



Standard deviations

Delay in releasing key employment data has undermined the credibility of data officialdom

The resignations of the National Statistical Commission's acting Chairperson P.C. Mohanan and member J.V. Meenakshi appear linked to the Centre's refusal to release new data on employment that were due to be made public in December 2018. They could also be related to unease about the recently unveiled back-series data on the economy, which recorded slower growth during the UPA-led government's rule, and were released by the NITI Aayog bypassing convention and the commission's views. Reports suggest that the findings of the new Periodic Labour Force Survey, for July 2017-December 2018, are not too flattering, with unemployment registering a five-decade high. The government has said no such reservations were expressed by Mr. Mohanan or Dr. Meenakshi during NSC meetings and that the report will be released after 'quarterly' data for the survey period is processed. A key role of the NSC, set up in 2006, is to verify whether data being put in the public domain are reliable and adequate. Information has been collected and disseminated by successive governments under laid-down schedules, earning Indian data greater global trust than most other emerging market peers, especially China.

On the question of job-creation for the youth, the Prime Minister and his Cabinet have been building an argument that jobs abound, but credible data are missing. The National Sample Survey Organisation's quinquennial employment surveys were to be conducted in 2016-17. The year was switched to 2017-18 as the new Labour Force Survey was being prepared to replace it. Separately, a quarterly survey of select employment-intensive sectors initiated by the Labour Bureau after the 2008 global financial crisis, that provided some clarity on ground realities, was inexplicably junked. Instead, proxy data from enrolments into social security schemes for formal sector employees are being touted as a sign of job-creation: economists have rightly called them out as inaccurate. Even then, Arun Jaitley, in his last year's Budget speech, cited 'an independent study' to claim seven million formal jobs will be created in 2018-19. The Centre for Monitoring Indian Economy has pegged job losses in 2018 at 11 million based on its regular employment surveys. The government's coy approach to jobs-related data may be due to its disastrous demonetisation gambit which hurt supply chains and informal jobs in the economy and whose effects have lingered. Contrast this with the NSSO surveys of 2009-10 that revealed little good news on household incomes and job-creation, thanks to after-effects of the global financial crisis. The UPA didn't dither from releasing the data, took criticism on its chin, explained it was an exceptional situation and commissioned another set of surveys in 2011-12 to correct for the timing. The Modi government should have treaded the same path without upending India's statistical integrity.

Hawkish move

The U.S.'s unilateral withdrawal from a nuclear treaty threatens to kick-start a new arms race

The Donald Trump administration's decision to withdraw from the Intermediate-Range Nuclear Forces (INF) treaty with Russia is a retrograde step. Signed in 1987 by Ronald Reagan and Mikhail Gorbachev, it barred both countries from deploying land-launched cruise missiles in the 500- to 5,500-km range. However, Russia appears to have been covertly violating it in letter and spirit. The U.S. in 2008 expressed concern over the Russian Novator 9M729 missile tests and in 2014 alleged that Moscow was testing a ground-based cruise missile. Yet, the U.S. response cannot be regarded as purely retaliatory. Both Mr. Trump and his National Security Adviser John Bolton are on the record expressing what some consider to be a sense of disregard for arms control agreements. Before taking up the NSA role, Mr. Bolton said in his book that the U.S. "arms control theology" had been "kept on life support during the Clinton presidency by devotion and prayer rather than hard reality". Mr. Trump, who scuppered the nuclear agreement with Iran, has hinted he would refuse to abide by a treaty that other parties were disregarding. There is now a sense of alarm that the New Strategic Arms Reduction Treaty (START), which limits both countries' arsenal of intercontinental ballistic missiles, and will lapse in 2021, might be scrapped next.

At the heart of this worrisome echo of the Cold War years is the changing balance of power in global nuclear politics heralded by China's rise as a regional hegemon; its growing arsenal poses a threat in the eyes of strategists in Washington. In 2018, the U.S. Nuclear Posture Review noted that Beijing was steaming forward with the expansion of its cruise-missile arsenal, potentially neutralising the capability of American warships that could seek to approach the Chinese coastline during a standoff. Shifting geo-politics also requires that European concerns be factored into strategic discussions on the INF, particularly because it is Europe that is most immediately threatened by the Russian stockpile. However, going by the surprised reactions from European officials, it appears that Mr. Trump may not have consulted with European allies before announcing the suspension of the treaty. Mr. Trump's thinking may rest on the fact that he could now develop ground-launched missiles, and perhaps keep Moscow's aggression in check through a military-posture superiority, and also save the exchequer some cash, for this option is cheaper than cruise missiles that can be fired from aircraft, ships, or submarines. Nevertheless, in pulling out of the INF, Washington is effectively throwing away leverage it may have had with Russia on an issue of global concern.

