



Building holistic ties

India must continue to engage Sri Lanka beyond mere transactional deals

Sri Lankan Prime Minister Ranil Wickremesinghe's meeting with Prime Minister Narendra Modi in New Delhi last week, on his third visit to the capital since January 2015, is in keeping with the refreshed Indo-Lanka ties that followed the regime change in Colombo. Flagging off partnerships in a host of economic and development projects through a Memorandum of Understanding, the two Prime Ministers have set the stage for long-term collaboration in spheres ranging from energy and infrastructure to special economic zones. There are no surprises here, for India's Sri Lanka policy, following the defeat of strongman Mahinda Rajapaksa, has been centred on economic co-operation and security concerns, and far less on political matters. In fact, the line ministries executing specific projects are playing a prominent role in taking bilateral negotiations forward. Preoccupied with an ever-growing Chinese presence in Sri Lanka, India has been channelling its energies towards countering it, especially focussing on Trincomalee. India and Sri Lanka have agreed to jointly revive a World War II era oil storage facility in the strategically located eastern port town and build infrastructure around it. Enhanced economic and development ties are welcome and crucial for the neighbouring countries, but they should not bypass robust engagement on traditional political concerns in the island nation, where scores of Tamils and Muslims in the north and east are yet to return to normal lives eight years after the civil war ended.

Hundreds of people have been protesting, voicing concern about the mysterious disappearance of their relatives and about their land still under military occupation. Frequently faced with political pressures from their rival parties, President Maithripala Sirisena and Mr. Wickremesinghe are only inching ahead in their promise to deliver a new constitution developing a greater measure of political rights to all its citizens. As a long-time negotiator in Sri Lanka's political question, India must continue to closely engage on these fronts and build a holistic relationship that transcends the mere transactional. Even as it has pledged \$2.6 billion in development assistance to Sri Lanka, India should explore the potential for generating livelihoods in the war-battered northern economy where agriculture and fisheries, its key drivers, are facing a crisis. Resolving the long-standing Palk Bay conflict between fishermen of both countries is central to this, and New Delhi must address the valid concern of Sri Lankan Tamil fishermen about incursions from Tamil Nadu into Sri Lankan waters. Several factories in the north, destroyed or defunct during the war, await attention and investment. While New Delhi's anxiety over Chinese presence might be justified, it should avoid using the China lens to view Sri Lanka, respecting the country's autonomy to engage with any willing partner. The more India treats Sri Lanka as an equal partner, the stronger the relationship is likely to grow.

Mr. Trump's tax cut

The success of his plan will depend on its ability to boost American worker incomes

U.S. President Donald Trump's tax plan, released as a brief one-page document this week, promises some bold reforms to rejuvenate America's sluggish economy. Weak private investment spending has been at the heart of what is now dubbed the slowest U.S. economic recovery in the post-War era, which has been coupled with a serious slump in productivity. The plan does well in attempting to address basic structural problems that have held back the American private sector. However, its eventual success in reviving growth and productivity will depend on the extent to which its benefits trickle down from the balance sheets of big business to the real economy. The Trump administration has proposed steep cuts to the corporate tax rate (from 35% to just 15%), a significant reduction and simplification of the individual income tax, a doubling of standard tax deductions, and the scrapping of the wealth tax and the alternative minimum tax. Notably, the earlier proposal to impose a protectionist border adjustment tax has also been shelved, hopefully due to the administration's realisation that trade tariffs don't come with a zero cost on Americans. It is estimated that U.S. corporations have stacked a cash pile of more than \$1.8 trillion overseas to avoid the corporate income tax. Mr. Trump hopes to push them to repatriate some of this cash stock after paying a minimal one-time tax.

Whether the likely inflow of capital will incentivise U.S. corporations to increase investments, or simply distribute the cash to shareholders through buybacks and dividends is an open question. In this context, another relevant issue is the administration's own spending plans. The cut in the corporate tax alone is estimated to cost over \$2 trillion, and overall the plan could lead to anywhere between \$3 trillion and \$7 trillion in lost revenue over the next 10 years. Whether the Trump administration will walk back on its initial promise to adopt a tax plan that is revenue and deficit neutral or cut down on spending to match lower revenues remains to be seen. Most recently, U.S. Treasury Secretary Steven Mnuchin argued that higher growth will help compensate for the revenue loss from tax cuts, suggesting a spending cut may not be on the cards. Mr. Trump's bullish stance on infrastructure and military spending also suggests he is unlikely to reduce spending. This means that the real disposable income of Americans won't receive any significant boost in the near term. Further, productivity improvements in the long run require improvements in general business freedom as well, not just tax cuts. Lastly, of course, Mr. Trump's tax plan will require the approval of a Republican-dominated Congress that is filled with deficit hawks.

