Nick Clegg, said on CNN last week. "But, you know, on an average day, there are 115 billion, 115 billion messages sent on our services around the world, and the vast, vast, vast majority of that is positive."

But Mr. Clegg's defense is also an admission: Facebook is too big to govern responsibly. There will always be more work to do because Facebook's design will always produce more hate than anyone could monitor. How do you reform that? You can't.

Lately, my thoughts on Facebook have been influenced by two separate movements: prison abolition and the push to defund police. There are complex policy issues involved, but the central premise of these movements is elegant in its simplicity. The bloated and corrupt institutions that they critique are beyond reform. As Mariame Kaba wrote in a recent Times Op-Ed essay on defunding the police, "We need to change our demands."

We need to reimagine Facebook or find a way to survive its dominance.

To be clear, there is no one-to-one comparison between Facebook and the police or the carceral state. Modern policing, as Ms. Kaba notes, has its origins in slave patrols. Facebook's origins are obviously much different.

Still, the movements provide a helpful lens through which to view Facebook. Despite the exhausting debates around content moderation policies and constant incremental tweaks to its rules and policies, glaring problems persist. All signs point to a system beyond reform.

"You see lots of people putting forth a hopeful idea of a new, humane social media platform to rescue us — one that respects privacy or is less algorithmically coercive," Siva Vaidhyanathan, a professor of media studies at the University of Virginia, told me recently. "But if we're being honest, what they're really proposing at that point is not really social media anymore."

In other words, the architecture is the problem.

"I think social media have been bad for humans. And we shouldn't keep trying to imagine we should either fix or reinvent what is fundamentally a bad idea," he said.

Ifeoma Ozoma, who helped lead public policy and social impact at Pinterest and worked on public policy efforts at Facebook and Google, argues that Facebook's flawed architecture and its leadership are inextricably linked.

"We're not going to see real change if we're just asking for edits on the edges," she told me. "The platform will reflect the values of the people that make the decisions. If you have people working at the platforms that are bought into perpetuating a system of white supremacy or unwilling to reckon with it, then that's what it'll start looking like."

Ms. Ozoma, who designed policy changes to limit the spread of medical misinformation and hate speech on social media platforms, speaks from her own experience in Silicon Valley. She has publicly criticized social media companies' leaders for inequitable pay, and in one recent thread, said that her managers undermined the work of people of color with "racism, gaslighting and disrespect."

"Even if you came up with a framework that reconfigured the platform structurally, you're not going to see the reform or implementation," she said.

Few who know Facebook really believe that Mark Zuckerberg will dismantle his company or relax his grip on the board, placing conversations like this one more in the realm of thought experiment than in reality.

But for those of us who are at the whims of the company's power, the status quo also seems untenable. Small reforms are crucial, but they also suggest that the current iteration can be saved — that there's more work to do. Facebook cannot be reformed. *We need to change our demands.*

The #StopHateForProfit campaign is one such change, but there are others. Mr. Vaidhyanathan told me that he is thinking less about policing Facebook's platforms; he is trying to imagine ways to help us live in a world dominated by Facebook.

"We probably have to start thinking more radically about what kind of information ecosystem we need to survive as a democratic republic," he said. His ideas include what he described as "boring" but essential things like investing in libraries and public schools.

There are other ideas, like declaring "platform bankruptcy." This would involve platforms resetting all of their user and group follower counts to zero and rebuilding communities from the ground up, with the platforms' current rules in place.

I put the question to my Twitter followers, asking for their best ideas to fix tech platforms and received over 1,000 responses in a few hours.

Some were simple: "Design distribution around a different principle than virality." Others were wonkish: "Cross-company/platform data and research collaborations between trust and safety teams." Many were about fundamental transformation: "Ban algorithmic amplification; require proof of safety, efficacy, freedom from bias before product intro; classify personal data as a human right, not an asset."

There were calls to get rid of metrics and for strict verification of real identities, for the companies to slow down the speed of information. There were privacy solutions, ideas for more tailored community networks.

Many were more blunt: Just shut it all down and start over.

Some of these ideas feel almost too utopian to type, too simple, improbable. But there's elegance in simplicity; these are visions of an internet we actually want to live on.

