



Balance and tilt

SC order on rebel MLAs hands over the floor advantage to the Karnataka Opposition

The Supreme Court's interim order stating that the 15 dissident Karnataka legislators cannot be compelled to attend the House, means they are not bound by any whip relating to the trust vote moved by Chief Minister H.D. Kumaraswamy. This gives the numerical advantage in the House to the BJP-led Opposition. Without the support of the 15 lawmakers, the ruling coalition will be reduced to a minority. The other limb of the order permits the Speaker to decide on the resignation of these MLAs in a time-frame he considers appropriate. Although the court says there was an imperative necessity "to maintain the constitutional balance", the order tilts the odds in favour of the Opposition in the vote. It amounts to holding that provisions of the anti-defection law, under which parties can issue whips to their members to vote in a particular way, will not be applicable to the 15 MLAs. The order raises the concern whether it does not constitute a perilous precedent for granting *ad hoc* judicial exceptions from constitutional provisions on defection and set the tone for future judicial intervention to suspend the operation of any whip in respect of a few. Alternatively, the court, which is understandably reluctant to intervene in the Speaker's power ahead of his decisions, could have refrained from making any orders about the legislators' presence during the trust vote, and made it clear that any action against them arising out of their absence or manner of voting would be subject to judicial review.

To be fair to the Supreme Court, it is being burdened with the task of unravelling political knots created by amoral strategems. In this case, the "political thicket" into which the court has been dragged has its origins in manoeuvres to reduce the combined strength of the Janata Dal(S) and the Congress. In a bid to thwart tactical resignations, the government and the Speaker adopted the counter-strategy of not immediately accepting them, but initiating or pursuing disqualification proceedings. One of the questions in the litigation is whether it is resignation or disqualification that should get priority. The objective of disqualifying the MLAs rather than allowing them to quit will not save the government, but it will prevent them from taking oath as ministers in an alternative Cabinet. Though the court's order recognises the Speaker's authority to rule whether the resignations are genuine, and fixes no time-frame, it is a Pyrrhic victory; for, their continuance as members puts them under no obligation to vote for the government in view of the allowance given to stay away during the vote. The dissident MLAs risk nothing other than their seats, certainly not the opportunity to join the Cabinet of a successor-government. When the court takes up the substantive questions of law for adjudication, it should squarely address the new-found interplay between issues of resignation and disqualification, lest it become a perennial source of political controversy.

Sword against pen

India needs a free and independent media for its own well-being

Journalists are facing heightened threats around the globe, according to the 2019 World Press Freedom Index compiled by Reporters Without Borders (RSF), covering 180 countries and territories. It notes that the number of countries regarded as safe for journalists is on the decline; this should be a wake-up call. Hatred of journalists has degenerated into violence in many places, and India is no exception. In 2018, at least six Indian journalists were killed in the line of their work, the report said. India's rank fell by two places to 140 from 138 – in 2016 it was 133 and in 2017 it was 136. In 2014 India's ranking was 140, but this year's setback is qualitatively different. The report notes that organised campaigns by supporters of Hindutva "to purge all manifestations of 'anti-national' thought from the national debate" is putting journalists in danger. Women journalists are particularly at the receiving end, and covering sensitive but important topics of public interest such as separatism in Jammu and Kashmir and Maoist insurgency has become more difficult. Authorities use anachronistic sedition laws against journalists, who also face the wrath of militants and criminal gangs.

Hostility towards the media is a defining feature of hyper-nationalist politics in many countries. In India, the Centre and several State governments have not merely shown extreme intolerance towards objective and critical reporting but also taken unprecedented measures to restrict journalism. The Finance Minister's recent order barring credentialed reporters from the Ministry's premises is a case in point but this is not an isolated measure. There is a systematic attempt to limit the scope of journalism in India through physical restrictions, denial of information and hostile rhetoric against journalists by senior government functionaries. The Narendra Modi government is unlikely to take the RSF report seriously. While expression of concern by foreign countries or global bodies regarding human rights, religious violence or media freedom is routinely dismissed as external interference in India's sovereignty, the government knows all too well that in a globalised world these perceptions matter. What else would explain the Prime Minister's single-minded pursuit to improve India's position in the World Bank's annual Ease of Doing Business ranking? If India is concerned about its reputation in terms of business and investment, it should be equally or even more concerned about its standing as a democratic, pluralist country with a free and dynamic press. That is not so much for the inflow of investment or luring global corporations, which may care little about a destination-country's democratic credentials – but for India's well-being.

At the UNSC, a three-point agenda

India should once again become a consensus-builder, instead of the outlier it has progressively become



JAYANT PRASAD

India's singular objective as a non-permanent member of the United Nations Security Council (UNSC) in 2021-22 should be to help build a stable and secure external environment. In doing so, India will promote its own people's prosperity, regional and global security and growth, and a rule-based world order. It could emerge a partner of choice for developing and developed countries alike.