Kashmir's unending tragedy

Talks and de-escalation must go together – it is not wise to make them sequential



RADHA KUMAR

The dreadful violence and low turnout in a by-election in Kashmir has again raised intense debate in New Delhi. Unfortunately this debate has been mainly abusive rather than productive, and as a result it has masked the real issue.

Somehow we have created a binary in which there are only two opposing groups – those in mainland India who consider Kashmiris to be pro-Pakistan Wahhabis who support terrorism, and those in the Valley who consider Indians to be rabid communalists. Each has a grain of truth insofar as there are constituencies of extremists on both sides, but only a grain. The majority of Kashmiris want to live in freedom, peace and dignity, just as the majority of Indians do, and we all look to our governments, at the Centre and in Jammu and Kashmir, to provide us with these.

Towards the extremes

The growing influence of this ugly mutual propaganda, seen not only in social media but also on our television channels, will drive more people to extremism and that, surely, is a cause for concern to citizens as well as the government. There is no denying that the Islamic State-type perversion of Islam has gained ground amongst a few in the Valley, nor that stone-pelting has been organised in many instances. But there should equally be no denying that anger in the Valley is higher than it has been in two decades and has reached alarming proportions. Nor can we deny that at least one major cause of this anger is the lack of a peace and reconciliation process, which the Bharatiya Janata Party-Peoples Democratic Party (BJP-PDP) coalition promised, or that another major cause is the lack of an honest and accountable administration.



DEEPAK HARICHANDAN

We have allowed our security forces (Army, Central Reserve Police Force and State police) to be the only visible face of India in the Valley – our legislators and civil government are not to be seen. The security forces have had to bear the brunt of public anger, and after almost a decade of being stoned, it is not surprising that they commit human rights abuses. But that does not, and must not, mean that we justify abuse or add to it. We need rather to focus on the restoration of trust in administration so that our forces are no longer needed for internal security. We have done a gross injustice to our troops by keeping them in internal conflict situations for decades on end. The forces can at most contain internal violence and that too only if it is a short-term task; after that it is the responsibility of the administration and political representatives to step in. In the absence of a political and reconciliation process, asking security forces to show restraint in the face of constant stoning is not feasible.

Peace process and violence

Past experience shows that when there has been a peace process, incidents of violence, including stone-pelting, have died down. In 2010, when I was one of three interlocutors sent to the Valley, the government initiated a multitrack process combining humanitarian and political dialogue with security reforms that ranged from tightening

the anti-infiltration grid to distinguishing between first-time offenders and ringleaders, and tackling economic woes. It was the combination of these elements that worked then, and they created conditions for political talks that could have significantly improved relations between the Valley and the rest of India.

I am often asked what happened to our report. All I know is that the United Progressive Alliance government, the parliamentary delegation that had recommended the creation of our group, as well as the State government failed to follow through on any of our political and constitutional recommendations, while the BJP rejected it in toto. That failure was a major setback, especially for the several thousand people who spoke to us.

Another such opportunity was offered by the Agenda for Alliance. The BJP and the PDP had fought a bitterly divisive election campaign against each other, and their coming together held out a hope of reconciliation for the State. There are political commitments in the Agenda for Alliance that would go a long way to alleviating anger in the Valley, Jammu and Ladakh and they could have been implemented without alienating any of the regions. They still can be, and it would be an important confidence booster if the leaders of the two parties sit down and choose which of the political commitments to honour.

Reining in the sharks

The Real Estate Act largely addresses consumer interests, but some creases are still to be ironed out



SATVIK VARMA

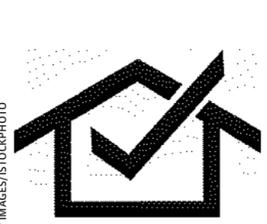
The much awaited Real Estate (Regulation & Development) Act is now in effect. The Ministry of Housing and Urban Poverty Alleviation recently notified 69 out of the 92 sections in total, which set the ball rolling for States to formulate, within six months, rules and regulations as statutorily mandated. Since land is a State subject under the Constitution, even after the Centre enacts the legislation, State governments will have to ratify them. States will have to set up the Real Estate Regulatory Authority's (RERA) and the Real Estate Appellate Tribunals and have only a maximum of a year from the coming into effect of the Act to do so.