Facebook sold us a utopian vision of a more connected world and left us with our current dystopia.

Why can't those of us who are left to clean up its mess have our own shot at utopia? Either way, we know we have more work to do.

CHARLIE WARZEL *covers technology, media, politics and online extremism.*

My life under a racist flag

TRETHEWEY, FROM PAGE 8

sippi's flag has been complicit in sending a larger, national message of white supremacy — not the literal violence of murders by white supremacists or police brutality, but the figurative violence of the messages sent by juries who fail to convict or even indict officers accused of using unwarranted deadly force; the messages sent by police departments when they take no disciplinary action against officers with records of using excessive force; the messages sent by a nation turning a blind eye again and again to video evidence of police brutality or the racist policing of Black people going about their daily lives. All of it an onslaught saying, *Black lives do not matter as much as white lives.*

George Orwell wrote: "Who controls the past controls the future. Who controls the present controls the past." The story of reunion and reconciliation between the North and the South after the Civil War wrote Black Americans out of the story, and monuments to the Confederacy, like Mississippi's flag, helped to inscribe both a figurative and literal white supremacy onto the physical landscape and the psychic landscape of the American imagination.

This is why contests over what symbols remain are important battles in a broader struggle for social justice, and why the removal of the current flag in Mississippi is significant.

When symbols emblematic of white supremacy come down it means that the power to erect and maintain such symbols is shifting.

Getting rid of the power of such symbols to visit a figurative violence upon African-Americans is a step toward ending the literal manifestations of institutionalized white supremacy. Even ceremonially renaming the street leading to the White House and painting on it a giant banner reading Black Lives Matter is akin to running a new flag up the pole.

It is not an empty gesture, but a small step toward change, part of the larger, ongoing fight for justice. And it makes visible what has been invisible, giving it a kind of primacy.

I never thought I'd see this moment in my lifetime.

NATASHA TRETHEWEY *is a professor of English at Northwestern University and the author of the forthcoming "Memorial Drive: A Daughter's Memoir."*

Orwell was here before us

STEPHENS, FROM PAGE 1

David Remnick thinking it would be a good idea to interview Steve Bannon for the magazine's annual festival — until a Twitter mob and some members of his own staff decided otherwise. Or by The Washington Post devoting 3,000 words to destroying the life of a private person of no particular note because in 2018 she wore blackface, with ironic intent, at a Halloween party. Or by big corporations pulling ads from Facebook while demanding the company do more to censor forms of speech they deem impermissible.

These stories matter because an idea is at risk. That's the idea that people who cannot speak freely will not be able to think clearly, and that no society can long flourish when contrarians are treated as heretics.

That idea, old as Socrates, formerly had powerful institutional defenders, especially in the form of universities, news media, book publishers, free-speech groups and major philanthropies.

But those defenders are, on account of one excuse or another, capitulating to people who claim free speech for themselves (but not for others), who believe all the old patriarchal hierarchies must go (so that new "intersectional" hierarchies may arise), who are in a perpetual fervor to rewrite the past (all the better to control the future), and who demand cringing public apologies from those who have sinned against an ever-more radical ideological standard (while those apologies won't save them from being fired).

ASSOCIATED PRESS

George Orwell, date unknown.

As in so much else, George Orwell was here before us.

In connection to the recent vandalism of monuments and destruction of statues, a line from "1984" has been making the rounds — "every book has been rewritten, every picture has been repainted, every statue and street and building has been renamed, every date has been altered." But the Orwell essay to which I keep returning is a little jewel from 1946, "The Prevention of Literature."

Orwell's concern then was not just with Russian totalitarianism, but with the arguments used by much of the Western intelligentsia to justify repression.

"What is sinister," he wrote, "is that the conscious enemies of liberty are those to whom liberty ought to mean most."

He was particularly calling out Western scientists who admired the Soviet Union for its technical prowess and were utterly indifferent to Stalin's persecution of writers and artists. "They do not see that any attack on intellectual liberty, and on the concept of objective truth, threatens in the long run every department of thought."