India's representation in the UNSC has become rarer. It is to re-enter the Council after a gap of 10 years. The previous time, in 2011-12, followed a gap of 20 years. In total, India has been in the UNSC for 14 years, representing roughly a fifth of the time the United Nations (UN) has existed. India must leverage this latest opportunity to project itself as a responsible nation.

Changing state of world

India finds itself in a troubled region between West and East Asia, a region bristling with insurgencies, terrorism, human and narcotics trafficking, and great power rivalries. There has been cataclysmic dislocation in West Asia. The Gulf is in turmoil. Though the Islamic State of Iraq and the Levant (Daesh) has been defeated, Iraq and Syria are not going to be the same as before. Surviving and dispersed Daesh foot soldiers are likely preparing new adventures, many in their countries of origin. The turbulence in West Asia is echoed in North and South Asia, a conse-

quence of the nuclear and missile tests by the Democratic People's Republic of Korea and Afghanistan's slow but unmistakable unravelling from the support, sustenance and sanctuary provided in its contiguity to groups such as the Haqqani network, the Taliban, and al-Qaeda. Other problems in Asia include strategic mistrust or misperception, unresolved borders and territorial disputes, the absence of a pan-Asia security architecture, and competition over energy and strategic minerals.

Alongside, the western world is consumed by primordial, almost tribal instincts, turning its back on the universal values it once espoused as western values. Pundits and political scientists, who had spoken of the end of the nation state and the end of history itself, are grappling with the rise of new nationalism.

The benign and supportive international system that followed the Cold War has all but disappeared. At the beginning of this century, the words 'national interests' had acquired almost a pejorative connotation. They are now back in currency. Fear, populism, polarisation, and ultra-nationalism have become the basis of politics in many countries. No wonder that five years ago, when Henry Kissinger completed his latest work, *World Order*, he found the world to be in a greater state of disorder than at any time since the end of World War II.

Even so, the world is in a better place today than when the UN was first established. The record on maintaining international peace and security, one of the prime functions of the UNSC, has been positive, with or without the UN. The world has been distracted from its other shared goals, especially international social and economic cooperation. Although



GETTY IMAGES/ISTOCKPHOTO

coordination between 193 sovereign member nations will be difficult, it is well worth trying. To this end, the permanent members (P-5) as also other UN members must consider it worth their while to reform the Council.

A report by PricewaterhouseCoopers, "World in 2050", predicts that by 2050, China will be the world's number one economic power, followed by India. In China's case, this is subject to its success in avoiding the middle-income trap. And in India's, to more consistent economic performance than the experience of recent years. That said, one of the challenges of the international system today, and for India in the UNSC, is that this profound impending change is largely unrecognised by the great powers and other countries.

What should India aim to do?

There is no need for India to fritter away diplomatic goodwill in seeking an elusive permanent seat in the UNSC – it will come India's way more by invitation and less by self-canvassing. India will have to increase its financial contribution, as the apportionment of UN expenses for each of the P-5 countries is significantly larger than that for India. Even Germany and Japan today contribute many times more than India. Although India has been a leading provider

of peacekeepers, its assessed contribution to UN peacekeeping operations is minuscule.

At a time when there is a deficit of international leadership on global issues, especially on security, migrant movement, poverty, and climate change, India has an opportunity to promote well-balanced, common solutions.

First, as a member of the UNSC, India must help guide the Council away from the perils of invoking the principles of humanitarian interventionism or 'Responsibility to Protect'. The world has seen mayhem result from this. And yet, there are regimes in undemocratic and repressive nations where this yardstick will never be applied. Given the fragile and complex international system, which can become even more unpredictable and conflictual, India should work towards a rules-based global order. Sustainable development and promoting peoples' welfare should become its new drivers.

Second, India should push to ensure that the UNSC Sanctions Committee targets all those individuals and entities warranting sanctions. Multilateral action by the UNSC has not been possible because of narrowly defined national interest. As on May 21, 2019, 260 individuals and 84 entities are subject to UN sanctions, pursuant to Council resolutions 1267, 1989, and 2253. The U.S. Department of Treasury's Office of Foreign Assets Control maintains a larger list of individuals and entities subject to U.S. sanctions. The European Union maintains its own sanctions list.

Third, having good relations with all the great powers, India must lead the way by pursuing inclusion, the rule of law, constitutionalism, and rational internationalism. India should once again become a consensus-builder, in-

stead of the outlier it has progressively become. A harmonised response is the sine qua non for dealing with global problems of climate change, disarmament, terrorism, trade, and development. India could take on larger burdens to maintain global public goods and build new regional public goods. For example, India should take the lead in activating the UNSC's Military Staff Committee, which was never set into motion following the UN's inception. Without it, the UNSC's collective security and conflict-resolution roles will continue to remain limited.