Legitimacy of the basic structure

The doctrine may be derived from the abstract. But it exists within the Constitution itself



SUHRITH PARTHASARATHY

It has now been more than 45 years since the Supreme Court ruled in *Kesavananda Bharati v. State of Kerala* that Parliament's power to amend the Constitution was not unlimited, that the Constitution's basic structure was infrangible. But as entrenched as this doctrine might now be, it remains, to some, a source of endless antipathy. There have already been grumblings over the rule's legitimacy in certain quarters in response to challenges made to the recently introduced 103rd Constitutional Amendment, which provides for reservations based on economic criteria in government jobs and education.

Unwarranted censure

The common criticism is that the doctrine has no basis in the Constitution's language. The phrase "basic structure", it's argued, finds no mention anywhere in the Constitution. What's more, beyond its textual illegitimacy, its detractors also believe the doctrine accords the judiciary a power to impose its philosophy over a democratically formed government, resulting in something akin to what Union Minister Arun Jaitley once termed as a "tyranny of the unelected".

Unquestionably, some of this censure is a result of the Supreme Court's occasionally muddled interpretation of what the Constitution's basic structure might be. But to reject the doctrine altogether because the judiciary sometimes botches its use is to throw the baby out with the bathwater. For not only is the basic structure canon legally legitimate, in that it is deeply rooted in the Constitution's text

and history, but it also possesses substantial moral value, in that it strengthens democracy by limiting the power of a majoritarian government to undermine the Constitution's central ideals.

Ever since the Constitution was first amended in 1951, the true extent of Parliament's power to amend the document has been acutely contested. But the dangers inherent in granting untrammelled power to the legislature were perhaps best brought out in a lecture delivered by a German professor, Dietrich Conrad. His talk "Implied Limitations of the Amending Power", delivered in February 1965 to the law department of the Banaras Hindu University, came at an especially fraught time. Only months earlier Parliament had introduced the contentious 17th Constitutional Amendment. Through this, among other things, a number of land reform legislations had been placed into the Constitution's Ninth Schedule. This meant that those laws, even when discriminatory, were immunised from challenge.

But it wasn't the merit of the amendment that troubled Conrad. He was concerned with the suggestion that Parliament's power to alter the Constitution was plenary. Influenced by the theoretical scholarship of the jurist Carl Schmitt, Conrad believed that even if a legislature were bestowed with the widest of powers to amend the Constitution, its authority was always subject to a set of inherent constraints. Parliament, he contended, was, after all, a creature of the Constitution. It could not, therefore, make changes that had the effect of overthrowing or obliterating the Constitution itself.

As A.G. Noorani has pointed out, Conrad was affected by his own country's history. In Germany, the virulent end brought to the Weimar Republic by Nazism had meant that when the country adopted its Basic Law in 1949, it quite explicitly placed checks on



the legislature's powers. This included a bar on lawmakers from amending those provisions of the Basic Law that concerned the country's federal structure, that made human rights inviolable and that established constitutional principles such as the state's democratic and social order.

Questions to ponder

In his lecture, Conrad said India hadn't yet been confronted with any extreme constitutional amendment. But jurists, he warned, ought to be mindful of the potential consequences inherent in granting Parliament boundless power to change the Constitution. How might we react, he wondered, if the legislature were to amend Article 1, for example, by dividing India into two. "Could a constitutional amendment," he asked, "abolish Article 21, removing the guarantee of a right to life? Or could Parliament use its power 'to abolish the Constitution and reinstitute... the rule of a Moghul emperor or of the Crown of England?'"

Although it was delivered to a limited audience, M.K. Nambyar, who was to soon lead arguments in the Supreme Court against the 17th amendment in *Golaknath's* case, was alerted to Conrad's urgings. Devoid of any direct precedent from other Commonwealth nations, where an amendment had been subject to the rigours of

judicial review, Nambyar thought the German experience carried with it a set of important lessons. Were Parliament's powers considered infinite, he argued, the parliamentary executive can be removed, fundamental rights can be abrogated, and, in effect, what is a sovereign democratic republic can be converted into a totalitarian regime.

Interpreting 'amendment'

The court, in *Golaknath*, didn't quite feel the need to go this far. But, ultimately, just four years later, in *Kesavananda Bharati*, it was this formulation that shaped Justice H.R. Khanna's legendary, controlling opinion. While the judge conceded that it wasn't possible to subscribe to everything in Conrad's arguments, this much, he said, was true: "Any amending body organized within the statutory scheme, howsoever verbally unlimited its power, cannot by its very structure change the fundamental pillars supporting its Constitutional authority." Yet, the limitation, wrote Justice Khanna, wasn't as much implicit from a reading of the Constitution as a whole as it was evident from the very meaning of the word "amendment". According to him, what could emerge out of an amendment was only an altered form of the existing Constitution and not an altogether new and radical Constitution.

