



Coal comeuppance

The coal block allocation case may become a benchmark for other ongoing prosecutions

It is arguably the logical consequence of the 2014 Supreme Court order declaring all coal block allocations made since 1993 illegal and arbitrary. The conviction of three Coal Ministry officials, including former Secretary H.C. Gupta, marks the first case in which individual criminal liability has been fixed on public servants in the coal block scam. Two previous trials had ended in convictions, but those held guilty were officials of private companies who had deceived the authorities into allotting them blocks. Mr. Gupta was the chairperson of the screening committee that recommended allocations. It functioned for years without regard for guidelines, norms or transparency, until the apex court halted its irregular run. He and two other public servants have been found guilty of abusing their positions to procure a coal block for Kamal Sponge Steel and Power Limited. While it was fairly clear that the screening committee route was only a mechanism to push through the applications of all and sundry for coal blocks, especially under the first UPA government, it was not certain if it could be proved beyond reasonable doubt that public servants had manipulated the system to their advantage. Special CBI Court Judge Bharat Parashar has now ruled that Coal Ministry officials deliberately allowed an incomplete application from an ineligible company to be taken up for consideration. Far from 'screening' applications, he finds that the accused actually let all applications pass without any checking so that "they will have an open field to arbitrarily exercise their discretion in favour of any company".

The verdict is a studied indictment of government processes, or the lack of processes, during the period. Looking at the prosecution charges and the defence claims, it appears there was little clarity on whether the guidelines were being adhered to. The former Secretary and Joint Secretary said in their defence they could not verify applications for completeness and eligibility, as it was the job of the section concerned. The section says this is the job of the administrative ministry or the State government to which applications are forwarded. Other omissions include the failure to evolve any *inter se* criteria to decide eligibility, or to do any verification either before or after the screening committee recommended allocations to the Minister. Whether there was a conspiracy between the officials and the company and whether the prosecution proved that these omissions amounted to deliberate abuse of their positions will be matters that will, no doubt, be taken up on appeal; but the significance of the verdict is that it may become a benchmark for other ongoing prosecutions on similar lines. The case also raises questions about the role and responsibility of a Secretary to the government, who is not only the administrative head of a department but also an adviser to the Minister on matters of policy.

Rouhani's moment

His emphatic re-election as Iran's President gives the reformist agenda a chance

The resounding victory of President Hassan Rouhani, who had sought re-election on a platform of moderation and engagement with the outside world, is a strong endorsement by the Iranian people for political change. He won one of the most polarised elections in Iran's recent history, one in which the clerical establishment backed a candidate who was running against a sitting President. The hardliners rallied behind Ebrahim Raisi, who challenged Mr. Rouhani's economic policies, slammed his outreach to the West and even flung corruption allegations against him. Still Mr. Rouhani won 57% of the vote against Mr. Raisi's 38.5%. In 2013, Mr. Rouhani was an accidental candidate of the moderates. It was a time when the moderate movement had not recovered from the 2009 crackdown by the state apparatus after Mahmoud Ahmadinejad's controversial re-election. Then both the moderates and centrists led by former President Akbar Rafsanjani backed Mr. Rouhani as a consensus candidate. This time there was no Rafsanjani; Mr. Rouhani fought on his own. During the campaign, he assailed Iran's deep state in a way no sitting President had done. He reached out to women and the ethnic and religious minorities. The numbers suggest a vast majority of Iranians repose great faith in this cleric who promises them hope and change.

