



## Blackout

Dissent does not have to invite measures aimed at throttling information flow

Jammu and Kashmir remains entirely cut off, ironically, as part of the efforts at effecting its "complete integration" with the rest of the country. Rightly or wrongly, the BJP government at the Centre in its wisdom thought that annulling the special status accorded to J&K in the Constitution and demoting and dividing it into two Union Territories were essential steps towards national integration. Information flow to and from J&K has been restricted to almost nil, and media platforms reported on the momentous changes abruptly announced by the Centre without any independent account of the situation on the ground. That the world's largest democracy could clampdown on information to the public in such a cavalier manner may appear incomprehensible under ordinary circumstances. But then, muzzling voices from J&K was only a corollary to a far more consequential directing of discourse. People in J&K even missed the Prime Minister's tweet on how the new scheme of things would be helpful for them, as they were, and continue to be, snapped off the Internet. Reporting from conflict zones is not new to Indian media. Journalists have covered riots, insurgencies and wars for decades in the country, and governments have allowed them to do so. By and large, state agencies have even enabled reporting from conflict zones and sites of natural disasters with curfew passes and special communication facilities, though there have been exceptions. Accurate information is always the best counter to misinformation and treacherous rumours.

Information coming out of the State is sparse, costly and hard to gather. The announcement on the withdrawal of the special status of J&K was preceded by a flurry of reporting sourced to government officials that terror threats were the reason for additional troop deployment. The Amarnath yatra was discontinued and the Valley was emptied of tourists owing to these threats. Quite likely, irrespective of the nature of the threat alerts, these measures were linked to the Centre's decision on removal of the special status. Even before the clampdown on communication facilities, the government had been tight-fisted with information. The same attitude was evident subsequent to other critical decisions it made in recent years: official communication with the public has been strictly a one-way process, through press releases, radio monologues, and social media posts. Parliament, which ended a highly productive session in terms of business transacted, has been reduced to endorsing executive decisions with little meaningful discussions. While these are concerns that the government must address at the earliest, it must start with the immediate removal of all restrictions on movement of people and communication in J&K. Only security concerns under exceptional circumstances, and not aversion to democratic dissent in the normal course, can justify choking the information flow.

## RBI's Goldilocks cut

The government must now unleash measures to boost growth

Faced with slowing GDP growth and encouraged by benign inflationary trends, the Reserve Bank of India (RBI) has delivered a Goldilocks cut of 35 basis points in the benchmark repo rate. Though a rate cut was a foregone conclusion ahead of the monetary policy announcement, the expectation was of either a 25 or 50 basis points one. Given the extent of the slowdown in the economy, the Monetary Policy Committee (MPC) deemed the former as too low but taking into account factors such as the turbulence in the global financial markets and the rupee's fall in the last few days, the latter was seen as too high. In the event, the MPC settled on a median and unconventional 35 basis point cut, which keeps the powder dry for further cuts this financial year. With this, the RBI has cut rates in four consecutive policy announcements beginning February this year, aggregating to a total of 110 basis points. But the transmission by banks to lenders has not been even a third of this. The central bank says that banks have passed on just 29 basis points which is poor indeed. One factor inhibiting transmission was the tight liquidity conditions until June when the RBI flooded the market – in fact, the last two months the central bank has had to absorb excess liquidity floating around. There is, therefore, reason to hope that transmission from here-on would be quicker.

The repo rate at 5.40% is now at a nine-year low and is headed lower in the next few months and could well settle at 5% or very close to that by the time this rate cutting cycle plays out. Supporting this theory is the fact that inflation is projected to be benign for the next one year. Growth, on the other hand, is expected to be weak and the MPC has revised downwards the projected GDP growth rate for this fiscal to 6.9% from 7% earlier, with downside risks. Even this appears optimistic given the current impulses in the economy and it is very likely that GDP growth this fiscal will be closer to 6.5%. With the latest cut, the RBI has signified that it is willing to do the heavy lifting. But this alone will not suffice as cost of capital is just one aspect that determines investment. The government has to play its part too in boosting growth. Arguably, the space for fiscal concessions is limited given the overall revenue scenario, but the government can certainly push for further reforms to incentivise investment without impacting its fiscal arithmetic. The slowdown now is part cyclical – which can be addressed by a rate cut – and part structural, for which reforms are an absolute necessity. Therefore, unless the government responds with its own measures, the RBI's efforts to support growth may go in vain.

