

Let's look for the chinks in Brexit

As Britain's third largest investor, India must keep pushing for more immigration

Britain has formally begun its divorce from the European Union—and it looks like it will be a difficult and messy one. The British Prime Minister, Theresa May, last week formally invoked Article 50 of EU's Lisbon Treaty and began the two-year negotiation period to separate the United Kingdom from the EU. May, in her opening statements, had already indicated that London foresees a Brexit in which her country will no longer accept the free movement of people from Europe and no longer accept the jurisdiction of the European Court of Justice. The EU's response has rightly been that in that case it does not see itself required to allow the free flow of goods and services to and fro across the English Channel.

India has reasons to be concerned. The weakening of an already crisis-prone EU is an unfortunate additional source of instability at a time when the international order is under enough stress thanks to a whimsical Washington and a belligerent Beijing. An economically damaged UK poses its own problems. India is the third largest foreign investor in the UK, surpassed only by the US and France. In 2015 cumulative Indian investment reached £26 billion—more than all the Indian investment in the rest of Europe put together. The Tata group alone is among the largest industrial firms in the UK. While the Brexit confabulation has reduced the price of British assets and led to some firms expanding their investments, it is also true many Indian firms use the UK as a base for operations in Europe. A "hard Brexit" would mean many of them would reduce their presence in Britain.

Prime Minister May continues to underplay the damage the UK will suffer because of Brexit. Though she herself supported EU membership, she has decided to accept the entire agenda of the pro-Brexit campaign though much of this is extreme and unreasonable. Her visits to India, China and the US are an attempt to show that Britain has other economic alternatives. But they have not been marked by success. New Delhi, for example, is largely keen on opening the door for greater immigration and Mode 4 service trade, neither of which her government can concede given their generally anti-migrant stance. However, given London's weakened straits there is no reason why India should not continue to persevere with this demand.

Log in for justice

The Indian judiciary, with its massive backlog of cases, could benefit from aids like video conferencing

That the Indian judicial system desperately needs to find a way to bring legal cases to their conclusion in a more efficient and timely manner cannot be disputed. Some estimates suggest that about 30 million cases remain pending in various courts across the country. Most cases drag on for several years, without reaching a conclusion. The appointment of judges to vacant posts is just one of the issues that require attention. In many cases, undertrials spend more time in jail than the period of punishment for their crime, if proved in court, would require. Litigants miss court dates, causing hearings to get repeatedly postponed. A work around to this could be to use technology to make the judicial process more streamlined.

Prime Minister Narendra Modi on Sunday emphasised the importance of using technologies such as video conferencing to streamline the judicial process. If officials and litigants could appear in court via video conferencing links, it could save time, effort, and money. Litigants from other cities could be present at designated spaces in their city and appear in court anywhere in the country through video conferencing. Undertrials in jails could also use this system. Courts have already moved many filing systems to an online platform and some police departments even allow the filing of FIRs online, but much more needs to be done.

The setting up of fast-track courts, in order to ensure that undertrials do not spend more time in jail than the length of their possible sentence, would also be a reform worth considering. This would help clear up some of the backlog and free up much-needed space in jails, which are overcrowded and unhygienic. In a welcome move, three constitutional benches have been set up to hear important matters during the summer vacation. Chief Justice of India, Jagdish Singh Khehar pointed out that if judges work just five days in the summer vacation, thousands of more cases could be brought to their conclusion. But once again, given that the volume of pending cases runs into the tens of millions, it will take much more than three constitutional benches and five days in the summer holidays to make the judicial system significantly more time-efficient.

democracywall

HARSH MANDER



Other lives, other worlds

Our failure to invest public resources like education for people born into disadvantage stems from an absence of public empathy

I have never known the disdain of my teachers who believe I am undeserving of a future because I was born to be without merit. To be beaten because I aspire to worship in a temple that people say will be defiled by my step or touch or veneration. To be humiliated every day of my life because I was born into a caste other people regard as unclean.

I have not known what it is to cower as mobs, armed with daggers and light bulbs full of acid, raise terrifying slogans calling for my head and the blood of my loved ones, for the 'crime' that I—and others like me—follow a faith different from theirs. To helplessly watch my children burn alive, the girls and women of my family raped, to see my family, my home, my work, my life's savings, my entire world destroyed forever in a matter of hours, all for this one crime.

I have never been ostracised and abandoned because I unknowingly contracted an incurable ailment. I have never been shunned because I chose to sell my body to raise my children with dignity. I have never been banished from a world because I could not accept the gender into which my body was born. I have never been jailed, and my only little son left outside with no one in the world to care for him.

I cannot imagine the helplessness of a homeless woman who, for 20 years, has to sleep night after night on street pavements, unable to stop strange men from molesting and raping her.

I cannot imagine being locked up for years in a beggars' home only because my legs are malformed and I have no place to sleep other than the streets.

I do not know what I would do if my daughter was killed by the police and labelled after her death by the country's establishment as a terrorist, a suicide-bomber. Or if my husband was gunned down by militants, and the army insisted

that my 13-year-old son was an insurgent.