Now that he has won, the spotlight turns on the challenges ahead. In the first term, Mr. Rouhani treaded cautiously. His focus was on the nuclear negotiations Iran was undertaking with six world powers and he was averse to upsetting the conservative establishment. His record in offering more civil liberties fell short of expectations as young Iranians are still waiting for meaningful changes in the clergy-defined social order. The reformist politicians who were put under house arrest in 2011 are still not free, and Mr. Rouhani hardly spoke for them during his first term. And unemployment has not eased under his government. Now that the nuclear deal is done and he has a second term, it is time for Mr. Rouhani to act boldly. It is unrealistic to expect radical changes in a society that is tightly controlled by the Ayatollahs. Though the President is the highest elected official of the republic, real powers lie in the hands of the Supreme Leader. Any attempt to introduce rapid changes will meet with strong resistance from the deep state. But Presidents can pursue a gradualist reform agenda with popular support. Over the years, Iranian civil society, working within several constraints, has kept the moderate current that powers this reform agenda alive, in sharp contrast to several other countries in West Asia where elections are a sham and dissent is a crime. Mr. Rouhani's biggest challenge is to respond to this current constructively, by launching gradual reforms at home that offer more civil liberties and better economic opportunities to the people.

Addressing the court within

India must use this initial victory at The Hague to appeal to our own finest sense of conscience



SUHRITH PARTHASARATHY

By itself, the International Court of Justice's order, delivered on May 18, imposing provisional measures injuncting Pakistan from executing an Indian national, Kulbhushan Jadhav, is entirely unexceptional. The ICJ has merely arrived at a *prima facie* satisfaction – based on an analysis at first sight – that it possesses the power to rule on India's application, and that India's rights, under the 1963 Vienna Convention on Consular Relations, have plausibly been violated by Pakistan's detention, trial and ultimate sentencing to death of Jadhav. There is now a worry, not without cause, that Pakistan may not comply with the ICJ's direction, despite its explicitly binding status. What's more, the internationalisation of the dispute potentially comes with its political ramifications for India. But much as all these considerations can serve as a basis for cynicism, we mustn't despair at India's choice. Its victory, impermanent as it may ultimately prove to be, must be celebrated for what it is: a vindication of the rule of law.

Dispelling old concerns

Too often ontological concerns enumber the study of international law – questions tend to revolve around whether international law is really law at all, and, if so, whether its principles even matter. Despite consistent empirical evidence which shows that international law positively influences state behaviour, these questions, seeped in scepticism, somehow never seem to go away. India's choice of the ICJ as a legitimate site for dispute resolution, even if it was borne out of self-interest, can help dispel some of these age-old concerns. But for that to happen, India must take on the additional



responsibility that comes with its choice, to show us that it possesses the moral authority to charge other nations with a breach of the law. To achieve this, we must drive the Indian government towards greater domestic compliance with its own obligations under both treaty and customary law alike, to demonstrate that our own sense of conscience is stirred by the mandates of the world order.

First, though, let's consider the facts of the present dispute, as they are. Although India and Pakistan disagree over the precise nature of who Mr. Jadhav is and where he was arrested, the crux of India's case, which Pakistan hasn't particularly disputed on facts, is this: that Mr. Jadhav was denied consular access, despite numerous requests from India. Pakistan claims that these actions do not breach the Vienna Convention, as Jadhav was involved in espionage and sabotage. India submits that the treaty creates no such exception and that the denial of consular access is an infringement for which Pakistan must make reparations. To this end, India has sought, among other things, an order that would declare the sentence of the Pakistani military court as violating Article 36 of the Vienna Convention, which both countries as parties are bound by.

This provision defines the rights granted to consular officials, with a view to helping them exercise their consular functions. Specifically, it accords a privilege to officials to not only freely communicate with any national of its state detained in

the other country, but also the right of visiting the detained individual, and arranging for legal representation, if the *détenu* so desires. It is India's case that these privileges were denied to it. Pakistan alleges that the Convention's privileges were not only inapplicable, but that the ICJ, in any event, lacks the jurisdiction to decide the dispute. Or, in other words, the court, it says, does not possess the power to make a legal determination on the dispute.

Ordinarily, rows between nations can be taken to the World Court only if both parties consent to the court's jurisdiction. In this case, however, India relies on Article 36(I) of the Statute of the ICJ which accords to the court the power to decide disputes arising out of treaties or conventions that specifically vest the court with compulsory jurisdiction. The Vienna Convention, through an optional protocol that both India and Pakistan are signatories to, is one such agreement.