The Act's preamble details the legislative intention which is to primarily protect the interests of consumers and bring in efficiency and transparency in the sale/purchase of real estate. The Act also attempts to establish an adjudicatory mechanism for the speedy redress

of disputes. RERA and the Appellate Tribunal are expected to decide on complaints within an ambitious period of 60 days. But no legislation can protect the interest of only one class. As one of the largest job creators, the real estate sector contributes almost 6% towards the GDP. Mindful of this, the Act seeks to assist developers by giving the regulator powers to make recommendations to State governments to create a single window clearance for approvals in a time-bound manner.

Moving towards transparency

Key provisions of the Act include a requirement for developers to now register projects with RERA prior to any advertisement and sale. Developers are also expected to have all sanction plans approved and regulatory clearances in place prior to commencement of sale. Subsequent changes have to be approved by a majority of buyers and the regulator. The Act again ambitiously stipulates an electronic system, maintained on the website of RERA, where developers are expected to update on a quarterly basis the status of their projects, and submit regular audits and architectural reports. Notably, non-registration of projects is a serious matter. If there is non-compliance, RERA has



GETTY IMAGES/ISTOCKPHOTO

the power to order up to three years imprisonment of the promoters of a project.

Importantly, it requires developers to maintain separate escrow accounts in relation to each project and deposit 70% of the collections in such an account to ensure that funds collected are utilised only for the specific project. The Act also requires real estate brokers and agents to register themselves with the regulator.

Builder grievances

While consumer interests have been protected, developers find provisions of the Act to be exceptionally burdensome on a sector already ailing from a paucity of funds and multiple regulatory challenges. The builder lobby has been

True, the failure to sustain a political process until resolution can be found is not new. It has been repeated for decades – indeed we could go back to the 1950s – but that only compounds the problem, it does not justify continuing inaction. It is more difficult to make peace today than it was five years ago, and it was more difficult then than in the previous five years. That means it will be even worse in another five years and soon it will be insuperable.

What about the role of Pakistan? History shows us that they have tried to foster an anti-India jihad in Jammu and Kashmir since 1947 but without much success until the late 1980s, by which time Article 370 of the Constitution had been rendered a dead letter. By 1988, repeated Indian interference in J&K's internal political processes led thousands of young Kashmiris to an armed uprising. Since then we have struggled to put those years behind us, and succeeded insofar as free and fair elections are concerned. But our failure to seize windows for political reconciliation has played into Pakistani hands and it is doing so again, while we waste our time in futile debates about who is more nationalist amongst Indians and who is more traitorous amongst Kashmiris.

As innumerable commentators have pointed out, the best way to prevent Pakistan from making hay is for talks with Kashmiri dissidents. Chief Minister Mehbooba Mufti recently said, on her discussion with Prime Minister Narendra Modi, that there will be a political dialogue, but only after some peace is restored. Talks and de-escalation, however, go together, and it is not wise to make them sequential.

Nor is it clear whom the government will talk to. Attorney General Mukul Rohatgi told the Supreme Court a few days ago that the government will not talk to people who demand independence or secession. Presumably he meant the Hurriyat, JKLF and allied groups. Such a position makes talks a non-starter – to repeat a platitude, you

do not make peace with your friends but with your opponents. Former Prime Minister Atal Bihari Vajpayee and the then Home Minister L.K. Advani saw this point clearly, as did their successors, Manmohan Singh and P. Chidambaram. Mr. Vajpayee's most brilliant strategy was to accept the Hurriyat's offer to act as a bridge to Pakistan – the Pakistan government could not refuse to listen to Kashmiris. Of course, in their usual way, the Pakistan government did not wind up its training, arming and sanctuaries for Islamist guerrillas fighting India but they did get them to lie low, and as a result the lack of public support for militancy was able to make itself evident.

Address rights abuses

We should not also forget the Hurriyat and dissident leaders, including of armed groups, who gave their lives in the search for peace with India. Abdul Ghani Lone, the People's Conference leader who said that the time for armed militancy was over, was assassinated in an Inter-Services Intelligence operation. Pro-Pakistan militants murdered Majid Dar, the Hizbul Mujahideen commander who engaged in talks for a ceasefire with army representatives. More recently, Hurriyat leader Fazal Haq Qureshi was shot by local militants for talks with Mr. Chidambaram, and almost died. There are many within the Hurriyat who would consider talks again, just as there are many in the Valley who are worried about the lumpensation of Islam that the stone-pelters represent. None of them, however, will or can cooperate as long as we fail to offer them a political process and redress human rights abuses.

