



Discord in Puducherry

The CM's protest against the L-G raises key issues that must be resolved early

This round of conflict between Puducherry Chief Minister V. Narayanasamy and Lt. Governor Kiran Bedi has been more serious than those in the past. Mr. Narayanasamy sat in protest for six days, before the two could meet to hold talks to resolve a set of issues he raised in a letter earlier this month. He has been opposing what he calls Ms. Bedi's "high-handedness" and tendency to interfere in the administration. The two have had differences on many issues over the last two years. Such problems are an obvious consequence of the political structure of Union Territories, in which the Administrator, as the nominee of the President, enjoys powers superior to the Chief Minister and the Council of Ministers. The trigger for the latest stand-off seems to have been Ms. Bedi's move to enforce the rule for two-wheeler riders to wear helmets. While the Chief Minister believes it can be enforced only after raising awareness, Ms. Bedi wants it implemented immediately. However, the Chief Minister insists that his protest has nothing to do with this. He lists the blocking of welfare schemes such as the free rice scheme and enhanced scholarship for Scheduled Caste students, among other actions of the L-G, as the real issues. Whatever be the origin of this conflict, the sight of a Chief Minister on an indefinite dharna is not seemly. It could not have gone on indefinitely, and the fact that a dialogue was formally initiated, albeit after much delay, is a welcome development.

Central to the conflict is the question whether Ms. Bedi is acting within her powers or exceeding her brief in seeking to play a proactive role in the affairs of the Union Territory. Under the Constitution, the territory belongs to the President, who runs it through the L-G as Administrator. However, under Section 44 of the Union Territories Act, 1963, the Administrator has to act on the 'aid and advice' of the Council of Ministers. At the same time, any difference of opinion between them can be referred to the President, and in the meantime the Administrator's action prevails on any urgent matter. This scheme, which gives a clear edge to the Centre, can work only if there is harmony between the Council and the L-G. It would be unfortunate if individuals occupying Raj Nivas in any Union Territory with a Legislative Assembly get carried away and ignore or undermine the elected body. Last year, ruling on the limits of the L-G's powers in Delhi, the Supreme Court stressed the need for the L-G as well as people's representatives to "function in harmony within constitutional parameters". The L-G was cautioned against having a hostile attitude towards the Ministers. There is no reason why that principle cannot be extended to Puducherry, which has a longer record of elected governments.

The bane in Spain

Snap elections could deepen fissures in its fragmented polity

The snap poll called for April 28 by Spain's minority Socialist Party government could deepen the fissures in the fragmented polity. The new anti-immigrant Vox party, which made inroads in December in Andalusia, Spain's most populous region, is the latest addition to the smaller formations that can hold the balance in a future coalition. The stability of the short-lived government of Prime Minister Pedro Sánchez, whose fall has triggered the third general election since late 2015, had been under threat from the start. It was propped up last June by Catalan separatist parties, which were bound to turn into a liability for Mr. Sánchez. For the governing Socialist Party has, no less than the conservative People's Party, consistently regarded the Catalan demand for separation as a violation of the integrity of the Spanish union. The previous centre-right government took a hard line on the separatist cause: it dissolved the regional parliament and imposed rule from Madrid following the October 2017 referendum and the unilateral declaration of independence. But Mr. Sanchez's efforts to renew a political dialogue have proved futile in the face of the volatility. Last year's commemorations marking Catalonia's national day and the first anniversary of the controversial 2017 plebiscite saw large turnouts at separatist protests. Meanwhile, a recent government proposal to appoint a rapporteur to negotiate with the secessionists has been condemned as a betrayal by the conservatives. The anti-government protests drew large crowds championing a united Spain and demands to vote out the Socialists.

A trial that started last week against the masterminds of the 2017 referendum is the latest flashpoint. Many of the defendants appearing before the Supreme Court were part of the regional Catalan government and face long prison terms if convicted. The trial has sealed any hope of the Socialist government conceding its coalition Catalan allies' demand for a referendum on statehood. Within days, the separatists hit back, voting down the national budget, alongside the Opposition conservatives whom Mr. Sánchez unseated in June. Whereas prolonged instability has marred Spanish politics in recent years, the country had so far seemed immune to the populist surge spreading across the rest of the European Union. The entry of the extreme right Vox party to the Andalusian legislature has unsettled that *status quo*. The Socialists are expected to emerge as the single largest party in April, but well short of a clear majority. The two centre-right parties are also unlikely to muster enough numbers to form a government on their own. Opinion polls indicate that Vox could have a significant presence in the next parliament and be in a position to play kingmaker. This is not an attractive prospect for either the majority of moderates or the Catalan separatists. Spain needs stability at any cost today.