This interpretation, as Sudhir Krishnaswamy has shown, in some depth, in his book, *Democracy and Constitutionalism in India*, is compelling for at least two reasons. First, it represents a careful reading of the text of Article 368, and, second, it delivers an attractive understanding of the moral principles that anchor the Constitution. Article 368 grants Parliament the power to amend the Constitution, making it clear that on the exercise of that power "the Constitution shall stand amended". Therefore, if what has to remain after an amendment is "the

Constitution", naturally a change made under Article 368 cannot create a new constitution. Such a construal is also supported by the literal meaning of the word "amendment", which is defined as "a minor change or addition designed to improve a text". Hence, for an amendment to be valid, the constitution that remains standing after such a change must be the Constitution of India; it must continue to possess, in its essence, those features that were foundational to it even at its conception.

Now, consider Conrad's extreme example: were an amendment to be introduced relinquishing control over India to a foreign power, would it not result in the creation of a constitution that is no longer the Constitution of India? Would not such an amendment strike at the root of the Constitution's Preamble, which, in its original form, established India as a sovereign democratic republic? On any reasonable analysis it ought to, therefore, be clear that the basic structure doctrine is not only grounded in the Constitution's text and history, but that it also performs an important democratic role in ensuring that majoritarian governments do not destroy the Constitution's essential character.

We must remember that constitutions are not like ordinary laws. Interpreting one is always likely to be an exercise fraught with controversy. But such is the nature of our political design that the court, as an independent body, is tasked with the role of acting as the Constitution's final interpreter, with a view to translating, as Justice Robert H. Jackson of the U.S. Supreme Court once wrote, abstract principles into "concrete constitutional commands". It may well be the case that the basic structure doctrine is derived from the abstract. But that scarcely means it doesn't exist within the Constitution.

Suhrith Parthasarathy is an advocate practising at the Madras High Court

Afghanistan at a crossroads

Any agreement between the Taliban and the U.S. at the expense of the Afghan government and people is doomed to fail



DAVOOD MORADIAN

Afghanistan is seeing growing national, regional and global attempts to seek a peaceful settlement to the conflict. The U.S. is desperate to extricate itself from the war, heightened by an unpredictable President and an ambitious negotiator, Zalmay Khalilzad. This desperation is matched by growing fears in Afghanistan that the Taliban will seek to overthrow the government, as it did in 1994, and that the government, the political class and the democratic constituency will be betrayed by a hasty deal between a desperate U.S. and an overconfident Pakistan. Desperation, fear and hubris may produce a peace agreement, but such an agreement may not bring inclusive and sustainable peace.

Key questions

Addressing the main drivers of the conflict are the principal tenets of any sustainable peace settlement. The causes of the Afghan conflict are religious, ethnic and external in nature. The conflict has been fought over the identity, legitimacy and sovereignty of the Afghan state and society: Should it be a Pashtun-dominated entity or a pluralistic state? Is an Islamist/theocratic emirate a true identity of

the nation or a constitutional republic? Should it be a puppet state of Pakistan or a sovereign and independent state? Should it be a representative or plutocratic state?

There have been numerous peace-making efforts and agreements since the beginning of the conflict in 1979. The leftist Najibullah Ahmadzai, the Mujahideen-led government of Burhanuddin Rabbani, and the Western-installed governments of Hamid Karzai and Ashraf Ghani all pursued political settlements based on the principles of power-sharing and democratic governance but failed.

Since its formation in 1994, the Taliban has remained consistent in its ambition of total victory and establishing "a pure Islamic government". The Taliban is not primarily a nationalistic insurgency fighting a foreign occupation, but an ideological movement determined to re-establish a political order that is in alignment with Pakistan's geo-strategic ambitions. The presence of international troops is an obstacle to the Taliban's goal.

The key questions are (a) whether the Taliban's goal of establishing a "pure Islamic government" is compatible with the principles of pluralism, power-sharing and election-based politics; (b) whether Pakistan will accept a sovereign, independent Afghanistan; (c) whether the potential peace settlement is to be built upon the fragile achievements in the fields of state-building, democratisation, pluralism and connectivity; and (d) whether there will be an effective guarantee and me-



chanism for ensuring the sustainability of any peace agreement.

The role of the U.S.

In March 1979, the U.S. began covertly supporting the Mujahideen via and with Pakistan through 'Operation Cyclone'; it has remained a party to the conflict ever since. However, the U.S.'s Afghan policy has been driven by instinct rather than deliberation. Its current peace efforts are mainly driven by Washington's selfish instincts and ever-changing moods rather than the realities on the ground, particularly the role of the Afghan government and people. U.S. President Donald Trump follows his predecessors in changing the goalposts from conditions-based engagement to cater to the U.S.'s domestic impulses and/or emerging geopolitical attractions.