Looking at polycentrism

A rules-based international order helps rather than hinders India, and embracing the multilateral ethic is the best way forward. India will be a rich country in the future and will acquire greater military muscle, but its people will remain relatively poor. India is a great nation, but not a great power. Apolarity, unipolarity, a duopoly of powers or contending super-powers – none of these suit India. India has a strong motive to embrace polycentrism, which is anathema to hegemonic powers intent on carving out their exclusive spheres of influence.

Finally, India cannot stride the global stage with confidence in the absence of stable relations with its neighbours. Besides whatever else is done within the UN and the UNSC, India must lift its game in South Asia and its larger neighbourhood. Exclusive reliance on India's brilliant team of officers at its New York mission is not going to be enough.

Jayant Prasad has served as Ambassador in several stations and is a former Director General of the Institute for Defence Studies and Analyses

Takeaways from the Kulbhushan Jadhav case ruling

India's more successful legal journey to the ICJ must now reshape New Delhi's approach to potentially difficult situations



ARJUN SUBRAMANIAM

Kulbhushan Jadhav, the former Indian Navy officer, who was allegedly abducted by Pakistani intelligence from Iran and sentenced to death on charges of espionage and terrorism by a farcical military court in Pakistan, has been given a glimmer of hope by the ruling of the International Court of Justice (ICJ). Responding to a petition by India that sought an annulment of his death sentence because Pakistan had violated numerous international treaties and extracted irregular confessions under coercion, the ICJ, on July 17, 2019, ruled with a decisive vote (15-1) that Mr. Jadhav cannot be executed by Pakistan, and that he must be given adequate consular access and a fair trial. The ruling also urged Pakistan to review his conviction. This constitutes a major diplomatic and legal victory for India, with Pakistan accusing India of 'ambushing' it at The Hague.

Focussed strategy

Given its rather lukewarm record in the past of securing the release of Indian detainees in Pakistan through bilateral negotiations, In-

dia's strategy in this case has been to exploit increasing international acceptance that Pakistan was an emerging 'rogue' state. Laying stress on Pakistan's scant regard for Article 36 of the Vienna Convention on Consular Relations – it deals with the arrest, detention and trial of a foreign citizen – India's counsel, Harish Salve, highlighted two compelling arguments. First was the arrest process, which was not accompanied by an immediate notification to Indian consular officials in Islamabad. There was a delay of over three weeks before India was informed, and it was during this period, according to reliable sources from within Pakistan, that Mr. Jadhav was subjected to all means of coercion and forced to sign a 'confession taken under custody' without adequate legal representation. Second was the two-way denial of access and communication by any means between Mr. Jadhav and consular officials and a failure to inform him of the rights he enjoyed under the convention.

The legitimacy of military courts has always been controversial within the international legal system that emerged in the post-World War II era as a fast-track system of delivering skewed justice by authoritarian regimes and military dictatorships. Purportedly set up in Pakistan in 2015 as a counter-terrorist and anti-corruption initiative, Mr. Jadhav's sentencing in April 2017 was based on confes-



AFP

sions taken in captivity and is part of several arbitrary sentences by Pakistan's Military Court.

Violation of rights

The International Covenant on Civil and Political Rights (ICCPR) recognises the right to an effective defence against criminal charges, and to a fair and impartial trial, in which the accused is represented by a lawyer of his choice. By denying consular access, Pakistan has stood in gross violation of both the Vienna Convention and the ICCPR. Had due process been followed, and then had Mr. Jadhav been charged with espionage, India may not have had the necessary room to take the matter to the ICJ.

By attempting to circumvent the 'due diligence' process, Pakistan has exposed serious chinks in its legal environment and jeopardised its standing in the comity of nations. The Jadhav case has also revealed Pakistan's desperation in its search for 'proxies' as drivers of the internal unrest in Balochistan. Reliable sources within India's in-

telligence agencies hint at the possibility of Mr. Jadhav having been abducted by armed groups operating on the border between Iran and Balochistan. Pakistan is known to have used proxy Sunni groups such as the Jaish al-Adl against Iran, and Iranian officials have often spoken to their Indian counterparts about Pakistan's sponsorship of terrorist activities along the Iran-Pakistan border. A testimony to the growing menace of this group is its recent designation as a front of Jundullah – which is a 'Specially Designated Global Terrorist'.

India has shown both intent and resilience in attempting to secure the release of Mr. Jadhav despite the many hiccups along the way. Following a synergised approach steered by the National Security Adviser and the External Affairs Minister, India fought the kidnapping of Mr. Jadhav, an Indian national who was legitimately residing in Iran after retirement from the Indian Navy. Realising, in 2017, following his death sentence that the overall deteriorating relations between India and Pakistan had closed the door on any bilateral way of securing his release, India rightly chose to go the 'international way' by fielding a formidable legal team led by the jurist, Harish Salve. Sparring no efforts on the human aspects of the case too, India managed to get Mr. Jadhav to meet his mother and wife after the death sentence was pronounced.