Not without an explanation

Judges must give their reasons in writing for recusing themselves from specific cases



SUHRITH PARTHASARATHY

When must a judge disqualify herself from hearing a case? Must decisions of this gravity be left to the wisdom of individual judges? Under what circumstances does a decision of recusal transgress a judge's general responsibility to sit and deliver impartial justice? Should not a judge who disqualifies herself be compelled to deliver an order explaining her reasons for recusal?

Cases at hand

These questions have been brought to sharp focus with a rash of recusals made by judges of the Supreme Court over the course of the last few weeks. In one case alone – challenging the appointment of M. Nageswara Rao as interim director of the Central Bureau of Investigation – three judges recused themselves. First Chief Justice Ranjan Gogoi disqualified himself, purportedly because he was set to be a part of the selection committee tasked with choosing a new CBI Director. He then assigned a bench presided by Justice A.K. Sikri to hear the case. But Justice Sikri too recused, on grounds, one assumes, that he was part of a panel that removed the previous CBI Director Alok Verma from his post. Next, Justice N.V. Ramana recused himself for apparently personal reasons. "Nageswara Rao is from my home state and I have attended his daughter's wedding," he told the petitioner's counsel.

However, none of these orders of recusals was made in writing, and, by themselves, the professed oral reasons for the decisions do not quite point to why the judges ought to have thought themselves incapacitated.

The recusals in the CBI case weren't the only ones to make the news. Last month Justice U.U. Lalit recused himself from hearing the dispute over land in Ayodhya after senior advocate Rajeev Dhavan pointed out that the judge had appeared for former Uttar Pradesh Chief Minister Kalyan Singh in a related contest. Although Mr. Dhavan said he had no specific objection to Justice Lalit continuing to hear the case, the judge, the court's order notes, "expressed his disinclination to participate in the hearing any further." But because we don't have a written order specifically justifying the recusal, it's difficult to tell whether the disqualification was really required.

Last September two judges of the Gujarat High Court withdrew from a set of controversial cases by merely saying, "not before me." Similar orders were passed by three judges of the Nagpur bench of the Bombay High Court, who refused to hear a plea filed by a lawyer Satish Uke concerning the death of Judge B.H. Loya. Unsurprisingly, though, none of the judges recorded their reasons in writing, allowing, in the process, plenty of scope for conjecture and surmise.

In taking oath of office, judges, both of the Supreme Court and of the high courts, promise to perform their duties, to deliver justice, "without fear or favour, affection or ill-will". While "fear and favour", as Stephen Sedley, a former judge of the Court of Appeal of England and Wales, has



GETTY IMAGES/ISTOCKPHOTO

written, are "enemies of independence, which is a state of being", affection and ill-will "undermine impartiality, which is a state of mind". The purpose of recusal, Mr. Sedley added, is to underpin these twin pillars of independence and impartiality. A decision, therefore, on a demand for a judge's disqualification is an especially solemn one. A gratuitous recusal, much like a failure to recuse when faced with genuine conflicts of interest, traduces the rule of law. To withdraw from a case merely because a party suggests that a judge do so impairs judicial fairness. It allows parties to cherry-pick a bench of their choice.

Formulating rules

Given these implications, one can be forgiven for thinking there exists a set of concrete rules that tell us when a judge must recuse herself. But as T.R. Andhyarujina wrote some years ago, what we really have are different elucidations of a principle against an apprehension of bias. No doubt, in some cases, prejudice is presumed – for example, where a judge has appeared for one of the litigants at some stage in the same dispute. It's also by now an axiomatic rule that no person should be a judge

in her own cause. But there are cases where somebody else's cause becomes the judge's own.

In disputes where a judge has a financial interest in the litigation, where a judge owns shares in a company which is party to the case, the fact of owning shares is, in and of itself, considered a disqualification. This rule is derived from an 1852 House of Lords judgment, which held that Lord Cottingham ought not to have delivered a verdict in a case where he owned shares in one of the parties to the litigation. The tenet here appears clear enough, but it's today muddled by the ubiquity of shareholdings by judges and judges' relatives – Mr. Sedley cites the example of a 1980 appeal against Shell and BP in which "the registrar of civil appeals was unable to assemble three judges who had no shares in either defendant." Invariably, therefore, when a judge owns shares in one of the litigants what we expect is disclosure of the fact, and if neither party objects one might think it's acceptable for the judge to hear the case. But in the absence of a well-defined rule that helps establish a basic standard, a decision of this kind can prove troubling somewhere down the line.

The closest we've come in India to carving out a definite rule was a formulation made by Justice J. Chelameswar in his opinion in *Supreme Court Advocates-on-Record Association v. Union of India* (2015). Here, the 99th constitutional amendment was challenged, and a claim was made seeking Justice J.S. Khehar's recusal. The plea was rejected, but Justice Chelameswar attempted to establish something akin to an elementary canon. "Where a judge has a pecuniary in-

terest, no further inquiry as to whether there was a 'real danger' or 'reasonable suspicion' of bias is required to be undertaken," he wrote. "But in other cases, such an inquiry is required, and the relevant test is the 'real danger' test."