Neither the current military environment nor the political structure is conducive for a sustained peace process. Unlike the Afghan and the coalition forces, the Taliban is not militarily and politically exhausted and/or desperate. The leadership of the Taliban and their Pakistani enablers have more sta-

mina, resources and reasons to be hopeful of total victory. Their confidence has been reinforced by the Trump administration's 'all bark no bite' approach in dealing with Pakistan.

The Afghan presidential election, in which 17 candidates from different political backgrounds have registered to compete, is scheduled to take place in July. The speedy talk between the U.S. and the Taliban has created a parallel process in competition with the planned presidential election. Many in Kabul rightly fear that the U.S. may sacrifice Afghanistan's nascent democracy and sovereignty to attain its objectives.

Any agreement between the Taliban and the U.S. at the expense of the two principal stakeholders – the Afghan government and the people – is doomed to fail. The Afghanistan of 2019 is fundamentally different from the Afghanistan of the 1990s. Despite many shortcomings, the state of Afghanistan enjoys significant capacity and legitimacy and is endowed with a formidable and growing national security force. On the other hand, both Pakistan and the Taliban remain despised and distrusted by an overwhelming majority. In 2018, the Asia Foundation's annual Afghanistan survey and the nationwide survey conducted by the Afghan Institute for Strategic Studies found that over 90% of the population do not support the Taliban's cause.

In the words of the Taliban, Afghanistan is "the school of jihad" for jihadists around the world.

Therefore, any arrangement with the Taliban would have direct implications for other violent Islamist groups. Separating the Taliban from wider global Islamist movements is the product of Western political duplicity and intellectual naivety.

A trilateral agreement involving Pakistan, the U.S., and the Taliban's Quetta Shura will not be acceptable to other stakeholders in Afghanistan and the region. Inclusivity, realism, sustainability and Afghan ownership should drive the efforts for the peace settlement. For this to succeed, India should join other like-minded and concerned stakeholders to ensure that Afghanistan moves forward rather than be forced to return to the dark age of the 1990s.

The people of Afghanistan want a peaceful, pluralistic and prosperous country. The Taliban can have a role and a place in building and living in such a polity, similar to other Afghan citizens or political groups. A peaceful and prosperous Afghanistan, a peaceful and developed region, and the defeat of the ideology of violent Islamist groups are all interlinked.

But the people of Afghanistan should not be forced to choose between an imposed peace or independence and a constitutional order. An imposed peace will achieve brief victory for one party, but cause long-term suffering and will eventually break down.

Davood Moradian is Director General, Afghan Institute for Strategic Studies, Kabul

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.

Detained in the U.S.

It is unfortunate that some students and their agents are spoiling the name of India by resorting to fraud and unethical means in getting U.S. student visas (Page 1, "U.S. visa fraud: India demands release of students", February 3). A student visa to the U.S. is much coveted as it opens the door to quality education and, possibly, a well-paying job. This has led unscrupulous individuals, sometimes in collusion with institutions, to defraud the system. It is necessary for parents and students to be vigilant and not give room to acts that

bring disrepute to the country and the system.

D.B.N. MURTHY,
Bengaluru

The CBI gets a Director

The controversy over the selection of the new CBI Director is a continuation of the cold war that refuses to dissipate over the posting of a Director to head the premier investigating agency as well as the intransigent stand of the government, which is bent upon having its own way irrespective of the consequences of not having an independent institution.

V. PADMANABHAN,
Bengaluru

The dissent by Congress leader Mallikarjun Kharge is not surprising as he, just like his leader and Congress president Rahul Gandhi, will always be dissenting, attacking and accusing the government on everything that it does. When the Chief Justice of India was also one of the committee members who cleared the name of the new appointee, Mr. Kharge's dissent has no value.

V.S. GANESHAN,
Bengaluru

Guide to leadership

One of the essential qualities that our leaders should have is the ability of succession planning ('ColumnWidth'

page, "What qualities should we expect from our leaders?", February 3). In most of our political parties, the assumed and presumed next lines of leadership are family members of leaders. In certain cases, it is a case of "After me, the deluge". Leaders in all spheres should have the acumen, foresight and selfless courage to encourage and develop the best among their followers to take up their mantle when the situation warrants this. For this to happen, we must have leaders with unimpeachable integrity, rectitude and patriotism. Unfortunately, India has seen

leaders equating themselves with the country.