# The fragility of India's federalism

The government's Kashmir move exposes the contingent nature of India's asymmetric constitutional provisions



LOUISE TILLIN

The abrogation of Article 370 has exposed ambiguities that have long been evident in India's federal system. Asymmetric agreements have been negotiated in settlement of a number of regional conflicts in India. Kashmir's autonomous status was the oldest and – in original conception – the most far-reaching of these provisions. But in practice, there has been a contingency to autonomy provisions, leaving them open to revision by popular majorities at the all-India level.

### An altered trajectory

The regionalisation of India's party system between 1989-2014 contributed to the appearance that deeper federalism and growing regional autonomy *vis-à-vis* the Central government was an almost inexorable process. However, the rise of the Bharatiya Janata Party (BJP) to national political dominance has altered that trajectory. By abrogating Article 370 and bifurcating Jammu and Kashmir State to create two Union Territories, the BJP has demonstrated the possibility of using the inherent flexibility in the federal order to centralise power and reshape the size, powers and stature of a constituent unit of the Indian Union – the only unit with a Muslim majority population.

The constitutionality of the abrogation of Article 370 will be carefully picked over in the months and years to come. But the government's ability to table and pass legislation with such important consequences for the fabric of federalism – while the elected assembly of Jammu and Kashmir is in abeyance – exposes the fragile set of compromises on which India's asymmetric federal system rests.

Asymmetric federalism involves the granting of differential rights to certain federal subunits, often in recognition of their distinctive ethnic identity. In the case of Jammu and Kashmir, the negotiation of Article 370 was a transitional and contingent constitutional arrangement agreed in the midst of a continuing conflict while the Indian Constitution was being finalised. Over time, this 'transitional' clause had become a semi-permanent institutional compromise, although this was ever an uneasy compromise. Kashmir's autonomy arrangements had been eroded under successive governments as tensions grew between the desire of Prime Ministers from Jawaharlal Nehru onwards to integrate the State more closely into the Indian Union and the desire of many Kashmiris to preserve a special status for their State. Since 1954, as many as 94 of 97 entries in the Union List and two thirds of constitutional articles have been extended to the State. This process has happened with the approval of the Supreme Court.

Subsequent asymmetric agreements were reached with the Nagas and the Mizos, which are enshrined in Article 371 in the Constitution. When the small State of Sikkim joined the Indian Union in the early 1970s, Article 371F was added to the Constitution. Article 371F allowed for laws that were in place before Sikkim's accession to remain in place unless amended or repealed by the legislature. Article 371 also contains measures that were intended to promote intra-State equity in Andhra Pradesh, Telangana, Maharashtra, Gujarat and Karnataka.

### Contesting asymmetry

Asymmetric constitutional provisions are a common feature of federalism in diverse societies. Many have argued that India sets an international example for how asymmetric features can help dampen secessionist conflicts by recognising multiple modes of belonging within the Union. Rather than encouraging secessionism,



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proponents of asymmetric arrangements argue that it is the denial of autonomy that can provide ground for secessionist claims to grow.

However, asymmetric arrangements are often contested by majority national communities and by other regions without special arrangements. The annulment of Article 370 has long been a *cause célèbre* for Hindu nationalism, but it was striking that it also received wide support from many regional parties in Parliament.

The rationale set out by the BJP this week drew on all the textbook critiques of asymmetric arrangements to attract the support of many regional parties to pass the legislation in the Rajya Sabha. These include the argument that asymmetric provisions are discriminatory, for instance, by placing prescriptions on who can own property in particular regions, or because they privilege certain kinds of 'special' identities over others. A Telugu Desam Party MP, from India's first linguistic State Andhra Pradesh, welcomed the fact that India would now be 'one nation with one flag and one constitution.' Alternatively, asymmetric status is presented as contributing to secessionist claims, hence the argument that Article 370 is the 'root cause of terrorism'. Autonomy arrangements are also presented as anti-egalitarian because they prevent the extension of rights in force elsewhere in a country. This last argument underscores the significance of the simultaneous emphasis on extending reservations for Scheduled

Castes and Scheduled Tribes in the new Union Territories alongside the abrogation of Article 370. As the Home Minister, Amit Shah, said in the Lok Sabha: "Those who support Article 370 are anti-Dalit, anti-tribal, anti-women."

### A deliberate flexibility

By design, India's federal institutions place relatively weak checks on the power of a government with a parliamentary majority. As the political scientist, Alfred Stepan, identified, federal systems can be more or less 'demos-constraining'. In those at the more 'demos-constraining' end of the spectrum, federalism serves to undermine the consolidation of power by national majorities. For instance, the American theorist, William Riker, saw American federalism as a counter-weight to national populism since 'the populist ideal requires that rulers move swiftly and surely to embody in law the popular decision on an electoral platform'. By contrast, other federal systems, such as India's, are more 'demos-enabling'. This means that the design of federalism places fewer checks on the power of national majorities. For instance, the composition of the Rajya Sabha mirrors the composition of the Lok Sabha, rather than providing equal representation to States regardless of size, and the Rajya Sabha has weaker powers than the Lower House. Fewer powers are constitutionally allocated to federal subunits exclusively compared to more demos-constraining federations.