Every department of thought. Right now, all the Twitter furors, the angry rows over publication decisions, the canceled speeches and books, the semantic battles about which words take an uppercase and which don't, may seem remote to those who care about more tangible issues: depression, disease, police abuse, urban decline. Yet the issue that counts the most is whether the institutions that are supposed to champion liberal ideals will muster the moral confidence to survive. On this week after July 4, it's very much in doubt.

The neoliberal looting of America

BARADARAN, FROM PAGE 9

Take the banking sector. For most of American history, banks were considered a public privilege with duties to promote the "best interest of the community." If a bank wanted to merge or grow or offer new services, the regulators often denied the request either because a community could lose a bank branch or because the new product was too risky. During the neoliberal revolution of the 1980s and '90s, Congress and bank regulators loosened the rules, allowing a handful of megabanks to swallow up thousands of small banks.

Today, five banks control nearly half of all bank assets. Fees paid by low-income Americans have increased, services have been curtailed and many low-income communities have lost their only bank. When federally subsidized banks left low-income communities, vulture-like fringe lenders — payday, title, tax-refund lenders — filled the void. As it turns out, private equity firms are invested in some of the largest payday lenders in the country.

Faith in market magic was so entrenched that even the 2008 financial crisis did not fully expose the myth: We witnessed the federal government pick up all the risks that markets could not manage and Congress and the Federal Reserve save the banking sector ostensibly on behalf of the people. Neoliberal deregulation was premised on the theory that the invisible hand of the market would discipline risky banks without the need for government oversight. Even a former Fed chairman, Alan Greenspan, the most committed free market fundamentalist of the era, admitted in the understatement of the century, that "I made a mistake."

We can start fixing the big flaws propagated over the last half century by taxing the largest fortunes, breaking up large banks and imposing market rules that prohibit the predatory behaviors of private equity firms.

Public markets can take over the places that private markets have failed to adequately serve. Federal or state agencies can provide essential services like banking, health care, internet access, transportation and housing at cost through a public option. Historically, road maintenance, mail delivery, police and other services are not left to the market, but provided directly by the government. Private markets can still compete, but basic services are guaranteed to everyone.

And we can move beyond the myths of neoliberalism that have led us here. We can have competitive and prosperous markets, but our focus should be on ensuring human dignity, thriving families and healthy communities.

When those are in conflict, we should choose flourishing communities over profits.

MEHRSA BARADARAN *is a professor of law at the University of California, Irvine, and the author of "The Color of Money: Black Banks and the Racial Wealth Gap."*

CLOCKWISE FROM TOP: GETTY IMAGES; LEA HANSEN; VICTORIA GREEN; MICHAEL AHN

Workers Retool After Jobs Vanish

Amid pandemic, hiring managers seek candidates whose résumés reflect adaptability and flexibility; a former assistant brushes up online, pondering: 'What can I bring to the table?'

By Kathryn Dill And Lauren Weber

SOME U.S. WORKERS, buffeted by a pandemic that has ravaged the labor market and reconfigured the work place, are questioning whether to stick with their occupation or start an entirely new career.

Many are bolstering existing skills or resetting priorities such as which industry they work in, where they work or their job title. Others are taking classes to add new expertise and reinventing themselves in completely different fields. Experts advise individuals in both camps—whether staying put or starting over—that potential employers are likely to prize flexibility and adaptability when deciding on new hires.

Layoffs are driving some of these professional pivots; others have been inspired by a wish to stay in demand in a changing economy. The labor market has about 15 million fewer jobs than in February, the month before pandemic-related job losses in the U.S. piled up. Firms that lay off workers during a crisis often don't hire them back when business improves, economists say, and many workers appear to understand this. Enrollments at community colleges typically increase during recessions, says Paul Osterman, an economist at the Massachusetts Institute of Technology who is studying how workers acquire skills. And workers now have access to an enormous array of online classes and credentials with costs ranging from free to thousands of dollars.

Paul Barnes had already been looking for a new post when he lost his job as a product developer at women's apparel brand Natori Co. in December. Once the coronavirus pandemic hit, he saw the leads he had cultivated disappear. "I realized, if I haven't found a job yet before Covid, then the likelihood of me finding a job now is lower than it was before, so I really need to figure something out," he says.