These are some of the stories I try to tell in my new book *Fatal Accidents of Birth: Stories of Suffering, Oppression and Resistance*. None of these stories are mine. They could never be my stories, and for only one reason. Because the accident of my birth was not fatal, as it was for Rohith Vemula, or tragic, as it was for others whose stories I try to tell. But these are stories we must listen to, stories we must heed.

For far too long have we looked away, and now we must answer the questions Bob Dylan posed when he sang: 'How many times can a man turn his head, pretending he just doesn't see? Yes, 'n' how many ears must one man have, before he can hear people cry? Yes, 'n' how many deaths will it take till he knows, that too many people have died?' It is for this reason that we must listen and take to heart the often bleak harrowing stories, but also those of resistance and dignity, of millions of oppressed peoples of our lands.

I believe that our failures to invest sufficient public resources in providing high quality education, public health care, social protection, decent housing, clean water and nutrition to children, women and men born into disadvantage stems not from an absolute shortage of public resources, but instead from a failure of public empathy, a profound indifference among people of privilege and public officials and a cultural comfort with inequality, and ultimately the malfunction, indeed the collapse, of the practice of fraternity that is guaranteed in the Indian Constitution.

Philosopher and public intellectual Noam Chomsky remarked that the idea of social protection is basically the idea, simply, that we should take care of each other. There can be no better encapsulation of the idea of the good state, a state which must be founded on the idea of social solidar-

ity, on the continuous mindfulness of the obligation of the state to care for every person, weak and strong. But Chomsky goes on to say that we live in times when this is considered a profoundly 'subversive' idea. For many today, this idea of social protection—or the duty of social caring—is indeed a dangerous philosophy which must be crushed at all costs.

Those opposed to this idea are either people who believe that markets by themselves are both necessary and sufficient to end poverty, hunger and want, or those who restrict their idea of solidarity to narrow notions of identity, whether of race, ethnicity, community or caste, or any other. These two ideas often converge, as in the political arena today of India, America and large tracts of Europe, which renders the opposition to agendas of social protection and the caring state even more adamant and powerful—and for some, so much more charismatic.

In his first and last letter to the world, Rohith Vemula wrote, '... some people, for them, life itself is a curse. My birth is my fatal accident.' His is one of the most damning and painful indictments of the India and the world today which we have crafted together.

A country and a world where the lives and its possibilities and the destinies of millions of women and men, young people, boys and girls, still continue to be determined only by the fatal accident of their births. Not by the breadth of their hearts, the glint of their minds, the grit of their endeavours, the mettle of their characters, and the flight of their dreams.

Harsh Mander is author, *Looking Away: Inequality, Prejudice and Indifference in New India*. The views expressed are personal



Samta Sainik members participate in a candle march while protesting over the death of Rohith Vemula, Delhi, January 23. In his last letter to the world, Vemula wrote, '... some people, for them, life itself is a curse. My birth is my fatal accident.' RAVI CHOUDHARY/HT

newsmaker

NIKKI HALEY, US ambassador to the United Nations

CERTAINLY I THINK RUSSIA WAS INVOLVED IN THE [US] ELECTION. THERE IS NO QUESTION ABOUT THAT... WE DO NOT WANT ANY COUNTRY INVOLVED IN OUR ELECTIONS EVER... IN MY DEALINGS WITH RUSSIA IN PARTICULAR AT THE UNITED NATIONS, WE BEAT UP ON THEM BECAUSE WE THOUGHT THAT WHAT THEY DID WITH CRIMEA AND WHAT IS HAPPENING IN UKRAINE IS WRONG. WE CALLED THEM OUT FOR IT.



Illustration: SIDDHANT JUMDE

THINK IT OVER »

THE THING ABOUT HIP-HOP TODAY IS IT'S SMART, IT'S INSIGHTFUL. THE WAY THEY CAN COMMUNICATE A COMPLEX MESSAGE IN A VERY SHORT SPACE IS REMARKABLE. BARACK OBAMA

thebuzz KEEPING TABS ON THE POLITICAL GRAPEVINE

MAKING HIS INTENTIONS CLEAR

The leader of the Opposition in the Gujarat assembly **Shankarsinh Vaghela's** meeting with BJP chief Amit Shah in Ahmedabad last week triggered speculation that he is leaving the Congress. However, he rushed to Delhi to clear the air. He met party vice-president Rahul Gandhi and told him that he has no plans of joining the BJP. Congress leaders say that Vaghela is putting pressure on the high command to name him as the chief ministerial candidate ahead of the assembly elections in December. He is also learned to have suggested that the Congress retain poll strategist Prashant Kishor.