Placing this kind of flexibility in the hands of the Central government was deliberate and designed to enable decisive Central action to protect national integrity in the aftermath of Partition. In the Constituent Assembly, B.R. Ambedkar highlighted the difference between the 'tight mould' of other federal systems and the flexibility hard-wired into India's which would enable it to be both 'unitary as well as federal' according to the requirements of time and circumstances.

This constitutional permissiveness has been used to do things that have deepened federalism in the past under both Congress and BJP-led governments, such as the creation of new States in response to regional demands from the linguistic reorganisation of States in the 1950s onwards. By granting the Central government the power to create new States or alter State boundaries under Article 3, and not giving State governments a veto over bifurcation, the Constitution enabled the Central government to accommodate linguistic and ethnic diversities in a way that would have been much harder in a more rigid federal system. It also enabled the Central government to adopt asymmetrical measures in the first place without facing a backlash from other regions that might have resented the 'special' treatment of minority regions. Until the 2000s, most of these changes were done based on a slow process of consensus building within the regions concerned.

### The unknown

By abrogating Article 370, bifurcating Jammu and Kashmir and downgrading the status of the successor units to Union Territories, the government has used the flexibility of the federal provisions of the Constitution to other ends. This is not the first time that a Central government has used its powers to bifurcate a State in the absence of local consensus. This was also seen with the creation of Telangana in 2014. As in the case of Telangana, the creation of the Union Territory of Ladakh does respond to a long-run demand in this region with a substantial Buddhist population. However, the decision to transform the remainder of J&K State into a Union Territory, at the same time as annulling Article 370, is a departure with profound and as yet unknown consequences in Kashmir, and wider implications for Indian federalism.

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# Hong Kong adrift and China without an anchor

Beijing should realise that political reform rather than economic lures is what resonates in Hong Kong



THOMAS ABRAHAM

As Hong Kong's turbulent summer of protests continues unabated, China's patience with its restive southern city could be wearing thin, and it has hinted at using the People's Liberation Army (PLA) to quell the protests. That would be disastrous for both Hong Kong and China.

Angry and frustrated young Hong Kongers have confronted the city's government with a series of demands, including the withdrawal of a bill that would allow people to be extradited from Hong Kong to China. The government has said it will shelve the bill temporarily, but will not scrap plans to reintroduce it at a later stage.

The extradition bill is only the latest issue that has brought people out on the streets. In 2014, young people occupied the streets of central Hong Kong for several weeks demanding among other things universal suffrage rather than the current electoral college to choose the head of the Hong Kong government. Earlier, students had protested attempts to introduce what was described as patriotic education into the school curriculum.

The Chinese government is increasingly a target of the demonstrators, who recently attacked Beijing's liaison office in Hong Kong and defaced the Chinese national emblem. In China's view, this was a grave provocation, and appears to have triggered a threat to bring in the PLA to end the protests.

### The Tiananmen shadow

In a rare public statement, the head of the PLA garrison in Hong Kong, Chen Daoxiang, warned that "violence should not be tolerated" and that the PLA "was determined to protect national sovereignty, stability and prosperity of Hong Kong." To drive home the message the PLA released a video of anti-riot drills showing heavily armed soldiers supported by helicopters quelling demonstrators.

If PLA troops and tanks rumble through Hong Kong's streets it would effectively end any pretence of Hong Kong's autonomy within China. It would spell the end of Hong Kong as a city open to the world, where freedom of expression and the rule of law prevailed.

For China, it would be a rerun of June 1989, when troops and tanks were used in Tiananmen Square in Beijing to crush students protesting for reforms. That action taken at the urging of Deng Xiaoping quelled the unrest, but threw China into a decade of international isolation at a time when it was



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desperately seeking to modernise its economy and emerge as a global power. The G7 refused to deal with China, World Bank loans were frozen, and many western countries imposed trade sanctions.

### Potential global fallout

Any violence in Hong Kong with the Chinese military will produce a strong reaction from China's main trade partners. The United States is already engaged in a trade war with China, and the Trump administration has slapped additional import duties on Chinese goods to force it to end what it describes as predatory trade practices. Military action in Hong Kong will only strengthen support in the U.S. for tougher trade and economic sanctions. Similarly the European Union can be expected to react strongly to any action by the PLA in Hong Kong.