If the government wants to restore peace to the Valley, it cannot do it by force – talks with dissidents is the only option. The demonisation of Kashmiris by ruling party spokespersons – all stone-pelters are traitors, really? – does not give much hope. Perhaps the Supreme Court will help.

Radha Kumar is a writer and analyst

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.

PM on triple talaq

Prime Minister Narendra Modi must get some crucial historical facts on our social reforms right. While urging Muslims not to politicise the issue of triple talaq at a function organised in honour of philosopher Basaveshara, a deeper reading of his drawing a parallel with other social campaigns shows that he has not done his research well. While the Prime Minister speaks eloquently against triple talaq, he remains mum on child marriage prevalent in some parts of the country, the practice of dowry, the presence of extra-legal institutions such as khap panchayats, and "honour killings". It is obvious he does not want to offend the majority Hindu community as the political cost would be huge. Viewed from this perspective, his repeated

critical reference to triple talaq cannot be divorced from politics ("Don't politicise triple talaq, find a solution, Modi tells Muslims", April 30).
S.K. CHOUDHURY, Bengaluru

Any rational person would agree that the practice of triple talaq needs to be abolished because of the way it results in the abuse of women. Most people in the country want triple talaq to end. People do not want any discrimination on the basis of any religious faith against women. Divorce laws in India are such that there are cases of harassment of women by men by not granting them a divorce. Does triple talaq offer any mechanism, as courts do, to review the intent to separate? The only civilised way out of this is to establish a uniform civil code to

ensure that every man and woman is treated equally, as promised by the Constitution.
VINOD C. DIXIT, Ahmedabad

One is forced to ask this question: who is politicising this issue which is a sensitive matter concerning Islamic jurisprudence, the Sharia? It is none other than the BJP and right-wing organisations. Mr. Modi seems to have now joined the chorus with gusto. It is strange that he is tight-lipped on the issue of the lynching of Muslim cattle traders and vigilantism in the name of cow protection. I hope all this is not in aid of using another communally polarising issue and vote-catching technique in the forthcoming Assembly elections.
SHAHABUDDIN NADEEM, Bengaluru

Amaravati as prototype

The 'Wednesday interview', 'Amaravati could become the prototype for building cities' (April 26), with conservationist Professor Vikram Soni, talks about a proposed plan to build Amaravati as a natural city. A proposal such as this one would not only be sustainable, climatically sound and economically viable but would also justify the taking over of prime agricultural land for building purposes. This brings to mind an old Asian model of development, the *desi kota* system – 1 sq. km area bounded by roads on three sides and a canal at the rear. High streets would then give people access to commercial buildings and offices. A third road would lead to residences, educational institutions, community areas and religious centres. These would be adjacent to the

agricultural area which fronts the canal. The benefits are huge: imagine eating fresh produce, straight from the farm to the table; imagine so many of these 1 km x 1 km squares on either side of the canal; imagine these canals feeding agricultural lands being waterfronts where one can relax and be rejuvenated. Amaravati seems the perfect place to begin work on this model since it is a greenfield development area on river flood plains and with an existing feeder canal system.
RENU SINGHAL, Hyderabad

IPL in summer

Every year, the Indian Premier League is organised in summer and comes at a cost – using up scarce electricity and water to keep stadium lights, air conditioners and coolers on

the ground and in the stands going. Water is also wasted to keep stands clean and maintain the ground. One needs to contrast this with the way the government is investing funds to save water and energy. Most of us are aware of acute water scarcity across India. Then why is this tournament organised only at this time of the year? If there is no way out, it can be organised in daylight hours of winter. IPL is good for cricket and talent as it creates opportunities for newcomers and also employment for many others. It is also an entertaining event. But when there are alternatives, let us not add to our difficulties by being blinkered.
SAURABH SINGH RATHORE, New Delhi

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Years after war, trials of resettlement

It is time for the Sri Lankan government to get its act together on the ground



MEERA SRINIVASAN

After 20 years in India, wearing a “refugee” tag that led her from one camp to another, it was only in December 2016 that Edward Selyn, 55, returned home. Until a few days ago, she was among a group of people seated under a tent in Mullikulam village in Mannar, in Sri Lanka’s Northern Province, protesting in the scorching heat for a month, demanding that the Sri Lankan Navy release her land.