Despite having completed a degree at the Fashion Institute of Technology just a year earlier, he cast about for new skills to pick up and learned about the online coding school Springboard. Software engineering didn't appeal to Mr. Barnes, who is 33 years old, but he gravitated to a field known as UX Design, shorthand for user experience. UX Design's focus on coming up with a concept and going through trials to make it better reminded Mr. Barnes of his previous work.

Paul Barnes is finishing a six-month program in UX Design and is 'pretty optimistic' about finding a position.

He is on track to complete the six-month program early, at the end of August, and hopes to find a full-time UX Design job. "I feel pretty optimistic," he says. "Working remote, with the potential to do freelance or contract work or to pivot into a field where I don't have to go into work every single day and get paid quite a bit more than what the fashion industry was offering—that sounds kind of appealing."

With the economy in flux, trying to guess what skills will be most valuable is more difficult than ever, says Brad Hershbein, senior economist at the W.E. Upjohn Institute for Employment Research.

"The best advice I can give is don't try to predict what skill is going to be most in demand, but have a mindset where you demonstrate that you can learn and adapt," he says. "Businesses always want someone who can adapt to different circumstances. If you can demonstrate that in your work or education history, that's marketable and is probably the most resilient skill set you can have."

Michael Green is a data-science and analytics consultant at Data Coach, part of analytics firm Tessellation. He helps people looking to launch careers in data science. Mr. Green made such a leap himself, after starting out in mechanical engineering in 2014 as a tire designer at Michelin. Over time, he became interested in how data science could improve his team's work, using free online classes to become an advanced Excel user and to learn R, a programming language for statistical computing. Using his knowledge of tire design and a statistical model, he came up with a way to predict when excess rubber stuck inside a mold would lead to a defective tire.

Even before the pandemic, he says, he was seeing an influx of clients who had impressive data-science knowledge but didn't know how to sell themselves to hiring managers. He advises clients to start conversations with people at the companies where they want to work and explain how their skills can be an asset. "Ultimately, you want to learn from them and convince them you can also help them solve those problems," he says.

Workers now have access to an enormous array of online classes and credentials.

Individuals on the threshold of their careers are building flexibility into their job searches. Richard Ahn, who is job-hunting after graduating in May from the University of Texas at Austin, is focused more on the location than the company. Mr. Ahn, who is 21 and majored in supply-chain management, had been looking for work in Los Angeles, Chicago and San Francisco. When interviews for a position in Chicago with United Airlines stalled because of the pandemic, he decided to cast a wider net. He had been hoping to find work in procurement but broadened that to any job in supply-chain management.

He is now also applying for openings in Houston, San Diego, Austin and Seattle—a list he developed by researching growing industries and companies with headquarters in in each city. "I'm more picky about the city than the company," Mr. Ahn says, "but I do really want to work for an industry-leading company."

Maggie Blanchard worked as an assistant to a motivational speaker and author, traveling the country from her home in Nashville, Tenn., to conferences where her boss appeared. She was laid off when the live-events business cratered during the pandemic. Ms. Blanchard, 26, began driving for Postmates, and, through a benefit the delivery company offers its independent contractors, began taking a philosophy class called "Justice" through the online education platform EdX. The class is honing skills such as analysis, critical thinking and resilience, she says.

"I held a position that no longer exists," Ms. Blanchard says. "No one is operating as an executive assistant in a live-events business in the capacity I was. So what is transferable? What can I bring to the table? The more I break it down, I think it boils down to: I'm the only thing that's transferable."

Richard Ahn, left, has expanded his search for a job in supply-chain management since graduating from college in May. Michael Green, above, helps people looking to launch careers in data science.

THE WALL STREET JOURNAL. Tuesday, July 7, 2020 | A13

OPINION

What Now for Pro-Lifers?

MAIN STREET
By William McGurn

As Yogi Berra once put it, it's déjà vu all over again. The pro-life movement knows what he meant.

In 1992, the Supreme Court looked to have the votes to overturn *Roe v. Wade*, the landmark 1973 ruling that unearthed a constitutional right to abortion somehow never mentioned in the Constitution. But Justice Anthony Kennedy went south and joined two other justices in writing a plurality opinion that threw out most everything in *Roe*—except for its conclusion.