ICJ in the picture

As India has pointed out in its application, the ICJ has, at least in two notable instances, entertained applications under Article 36(I) of its statute for breaches of the Vienna Convention. In 2001, the court ruled that the United States had violated its obligations to Germany in denying consular access to the LaGrand brothers, citizens of Germany who had been convicted and sentenced to death in the state of Arizona. Similarly, in the *Avena* case in 2004, the court ruled that

the U.S. had failed to comply with the Vienna Convention in several instances involving Mexican nationals. The court here directed the U.S. to review and reconsider its convictions and sentences, in a manner that would take into account the breaches made of the treaty.

Pakistan, for its part, has resisted references to *LaGrand* and *Avena*. It claims that the two countries are governed by a 2008 bilateral agreement on consular access, which effectively exempts Pakistan from its obligations under the Vienna Convention, and which also ousts altogether the ICJ's jurisdiction. More ominously, however, it argues that the Vienna Convention does not apply when a person has been detained for offences involving espionage or terrorism, as concerns over national security always trump the demands of consular relations.

The ICJ is yet to rule conclusively on any of these arguments. It has only granted India provisional measures pending a final adjudication. But, on any reasonable final consideration, Pakistan's arguments ought not to pass muster. The 2008 bilateral understanding between the countries no doubt imposes particular responsibilities on them, but by no means does it relieve either country from its obligations under the Vienna Convention. As the opinions in *LaGrand* and *Avena* make clear, once a foreign national is arrested the state making the arrest has a duty to allow the consular officials of the sending state to visit the *détenu* and to render to him all the assistance that he needs. It's easy to see that Pakistan is in breach of this fundamental obligation. Its endeavour to wriggle out of this responsibility citing concerns over national security is also likely to fail. Were such an argument to be accepted, it would potentially lead to a most dangerous situation, where countries can ignore their consular obligations purely because they consider the sending state an enemy.

Whichever way the ICJ's decision might eventually go, the crit-

ical question, for now, though remains this: will Pakistan obey the court's provisional measures? Should it choose to ignore the order, it can glean much from the American experience. The U.S., after all, went ahead in executing one of the *LaGrand* brothers despite an explicit injunction from the ICJ, prohibiting it from carrying out the death sentence, pending a final adjudication. Ultimately, in 2005, the U.S. withdrew altogether from the Optional Protocol, which grants the ICJ compulsory jurisdiction over claims made under the Vienna Convention.

A glass already half full

When we see naked expressions of power such as this, it's easy to conclude that international law exists in vacuity, that its principles aren't merely flawed but that they are also law only in their name. However, we can still see the present proceedings as a tunnel that ends with the optimistic light of day. Even if Pakistan were to disregard the ICJ's order, the case shows us that there do exist concrete sources – a treaty in this case – which impose an ethical duty on nation-states to follow the rule of law. It allows us to consider what the scholar Thomas M. Franck described as "post-ontological" questions, to address not whether international law really is law, but the more normative concerns over how best to enforce its commands. We must therefore use this opportunity to shun scepticism, and appeal to our finest sense of conscience. We can only do this by resisting a push for greater governmental freedom at the domestic level, which invariably tends to carry itself into the sphere of international relations, where our own obligations – think climate change, customary refugee law, fundamental human rights, among others – often stand breached. To set the right moral example we must start from within.

Suhrit Parthasarathy is an advocate practising at the Madras High Court

An opportunity being drained away

Sound policies on wastewater treatment and use are vital to sustainable development



PRAKASH NELLYYAT

Each year a specific aspect of water is highlighted while observing International World Water Day (March 22); this year's theme was "wastewater", which is defined as any water that has been adversely affected in quality by anthropogenic influences and as a result of domestic, industrial, commercial and agricultural activities. In recent decades, population growth, accelerated urbanisation and economic development have resulted in an increase in the quantity of wastewater and the overall pollution load being generated. Most of our freshwater sources are under threat. When public awareness of pollution is limited, the cost of pollution to our health and the ecosystem is huge. The victims are generally the poor or socially vulnerable communities, and the end result is a high financial burden on the community and government.