Even with this formulation, what constitutes real danger of bias remains a matter of construal. And whether an individual judge should be allowed to decide for herself on pleas of recusal is equally a point of contention. Yet the test does provide a plausible solution, so long as judges make their choices by reducing their reasons to writing. For when judges choose without a rational motive, without expressing their decisions in writing, they hurt the very idea of judicial rectitude.

Equally destructive

Ultimately, a mistaken case of recusal can prove just as destructive to rule of law as those cases where a judge refuses a recusal despite the existence of bias. We mustn't allow recusals to be used as a tool to manoeuvre justice, as a means to picking benches of a party's choice, and as an instrument to evade judicial work. As the Constitutional Court of South Africa held, in 1999, "the nature of the judicial function involves the performance of difficult and at times unpleasant tasks," and to that end judicial officers "must resist all manner of pressure, regardless of where it comes from. This is the constitutional duty common to all judicial officers. If they deviate, the independence of the judiciary would be undermined, and in turn, the Constitution itself."

Suhrit Parthasarathy is an advocate practising at the Madras High Court

The contractual functionary

Sanitation workers represent a wider phenomenon of exploitative contractual work



KRISHNA KUMAR

Sewage pipes and drains represent the bleaker side of India's struggle to modernise its cities. Last month, Kishan Lal, 37, a sanitation worker, died inside an underground drain in the nation's capital. Called to repair a blocked drain in the Wazirabad area of Delhi, he had no safety kit with him. The details of his death that have appeared in newspapers make for sordid reading: he died of asphyxiation. When he did not come out, the police and fire department were called. They could not find him. It was the National Disaster Response Force that found his body after an eight-hour search. Reports of deaths in similar circumstances appear regularly in the local press in different cities. They attract public attention for a day or two, but fail to sustain it.

Caste and contract work

Reports identified Kishan Lal as a 'contract worker'. The meaning of this term has grown and the scope of its use has greatly expanded over recent decades. Depending on who your contractor is, you could have a vastly different experience of work under a contract. There was a time when the term was

used only in the context of private sector employment because the government alone gave 'permanent' appointments. Economic reforms introduced under liberalisation changed that.

From the early 1990s, government jobs could also be given on contract. Among sanitation workers, thousands in each major city are serving on contract. Few statistics exist to guide us in the jungle of norms and procedures governing contractual work. We also don't know the share of permanent staff in the total sanitation staff in the country. What we do know for certain is the relation between caste and contract work in the sphere of sanitation. Sanitation workers on contract mostly belong to the Scheduled Caste (SC) category. Surveys indicate a small proportion of other castes in permanent sanitation staff. It is also reported that these non-SC permanent functionaries often get proxy workers from SC backgrounds to do the actual work. So, the bond between caste and work continues to be strong decades after B.R. Ambedkar had analysed and highlighted it.

In the case of sanitation, contract work means gross vulnerability and exploitation. The terms of contract are minimalist, and a contractor feels free to enhance his own share of the contract with impunity, by nibbling away the worker's share. Though the government is supposed to regulate the functioning of this contract, it



PTI

does not show much active interest in doing so. It has been following the general policy of privatisation as a matter of faith, without putting in the effort it takes to work out the details for different sectors and departments. The realisation that one solution does not solve every problem is absent. Such a realisation is also unpopular, especially among people who present themselves as the gurus of efficiency. A tacit pact guides their relations with the bureaucracy. Hardly any politician in office has the time or the inclination to disturb this pact and force both sides – the efficiency gurus and the civil servants – to take stock of different nooks and crannies of the vast apparatus of the state. Decline in efficiency and quality of different services is quite apparent to the public, but it is flatly denied by political leaders, civil servants and consultants.

Quality takes a hit

They also deny the urgency of reviewing the working of the contractual system in areas directly

related to welfare, such as sanitation, health and education. Little attempt has been made to study how contractual work has affected reliability in the postal services, railways and accounts. Even in functions such as data gathering, which are crucial for economic planning and decisions, the contractual workforce has proved detrimental to quality. In a paper published in the *Economic and Political Weekly* (February 15, 2014), Professor Sheila Bhalla made this point with reference to the use of contractual enumerators in the National Sample Survey Office.

In many spheres, contractual appointments do not involve a private contractor, but that makes little difference to the quality of work done. In education, for instance, many State governments have been hiring teachers on contract. Their service conditions are totally different from those serving as permanent staff, yet they are expected to deliver higher quality in teaching. The mantra upholding this expectation is that contractual teachers will work harder because they are insecure. In State after State, this mantra has not borne fruit, but no one wants to acknowledge that. Nor do governments want to admit that contractual work in professions such as teaching discourages motivation to improve one's performance. The reason is that contractual functionaries see no definite prospect of a career or future in the

same profession. Also, their wage is much too small to sustain the growth of substantial professional commitment.