Now pro-lifers feel betrayed again, this time by Chief Justice John Roberts. In *June Medical Services v. Russo*, he cast the deciding vote rejecting a modest Louisiana law requiring abortionists to have admitting privileges at nearby hospitals. The arguments were based less on abortion than on dubious interpretations of principles such as stare decisis and third-party standing.

As Justice Neil Gorsuch wrote in dissent, it wasn't *Roe* that was in question in *June Medical*. It was the court's own integrity—its "willingness to follow the traditional constraints of the judicial process when a case touching on abortion enters the courtroom."

The court's disrespect for those constraints once again has pro-lifers crying foul. This time, however, the chief justice's defection to the liberal camp is leading some to question the whole conservative project of working to appoint jurists who will follow the Constitution and the law.

Some seem simply to want Republican-appointed judges to do for conservative causes what Democratic-appointed judges do for liberal ones: Deliver the preferred outcome and cook up whatever justification is needed to get there.

These critics have a legitimate point, which cuts to the heart of a self-governing society. If pro-lifers are going to do the hard work of democracy—electing politicians and passing legislation—only for the Supreme Court to throw it out on some pretext, what alternative does that leave them?

Dissenting in *Casey*, Justice Antonin Scalia predicted as much. His argument was about how corrupting it has been, for democracy as well as the law, for justices to substitute their own opinions for those of the American people acting through their elected representatives. "By banishing the issue from the political forum," it deprives the losers of "the satisfaction of a fair hearing and an honest fight." Something for the chief justice to consider next time he ponders threats to the "legitimacy" of the Roberts court.

Sen. Josh Hawley (R., Mo.), a former clerk to Chief Justice Roberts, hasn't been specific about the new vetting process he calls for. Some appear to favor one requiring nominees to be explicit about the results they would deliver. Scalia weighed in on this too:

"How upsetting it is that so many of our citizens (good people, not lawless ones, on both sides of this abortion issue, and on various sides of other issues as well) think that we Justices should properly take into account their views, as though we were engaged not in maximizing an objective law but in determining some kind of social consensus."

Betrayed by John Roberts, some despair of getting justices who will follow the law.

Justices, he argued, were inviting political pressure: "If, indeed, the 'liberties' protected by the Constitution are, as the Court says, undefined and unbounded, then the people *should* demonstrate, to protect that we do not impose *their* values instead of *ours*." Confirmation hearings "*should* deteriorate into question-and-answer sessions in which Senators go through a list of their constituents' most favored and most disfavored alleged constitutional rights, and seek the nominee's commitment to support or oppose them. Value judgments, after all, should be voted on, not dictated."

Some of those embittered by Chief Justice Roberts now seem to be taking Scalia's advice. But Scalia was issuing a warning, not an endorsement.

So where does this leave pro-lifers? As disappointing as Chief Justice Roberts has been, it's ridiculous to conclude that his defections from the constitutional principles advanced by the Federalist Society and Leonard Leo, one of President Trump's key advisers on judicial nominations, discredit either these principles or the people working hard to advance them. It's also a bracing reminder that no one can predict how someone with a lifetime appointment will rule.

On the practical side, it's worth noting that without the support from pro-choice Sen. Susan Collins (R., Maine), Justice Brett Kavanaugh would probably not be on the Supreme Court. Does anyone think that forcing, say, Amy Coney Barrett to declare herself on *Roe* or abortion would make it more likely for her to be confirmed?

If pro-lifers trust the American people, as we say we do, we don't need pro-life judges to prevail. What we need is judges who will do what John Roberts promised in his confirmation hearing: call balls and strikes. That ideal hasn't changed, even if the chief justice has failed to live up to it.

Write to mcgurn@wsj.com.

The Sun Ever Sets on the British Empire

GLOBAL VIEW
By Walter Russell Mead

Sometimes life throws you a metaphor. As my neighbors and I stood, masked and socially distanced, to watch Washington's fireworks Saturday, a thick plume of smoke spread from the staging area to obscure part of the display. Similarly, the doom and gloom hanging over American life this year clouded but didn't quite kill the joy of the most glorious day in our civic calendar. Even in a bad year, independence is good.