Water facts

Globally, over 80% of the wastewater generated goes back to the ecosystem without being treated or re-

used. Another fact is that 1.8 billion people use drinking water contaminated with faeces which increases their risk of contracting cholera, dysentery, typhoid and polio. Also, 663 million people still lack access to improved drinking water sources.

The opportunities for exploiting wastewater as a resource are enormous. Safely managed wastewater is an affordable and sustainable source of water, energy, nutrients and other recoverable materials. The benefits to our health, and in terms of economic development and environmental sustainability, business opportunities and 'green' jobs far outweigh the costs of wastewater management.

By 2030, the global demand for water is expected to grow by 50%. Most of this demand will be in cities. In low-income areas of cities/towns within developing countries, a large proportion of wastewater is discharged directly into the surface water drain, without or with limited treatment. Traditional wastewater treatment plants may not remove certain pollutants. In India, about 29,000 million l/day (mld) of waste water is generated from class-I cities and class-II towns, out of which about 45% (about 13,000 mld) is generated from metro cities alone. A collection system exists for only about



30% of the wastewater through sewer lines, while treatment capacity exists for about 7,000 mld.

Industrial water consumption accounts for 22% of the global water used. The industrial sector in India discharges around 30,730 million cubic metres of effluents, without proper treatment, into waterbodies. Unfortunately, most common effluent treatment plants are not performing satisfactorily due to improper operations and maintenance.

Run-off from agriculture fields is another major source of pollution.

India, with 17% of the world's population, 4% of water resources and 2.4% of land area, extracts water significantly for various developmental purposes. Hence, the water flow or storage capacity of water bodies has declined substantially, adversely affecting their waste assimilation/sink functions.

Past experience shows that significant progress has not been

achieved despite legislative and policy measures being introduced with huge budgets to solve water pollution issues. Water pollution is not a major topic of political debate as yet.

Management strategies

There is sufficient evidence to suggest that the problem, though complex, is solvable. While it is not realistic to aim for zero water pollution, a level of socially acceptable pollution, respecting the integrity of ecosystems and service provision, can be reached.

At the national and regional levels, water pollution prevention policies should be integrated into non-water policies that have implications on water quality such as agriculture and land use management, trade, industry, energy, and urban development. Water pollution should be made a punishable offence. The effectiveness and power of the "polluter pay principle" should be considered.

Various policies, plans and strategies to protect water resources should be participatory, allowing for consultation between government, industry and the public. At the local level, capacity building enables the community to make decisions and disseminate them to the appropriate authorities, thus influencing political processes. Market-based strategies

such as environmental taxes, pollution levies and tradable permit systems should be implemented, and can be used to fight against or abate water pollution. Incentive mechanisms such as subsidies, soft loans, tax relaxation should be included in installing pollution management devices.

In industrial pollution management, technological attempts should be made through cleaner production-technology. Sophisticated pollution management technology developed overseas should be introduced in India. The application of eco-friendly inputs such as biofertilizers and pesticides in agriculture and the use of natural dyes in textile industries can reduce the pollution load considerably.

Since fresh water is increasingly getting scarce, wastewater generated in urban areas can be used for sub-urban agriculture, industry, and even sanitation and certain domestic applications after treatment. Wastewater need not be a burden any longer but an asset instead.

Prakash Nellyyat works with the Centre for Biodiversity Policy and Law, National Biodiversity Authority, Chennai. Statistical references are from various published papers and the insights from a recent paper by the writer. The views expressed are personal. E-mail: nellyyat@yahoo.co.uk

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.