The first success achieved by the Indian legal team was on May 9, 2017 when the ICJ sent an urgent message to the Prime Minister of Pakistan, urging him to stay the execution till India's case was heard fully and the ICJ arrived at a verdict. Moving slowly but surely through the legal battle for over two years, India, has been demonstrating significant synergy between various stakeholders in the case.

The final verdict will, hopefully, galvanise the Indian establishment to step on the pedal and exert pressure on Pakistan to rescind the death sentence and allow Mr. Jadhav consular access and legitimate legal platform to mount his defence. While it would be wishful thinking to assume that Mr. Jadhav would return to India soon, there is a glimmer of hope on the horizon that the Indian strategic establishment would do well to exploit. Having deftly navigated the legal and diplomatic channels and restrained the Pakistan military by securing manoeuvring space following the ICJ verdict, a leading power such as India must demonstrate its intent and capacity to extract desirable outcomes out of potentially difficult, or seemingly impossible situations. Kulbhushan Jadhav's case is one such challenge.

Arjun Subramaniam is a strategic commentator and Visiting Professor at Ashoka University

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.

An exclusionary tactic

It is obvious that both the Centre and Assam government want to deprive more people from inclusion in the National Register of Citizens (NRC). Hence, they are seeking a re-verification of 20% of those already enrolled (Front page, "Centre, Assam move SC for sample re-verification of NRC," July 17). There have been many disturbing reports on the anomalies in the process of NRC updation, especially about the use of locally developed Digitised Legacy Data software without subjecting it to the rigours of necessary testing. Moreover, there are also reports that complete data on the 1951 NRC and electoral rolls of 1966 and 1971, based on which the present NRC is being updated, are unavailable.

As mentioned by the writer in her article, "The many hurdles in proving citizenship" (OpEd page, July 17), a majority of those left out of the NRC are impoverished and illiterate. They are not in a position to fight for their legitimate rights in the court of law and are in danger of being declared "foreigners" even though they could be genuine nationals.

S.K. DEB,
Kolkata

Disqualify the defectors

It has become routine for elected representatives to change loyalties for pecuniary benefits, threatening the stability of an elected government, following which a different party captures power. This amounts to a clear breach of the trust of voters who elected the MLAs and

endangers the very fabric of democracy. The present Anti-Defection Law does not act as a deterrent. Hence, it needs to be suitably amended to ensure that members of a party, irrespective of the numbers, are not able to defect till they complete their full term (Editorial, "Karnataka conundrum", July 15). If they defect, they should be disqualified.

M. GOVINDARAJ,
Gudiyatham, Tamil Nadu

A test of federalism

Elected representatives from non-Hindi-speaking States are often compelled to protest against the Central government for conducting recruitment tests only in Hindi or English and denying an equal opportunity to many candidates (Front page, "Centre annuls test to

recruit postmen," July 17). Such quiet enforcement, where the state favours one or two languages for competitive recruitment exams, is against the principles of federalism and especially disadvantages those living in rural areas.

H.N. RAMAKRISHNA,
Bengaluru

A realistic move

The postponement of Chandrayaan-2's launch need not be viewed as a dampener. The ability to identify a malfunctioning component and recognise the attendant risk is as laudable if not more as a successful launch. We need to take lessons from the disaster that befell NASA's Challenger space shuttle on January 28, 1986 (Editorial, "Waiting for daybreak", July 16). A design fault in one of its components had been

known to NASA scientists. Since, on the day of the launch, the temperature was below the permissible limit, the engineers raised an alarm. However, President Ronald Reagan's address scheduled for the same evening had included a 'successful launch' in its content. To avoid embarrassment, NASA's management overruled the technical advice. Soon after lift-off, the launch vehicle exploded, killing all the seven crew members. The Rogers Commission concluded that NASA's organisational culture and decision-making processes were the culprits. Physicist Richard Feynman observed that "for a successful technology, reality must make precedence over public relations, for nature cannot be fooled". The ISRO team should be

congratulated because the presence of the President of India at the launch site did not weigh on them and they placed reality above public relations.

R. NARAYANAN,
Thiruvananthapuram

Judges not 'Lords'

The Rajasthan High Court's decision to do away with the archaic practice of addressing judges as 'My Lord' and 'Your Lordship' is laudable and can be emulated by other courts. In the place of 'My Lord', 'Mr. Judge', can be used. The custom of calling a judge 'Your Honour' can also be dispensed with ("Rajasthan HC seeks to dispense with 'My Lord'," July 15).