Nothing is more American than Independence Day, yet from a broader perspective, the Fourth of July is merely our local version of the world's most widespread political festival. Think of it as British Leaving Day, a holiday celebrated from Ireland to Brunei. In some places it celebrates the happy day when the Brits, civil and well-intentioned though they may be, finally packed it in and went home. In Trinidad, Tonga and Tanzania it's one of the highlights of the year.

In other places, as in the U.S., it isn't the day they hauled down the Union Jack and sailed away. For us, and for the Irish (who celebrate the 1916 Easter Rising), it's the day when the colonial rulers got served an eviction notice that, after some unpleasantness and delay, they eventually obeyed.

Our forbears were so glad to see the backs of the British that some localities had British Leaving Days of their own. Boston and New York held Evacuation Day celebrations into the 20th century on the dates the British fled left their harbors, March 17 and Nov. 25, respectively. Before the Civil War, New Orleans celebrated the anniversary of Andrew Jackson's defeat of the British invaders on Jan. 8, 1815.

World-wide, British Leaving Day is never out of season. From Jan. 4 (Burma) to Dec. 16 (Bahrain), it occurs somewhere in every month of the year. In Kenya, British Leaving Day falls on Dec. 12. It's Aug. 6 in Jamaica. In Belize, Sept. 21 is the climax of 10 days of national celebration and carnival. The British Raj in India came to an end at midnight on Aug. 15, 1947; Pakistan celebrates a day earlier. It's Oct. 10 in Fiji.

The British were efficient and benign, as imperialists go, and their departure didn't always lead to improvements. In many cases, the governments that followed the British were ineffective or worse. Naive new rulers obsessed by crackpot (often socialist) economic theories wasted scarce resources in poorly designed, poorly administered development schemes. In some countries, corruption became a way of life. In others, the parliamentary systems the British left behind succumbed to military rule. In some, tribal, ethnic and religious rivalries led to civil wars and dictatorships.

Yet for all the incompetence and corruption, nobody rejoined the British Empire. Hong Kong people may be feeling more than a little nostalgic this week, but independent peoples have managed to keep their longing for restored colonial rule well in check. Incorruptible British civil servants and impeccably educated British technocrats are all very well, but people seem to like ruling themselves even if they don't do it in the British way.

Like the U.S., nations from Afghanistan to Zimbabwe celebrate 'British Leaving Day.'

There is a lesson here for those who assume that bad experiences with populism must sooner or later lead voters back to the elites. Populism, whether from the left or from the right, and neoliberalism are strikingly similar. Overwhelming majorities of people all over the world would rather be indifferently or even badly governed by people who speak their language, understand their cultural traditions, and share their religious beliefs than by alien overlords, even if they are well-behaved, incorruptible technocrats from the finest schools.

British Leaving Day isn't only a time to celebrate. It is also a time to think. People often want to govern themselves more than they want to be well-governed, but without good government no people can thrive for long.

The rise of populism in so many countries today highlights an alienation between leaders and led that's comparable in some ways to the gap that once existed between the British and the peoples they ruled. The enduring global popularity of British Leaving Day suggests that the gap won't be closed by a chastened, forelock-tugging populace begging its erstwhile rulers to forgive its temerity and restore their benevolent guidance.

Americans were lucky. The leaders of our Brits Out movement were statesmen, not demagogues. In these days of panic and pandering from political, corporate, intellectual and media leaders, it is tempting to despair that our luck has run out. But the Fourth of July is still worth celebrating.

America's mix of democratic self-governance, religious and social tolerance, and economic freedom has built the wealthiest and most powerful country in world history. Though Americans are arguing today, as we have throughout our history, about the meaning of our system and how to preserve it, a large majority wants to improve the American system rather than burn it down.

In America, British Leaving Day isn't only about sending the Redcoats away; it is about celebrating what we accomplished after they left. There is much still to be done to fulfill the ideals Thomas Jefferson's Declaration expressed; may each succeeding Fourth find us that much closer to realizing the American Dream. Independence is a great and good thing whether or not we have the sense to use it well.