China's leader, Xi Jinping, is extremely conscious of the legacy he wants to create as the most consequential leader modern China has

had, alongside Mao and Deng Xiaoping. Sending tanks into Hong Kong is not going to help him achieve this. But neither can he allow his authority to be defied in Hong Kong in a way that would not be allowed anywhere else in China.

China does not understand what fuels the anger in Hong Kong. It has fallen back on the standard argument that governments confronted with popular protests tend to use: foreign forces are behind the unrest. Yang Jiechi, a PolitBuro member of the Communist Party of China, has said that the U.S. and other unnamed countries had been stirring up trouble in order to undermine Hong Kong.

But there is no evidence to show that these protests are anything but home grown, and the continuing tragedy is that the Chinese leadership is either unable or unwilling to understand the roots of the anger in Hong Kong.

### A disconnect

The hard fact China has to face is that 22 years after the British withdrew and Hong Kong returned to Chinese sovereignty, the former colony is drifting further and further away from China, rather than getting closer to the motherland.

The Hong Kongers who are at the forefront of the protests were all born shortly before or after Hong Kong returned to Chinese sovereignty. They have only

known Hong Kong as a part of China. But their identity, outlook and worldview is not mainland Chinese, but distinctively Hong Kong. They speak Cantonese, not Mandarin. They look to Japan, Korea, Taiwan and the western world for their culture, not the mainland. When they travel on holiday, it is not to China but to other parts of the world. When they go abroad to study, it is not to China, but to the west. Like their parents who grew up under British rule, they have no desire to be integrated with the rest of China; they are suspicious of Chinese intentions.

China's leaders had thought that greater economic opportunities in a booming China would help bind Hong Kong to the motherland. The booming cities of the Pearl River delta have become closely economically integrated with Hong Kong, offering jobs in cutting edge industries to young Hong Kongers.

But these economic lures have not enticed them. Their desire is to preserve what they see as the Hong Kong way of life. And for that to happen, they demand their own elected government, not leaders appointed by the Chinese government. This is more than China is willing to concede, and therein lies the seed for future tragedy in Hong Kong.

Thomas Abraham is a former Editor of The South China Morning Post in Hong Kong

## 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.

### Inspiring Minister

Former External Affairs Minister Sushma Swaraj was a very affable personality and a popular face of the Bharatiya Janata Party (Inside pages, "A BJP stalwart with Socialist roots", August 7). In her stint as foreign Minister, her untiring efforts were what helped a number of Indians stranded abroad being brought back safely. An excellent orator, her speeches had a great impact.

V. HARIHARAN,  
Chennai

■ Ms. Swaraj will be remembered as a model of

how an External Affairs Minister should function. She won the hearts of countless overseas Indians, particularly the NRI blue-collar worker in distress. She was an embodiment of compassion and a decent politician. At a time when the ruling dispensation is intent on implementing its agenda by hook or by crook, it is unfortunate that the country has lost a senior leader who was also a balanced thinker.

THARCUS S. FERNANDO,  
Chennai

■ There is no doubt that Ms. Swaraj projected a very high image of India at the global level. There was a touch of

humanism in all her functions. She was a people's minister all through.

C.P. CHANDRA DAS,  
Collerville, Tennessee, U.S.

■ Ms. Swaraj was an able administrator, stateswoman and an adept parliamentarian. Kerala will remember her efforts in 2014, in rescuing 46 nurses who were held captive by the Islamic State. Without her intervention the operation would not have been possible. Governments and ministers may change but Ms. Swaraj will live on in the hearts of every Indian.

GEORGI K. JEEMON,  
Pallikara, Ernakulam, Kerala

■ Over and above her administrative acumen, Ms. Swaraj will be fondly remembered for her humaneness during her stint as Minister. She was not only instrumental in arranging for the homecoming of several stranded Indians but also displayed a mother's touch by facilitating medical visas for ailing Pakistanis.

S. VAITHIANATHAN,  
Madurai

### Kashmir road map

No one was in doubt this time around about the Prime Minister walking the talk on scrapping Article 370. But what came as a bolt from the blue was the decision to

unilaterally downgrade and split the State. This is anathema to federalism. Though there is an assurance of full statehood being restored, expecting normalcy to return any time soon would be too illusory given the gravity of such radical decisions.

S.K. CHOUDHURY,  
Bengaluru

### Mrs. YGP

The passing of educationist, and patron of the arts, Mrs.

CORRECTIONS & CLARIFICATIONS: In the report headlined "Bifurcation of Kashmir arbitrary: Opposition" (Aug. 7, 2019, some editions), there was a reference to DMK MP Murali Saran. It should have been Dayanidhi Maran.