K. PRADEEP,
Chennai

MORE LETTERS ONLINE:
www.hindu.co.in/opinion/letters/

Turkey's tilt towards Russia

Why Ankara is ready to risk NATO's ire over a defence deal with Moscow



In November 2015, a Turkish F-16 shot down a Russian fighter jet over the Syrian border, ratcheting up tensions between Moscow and Ankara. There were speculations that Russian President Vladimir Putin would retaliate. But Mr. Putin didn't take any military action against Turkey. Instead, he stayed focussed on his strategic goal of defeating the anti-regime rebels and jihadists and bolstering Syria's existing state institutions. Mr. Putin's strategy was not to attack Turkey, but to win over it. He exploited the cracks in the Atlantic alliance, especially in U.S.-Turkey relations. Evolving regional equations also favoured his bet. On July 12, three and a half years after the Russian bomber was downed by the Turks, Ankara received the first batch of the S-400, Russia's most advanced missile defence systems, despite threats and warnings from the U.S. and NATO.

An irony This is a pivotal moment in the post-Soviet order. Turkey is a NATO member and also hosts a U.S. airbase in Incirlik. Turkey's strategic location, in the intersection of southern Europe, Central Asia and West Asia, makes it a pricey catch in geopolitical games. During the Cold War, Turkey was a key buffer for the Atlantic powers against the Soviet Union. Even after the Soviet Union disintegrated, the U.S. continued to maintain a close alliance with Ankara. But now, a high-tech Russian missile system protects a NATO nation's airspace. This is an irony as the idea of NATO, a relic of the Cold War, is to check Russia. The U.S. has raised several technical issues over Turkey acquiring the S-400. It fears the system will gather data from the latest radar-evading American bombers, F-35, for which Turkey has placed an order. In response to Turkey's decision to go ahead with the S-400 deal, the U.S. has already suspended training programmes for Turkish pilots. Ankara



"Russian President Vladimir Putin has made a few compromises to keep Turkey tilting." Turkish President Recep Tayyip Erdogan and President Putin at a joint press conference after a meeting in Ankara in April 2018.

could also attract sanctions from Washington. But beyond these issues, the political point of a NATO member defying NATO and a powerful member of the alliance to buy Russian weaponry is what makes the S-400 deal the hottest post-Soviet weapons agreement. Turkey's failed bet Why did Turkey defy the U.S., even risking sanctions when its economy is underperforming? A host of factors led President Recep Tayyip Erdogan to redirect foreign policy. The fissures in U.S.-Turkey ties date back to the 2003 Iraq War when Ankara refused to be a launchpad for the American invasion. During the Syrian crisis, Turkey wanted the U.S. to interfere in Syria on behalf of the rebels and overthrow the Assad regime, but the Obama administration refused to do that. Turkey at that time was betting on the Arab Spring as a foreign policy tool to expand its influence in West Asia and North Africa. The expectation was that the dictatorships in the region would be replaced by Islamist political parties (say, the Muslim Brotherhood which is ideologically aligned with Turkey's ruling Justice and Development Party). But this bet was counterproductive, especially in Syria. In the initial years of the Syrian crisis, the porous Syrian-Turkish border was a crucial transit point for rebels and jihadists alike. By the time Turkey started sealing the border, the Islamic State (IS) had established itself as a dominant player in Syria.

The IS initially attacked Syrian government forces and rebel groups. But once it started facing the heat on the battlefield, it turned against Turkey, carrying out a host of terror attacks in 2016. Another consequence of Turkey's failed Syrian bet was the empowerment of Syrian Kurdish rebels, who have close ideological and military ties with the Kurdistan Workers' Party, which has been fighting the Turkish forces for decades. When Kurds fought the IS in the battlefield, the U.S. started supporting them directly. So Turkey lost all sides in Syria. It failed to topple the Assad regime as the Russians and Iranians came to the regime's rescue. The porous border policy backfired as jihadists turned against Turkey. Finally, there is an empowered Kurdistan across the border controlled by battle-hardened Kurdish rebels, who Turkey sees as its primary enemies. Turkey accepted this new reality. It gave up its demand to topple the Assad regime, and shifted its focus to creating a buffer between its border and Syrian Kurdistan. For this it needs Russian and Syrian help, as the Syrian government also doesn't want to see the Kurds being empowered any further. But Kurds were the U.S.'s partners in the war against the IS, and over 2,000 U.S. troops are still stationed in Syrian Kurdistan. Here Turkey's interests directly clash with the U.S.'s. There were other issues as well. Ankara blames Fethullah Gulen, a U.S.-based Turkish cleric, for the 2016 failed coup bid against Mr. Er-

dogan, and wants him to be extradited to Turkey. (Turkey also issued an arrest warrant against a former top CIA officer with links to Mr. Gulen.) The U.S. refused to give in to Turkey's demands. Turkey also wanted to buy the Patriot missile defence system from the U.S., but Washington initially was not keen on selling it to Ankara. As all these issues piled up, Turkey turned to a willing Russia.