The case of sanitation workers on contract is worse. They work for small-time contractors who have absolutely no idea of the role of a sanitation worker. The contractor feels free to exploit the worker, conveniently hopping over whatever barriers and checks, including digital devices, that the government attempts to use for providing financial security to the worker. The government – in the case of sanitation, it is often the municipality – shows little sustained interest in imposing stringent norms for provision of equipment, including those for safety, necessary for sewer cleaning. As for training, no one seems to believe that sanitation involves complex work, requiring both knowledge and training. Such a thought is fully precluded by the strong and enduring bond that exists between caste and sanitation. Sanitation campaigns do not articulate an acknowledgement of the relationship between the caste system and cleaning jobs. An ideological barrier prevents such articulation. The media too does not highlight the connection between caste and cleaning. That is why whenever sanitation workers die in underground drains, the news simply passes into unsorted history.

Krishna Kumar is a former director of the NCERT

LETTERS TO THE EDITOR

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

No cover

The decision to withdraw state security cover to separatist leaders in Kashmir, which the Home Minister referred to obliquely as "acting against those who get money from across the border and are hand in glove with Pakistan's ISI", is a step in the right direction (Page 1, "J&K administration withdraws security to separatist leaders", February 18). The money saved should be utilised for the welfare of ordinary Kashmiris. Separatist leaders have been enjoying the best of both worlds. This is also the time for the cover of all protected persons, including mainstream and separatist leaders, to be reviewed.

C.G. KURIAKOSE, Kothamangalam, Kerala

■ A number of steps may have been taken after the

Pulwama terror attack. But what we need to do, most of all, is to address the core issue: why is it that the educated Kashmiri youth is being drawn to terror? Kashmir, a festering wound, needs a multi-pronged strategy that can prove effective.

SANGEETA KAMPANI, New Delhi

■ In an atmosphere of heightened emotions, one would tend to applaud the decision. But this is a case of emotions overtaking judicious reasoning. So long as separatist leaders continue to be Indian subjects and as long as the perception of a threat to their lives remains, it is incumbent on the government to provide them adequate protection. At a time when proactive steps are needed to win over the Kashmiri mainstream, arm-twisting instead of reaching

out will be counterproductive and deepen the alienation.

AYYASERI RAVEENDRANATH, Aranamula, Kerala

■ It is clear that neither the U.S. nor China can influence Pakistan so that it turns over a new leaf as long as the state is controlled by the all powerful Pakistan Army. The peace overtures made so far by the deep state seem to be an eyewash. To add to this is the attitude of the leaders of various political parties in the Kashmir Valley who do not seem sincere about ending terrorism. The numerous separatist outfits too have their own agenda. Ultimately it is innocent civilians who are paying the price.

A. MICHAEL DHANARAJ, Coimbatore

■ Reports of Kashmiri students facing intimidation following the Pulwama terror

strike are unfortunate. The very idea of India is one that is rooted firmly in its pluralistic character and liberal and secular outlook. What binds Kashmir to India is not a military force or a political pact signed decades ago, but the un-self-conscious movement of people from Jammu and Kashmir to other parts of the country in search of jobs and better opportunities. It stems from the idea of India that they can find a home anywhere in the country. We should not let this idea of India be besieged by forces inimical to the unity and integrity of the country. It is incumbent upon the administration, civil and political leadership to maintain peace.

M. JEYARAM, Sholavandan, Tamil Nadu

Verified

The Readers' Editor's column (OpEd page, February 18) and the former

RE, K. Narayanan's column, "Venturesome, vainglorious" (April 13, 2009), prove that *The Hindu* is still guided by the principles laid down in the very first editorial titled "Ourselves" (September 20, 1878): "The principles that we propose to be guided by are simply those of fairness and justice..." I am reminded of the time when I had sent my article, "Learning from the birds", to be published in the Open Page. I was asked about the veracity of the accompanying photograph, of a sunbird which had built its nest from a hook on the ceiling of our verandah, feeding its nestlings. The article/photograph were published on May 12, 2015 only after the picture was found to be authentic.

SUKUMARAN C.V., Palakkad, Kerala

Immigration debate

In the U.S., the basic institutions that make up a

successful democracy have been compromised for sheer political gains, and this is sure to have multitudinous ramifications (Editorial, "Strange emergency", February 18). If the exorbitant amount of money that could be set apart to splurge on "the Wall" is channelled towards education to the children of immigrants, they could metamorphose from "drug dealers" to becoming indispensable assets of America.

There is no doubt that U.S. President Donald Trump needs to enlighten himself about immigrants having played a paramount role in helping the U.S. become a superpower and engendering "the American dream".