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# Downgraded at the stroke of a pen

The move to convert Jammu and Kashmir into two Union Territories could open a Pandora's Box



MALAVIKA PRASAD

The Indian government's decision to revoke the special status of Jammu and Kashmir (J&K) raises many constitutional questions. One important question is whether the President had the powers to make all the provisions of India's Constitution apply to the State. Another is whether the Indian government was authorised to do this in the face of its own obligations to J&K under Article 370. Even assuming for a moment that these questions did not arise, a further question that does crop up is: Did Parliament have the authority to bifurcate J&K into two Union Territories (UTs)?

The last question assumes importance because the conversion of a State governed by an elected legislature into a UT/UTs adversely affects a people who had earlier enjoyed the freedom of full democratic participation. In the case of J&K, the centrally appointed administrator – called the Lieutenant Governor – will now have the power to make a wide range of decisions, as opposed to a regular State Governor, who must act typically on the aid and advice of the State's Council of Ministers.

Moreover, while the legislature of the UT of J&K – which the reorganisation law states will be akin to Puducherry's – will have the power to enact laws on matters in the State List and the Concurrent List of the Constitution, Parliament will retain the power to enact overriding laws. Consequently, the arenas open to decision-making by elected representatives will be diminished.

## The Delhi parallel

The total reorganisation of a full-fledged State into two UTs is historically unprecedented in India. However, one example here that can be cited is that of Delhi.

When the Constitution of India was adopted, Delhi was a 'Part C' State administered by the President acting through a Chief Commissioner or Lieutenant Governor. From 1952 to 1956, Delhi had a Legislative Assembly empowered to make laws on



Jammu and Kashmir (J&K) acceded to India in 1947 on terms recorded in the Instrument of Accession. Picture shows J&K Prime Minister Sheikh Abdullah taking oath as member of Constituent Assembly in June 1949. • THE HINDU

all matters in the State List excepting law and order; constitution and powers of municipal corporations and local authorities; and land and buildings in possession of the Central government situated in Delhi. However, in 1956, Delhi and all the other Part C States were divested of their legislative powers and converted into UTs that would now be administered by the President acting through an administrator appointed by her.

Within some years, the other UTs were given legislatures, and by 1987, the UTs of Himachal Pradesh, Manipur, Tripura and Goa were even made into States. Only the restoration of a Legislative Assembly in Delhi was stalled, out of concern that Delhi holding legislative powers over matters in the State List would compromise the Union government's ability to discharge its functions towards the nation in the national capital.

Even when Delhi received partial Statehood in 1992, with full legislative powers on subjects in the State List – except public order, police and land – the elected government in Delhi found its hands tied by the powers of a centrally appointed Lieutenant Governor. This tussle for democratic power in Delhi finally culminated in 2018, when the Supreme Court recognised that the Constitution has sought to create a democrat-

ic and representative form of government in Delhi. Only in the exceptional case that the elected government and the Lieutenant Governor differ on matters fundamental to Delhi's governance could the latter's decision override democratic will.

## Accession after Independence

However, J&K's entry into the Indian Dominion is not comparable with Delhi's beginning as a 'Part C' State. Delhi was an integral part of the India during Independence and later, when the Constitution came into force. J&K on the other hand was a sovereign Princely State at the time of India's Independence and acceded to the Indian Dominion in 1947 on terms recorded in a treaty – the Instrument of Accession. Article 370 of the Indian Constitution, which accorded a special status to J&K in comparison with other States, was an embodiment of the treaty's terms.

However, J&K's special status was not a claim to sovereignty. This is apparent from Section 3 of the Constitution of the State of J&K, 1956, which recognises it as an integral part of India.

The special status merely meant that provisions of the Indian Constitution (other than Article 1 defining India as a Union of States; and Article 370 itself) were permitted to be applied to J&K differently from the way

they applied to regular States. Such a modified application allowed J&K a higher degree of autonomy.

For instance, while Parliament had exclusive powers to make laws pertaining to States, on all matters not in the State and Concurrent Lists, the residuary power rested with the State legislature in the case of J&K. With this autonomy, the people of J&K on paper had an even larger arena than regular States for enacting laws through democratic participation. Therefore, J&K's reorganisation into a UT amounts to a more severe curtailment of democratic rights than that of Delhi in 1956.

## Not a constitutional amendment

Further, Delhi's conversion into a UT and the subsequent restoration of its Legislative Assembly were both carried out through constitutional amendments, which cannot easily be amended further. J&K's conversion into a UT, on the other hand, was effected through a regular law of Parliament, which can easily be amended at the behest of a majoritarian consensus from time to time.