A Mob's Monumental Failure to Understand

By Mitchik Kaylan

My elegant old hometown of Bristol, England, made world headlines when it kicked off the statue-bashing craze that swept many Western cities. Amid the uproar of argument, the central consideration remains overlooked: No country or culture's historical record is spotless. The vital question is whether, at each stage of evolution, the balance of good over bad was sufficiently decisive to build a civilization that advances humanity generally.

Choose among the regions you would prefer to inhabit. Russia, China, the Middle East? Or the West? Each can lay claim to having built a civilization. Yet the choice is clear. Ask yourself how you make your decision. For such a calculus the yardstick must be both exacting and realistic, based on real-world standards, not an abstract and unattainable ideal. That's why my family sent me, age 10, from Turkey to boarding school in Bristol.

The statue toppled on June 7 depicted Edward Colston (1636-1721), Bristol's slave-trading philanthropist. That may seem an easy moral win for iconoclasts. By the same criterion, however, one should also destroy copies of the Magna Carta for guaranteeing the rights and property of English barons against royal encroachment while they owned entire villages, including the people in them. Yet the pact King John signed (reluctantly) in 1215 launched the long march toward parliamentary democracy and the rule of law. It took six or seven centuries, during which abominations aplenty occurred.

To topple statues is to reject the good along with the bad.

Some cultures learn from their wrongs and painstakingly evolve toward enlightenment. Even as a youngster in Bristol during the 1970s, when nobody dreamed of obliterating Colston's likeness, I understood that he was celebrated not for trading slaves but because he had come to illustrate a moment among myriad moments of laborious progress when, on balance, good had prevailed enough to push the dialectic in the right direction.

Statues like Colston's deserve to endure because they celebrate the right kind of historical process, one that consistently delivers a present broadly better than the past. Where I came from, the absence of such consistency has choked the region's hopes. As it does almost everywhere except in those countries where statues are now being toppled—where the monument-defacing mobs can count on the state's law-bound moderation. When that moderation is flouted repeatedly, as in cases of police brutality, we are lucky enough to inherit a system in which reforming the laws via democratic means is a genuine option.

The mobs don't seem to understand how hard it is to get to this point, or how the monuments embody an arc of achievement. In Russia or China, when citizens look back on past monuments, they generally see symbols of disruption and tyranny like Stalin or Mao or more-benign figures who failed to establish enduring institutions.

Any historical character in the West whose statue is under threat doesn't fall into those categories. Even Confederate leaders in the U.S. advanced civilization by losing. Whether it be Colston, Cecil Rhodes, Churchill or Jefferson, each overtopped his flaws with sufficient idealism or altruism to make our precast bottles—not only for us in the West but for everyone who can aspire to replicate our standards.

Mr. Kaylan is a journalist in New York.

BOOKSHELF | By John J. Miller

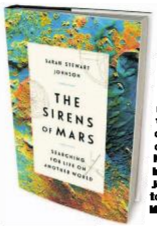
A Planetary Attraction

The Sirens of Mars

By Sarah Stewart Johnson
(Crown, 266 pages, $28.99)

Sarah Stewart Johnson knows exactly when she found her calling as a planetary scientist. She was a sophomore in college, on a class trip to Mauna Kea, a dormant volcano in Hawaii. Kicking a black rock, she exposed a tiny fern, "its defiant green tendrils trembling in the air." The little plant, amid such barrenness, inspired her, because "it was just so impossibly triumphant." It also led to a vocation: "It was then, on that trip, that the idea of looking for life in the universe began to make sense to me."

Today Ms. Johnson is an expert looker-for-life as an assistant professor at Georgetown University and as a veteran of three NASA missions to Mars. In 2013, she published an essay that made the cut for the following year's edition of "The Best American Science and Nature Writing." Her subject was Antarctica, and she had gone there to examine how microbes might survive in a brutal, Mars-like landscape.



Now she has written her first book, "The Sirens of Mars," an account of the search for Martian life that blends memoir with history and science. The title is peculiar, evoking the monsters of Greek mythology who drew sailors to their doom as well as "The Sirens of Titan," a comic novel by Kurt Vonnegut that lampoons human enterprise. For Ms. Johnson, a siren seems simply to lure, without danger, and Mars is her lodestar.