C.G. KURIAKOSE,
Kothamangalam, Kerala

Herbal formulation

The report on the siddha drug, *Nilavembu kudineer*, showing antiviral activity and immunomodulation was interesting ('Science & Technology' page, "Nilavembu kudineer kills dengue virus, protects from chikungunya", February 3). If anything, it reinforces a fact of singular importance in medical research – the urgent concerns of clinical care and the 'trial and error' experiences that these concerns beget that have

Imagining alternative futures

Why the Young India Adhikar March calls for greater civic solidarity



DEBADITYA BHATTACHARYA & RINA RAMDEV



GETTY IMAGES

The caricaturing of scientific inquiry at the recent Indian Science Congress (ISC) is only symptomatic of the larger ideological thrust through which institutions of higher education in India are now sought to be governed. Further, the choice of venue for the ISC this year – a private university in Punjab – highlights the boost that investors of private capital in higher education receive even as funding cutbacks at public universities have threatened the closure of 167 centres for women's studies and 35 centres for studies in social exclusion. That a proposed Jio Institute was granted the 'Institute of Eminence' status much before it could even open is a grim reminder of state support now being unambiguously willed upon the private model.

It is the same political imperative that is directing public-funded institutions towards 'graded autonomy' – duly recognised as a covert entry point for privatisation. The threat to autonomy is writ large in the recent moves to scrap the University Grants Commission (UGC) as a funding body for higher education, in keeping with the World Trade Organisation's mandate that views education as a tradable commodity, not as a right that every citizen can demand of the state.

Right versus privilege

In 2015, the UGC, citing a fund crunch, resolved to scrap the non-NET fellowship altogether. After student protests across universities (hashtagged on social media as 'Occupy UGC'), articulated how research fellowships were not state doles but instead sought to incentivise knowledge creation, the government was forced to retract the move. But soon after, the release of similar non-NET fellowships for Scheduled Castes/Scheduled Tribes and minority students – namely, the Rajiv Gandhi National Fellowship and Maulana Azad National Fellowship – came to be stalled, pending a new set of guidelines that severely curtailed eligibility.

The Ministry of Human Resource Development's All India Survey on Higher Education (AISHE) Report 2017-18 notes that the Gross Enrolment Ratio across institutions of higher education has risen to 25.8% from 19.4% in 2010-11. The GER is an index of the proportion of citizens between 18 and 23 years – in every sample size of 100 – who have structurally secured entry into tertiary education, while exit figures (drop-outs) are left unaccounted for.

The inflationary tendencies of AISHE figures notwithstanding, the report points out that the GER is 21.8% for SCs and 15.9% for STs "as compared to the national GER". However, deeper scrutiny shows that though the standard formula for calculating GER must take the population census in the relevant age group as the base sample size, the GER for Dalit-Adivasis is produced by altering the methodology.

Instead of taking the Census total as base figure, it is the fractional enrolment count that is used to produce fictions of inflated SC/ST GER. When population data (Table 38 of the report) is read in consonance with enrolment data (Table 14), the arithmetic shows a GER of 3.72% for Dalits and 1.35% for Adivasis. But in an identical age sample of 100 students, a minimum of 17 are from Dalit backgrounds and nearly nine from Adivasi communities. In actual terms, therefore, less than four out of 17 SC students and one out of every nine ST students appear to have entry-level access to higher education. The GER for minority students from non-Hindu backgrounds is a meagre 1.87% (against the official 7.2%). Analysed against Census 2011 data, less

than two out of every 20 minority students move to tertiary education. Ironically, the enrolment ratio for Hindu upper castes is 8.47%, implying that more than eight out of every 10 caste Hindus access higher education. The government's recent electoral gimmick of enabling 10% reservation in educational institutions for "economically weaker" upper-caste sections only performs a complete inversion of affirmative action policies, especially when documented data point to an entrenched legacy of caste-based discrimination.

The withdrawal of non-NET fellowships for the socially marginalised (accompanied by reservations for dominant caste groups) is informed by a policy transition from a public-funded model of inclusive economic planning to a private user-pay principle. It follows from the reform measures proposed by the Ambani-Birla Report on higher education (2000), and subsequently vindicated by the National Knowledge Commission's emphasis on "need-blind admissions" in higher education. The assumption behind a near-complete withdrawal of research funding begins by linking the quest for higher knowledge with an illusion of proportionately higher employment opportunities. But the reality is that with unemployment rates soaring to a 45-year high, the government's disinvestment from the higher education sector can only end up creating a highly skilled, lowly paid, indebted workforce.

The AISHE report contains traces of more statistical falsification – adjusting "growth" in the number of teaching positions by changing the base year for comparison (to 2010-11

from 2013-14). As the report shows (Table 51), there is a sharp annual decline in the number of teachers employed since 2015-16. In the past three years, teaching strength in higher education institutions has fallen from 15.19 lakh to 12.85 lakh, with most of the losses reflected against reserved permanent posts. The move to a 13-point roster in appointments will only aggravate these losses, till teaching becomes an exclusively upper caste profession. Alarmingly, through this period of reduction in teaching jobs, 104 new universities have been instituted, 66 of which are "privately managed". It is no surprise that many of the brightest minds from the best public institutions are now lapped up by elite private universities "equipped with world-class infrastructure".