JACOB J. PUTHENVEETIL, Chennai

MORE LETTERS ONLINE: www.hindu.com/opinion/letters/

India's options after Pulwama

India would do better than Pakistan in a conventional war, but it may or may not remain conventional



HAPPYMON JACOB

The deadly terror attack against a Central Reserve Police Force (CRPF) convoy in South Kashmir's Pulwama district, which was orchestrated by a Jaish-e-Mohammad (JeM) suicide bomber, Adil Ahmad Dar, 22, has once again brought nuclear-armed India and Pakistan close to a potential armed confrontation. There are widespread calls to respond to the attack which killed 40 CRPF personnel. The question, however, is how. The general election may complicate the answer to this question. The BJP leadership knows that if it plays its cards well, it might stand a chance to form the next government. If it bungles, that chance would become weak. This makes the situation far more dangerous in terms of payoff structures and associated risks.

Pakistan needs to act

So far, Pakistan's response to the attack has been a blanket and unhelpful denial. Prime Minister Imran Khan has chosen to be quiet about it despite the seething anger in India, even as his Ministers are issuing unconvincing denials. Pakistan needs to stop issuing denials and start acting. Let us be clear: the JeM's leaders are roaming about freely in Pakistan. This is unacceptable. They must be taken to task immediately and there should be a clampdown on other terror organisations as an emergency measure. The Pakistani establishment's usual answers – 'we will come to them eventually' or 'we are also already fighting them' – won't cut ice any more. If Pakistan truly desires peace with India, it needs to play its part honestly. Pakistan should realise that it would be doing a favour to its citizens by cracking down on terror organisations that are thriving on their soil. And why has Pakistan still not invited India's National Investigation Agency to investigate the Pathankot terror attack even though India had allowed the visit of the Pakistani team to Pathankot in 2016? Pakistan needs to take action against the terror elements on



"How is it that a plan to carry out such a major attack on a national highway in a troubled State went undetected?" Security forces after a gunbattle with militants in Pinglan, Pulwama district, south Kashmir. ■PTI

its soil, now.

Having said that, let's face some facts: Dar was a local Kashmiri boy, the vehicle used in the attack was local, we do not yet know the source of the explosive, and there is a raging insurgency in Kashmir today. Don't these facts tell us that New Delhi's Kashmir policy has been a failure? That it has been unable to calm tempers in Kashmir in the past four and a half years? If so, we must ask the difficult but important question: How did we get to where we are today in Kashmir? Here is some perspective: While in 2013, only six local Kashmiris had joined the ranks of militancy, last year, the figure was close to 200; between 2014 and 2018, ceasefire violations increased five times; between 2015 and 2018, the increase in infiltration attempts more than doubled; and, terrorist-related violence in the Valley has spiked drastically over the past five years.

Despite all this, the government was hardly keen to initiate a serious dialogue process with the Kashmiri dissidents. The BJP-PDP government, which fell last year, ensured that the so-called soft separatist space was given away to militants, and the use of aggressive tactics turned south Kashmir's popular opinion against India. Make no mistake: India finds itself in a bind in Kashmir, and it will take a great deal of political sophistication, backchannel reaching out, and comprehensive political vision to get Kashmir back

on track. Do the politicians in New Delhi realise this? I am not sure. Even as the nation stands behind its government, the Central government, when reflecting on the next steps, must accept that its politically unimaginative policy was a failure. Then there is intelligence failure. How is it that a plan to carry out such a major attack, by a local who was on the radar of the local police and other agencies, on a national highway in a troubled State went undetected? Why is that 78 buses with CRPF jawans were allowed to travel in one convoy?

India's options

If New Delhi seeks to respond to Pakistan for the Pulwama attack, what options does it have? For the BJP government, given that the elections are so close, its retaliation has to be credible, prompt and visible, thereby limiting its options. Stopping the flow of waters to Pakistan is neither practical nor possible. Withdrawing the Most Favoured Nation status would hardly hurt Pakistan, given the low trade volume involved. Isolating Pakistan internationally is easier said than done – China is closer to Pakistan today than ever before, Russia is warming up to it, and given the impending American drawdown in Afghanistan, there is a sense of triumphalism in Pakistan. This is especially so because of the geopolitical importance of the region – it won't be long before the U.S. makes a

comeback.

One possible way out is perhaps to talk to China discreetly to get Pakistan to crack down on the JeM, but that will take patience, persuasion and discretion. A government caught in an election season may have too little of any of it.

What about military options? One can think of four types of kinetic options. The first could be to carry out surgical strikes, like India did in 2016. However, while the Pakistani side did not respond to it then, the reaction this time could be different. If Pakistan responds, the two sides may soon find themselves in an escalating military crisis with little clarity about the outcome, something an election-bound government might fight shy of. The second option is to use strike aircraft to carry out precision strikes in locations across the Line of Control (LoC). But such air incursions are likely to be detected and intercepted by Pakistani radars and air defence systems. If an aircraft is shot down or pilots are captured, it could become a bigger headache for the government. Pakistani retaliatory strikes cannot be ruled out either. The third option is to go in for stand-off strikes without physically crossing the border, using heavy artillery or other precision-guided weapons such as rockets. Stand-off strikes, or fire assaults, across the LoC would be responded to in kind and eventually might not achieve anything. The final option is to carry out covert operations inside Pakistan to take out high-value human targets such as leaders of terror outfits. This might be the least costly and most optimal strategy. However, this would require a great deal of preparation and might not be domestically useful given the amount of secrecy and lack of optics surrounding it.