Putin's calculus For Mr. Putin, Turkey is a big win, a luxury which even his Soviet bosses didn't have. If it has Turkey on its side, Russia will have seamless access to the Mediterranean Sea from the Black Sea (where it has Naval bases) through the Bosphorus Strait. And if Russia wants to deepen its engagement in West Asia in the long term, Turkey's role would be critical. Mr. Putin has made a few compromises to keep Turkey tilting. He didn't do anything when Turkey invaded Afrin, a largely Kurdish town on the Syrian side, last year, despite protestations from Damascus. Also, after freeing much of Syria from rebels' hands, Russia didn't do the same in Idlib, Syria's last rebel/jihadist-held enclave where pro-Turkey rebels are also stationed. Instead, Russia initiated talks with Turkey and Iran for truce, and reined in the Syrian government. Step by step, Mr. Putin lured Turkey to his side.

This doesn't mean that Russia and Turkey have become new regional allies. There are still structural issues between them. In Syria, where both countries continue to back rival sides, the crisis remains unresolved. Turkish national security establishment has historically been aligned with the U.S. Russian and Turkish interests vary in several other countries, from Libya to Israel. But the unmistakable message that Turkey has sent is that the U.S. is no longer an indispensable partner in its national security strategy. Turkey has also told NATO that it's ready to risk the organisation's ire over a defence deal with Russia. Turkey is tilting. The U.S. will have to either mend its ways to retain a drifting Turkey or take retaliatory steps against an ally. Either way, it's a "check" by Mr. Putin on the grand geopolitical chessboard.

stanly.johny@thehindu.co.in

The price of a good cuppa

The lives of tea-estate workers in West Bengal have worsened in many aspects over the years



The tea plantation sector continues to play a significant role in the economy of north Bengal. There are 276 organised tea estates spread over the three tea-growing regions of West Bengal: Darjeeling Hills, Terai and Dooars. Besides the formally registered large tea plantations, there are thousands of small growers. According to one estimate, the plantations employ about three lakh permanent daily-wage workers. However, despite their large numbers, the issues of tea plantation workers, such as labour standards and violation of human rights, hardly get any space in the media, let alone being discussed in policy circles. As the plantations are located in remote places, the narratives of deprivation remain confined to these alienated enclaves.

Our independent survey in 30 tea gardens across West Bengal in 2017 revealed that the living conditions in the plantations have not seen any improvement in decades. In fact, the situation has worsened in some respects in recent years, despite the presence of laws for labour protection.

Dismal implementation of law The Plantations Labour Act (PLA), 1951 gave certain social and economic rights to the workers. Nevertheless, the ground realities point to a dismal implementation of the Act's major provisions in West Bengal. For instance, though the Act makes it mandatory to provide housing accommodation to every worker and his/her family, almost one-third of the 501 surveyed households were found to be living in huts made of wood, mud, straw and dry leaves. Further, half of them were living in semi-kutcha homes and only a fourth of the families were residing in pucca houses. Moreover, one in 10 homes did not have electricity. Water and sanitation remained a major issue. Half of the households lacked safe drinking water and toilets. Latrines had not been set up in labour lines by the management of many tea estates and plantations and though some toilets had been constructed through government initiatives, they were not properly maintained. Hence, labourers had to go to the fields to relieve themselves.

Access to quality education remained a dream for the children of the plantation workers as the government schools were in a shambles. Many of the children either never had an opportunity to go to school or attained education only up to the primary level (nearly 40% of those surveyed belonged to these categories). Further, workers in certain plantations reported that they were unable to send their children to high school because of the distance. Though the PLA requires plantation owners to provide transport for schoolchildren, many estates chose to look the other way. Further, though the PLA makes provision of medical facilities mandatory, only four of the 30 tea gardens surveyed were found to have fully functioning hospitals. More than half of them did not have hospitals at all and of those that had a medical facility, most did not have a residential doctor.

Lack of quality medical care The unhealthy living conditions, coupled with a lack of quality medical care, had a bearing on the health of the workers. Respiratory and digestive diseases were common while many reported chronic ailments such as hypertension, diabetes, arthritis and asthma. Nonetheless, one-sixth of the sick workers did not seek treatment. Apart from being deprived of their PLA entitlements, at least 11% of the workers reported denial of rations from the Public Distribution System as they did not possess ration cards. Not surprisingly, these deprivations pushed them further into the vicious cycle of poverty, hunger and malnutrition. Every second child under the age of five was found to be stunted and starvation deaths were very common. However, these issues did not come into public knowledge as governments refused to acknowledge them.