A pushback

It is clear that a nationalist crusade is only mortgaging public education systems to transnational capital. This is also articulated in the "impatience" that Amartya Sen spoke about in the context of the recent ISC, an impatience that is fomenting student unrest in campuses. It is the same impatience – in the form of anger at being sidelined by iniquitous government policies that are supplanting the vision and promise of the public university – which is fuelling the student-led 'Young India Adhikar March' (to be held on February 7). In the last year or so, one has seen collective rights assertions in the form of well-publicised rallies by farmers, the marginalised and women – all signs of the anger of different constituencies reeling under the policies of an indifferent government. The 'Young India Adhikar March' is a representation of over 40 youth organisations demanding, among other things, an end to fee hikes, gender discriminatory laws, a syllabus free of "saffron" taints, alongside the guarantee of employment and academic, intellectual freedoms of teaching and learning.

If the 'publicness' of public education must come to occupy our idea of the 'nation', it is time we march with our youth and demand the right to imagine alternative futures.

Debadiya Bhattacharya teaches at Kazi Nazrul University, West Bengal. Rina Ramdev teaches at Sri Venkateswara College, Delhi University

FROM THE READERS' EDITOR

We need a validation of good reporting

People suspect claims of policy success that are not backed by field reports



A.S. PANNEERSELVAN

A news ombudsman is in a bind when his criticism of journalism is proved right. While there is an element of personal satisfaction, there is also the pain of witnessing professional shortcomings. In my column, "Discussing an editorial" (Dec. 3, 2018), I had expressed my reservations about the editorial "Number theory" (Nov. 30), which I felt had granted the benefit of doubt on the contentious GDP back series data to the government without subjecting the numbers to close scrutiny.

The practice of data torture

When two members of the National Statistical Commission resigned recently after disagreement with the government on certain issues, including the release of a labour report by the National Sample Survey Office for 2017-18, readers pointed out that the issue of data torture had been addressed in this column. One reader even sent a short sequence from the British sitcom, *Yes Minister*, to show how data are deliberately suppressed by the government. In the sequence, the Prime Minister (PM) asks his officer: "Suppose the report is cautious?"

Sir Humphrey: Well, in that case we don't publish it.

PM: You mean we suppress it?

Sir Humphrey: No, we simply don't publish it.

PM: What's the difference?

Sir Humphrey: Oh, big difference! Suppression is the instrument of totalitarian dictatorships. We don't do that in a free country.

The role of journalism is to cut through the rhetorical clutter and help the reader understand the truth. Reports and opinion pieces are together expected to help us understand reality. Reporting is the bedrock of journalism, while opinion pieces provide a certain gravitas to the profession. Opinion pieces immediately resonate with readers, who either agree or disagree with the piece. The opinion pieces that remain in a reader's memory are those that are also validated by solid reporting. If the findings of a reporter

contradict the opinion writer, as a journalist I tend to trust the reporter rather than the expert.

German sociologist Max Weber contextualised the role of journalism in relation to academic scholarship. He wrote: "Not everyone realizes that to write a really good piece of journalism is at least as demanding intellectually as the achievement of any scholar. This is particularly true when we recollect that it has to be written on the spot, to order, and that it must create an immediate effect, even though it is produced under completely different conditions from that of scholarly research."

It is generally overlooked that a journalist's actual responsibility is far greater than the scholar's. While many recognise the act of verification as the central function of journalism, very few recognise journalism's role of bearing witness to events. It remains the voice of the people.

Reports and opinions

All the rhetoric to justify demonetisation and the multiple revisions of official numbers to generate a positive narrative for the government failed to work because field reports did not validate the claims of the centres of power. Let's look at an important reporting section, Ground Zero. Two months before demonetisation, on September 17, 2016, *The Hindu* carried a field report, "The bane of a bumper crop", which documented how the farmers in Maharashtra's onion belt were getting an unprecedented low price for their produce. A week after demonetisation, a long report, "The warp and woof of demonetisation", documented the crisis in the garment industry in Tiruppur. In 2017, there was another report, "Maximum support, maximum price", which attempted to make sense of agricultural marketing operations.

The gap between reportage and opinion writers is worrying. In *Liberty and the News*, Walter Lippmann wrote: "It does not matter that the news is not susceptible of mathematical statement. In fact, just because news is complex and slippery, good reporting requires the exercise of the highest scientific virtues." If claims of policy success are not backed by field reports, people suspect the claims. No amount of data suppression can help build trust with the government's pronouncement.

readerseditor@thehindu.co.in

SINGLE FILE

Smartphone tourism

Tourism apps have nearly destroyed the joy of discovering places through word of mouth and local lore

SAMIR NAZARETH



It is peak tourist season in Goa and, according to reports, the footfalls have considerably reduced compared to last year. While many reasons are being cited for this, what is interesting is the change in attitude among tourists over the years. While oftentimes the confident strut that a tourist acquires in Goa could

be due to an excess of the Goan party spirit, a more cavalier approach has now become the hallmark of not just Goan but Indian tourism. Rather than approach tourist destinations with sensitivity and contemplation, there is now a sense of bravado, a reckless thirst for adventure, and a mercenary undertone in interactions with locals.