In short, the fundamental problem with kinetic options is uncertainty with regard to what those options would lead to if Pakistan decides to respond. India would do better than Pakistan in a conventional war of attrition, but it may or may not remain conventional and there would be attrition on both sides. Would New Delhi be willing to run those risks so close to a crucial election?

Happymon Jacob teaches disarmament studies at Jawaharlal Nehru University, Delhi

A catalyst for the Congress

It makes sense for the party to give Priyanka Gandhi Vadra a bigger role



BADRI NARAYAN

In late January, Priyanka Gandhi Vadra was appointed by the Congress as a general secretary in-charge of Uttar Pradesh-East. She will be in charge of around 42 parliamentary seats. This is the region where the constituencies of Prime Minister Narendra Modi and U.P. Chief Minister Yogi Adityanath lie. It is also the region that includes the important constituencies of Allahabad, Phulpur, Amethi and Rae Bareilly. How is Ms. Vadra going to influence the general election, given that she's campaigning in the State with 80 Lok Sabha seats, which can determine which party or coalition goes on to form the government at the Centre?

Mobilising party workers

First, Ms. Vadra could work as a catalyst for the Congress. She is not new to politics; she has been consulted on important decisions concerning the party several times in the past. Her presence is known to energise Congress workers and give them greater confidence. Reports say that her campaigning will be restricted to U.P., but if she chooses to campaign outside the State, it could enthrone more party workers. Her direct presence in rallies, meetings and road shows may help mobilise scattered old-time Congress voters and sympathisers, who have remained inactive for many years. It will also stop Congress voters from shifting to the BJP, wherever they are not happy with the ruling government in the State. In the Tripura Assembly election, for instance, political analysts found that Congress voters shifted to the BJP where the Congress did not have a strong presence. This could happen in a State like West Bengal where some disgruntled cadres of the Congress, which is practically in a direct fight with the Trinamool Congress, could shift to the BJP, which is emerging as a strong Opposition party in the State. Ms. Vadra's presence could help reduce the shift of voters to the BJP. Even in south and western India, where the Congress is not the main Opposition party, voters could be mobilised so that they don't shift to other parties.

Second, many have pointed out how Ms. Vadra resembles her grandmother, former Prime Minister Indira Gandhi. She evokes memories of Indira Gandhi for those who are above 50 years of age. This could help forge an emotional link with voters who admired

the former Prime Minister. Of course, Indira Gandhi reminds people of the Emergency, but a large section of voters returned to the Congress in the 1980 parliamentary election. In fact, many were Congress voters for a long time and shifted to the BJP only when the Congress became weak in 2014. Ms. Vadra could help bring them into the Congress fold again. Then there is the question of her personality. A young Muslim boy in a village near Allahabad, for instance, said about Ms. Vadra: "She communicates in a very impressive manner with the people."

Attracting new voters

In U.P., Ms. Vadra's presence will affect the performance of not only the BJP but also the Samajwadi Party (SP) and Bahujan Samaj Party (BSP) to some extent. The Congress's growing visibility in U.P. could impress upper caste voters. This may be a loss for the BJP. The Congress also seems to be impressing a section of Muslims and many smaller Dalit communities which are not supporters



of the BSP. Many Scheduled Caste communities voted for the BJP in the 2014 election. They may support the Congress for two reasons: they are disenchanted with both the BSP and the BJP, and the Congress's outreach is stronger now. The Congress seems to be placing emphasis on mobilising Other Backward Classes and Dalit communities for their new politics.

The discourse of the 2019 general election is centred around personalities: Mr. Modi, Congress president Rahul Gandhi, Ms. Vadra, West Bengal Chief Minister Mamata Banerjee, Andhra Pradesh Chief Minister Chandrababu Naidu, Nationalist Congress Party chief Sharad Pawar, etc. However, some of them have an appeal only in their respective States. The Congress would like to promote Ms. Vadra as a leader rooted in U.P. politics, but it would do well to widen her role.

Badri Narayan is professor, Govind Ballabh Pant Social Science Institute, Allahabad

SINGLE FILE

Pay people for data

Imagining a future in which we can remunerate people for their contributions to the digital economy

ANIL K. ANTONY & ANKUR PRASAD



The raw materials driving today's digital economy are data, leading many, including industrial tycoon Mukesh Ambani, to say that data is the new oil. Nowadays, wealth is increasingly built upon information. Companies that aggregate and analyse information the fastest accumulate unprecedented power and wealth. For example, social media companies gather and analyse huge amounts of data related to customer behaviour and preferences. They use this to build features to ensure that customers constantly browse, and to show customers advertisements that they are most likely to click on. This information translates into huge revenues and profits.