She was displaced in 1996 with her entire family, after the civil war broke out. Now, eight years after the war ended and months after her return, Ms. Selyn has not stopped feeling displaced. “I had all my documents and deeds, but still could not get back to the land where my home was. I did not think we would come back to such a situation,” she says.

Several thousand acres of formerly civilian-owned or occupied land across the conflict-affected Northern and Eastern Provinces remained with the Sri Lankan armed forces after the war ended in 2009, severely hampering post-war resettlement in Sri Lanka.

Right to return

After waiting for decades, frustrated northern Tamils and Muslims organised a wave of protests in the past few months, asking for their lands. Pressured by their relentless agitations, the military began returning land in different areas, and on Saturday (April 29) released Ms. Selyn’s land. The Resettlement Ministry claims that the armed forces have so far released 70,000 acres of land they held, but no one knows exactly how much yet remains under their control, or when exactly those lands might be released. Neither the national unity government nor the Ministry was proactive in communicating with the affected people, leaving them in the dark about their future.

A couple of hundred metres away from Ms. Selyn’s protest were nearly 100 Muslim men seated in a large semicircle, outside a pale green mosque in Marichchukadai village of Musali. Their protest, too, is about the right to return. After the Liberation Tigers of Tamil Eelam expelled them from the north in the early



Unsettling: “Edward Selyn was displaced in 1996 with her family. Eight years after the war ended and months after her return, she still feels displaced.” Ms. Selyn with her grandchildren at the protest site. • MEERA SRINIVASAN

1990s, thousands of Tamil-speaking Muslim families were displaced to other parts of the island for nearly three decades. And just as some of them had begun resettling in their areas of origin, amid the hazy optimism after some land was released, a heavy blow struck them by way of a recent gazette notification. The hastily drafted notification suddenly expanded the limits of the Wilpattu National Park, in Sri Lanka’s North Western and North Central Provinces, declaring their adjoining villages “forest reserve”, out of bounds to them.

“The linking of the wildlife forest and our former homes is new and very unfair,” Ali Khan, one of the protesters, complains. “We lived in those villages for generations, no one encroached on the forest area.”

The situation Ms. Selyn faced or Mr. Khan is in is symptomatic of the grossly woeful resettlement project that the Mahinda Rajapaksa administration, formerly in power, flagged off. A militarised state apparatus hung over on its war “victory”, attempts by the state to settle Sinhala villagers in the North and East, and repressing bureaucratic lethargy have effectively stalled resettlement for scores of families.

Almost everywhere across the Northern Province, protesters are quick to credit President Maithripala Sirisena, who they helped come to power in 2015, for enabling a democratic environment in which they can protest without fear. All the same, they are now disillusioned with his government’s piecemeal approach to

resettlement, at best ad hoc and half-hearted and at worst blatantly insensitive. It has failed to factor in the varied needs of communities trying to restart their lives after years of strife. The rare hope that people felt initially is vanishing, making way for familiar disappointment.

Recent instances of the military returning some of the occupied land brings much-needed relief to communities, but getting back to their land only means facing new challenges. G. Jayalakshmi is among the few to have recovered her land in Pillaikkudiyiruppu village in Mullaitivu. While the return itself came after a month-long protest by residents, what followed was a classic case of thoughtlessness and neglect on the part of the state. Under a makeshift tent on barren land, families like hers live without drinking water, sanitation or electricity. “We have to go a little far there for our needs,” she says, pointing at the silhouettes of a few surviving trees a few yards away, in the dim light of hurricane lamps hanging from their branches. “What else can we do?” she asks, raising her voice over the shrill bark of a lone dog.

Meanwhile, local government officials are asking them to give up the house they lived in – that displaced families got some years ago – in return for new homes here. “There is nothing on this land, our [old] homes were fully razed down. How can we give up our homes elsewhere already? What if nothing comes up here?” Ms. Jayalakshmi asks.

For those who kept asking when

they might get back to their land, the prospect also brings with it the promise of a livelihood. Speaking of their land, the protesters foreground concerns over livelihood in the same breath. For hundreds of years before the war, the people of the north were predominantly farmers or fisherfolk. Whether cultivation for trade or subsistence, it was their land and waters that gave them a sense of place and importantly, economic security. The civil war and the multiple displacements it caused denied them access to both.