The PLA is considered to be one of India's most labour-friendly pieces of legislation. However, it remains largely unenforced and governments have turned a blind eye to the infractions. In the light of what our survey has found, there is a need to recognise that provision of services mandated by the PLA would call for a far-reaching enforcement. However, so far, the state has not demonstrated the political will needed to raise the standard of living of tea-plantation workers. It is high time governments, both at the Centre and in West Bengal, ensured that the workers are able to live a life of dignity.

Soumitra Ghosh is an Assistant Professor at Tata Institute of Social Sciences, Mumbai

The benefits of blockchain

India could take a leaf out of Europe's book instead of calling for a blanket ban on cyptocurrencies

ANIL K. ANTONY & ANKUR PRASAD

The Banning of Cryptocurrency and Regulation of Official Digital Currency Bill, 2019 has proposed stringent penalties, including 10 years of imprisonment, for holding, selling or dealing in cryptocurrencies such as Bitcoin. Given the high chances of cryptocurrencies being misused in money laundering, various government bodies such as IT, CBDT, and the customs departments have endorsed this endeavour. While it is important to put mechanisms in place to deter bad actors, a blanket ban on all forms of cryptocurrency transactions will result in India missing out on what may become one of the biggest technology revolutions since the Internet.

The potential of blockchain While an oversimplification, blockchain can be described as a way for people to share extra space and computational power in their computers to create a global supercomputer that is accessible for everyone. Every computer connected to a blockchain network helps validate and record transactions. People who connect their computers to a network are known as validators and receive transaction fees in the form of tokens.

Many technologists believe that the blockchain industry is poised for an explosion similar to what happened to the smartphone industry. None of us could have imagined services such as Google Maps or Uber which came to fruition due to the new mobile platform. Start-ups have already built thousands of apps on blockchain platforms like Ethereum. However, these apps aren't easily available to non-tech savvy consumers through an app store, and hence their usage remains low. They also face technical problems including scalability and slowing down of the network when many people use these apps simultaneously. New companies such as Algorand and Casper-Labs are investing millions in research and development and are close to solving these issues.

Blockchain technology has the potential to create new industries and transform existing ones in ways we cannot imagine. For instance, it has the capacity to facilitate nano-pay-

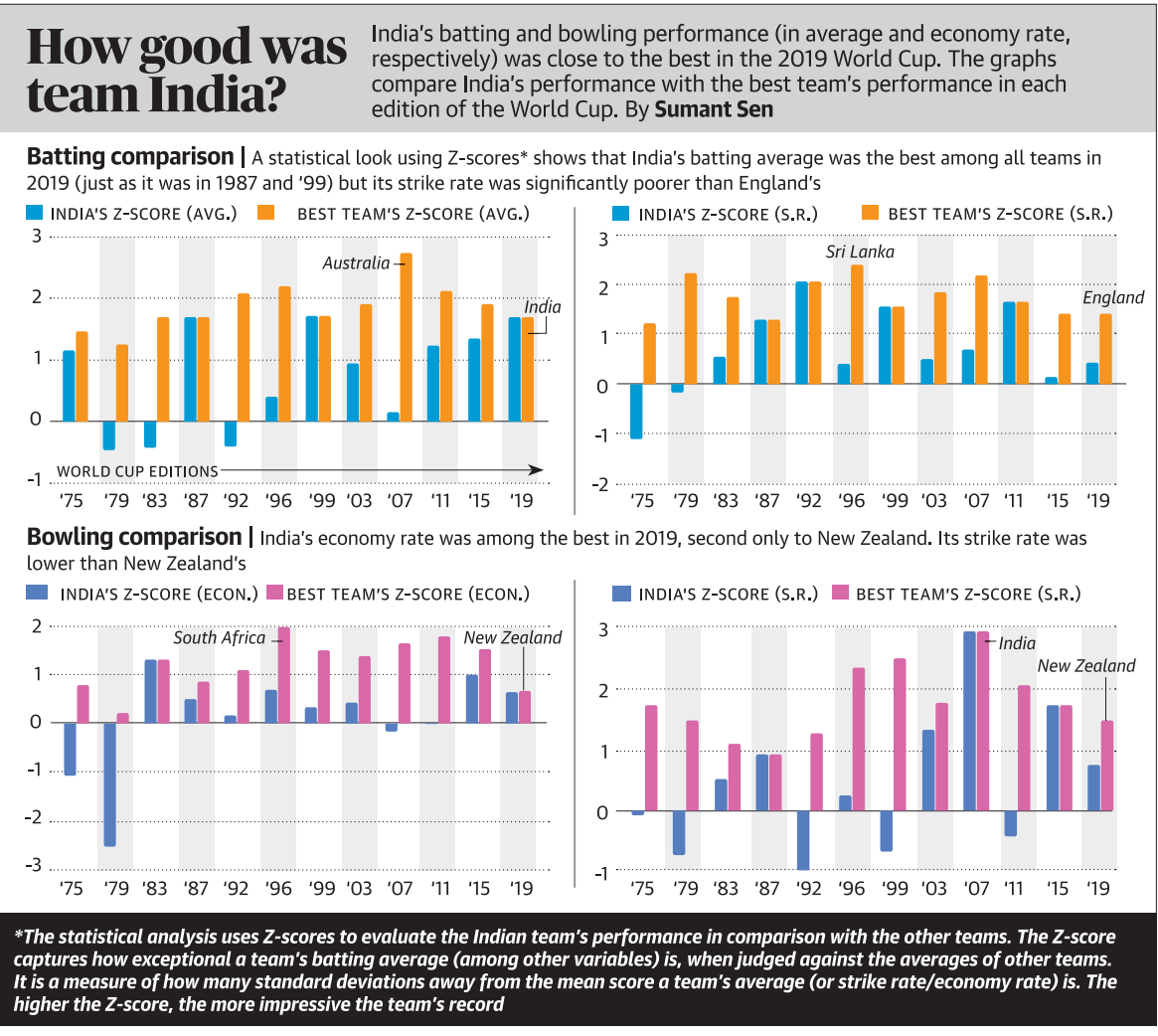
ments proportionate to an individual's contribution and value creation in the Internet, making it an ideal wealth redistribution tool for our digital age. Even big technology companies have started to take blockchain applications seriously. Facebook, for instance, recently announced its own cryptocurrency to facilitate payments globally with minimal fees and no dependency on a central bank. Venture capitalists invested \$2.4 billion in blockchain and cryptocurrency start-ups in 2018. So far, 2019 is poised to exceed this benchmark. None of the above is possible without the underlying tokens that facilitate transactions in a blockchain network. A law to ban holding or transacting in cryptocurrency would not only prevent Indians from reaping economic benefits by participating in blockchain networks as validators and earning transaction fees, but also stifle any innovation related to this disruptive emerging technology.