Special status for States is not extraordinary in the Indian Constitution. Several States in India enjoy differential rights in their relationship to the Union by constitutional design, depending on their unique cultural, ethnic and geopolitical compositions. The thinking underlying this arrangement is that the interests of States with stronger intra-group ties or ethnic bases – like Tripura, Arunachal Pradesh, Manipur and Nagaland – are better represented in the Constitution and the structure of the government, if we account for their subjective contexts.

The Constitution of India's chosen federal principle was to honour these subjective contexts to hold together the diverse Indian States in the Union, as B.R. Ambedkar stated in the Constituent Assembly. Therefore, the visceration of the right to full democratic participation of an entire section of people, as happened earlier this week in the case of J&K, should make us all wonder: what if more such laws are enacted, disregarding the subjective contexts of our other States and downgrading the States into Union Territories?

Malavika Prasad is a lawyer and doctoral fellow at the Nalsar University of Law

# The big picture on tigers

While the number of wild cats has increased, infrastructure expansion plans have totally discounted their presence



NEHA SINHA

The tiger, which once sat crouching, is now roaring in India. Results of a once-in-four-years estimation of tiger numbers show us that India has about 3,000 of them. This is relevant not only nationally, but also globally – this is a majority of the world's wild tiger population, of around 4,000 tigers.

Each year, the tiger estimation increases its scope. Camera trap images, findings of foot surveys and other evidence on tigers and their prey species are collected. The latest estimate says that we have approximately 2,967 tigers in India, up from 2,226 as per the 2014 count. The scope of the effort was different this time: while the 2014 count included tigers that were over 1.5 years of age, this one included tigers as young as one-year old.

Yet, we must look at numbers, especially that on young tigers and cubs, as just one indicator in the tiger story. A couple of days before World Tiger Day (when the tiger report was released), a tigress was beaten to death in fields near the Pilibhit Tiger Reserve. Two days after the report's release, a tigress and her cub were found dead near Bandhavgarh in Madhya Pradesh. Shortly after, another cub was found dead in Umaria in the same State. Earlier in July, there were the poisoning-caused deaths of a tigress and her two cubs in Chandrapur, near the Tadoba Tiger Reserve in Maharashtra.

## Widening of rail, road networks

It may seem that these are stray cases with no real pattern. But while tigers are reproducing in India, new state policies are working directly against them. Relaxations in norms to allow for a widening of highway and railway networks are the new threats, adding to the old ones of retaliatory poisoning and poaching.

A report on management effectiveness of tiger reserves was also released on World Tiger Day. The report rated Pench Tiger Reserve in Madhya Pradesh as the best in terms of good management practices. This is fairly commensurate with its tiger numbers. Central India is one of the best tiger nurseries in India. Of all States, Madhya Pradesh has the highest number of tigers, over 500 of them.

Yet, tiger reserves cannot control what is around them; and the Pench tiger faces a

new threat. The National Highway 7 (NH7), which connects Pench and Kanha tiger reserves, has just been widened. Tigers, as well as the animals they prey on, find it hard to cross roads; for instance, a tiger died near Dehradun in 2016 after being hit by a speeding vehicle. It may have been from Rajaji Tiger Reserve, an area that needs more male tigers. After sustained pressure from citizens and protests from the Madhya Pradesh forest department, authorities built underpasses meant for wildlife through NH7. But go down the spanning new highway in Maharashtra, and it has barriers on the road. It isn't much of a surprise then that a tiger was recently seen climbing the barrier to cross the road.

To put this incident into perspective, most National Highways are slated for widening and upgradation, and most tiger reserves have State or National Highways around them. Each year, thousands of animals die on the road. Apart from highways, railway and irrigation projects are coming up in tiger reserves, and the Ken-Betwa river interlinking project will submerge 100 sq. km of Panna Tiger Reserve.

So, while the numbers are reason to cheer, they can hardly be the whole story. The story is beyond and around the reserve boundaries that tigers have to cross. The numbers should also give pause to the plans being made discounting the presence of tigers. This is a time for thoughtful growth. Highways and railways should not be expanded to encroach into tiger areas; irrigation projects should also avoid the areas. Cost-benefit analyses need to take into account the needs of wild animals. At the moment, highways are not even able to do away with barriers, and it is assumed that tigers can swim through dam-submerged areas. So, to live, tigers are being made to swim across dams, cross highways, dash across railway lines, not eat livestock, and avoid people.

Currently, a group of tigers stand not too far from Bhopal. They may have come from the Ratapani Tiger Reserve, but the question is: what fate awaits them – roadkill, electrocution or poisoning? The question is bleak, but the answer need not be. Prime Minister Narendra Modi said that development and environment do not need to come at each other's cost. This is true. And while tigers do not vote, our mandate to save them has never been greater.

ing project will submerge 100 sq. km of Panna Tiger Reserve.