Recalling a time when Tamils and Muslims of Mannar owned neighbouring plots of land and had more cordial relations, Mr. Khan says the communities cultivated land or collected honey for a living. “There were fertile plots and ponds in our village. While many of us struggle without jobs now, we can’t use any of that. They say it is conservation.”

Mr. Khan also points to outdated numbers in government records that don’t account for successive generations. “Our village limits should be redrawn keeping in mind the increase in population,” he says, highlighting the plight of the landless.

Lives, lands and livelihoods

Resettlement was never going to be easy and the government knows that. Headline housing schemes and vocational training centres alone cannot provide solutions to people who have been subjected to brutal violence and displacement. It takes a far more comprehensive approach and a thoughtful strategy to rebuild a war-battered community. It must be one that appreciates the intimate link between the lives of a people to their land and livelihoods, and in keeping with their current realities. For eight years, the northern people have put up with a rather messy resettlement process, counting only on their resilience. Their protests are nothing but a reflection of their waning patience.

After much grandstanding at the UN Human Rights Council and international forums about its commitment to reconciliation, it is time for the Sri Lankan government to get its act together on the ground. Communities cannot reconcile as long as some citizens do not feel secure. It is not the state’s benevolence or patronage that the people want. As citizens, they simply want the state to do its duty. And that is to make everyone on this island feel at home.

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FROM THE READERS’ EDITOR

Malleable information is not journalism

The vexatious questions that arise from the contested interface between digital technologies and journalism



A.S. PANNEERSELVAM

In philosophy, the accent is on coming up with a right question. The underlying principle is that there is an answer to every right question. At some level, questioning is cerebral. However, providing answers is the task of sloggers. They have to delve deep into available literature, triangulate multiple strands to eliminate internal contradictions, and provide a clue that is consistent with both the legal and ethical frameworks. One of the frequent requests we receive is for a takedown of a particular story from our digital archive. These readers invoke the right to be forgotten and often cite the European Court of Justice’s 2014 judgment that directed the search engine, Google, to remove thousands of web links. The primacy of privacy supersedes freedom of expression and the accuracy of historical record in this judgment.

Why does this newspaper not encourage takedown requests? Does the non-existence of a particular material online erase it from all other forms of archiving? What about the existence of the physical newspaper, with the content that some readers want to take down, that exists not only in the newspaper’s office but also across various public libraries? Is the onus of monitoring and restricting a specific web link the job of a search engine? If a particular string is blocked by an algorithm, what prevents the interested parties from creating parallel strings to keep the expunged content alive online? Is it not important to remember the observation of the founders of Google: “The web is a vast collection of completely uncontrolled heterogeneous collections”?

For a transformative change

A scholar I rely on when dealing with the vexatious questions that arise from the contested interface between digital technologies and journalism is George Brock, a well-known journalist who worked for the *Observer* and *The Times*. Mr. Brock is now the head of the Graduate School of Journalism at City University, London and he served as president of the World Editors Forum. His 2013 book, *Out of Print*, argued that journalism can flourish in a new digital world if it is willing to adopt a transformative change

while retaining its four core tasks: verification, sense-making, eye-witness and investigation.

Mr. Brock in his last book, *The Right to be Forgotten* (Reuters Institute for the Study of Journalism, University of Oxford) looked at the rules that govern the preservation of information of public value, its contours and boundaries, and did not restrict himself to only what is in public interest now but what might be of interest in the future. He explains the power data harvesters have to alter the normal effects of the passage of time in the present context where information never fades into the past but often returns to the present with a keystroke. He wryly cites Lucas D. Introna and Helen Nissenbaum: “In twenty-first century life, to exist is to be indexed by a search engine.” He concedes that there are problems that flow from this instant retrieval system where the information has a perpetual existence. For him, the issue goes beyond immediate concerns such as “censorship” or “deleting history on any scale”. He is rightly worried about ratchet moves that can extend the law’s grasp to shrink free expression. The carelessness of tech giants, with the unintended consequences of data protection, he argues, may have been the moral force behind legal restraint. But, he asserts, that should not lead to a situation that falls much short of the basic legal tenet of “specific and proportionate remedies for identifiable wrongs”.

Mr. Brock looks at a range of court cases, requests for delisting, the response of the search engines and the new growing industry of attorneys who claim that their efforts have led “to the successful removal of links that include information relating to past/spent convictions, disciplinary sanctions, offensive blog articles, news reports, private/intimate images, work place investigations and employment disputes”. He explains that the Google Spain case was not about defamation, which remains an expensive area of law; that it was not about inaccurate information as there was no dispute as to the newspaper’s original announcement; that it was not about wrongful release of private information as the announcement was meant to be public; and that it was not about information doing harm. It was about the petitioner’s claim that he had been embarrassed, which the court made it clear was not a requirement to de-index, yet which gave a verdict that may put free speech and journalism on a slippery slope.