In snatches of autobiography, Ms. Johnson describes her upbringing in eastern Kentucky, where she played with a special-needs sister and taught herself trigonometry. When she was 11, she handled a 141-year-old toenail, exhumed from the grave of Zachary Taylor. Ms. Johnson's father was a lab technician who helped conclude that poison had not killed the 12th president.

Instead of pursuing the study of death, Ms. Johnson took up the quest for extraterrestrial life, in a field sometimes called "exobiology." Her ambitious goal is to find evidence of life on Mars and solve "the enigma of a neighboring world." As she displays the love of discovery that drives so much scientific inquiry, it's easy to cheer her on.

The cruel irony for exobiologists, however, is that for all of their pluck and determination, they still haven't found what they're looking for on the solar system's second-smallest planet—and they probably won't. There are no little green ferns on Mars, let alone little green men. Millions of bacteria can thrive in a pinch of Earth's soil, but it's starting to appear as if not a single one inhabits Mars. "The Sirens of Mars" is an elegy, though its author may be too hopeful to realize it.

Ms. Johnson acknowledges that the fourth rock from the sun is a "cold, hard, desolate world." You wouldn't want to live there, and it isn't even a nice place to visit. Dry as a desert and drenched in radiation, it's a harsh and hostile place that thwarts orbiters and landers. "Half the missions to Mars have failed," she writes.

Early observers dreamed up canal-building civilizations on Mars, inspiring science-fiction writers. The search for life there goes on.

Her book describes the planet's progression in the human mind from a rosy twinkle in the night sky to a mysterious world watched through telescopes. Some of its early observers dreamed up canal-building civilizations. They powered the imaginations of early science-fiction writers, such as H.G. Wells and Edgar Rice Burroughs. Percival Lowell—a pioneering turn-of-the-century astronomer and the namesake of the Lowell Observatory in Arizona—theorized about a society led by "a group of benevolent oligarchs." In 1924, reports Ms. Johnson, the astronomer David Peck Todd persuaded the U.S. military to cease all radio communication for two days so that he could listen for Martian transmissions.

He heard nothing. Since then, the hunt has slipped into a cycle of diminishing returns. As the absence of intelligent life became obvious, the speculators demoted Mars to a "vegetated world" of plants. The truth hit hard when Mariner 4 flew by Mars in 1965 and snapped the first close-up photos of its sterile surface: "Exobiologists [were] as stunned as the rest of the world," Ms. Johnson writes. "Suddenly it seemed like they might be wasting their time."

Yet they kept probing. In 1996, they touted a "nanobacteria fossil" found in a Martian meteorite, a rock formed on Mars but ejected into space and hurled to Earth after a violent impact. President Clinton hailed it as potentially "one of the most stunning insights into our universe that science has ever uncovered." Scientists soon rejected the idea, making this too a time-wasting tease.

By the 21st century, the exobiologists had suffered through a long slog of disappointment. When the Curiosity rover found organic molecules in Martian clay a few years ago, it marked an important development—these are the building blocks of life, after all—but also an example of how an invigorating exploration for actual life had been downgraded into a humdrum search for the merest hints of it.

Ms. Johnson remains upbeat: Life, she writes, is "stunningly resilient." Maybe it lies buried beneath the Martian soil, where we haven't found it yet. Conceivably it could arise from "an entirely different molecular foundation." She likens this notion to "trying to imagine a color we've never seen"—and when she does, her yearning for signs of life starts to feel more like fantasy than science. What might be a cautionary tale becomes for her an opportunity to wax lyrical about "an almost existential endeavor to confront our own limitations, to learn what life really is, and ultimately to defy our own isolation in the universe."

Great advances can spring from apparent defeat, of course. Perhaps the Mars Perseverance rover, scheduled to launch from Cape Canaveral in a few weeks, will enjoy better luck. All some point, however, we may want to admit that the red planet is a dead planet—and that the search for life on Mars is a siren song.

Mr. Miller is director of the Dow Journalism Program at Hillsdale College and the author of "Reading Around: Journalism on Authors, Artists, and Ideas."