Neha Sinha is with the Bombay Natural History Society. Views expressed are personal

# Social reforms at a snail's pace

To be seen as a statesman, the Saudi Prince needs to free political prisoners and end the Yemen war

## STANLY JOHNY

In an interview in April 2018, Saudi Arabia's Crown Prince Mohammed bin Salman (MBS) hinted that the country's male guardianship laws, which leave the legal and personal affairs of women in the hands of their male relatives, would be changed. "Before 1979 [the year of Iranian revolution and the Siege of Mecca] there were societal guardianship customs, but no guardianship laws. It doesn't go back to the time of the Prophet... we want to move on," he told *The Atlantic* magazine.

Sixteen months later, Saudi Arabia has amended the guardianship system. Under the new laws, women of 21 years or above may obtain passports, which will allow them to travel without male consent. They will also be permitted to register marriages, divorces, births and deaths and to receive family records. This follows last year's landmark decision to allow women to drive.

MBS has rightly been credited for these initiatives. After he rose to the current position, he initiated several economic and social reform measures. His "Vision 2030" plan aims to lessen Saudi Arabia's near-total dependence on oil. It also promotes private enterprises, promises to raise women's participation in workforce, which is currently 22%, and to turn the country into a global investment favourite. Easing social restrictions has been an important part of this drive. While the goal is laudable, there are three fundamental problems with the model.

## A complicated legacy

First, MBS is not the benign, visionary reformer that he's often presented as. His legacy is more complicated. The story of his rise to power is also a story of a brutal purge. He detained dozens of royals and businessmen in Riyadh's Ritz-Carlton hotel in November 2017 for weeks in the name of fighting corruption. The detentions lacked any legal basis and were inconsistent with the Saudi government's push to attract private investments. More worryingly, in recent years, the country has cracked down on both dissidents and rights campaigners. Political reform remains a taboo topic. Three promi-

nent women's rights activists – Loujain al-Hathloul, Samar Badawi and Nassima al-Sada – who wanted the guardianship laws to be changed, are still under arrest.

## Gender equality

Second, the social reforms are too little and too slow. True, women being allowed to drive and travel without male consent are big measures in the Wahhabi Kingdom, where the guardianship laws effectively make them second-class citizens. But from a universal rights perspective, Saudi Arabia has a long way to go before treating its women citizens equally. The guardianship system survives despite the latest laws. A Saudi woman still needs a guardian's permission to exit shelters (for abuse victims) or be freed from prison. She still needs a guardian's consent for marriage. A man can still divorce his wife without her consent.

Third, the incremental reforms might boost the Crown Prince's image at home, but his foreign policy record is awful. A UN investigation recently held the "Saudi state" (euphemism for MBS, the de facto ruler) directly responsible for the assassination of Jamal Khashoggi, the Saudi dissident journalist who was killed inside the Kingdom's Istanbul consulate in October 2018. Saudi authorities still haven't disclosed what happened to his body, while Turkish prosecutors had claimed that the body was dismembered and disposed using acid. Besides, the war MBS launched in 2015 in Yemen has turned the country into a humanitarian catastrophe. It's difficult to overlook the argument that MBS is using the reform card to amass more powers at home and divert criticism of his ruthless interventions abroad. If he wants to change Saudi Arabia and remake himself as a reformer-statesman, he should perhaps step up the pace of social and political reforms, release the political prisoners and rights campaigners, and bring the war in Yemen to an end.