An overlooked fact is that ordinary people are crucial for companies to create disruptive technologies that earn them billions. Algorithms rely on statistics to make decisions, and it is the people who feed companies the data.

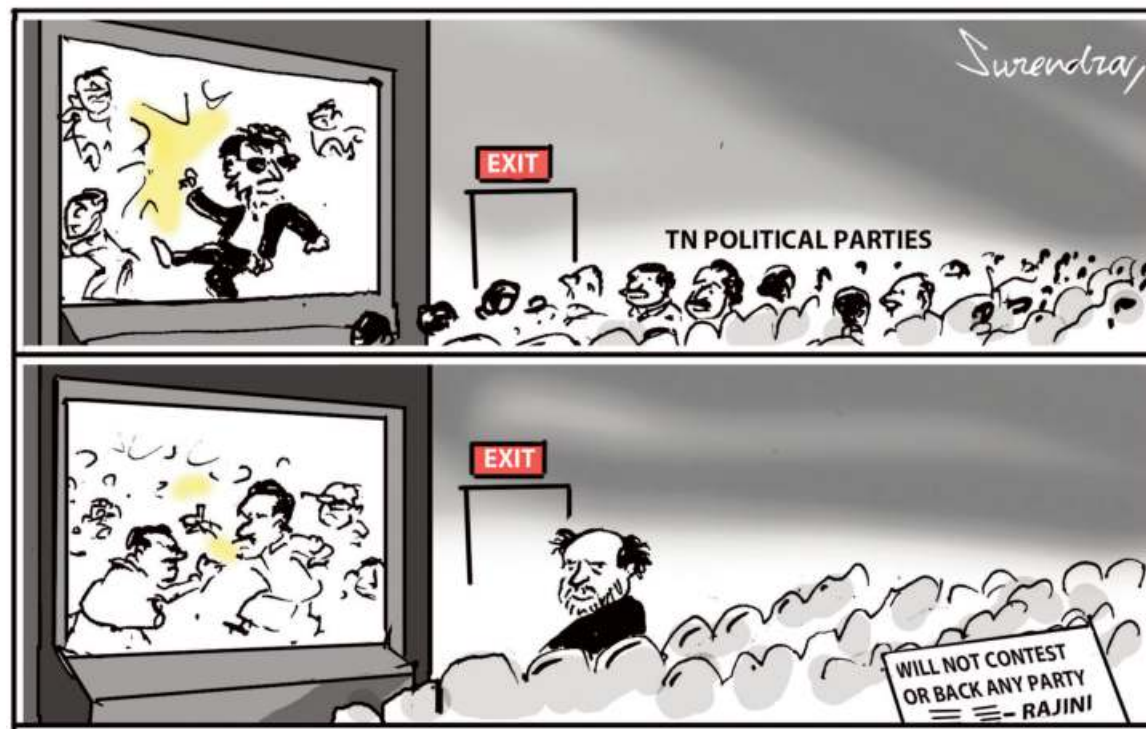
Despite this vast amount of data fuelling massive value and wealth creation, the new digital economy is increasingly shaping up to be like the feudal or robber-baron economies of the past, where wealth was concentrated among a very select few. The general public, who predominantly contribute the raw data, get a negligible portion of the pie.

The digital economy without doubt is creating jobs that were previously inconceivable. Who could have imagined the role of a search engine optimisation expert before Google, or a video streamer before YouTube? These new jobs will likely not be as abundant as the current jobs being eroded due to advancements in artificial intelligence and automation. This means that the jobs to share the massive wealth created in the digital era are steadily decreasing.

At present, seven high-technology firms find themselves among the list of the top eight most valuable companies in the world, with a cumulative market capitalisation of almost \$5 trillion (almost 2.5 times India's GDP). However, they directly employ fewer than 11 lakh people among them.

These days, the primary discourse during any election in the world is on how to create conditions for a more equitable distribution of wealth. For this to happen, we need to conceptualise an approach that can remunerate people for their contributions in this digital economy. As the primary step, we have to educate our population about the value of the data they generate. Secondary measures, including legislative policies, must be taken to ensure that people can extract their justified pay for their digital activities. Technologies such as blockchain can facilitate nano-payments, proportional to the degree of contribution, and value creation to each individual in the digital space. The right redistributive policies can turn this world of technology-driven inequality into one that is truly participatory and egalitarian.