DECODING JNU'S AWARDS

Human resource development (HRD) minister Prakash Javadekar has been at pains to explain that the Jawaharlal Nehru University (JNU) has been receiving awards not because of controversies but because of academic excellence. Last Tuesday, he said in Parliament that President Pranab Mukherjee conferred the best university award on JNU for good research and not for slogans in praise of Parliament attack convict Afzal Guru. On Monday, when JNU was ranked second among universities in the government's ranking of educational institutions, Javadekar reiterated it got a good ranking not because of Afzal slogans but because of work. With the BJP having targeted the JNU for alleged "anti-national" activities, the HRD minister, it seems, feels compelled to add all these caveats.

SOOTHING RUFFLED FEATHERS

Central leaders of the Congress have started intervening to pacify Karnataka leaders who are upset with chief minister Siddaramaiah's style of functioning. Fol-

lowing a prolonged tussle with him, former CM SM Krishna joined the BJP recently. Another disgruntled leader CK Jaffer Sharief wrote to Prime Minister Narendra Modi last week, backing RSS chief Mohan Bhagwat for the President's post. Mindful of the rising chorus against the CM, the Congress party's Central leaders have chosen to intervene. A party MP from Karnataka recently approached vice-president Rahul Gandhi to seek his direction to the CM to sanction a medical college in his constituency. The message was conveyed to Siddaramaiah. With signs of a BJP resurgence in Karnataka that will go to polls a year later, the Congress is not taking any chances.

OF PARLIAMENT AND POETRY

Trinamool Congress' senior MP Sukhendu Sekhar Roy has earned a reputation as a poet and singer. On one occasion, he started singing in Parliament. Now, parliamentarians often urge him to recite a poem before he completes his speech. Last week, Congress leader Jairam Ramesh asked Roy to recite a shayari. Roy obliged.

neighbourhood watch

Why is China financing elections in Nepal?

Beijing wants to mould public opinion in the Himalayan nation as it's important for its One Belt One Road project

Jhinuk Chowdhury

Following a summit between China's President Xi Jinping and Nepal's Prime Minister Pushpa Kamal Dahal Prachanda, Beijing announced \$1 million towards the country's local elections in May. The move brings Beijing's non-interference doctrine under the scanner again, after it was questioned during the Sudanese civil war. China allegedly fuelled the civil war by providing the money—through the purchase of oil and arms. Back then, China had to resort to covert tactics to ally with a political faction. Today it's far more powerful with a bigger stake and influence across the globe, and thus an expression that's more overt—as that in Nepal. But Madhesi oppose the election until their demands for territorial re-demarcation and political representation are met. China's funding is viewed as an act "fan-

ning chances of conflicts in Nepal."

Immediately after his China visit Prachanda confirmed the May elections stating nonparticipation would be viewed as secessionist tendencies. Failure to induct 'Madhesi-centric parties' in the elections, fears Nepal's Deputy Prime Minister and Minister for Local Development Kamal Thapa, may instigate 'separatists'.

Why would China want this? Its stakes in Nepal are rising. China feels making inroads into political decision-making is the only way to protect its interests.

This situation is identical to the one that surfaced in Sudan where Beijing had already invested billions in the nation's oil sector by the time of the war.

Investing in the elections would give Beijing the room to arm-twist Nepal's resource starved political circle.

As this Global Times op-ed clearly states: China has every reason to require

the Nepalese government to safeguard the interests of Chinese investors and contractors. Nepal is an important country for its One Belt One Road (OBOR) project and during this summit, Prachanda assured Kathmandu's participation.

China announced a \$8.3 billion investment plan. Several projects key to OBOR need speeding up such as the Kathmandu Ring Road Phase II, Pokhara International Airport, Gautam Buddha International Airport and the West Seti Hydro-power.

India remains a concern. Many in Beijing believe New Delhi facilitated Prachanda's coming to power to form 'a pro-India government.'

It remains to be seen whether China's political investment in Nepal brings about the brownie points it expects.

Jhinuk Chowdhury is an independent journalist who writes on South Asian affairs. The views expressed are personal

innervoice

Keeping one's cool builds inner strength and self-confidence

PP Wangchuk

It is human nature and within our capabilities to be good or bad. In other words, we can remain cool and be good, or get agitated over small issues and be bad. The point is that we must strive to ignore small irritants and see how a solution can be found without losing our temper. We must realise that not keeping our cool is a sure sign of our not being able to manage a good balance. When you say keep your cool, you are basically asking to live on the positive side of life. And that is possible only if we cultivate the ability to realise that only love and understanding can make us go through the passage of life smoothly.

It is true that life can be much easier and more comfortable when we learn to remain cool. It not only creates inner strength but also helps us build self-confidence in any venture in life. Saint Francis de Sales of Geneva says one should never be in a hurry, but be doing everything in a calm spirit. "Do not lose your inner peace for anything whatsoever even if the whole world seems upset." He further says we must "retire at various times into the solitude of our own heart even while outwardly engaged in discussions, and talk to God." At times, for many of us, it becomes difficult to remain composed. In such cases, we need to think of newer ways to bring our mind out of the quagmire of turbulence. One sure bet is going in for meditation. Meditation, if done regularly, helps one get over tension and misgivings and stay away from negative thinking.

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