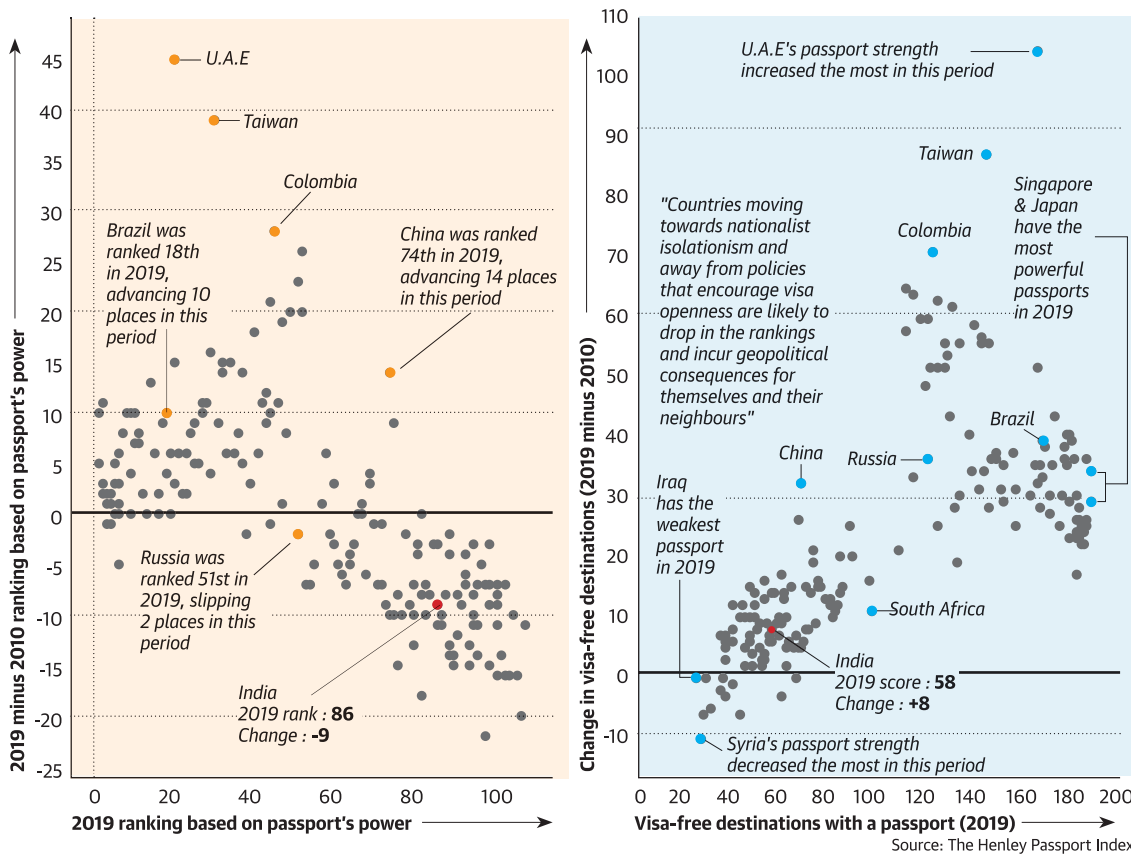
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## DATA POINT

### Passport power

The "strength" of the Indian passport – countries it has visa-free access to – has weakened in the last decade. The passport ranked 86 of 187 countries in 2019, while in 2010 it was ranked 77. Just 8 nations were added to its visa-free access list from 2010 to 2019 – lowest among BRICS nations. By **Varun B. Krishnan** and **Vignesh R.**



## The Hindu

### FROM THE ARCHIVES

FIFTY YEARS AGO AUGUST 8, 1969

## PM receives threats to her life

The Prime Minister, Mrs. Indira Gandhi said here [New Delhi] to-night [August 7] that she had received some threats not only to dislodge her from the high post she was holding but her life as well. She did not explain how, when and who made these threats to her. Mrs. Gandhi was addressing a gathering of about 300 Government school teachers outside the gates of her residence in Safdarjung Road just after 9 p.m. The teachers, including several women, had come in drenching rain to congratulate her on bank nationalisation. The Prime Minister declared she would rather not deviate from "the good and right path" that she was following in the larger interests of the overwhelming majority of 95 per cent of people than continue to hold the high office. "They are welcome to take away this Prime Ministership from me but I want to tell them that the ultimate victory will certainly be ours," she said amidst cheers and shouts of "Long live Indira Gandhi." Mrs. Gandhi said that bank nationalisation was the second stage of the freedom movement, of making freedom a reality for crores of the depressed.

A HUNDRED YEARS AGO AUGUST 8, 1919

## Amalgamation of Banks.

Presiding over the annual meeting of the shareholders of the Bank of Bombay [in Bombay on August 7], Sir Jamsetji Jijibhoy announced that the question of amalgamation of three presidency banks was under consideration. Proposals were to be submitted in due course to the shareholders for approval and sanction. Following the precedent set by the past Chairman, Sir Jamsetji delivered a lengthy speech reviewing the financial and trade situation. After pointing out that India had enjoyed another prosperous year and that the balance of trade in her favour was 84 crores, he compared the figures of the last year with those of 1914. After showing what tremendous effect the war had on India's external trade, he said it remained to be seen whether the United Kingdom would make sufficient effort to divert it back in prewar channels. He drew attention to the critical currency situation in 1918 and to America's help to tide over the difficulties. Referring to the recent appointment of the Currency Committee he hoped as the fixing of the rates of exchange was of vital importance to the well being and happiness of India's millions the committee would take various conflicting interests into account before making their recommendations.