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SINGLE FILE

Price caps are a bad idea

As expected, the government’s decision to cap the price of stents is leading to some problems

PRASHANTH PERUMAL



Cardiac stents, the medical devices used to prevent fatal heart attacks by allowing the easier flow of blood, are a lifesaver for millions of patients in India. It was no wonder that when the government decided in February this year to cap the price of stents to improve affordability, it brought a huge sigh of relief.

The National Pharmaceutical Pricing Authority (NPPA) slashed the price of bare metal stents (BMS) was fixed at ₹7,623 and drug-eluting stents (DES) at ₹31,080; down from ₹45,000 and ₹1.21 lakh respectively. The NPPA later raised the price cap by around 2% from April to compensate for the rise in the input costs of producers.

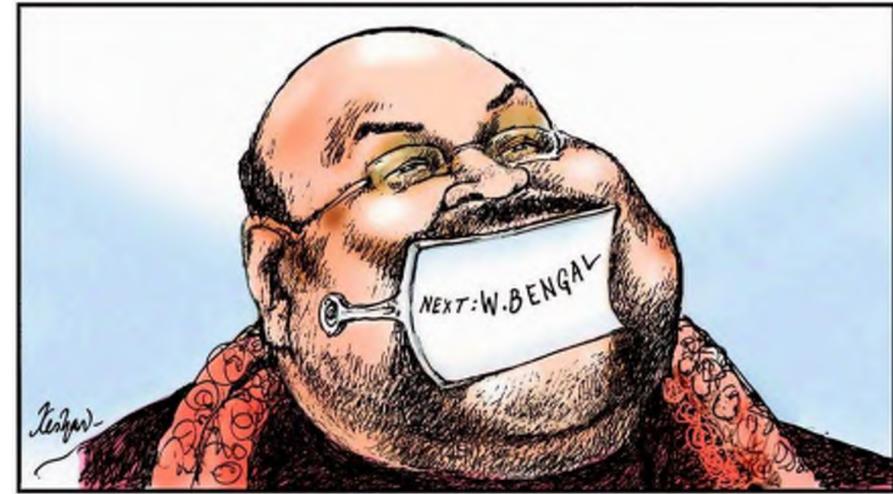
The government estimated that the control of stent prices could save as much as ₹4,450 crore a year for patients. That obviously sounds fabulous. But what if the price cap has other unseen effects? Government policies often have unintended consequences, as economists have long warned. And when it comes to price caps on life-saving devices, actions taken for the public good may actually be fatal for patients.

Unintended consequences

In particular, price caps have some unintended consequences. For instance, by adversely affecting the returns pharmaceutical companies can earn on making stents, price caps can reduce their supply. For instance, fixing the price of stents below their cost of production would offer no economic incentive for firms to continue production. It wasn’t any surprise then that last week, three international manufacturers (Abbott Healthcare, Boston Scientific, and Medtronic India) that supply stents in India threatened to pull out of the market. The NPPA refused to approve the withdrawal request of two of the companies, shedding bad light on doing business in India. In addition, there came reports of stents shortages immediately following the price cap order in February.

The NPPA has justified the price cap saying that these companies can earn profits even at the lower prices mandated by it. This misses the point that investors judge the attractiveness of an investment based on its expected return compared to other investments. Thus, as long as price caps affect relative returns, it would affect the amount and urgency of investments into making stents.

None of this is new. The price caps imposed on 74 drugs under the Drugs (Prices Control) Order (DPCO) 1995 led to the stoppage in production of half the drugs. The DPCO 2013, which capped the price of 348 drugs, dried up any new investments in them – something crucial to lowering drug prices in a sustainable manner. The government’s desire now to go down the same failed path suggests it has not learned any lessons.



CONCEPTUAL

Creative destruction

ECONOMICS

Creative destruction, a term attributed to economics professor Joseph Schumpeter, refers to competition faced by firms enjoying monopoly power, whose marketplace primacy is challenged by disruptive innovations rather than lower prices. Schumpeter posited that market entrants who set off the initial “gales of creative destruction” may evolve into monopolies, and in turn be impacted by new waves of creative destruction unleashed by other entrepreneurs. Besides long-run growth, this theory has applications in the study of business cycles, economic fluctuations, structural adjustment and factor markets.