The European example The European Parliament and European Council are working on an anti-money laundering directive, known as AMLD5. The deadline for its implementation is January 2020. All crypto exchanges and wallet custodians operating in Europe will have to implement strict know-your-customer (KYC) onboarding procedures and need to register with local authorities. They will also be required to report suspicious activities to relevant bodies. This will not fully solve the problem since it is not always possible for the exchange to know a beneficiary's details. The EU Commission is aware and has been mandated to present further set of amendment proposals regarding self-declaration by virtual currency owners, the maintenance of central databases registering users' identities and wallet addresses, and norms while using virtual currencies as payment or investment means by 2022. This is a more reasonable approach, and the Indian government could follow suit.

Anil K. Antony is Convener of INC-Kerala Digital Media; Ankur Prasad is the Head of Product for Amazon Moments



DATA POINT



FROM THE HINDU ARCHIVES

FIFTY YEARS AGO JULY 18, 1969 Apollo 11 racing to the moon

Apollo-11 was well on target for the moon today [July 17] after its three-man crew had successfully fired its main rocket for three seconds - the first flight path correction of the historic mission. The spacecraft's speed was increased by 25 KPH (21 feet per second), an essential correction if it is to pass 111 kilometres above the moon on Saturday [July 14]. Had the firing failed the craft would pass 323 kilometres above the moon, marking it necessary for the astronauts to make unscheduled orbital changes. The three second firing was made at 16-17 GMT (21-47 IST) less than two hours after the spacecraft passed the halfway stage on its historic mission. Officials at the Houston Space Centre let them wake on their own accord as there was nothing urgent for them to do. "Good morning up there," said a ground controller when he heard noises from the capsule. One of the first things the American astronauts learnt after they awoke this morning from a good night's sleep was that Luna-15, the latest Russian unmanned spacecraft, was orbiting the moon. They made no comment. They breakfasted on fruit cocktail, sausage, meat patties, cinnamon, toasted bread cubes, cocoa and grapefruit drink. To conserve energy for their moon lauding this week-end, today's flight plan was not a crowded one.

A HUNDRED YEARS AGO JULY 18, 1919. Judicial Methods Criticised.

Mr. Eardley Norton addressed this evening [July 17, in Calcutta] a public meeting at the Indian Association on the present political situation. Mr. Norton began with a short history of the growth of political life in India and said that the people of the country would be well advised in taking whatever reforms were offered to them and then press for more. They should work out their own salvation by fighting their own battles and by pressing the rulers that they were fit to be entrusted with further installments of freedom. They should co-operate in the successful working of the Reform Scheme and thus lay their claim to get more freedom. They should accept whatever political concessions now given to them and then go on agitating for more and more. Though there were a few Englishmen here who were against Indian aspirations they did not represent the millions of liberal-minded Englishmen, who sympathised with Indian aspirations and who wanted to see India more and more prosperous and self-governing.