Anil K. Antony is the Convener of INC-Kerala Digital Media Cell and Vice President of Navoathan Foundation; Ankur Prasad is the Head of Product for Amazon Moments and investor in and adviser to early stage blockchain start-ups



NOTEBOOK

Covering a tragedy with empathy

For many 24x7 TV channels, death means a sensational story

MOHIT M. RAO

Accidents, murders, and cases of sexual assault and violence dominate the news cycle. Journalists are confronted with difficult questions when such incidents take place: Whom do we approach for information? When does the quest for details become an intrusion into moments of grief? How do we move beyond basic facts and provide a human face to a tragedy in a sensitive manner?

While many print journalists grapple with this moral quandary, many reporters of 24x7 news channels, especially local channels, have little time to ponder such questions as morbid deaths pique public curiosity. While journalists often hover around a victim's house, waiting for the so-called right moment to ask the kin questions, TV journalists hound bereaved family members.

Camerapersons even jostle for a view of the body in the ambulance.

For me, this macabre fascination was most apparent on April 9, 2013, when a gas tanker toppled close to Mangaluru. The expanding gas ball set fire to everything and everyone within 50 meters. Ten people died in the accident, and many more were injured.

In hospitals in Mangaluru, where victims were shifted for treatment, the staff forgot to man the entry into the burns ward. Journalists entered in droves and camerapersons attempted to go as close to the victims as they could. Wails and screams of pain cut through the chaos.

A few journalists stood by the door. The sister of a victim, who was critically injured, skirted the camerapersons and stood beside us. We tucked our notebooks into our pockets, and she gave vent to her

grief in disparate words uttered amid uncontrollable sobs. The camerapersons saw this. One quickly gave me the mic and instructed me to hold it close to her face (TV reporters were at the accident site and he had to ensure that his channel logo was in the frame). She turned away and covered her face. She clearly did not want her private moment of mourning to be telecast. When he was done with his shot, he went to the other families.

In another hospital nearby, the brother-in-law of a delivery man, who had been riding behind the gas tanker, stepped out of the ICU. He was in shock, but answered questions calmly. But long after the TV cameras moved away, he sat on a chair and wept. Only two reporters remained. We sat beside him in silence. The family, he said, was in debt. It had been only six months since his sis-

ter's wedding. She hadn't been informed of the accident yet. Our end-of-the-day deadline allowed us the time to console him.

Later that evening, when I was struggling to file the copy within the allotted word length, he called up to say his brother-in-law had died. He asked if I could request the district administration to expedite formalities. By then, gory images had been repeatedly telecast, and many people had come forward to help the affected families.

Minutes later, a TV reporter called me to say he had visuals of a man in flames running on the road. Could I ask the man whether it was his brother-in-law in the video, he asked. No, I said. Soon after, I switched on the TV. The channel announced his death and played visuals of the man in flames and his brother-in-law crying on loop.

FROM THE HINDU ARCHIVES

FIFTY YEARS AGO FEBRUARY 19, 1969

Communist MPs demand resignation of Union Govt.

The Lok Sabha, on the second day of its Budget session to-day [February 18, New Delhi], took up for consideration a censure motion against the Union Government primarily intended to highlight, among other things, "its failure to promote a balanced development of all regions in the country" and its "encouragement" to aggressive regional movements. Communist members demanded that the Union Government should resign in view of the "rejection of the Congress" in the mid-term poll. The no-confidence motion, moved by Mr. P. Ramamurti (C.P.I.-M) was supported by the C.P.I. and S.S.P. The debate was inconclusive and will conclude to-morrow, according to a recommendation made by the Business Advisory Committee of the House. The Prime Minister, will reply to the debate on Thursday [February 20].

A HUNDRED YEARS AGO FEBRUARY 19, 1919

The Rice Crop of 1918-19.

The total area under rice in the Madras Presidency in 1918-19 is estimated at 9,71,000 acres, which is less by 19,44,000 acres than the area finally reported for the previous year. In fact the area is the lowest that has been recorded since complete statistics were first tabulated in 1907-08. The reasons for this decrease have already been given in the first and second reports, i.e., the failure of the south-west monsoon in July and August and the delay in the establishment of the north-east monsoon until November. The season has in fact been entirely abnormal and it is only in the tracts protected by the major irrigation works and in the tract along the East Coast which received the full benefit of the north-east monsoon, that anything like a normal is greatest in the Deccan and Central district. Conditions are better in the south, and Ramnad and Tinnevely actually show some increase in area.

CONCEPTUAL

Smoke detector principle

PSYCHOLOGY

This refers to the idea that the human brain is designed by nature to be paranoid as a defence mechanism to protect itself from possible dangers that could be fatal to its chances of survival. While paranoia can lead the brain to commit a lot of false positive errors, it can, however, help human beings avoid a number of false negative errors which could turn out to be extremely costly as well. This is similar to the way a smoke detector is designed by engineers, who want the device to never miss an actual fire even if such a design causes the device to raise a number of false alarms. The term was coined by American physician Randolph M. Nesse in a 2006 paper.

MORE ON THE WEB

How the Egypt experience unfolded as we cruised the Nile

bit.ly/2DQZbU6