MORE ON THE WEB

Interpreters of a malady: Scientists found a rare genetic mutation; Video: <http://bit.ly/geneticmutation>

SHELF HELP

How the Islamic State rose

Insights into the fault lines in West Asia

STANLY JOHN

The rapid and violent rise of the Islamic State (IS) baffled many. Unheard of until 2013, the IS suddenly started making headlines with its brutal tactics and solid military victories in Iraq and Syria. Within a few months of announcing its formation, it captured huge swathes of territories in both countries, effectively erasing the border between them. What helped Abu Bakr al-Baghdadi and his men defeat even conventional forces such as the Iraqi military and gobble up territories in such little time?

Veteran journalist Patrick Cockburn’s book, *The Rise of Islamic State: ISIS and the New Sunni Revolution*, one of the first books to be published on the IS, seeks to answer this question. Mr. Cockburn, who covers West Asia for *The Independent* newspaper, goes deeper into the roots of today’s IS to the 1980s Mujahideen jihadism in Afghanistan that

was backed by the U.S., Saudi Arabia, and Pakistan. What has allowed the IS to emerge today is the region’s geopolitics. The Syrian civil war, in which different countries in the region are involved through their proxies, destabilised the country leaving territories for jihadists to capture and turn into havens.

William McCants, who directs the Project on U.S. Relations with the Islamic World at the Brookings Institution, takes this narrative forward in *The ISIS Apocalypse: The History, Strategy and Doomsday Vision of the Islamic State*. If Mr. Cockburn’s tiny book stays focussed on the rise of the IS, Mr. McCants goes into the military strategy and sectarian ideology of the organisation. The IS’s actions may look barbaric, but the group had a plan. It used the spectacle of violence to stir up religious fervour among disaffected youth worldwide and drew them

to its core, tied up with the former Ba’athists in Iraq, and moved ahead with a clear blueprint to establish the ‘Caliphate’.

In *ISIS: The State of Terror*, Jessica Stern and J.M. Berger offer a detailed description of the rise and reign of the group. The IS is more than a bunch of crazy fighters and a Caliph.

In a couple of years, the IS has evolved into one of the most potent terrorist machineries. *The State of Terror* covers the different arms of the group – its foreign fighters, social jihad, electronic brigades, and so on. The IS may now be losing territories to Kurdish rebels in Syria and the Iraqi Army in Iraq, both backed by the U.S. But its ideology, like that of al-Qaeda and other jihadist organisations, is unlikely to fade away in the near future given the geopolitical and sectarian fault lines of West Asia. And these books offer insights into these fault lines.

FROM THE HINDU ARCHIVES

FIFTY YEARS AGO MAY 1, 1967

Panel to evolve language formula

The conference of State Education Ministers which concluded here [New Delhi] to-day [April 30] failed to reach an agreement on the three-language formula but decided that the regional languages should be made media in all institutions of higher education. The conference resolved to set up a committee consisting of the Education Ministers of Madras, Andhra Pradesh, Gujarat, Haryana, West Bengal, Madhya Pradesh, Bihar, Maharashtra and Delhi to evolve a common agreed language formula. The committee is expected to report within a month. The Chairman of the conference, Dr. Triguna Sen, Union Education Minister, said there was complete agreement that the mother tongue the Official Language of the Union “which is and can be only Hindi” and a library language which would open out a window on the world, English, should be studied in the order of priority mentioned. Referring to the opposition voiced against the compulsory study of Hindi or English, Dr. Sen hoped there would ultimately be unanimous agreement to develop Hindi as link language.

A HUNDRED YEARS AGO MAY 1, 1917

Mr. Chamberlain’s appeal

Mr. Austen Chamberlain, Secretary for India, presided on March 27 at a meeting of the Indian section of the Royal Society of Arts, at which Sir Havelock Charles, President of the Medical Board, India Office, read a paper by Surgeon-General Sir C. Pardey Lukis, Director-General, Indian Medical Service, on “Opportunities for Original Research in Medicine in India.” Mr. Chamberlain said that the medical services of India had given of their best, and given freely, in this war.

DATA POINT

Short of cadre

Jammu & Kashmir, Odisha, Kerala and Bihar topped the States with the highest shortage in the serving IAS, Indian Forest Service and IPS cadre as of January 1, 2016. Nation-wide shortage is 21.4%