This could be partly due to the rise of information technology, particularly online maps and other applications made available through smartphones that provide tourists a sense of confidence and purpose in unfamiliar places. Bravado and confidence come from knowing that you cannot get lost easily, that all your eating and drinking options are available on the palm of your hand, that even if something were to happen, help can be summoned immediately.

Smartphones and apps have become the bane of Goa. It is commonplace, for instance, to spot motorcycle-borne tourists staring intently at their phones or taking selfies while meandering across public roads, unmindful of the risk to their lives and others' lives. The uploading of such photos, filtered or unfiltered, on social media also means that few places remain untouched by crowds.

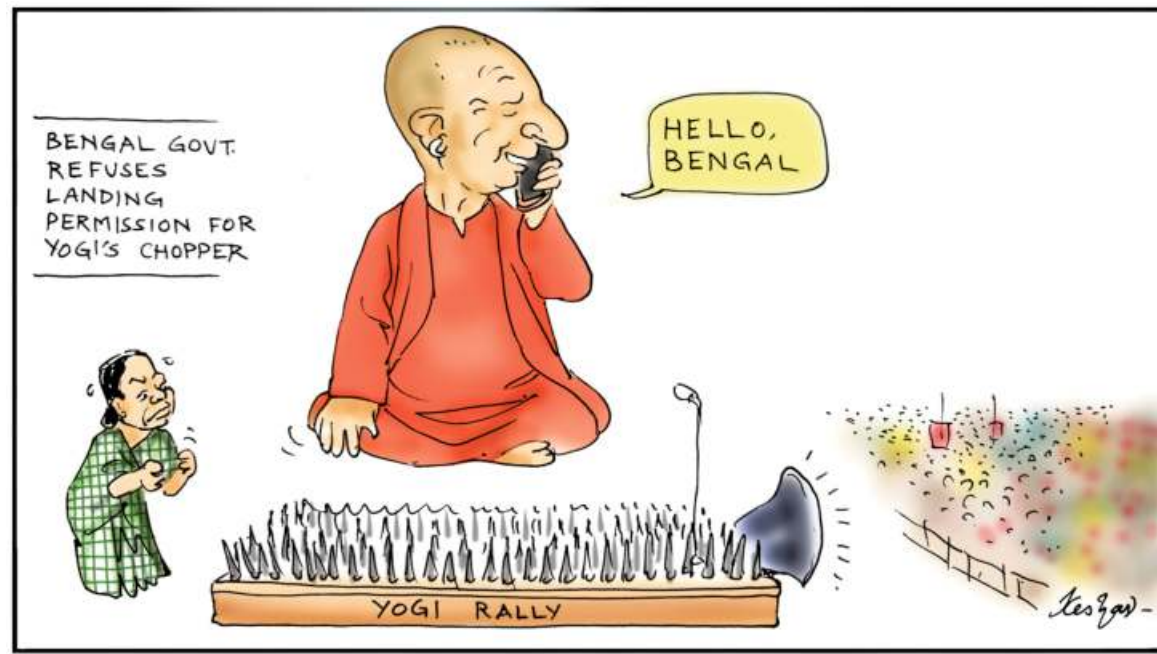
Online apps have made local knowledge and folklore dispensable. Today's sense of adventure comes from following online recommendations of unknown people – even if those suggestions only reinforce stereotypes. What place then for the wonder of serendipitous discovery on tourist trails?

Online maps and tourism advisory portals also increase visitors' Fear of Missing Out. Every potential location to visit is anointed with a certain number of stars, which creates a self-fulfilling prophecy for the place and seems to bestow bragging rights for having been there and done that. Do people even truly enjoy these visits any more?

Easy access to online information makes tourists presumptuous, gives them the false sense of knowing the place, or, worse still, becoming locals. It also makes tourism invasive and the tourist akin to a predator or parasitic species.

Online information such as tourism apps has nearly killed the inherent value and worth of word-of-mouth stories and local lore and brought clichés to the fore. While ignorance may not any longer be bliss, the Goan experience makes it hard to argue that knowledge is power, at least the kind that is in harmony with its surroundings.

The writer is the author of 1400 Bananas, 76 Towns & 1 Million People

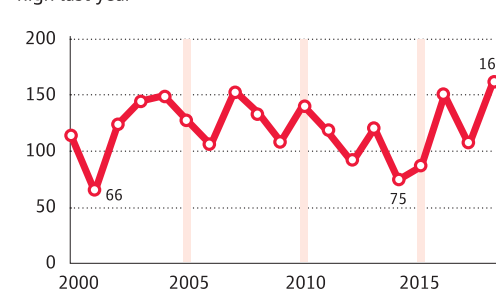


DATA POINT

Crime and punishment

In 2018, 162 death penalty verdicts were pronounced by Indian courts, the highest since the turn of the millennium. Varun B. Krishnan looks at the types of crime for which the death penalty was given, and where the death row convicts are lodged at present

More on the death row | The number of death sentences handed out by the trial courts reached a new high last year



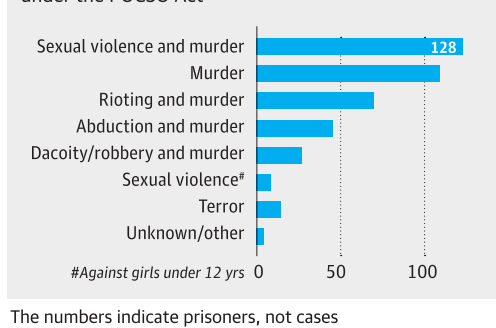
Across courts

In 2018, the Sessions Courts awarded 162 death sentences. Of the 114 death penalty cases handled by the High Courts that year, the majority (50%) were commuted

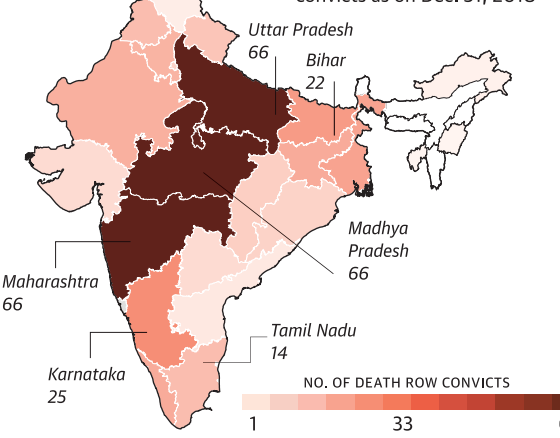
DEATH SENTENCE GIVEN/CONFIRMED
COMMUTED ACQUITTED REMITTED



Rap sheet | The highest number of death sentences between 2015 and 2018 were given for cases involving both sexual violence and murder. Nine were convicted under the POCSO Act



Where are the convicts?
Jails in U.P., M.P. and Maharashtra have the highest no. of death row convicts as on Dec. 31, 2018



FROM THE HINDU ARCHIVES

FIFTY YEARS AGO FEBRUARY 4, 1969

Lakhs pay homage to Annadurai

Several lakhs of grief-stricken men and women from all over the State to-day [February 3] made a pilgrimage to the Government Estate to pay their last respects to Mr. C.N. Annadurai. It was a vast surging humanity jampacking all the approach roads to the Government Estate, demonstrating the fact that the charismatic leader of the South held sway over the hearts of millions of people. Never before had such a mammoth crowd been seen paying homage to a departed leader. In fact, the onrush of people towards the Rajaji Hall in Government Estate where Mr. Annadurai's body lay in state, was so great that repeated attempts to hold them and organise them into orderly queues failed. Mr. Annadurai's body was brought to the Rajaji Hall by about 7 a.m. when thousands of people had already collected to have a glimpse of their "Anna".

A HUNDRED YEARS AGO FEBRUARY 4, 1919

'Capital' Libel Suit. Plaintiff Awarded Damages.

At the [Calcutta] High Court to-day [February 3] Mr. Justice Rankin, delivered a lengthy judgment in the Libel Suit brought by Mr. C.J. Halifax, against "Capital", Ltd., claiming one lakh of rupees as damages. His Lordship said Mr. Halifax was a member of the Punjab Legislative Council, he had served 30 years in the Indian Civil Service and in the course of his career he had held high offices and posts of exceptional responsibility and was Commissioner of Lahore when the paragraph complained of was published. The defendants were the proprietors and the Editor of "Capital". The question before His Lordship was whether the paragraph complained of contained an imputation of immorality against the plaintiff. As a matter of law His Lordship found that the words complained of were capable of defamatory meaning. The article was based on a rumour, but no evidence was produced to prove the existence of the rumour and its existence was disproved.

CONCEPTUAL Performativity

PHILOSOPHY
Performativity as a concept was first developed by the philosopher of language John L. Austin to define the capability of language as a mode of action and not just as a mode of description. It ran counter to the positivist view of speech as essentially comprising utterances that were either true or false. Marriage vows, promises of help, judicial verdicts, placing of bets are all instances of performative utterances that signify indulgence, and not any verifiable description.

MORE ON THE WEB

The Hindu Podcast: Sri Lanka's constitutional crisis, and the Tamil question

http://bit.ly/TheHinduPodcastLanka