Hack it yourself

The bold decision by the Election Commission to throw an open challenge to political parties to prove their claims that EVMs can be tampered with should take the wind out of the sails of parties such as the Aam Aadmi Party, whose top leaders have been shouting themselves hoarse levelling allegations ("EVM hackathon from June 3", May 21). A constitutional body such as the ECI opting to nail the lie of the doubting Thomases is an unprecedented step in Indian electoral history. The EC's stock will certainly rise once it succeeds in putting all doubts to rest. Some of our political parties are in for a shock.

C.V. ARAVIND,
Bengaluru

■ While it is obvious for anyone losing to cry foul,

the EC's attempt to be transparent should also be used as an occasion to make the political parties concerned apologise should they be proved wrong. With the VVPAT EVMs finding a place in the next Assembly and general elections, one hopes that the trend of ridiculing the EC and EVMs will end.

PRAVEEN PATAVARDHAN,
Bengaluru

Political alignments

After the initial high, O. Panneerselvam now finds his political path riddled with potholes as events are not falling into place as expected. ("OPS camp hints at pact with BJP, retracts", May 21). The confused attempts to patch up with the Edappadi Palanisami (EPS) faction emanate from a lack of clarity on the way forward. It is difficult for a party to survive solely on

the basis of issues such as "keeping away a particular family" or ordering an inquiry into the circumstances around Jayalalitha's demise. As long as the EPS faction has the majority, Chief Minister Palanisami should be allowed to rule. The next elections are some years away and taxpayer money should not be wasted. Corrupt and inefficient governments running their full term is not new either as long as they have the numbers. People will get an opportunity to decide who should govern them. Since both factions have the same ideology, Mr. Panneerselvam should try and get back with the ruling group.

V. SUBRAMANIAN,
Chennai

■ Bobbittised Society needs shock

treatments periodically ("Kerala girl cuts godman's genitals, ends eight-year ordeal", May 21). The incident may sound bizarre but such a case is bound to happen when there is progressive moral degradation. What sort of a spiritual guide was he?

V. LAKSHMANAN,
Tirupur, Tamil Nadu

Blockbuster

As an ordinary cine-goer who watched the film "Baahubali 2", I think that apart from the graphics or spectacular visuals that the film offers, the main thing that made the film a grand success is its story which is set away from the harsh realistic world that we live in. It is an escape from the challenges, insecurities and fears that we face in day-to-day life and of being part of a complex and corrupt society. It is one film where

you don't have to explain to your children about the bad things in life. The director has even upheld respecting women by including a scene where Baahubali chops off the head of a security guard who misbehaves with women. We have not had an Indian superhero for a long time, even after the Shaktimaan era. "Baahubali" has given us one. When we laud

Hollywood films such as "Gladiator" or "Troy", even calling them "classic", why not appreciate it when Indian cinema makes a similar attempt ("The Balli of Cinema" and "Very Worst Graphics", *The Hindu Magazine*, May 14 and May 21, respectively)?

NEETHU S. NAIR,
Palakkad

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CORRECTIONS & CLARIFICATIONS:

A sentence in the story headlined "A spectre is haunting GOP lawmakers" (May 21, 2017) read: "... in Virginia, Dave Brat could hardly have a word tossed above the din that didn't stop until he did not stop;" It should have been until he stopped.

Wrong headline: It was not Netflix that was heckled at Cannes as given in a Life page (May 19, 2017) headline. It was actually the Cannes projection team which was booed for wrong aspect ratio. The correct headline is: "Cannes projection team booed at Okja premiere".

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturji Buildings, 859 & 860 Anna Salai, Chennai 600 002, India. All communication must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com

Cool down the rhetoric

The U.S. will gain little by turning India into an adversary on climate change issues



T.P. SREENIVASAN

U.S. President Donald Trump's accusation against India concerning the Paris Accord that "...the U.S. pays billions of dollars while China, Russia, and India have contributed (to pollution) and will contribute nothing" is inaccurate, misleading and unfair. In fact, India has walked with the U.S. from Stockholm to Paris via Rio de Janeiro, Kyoto and Copenhagen. New Delhi has fought for climate justice, equity and fairness all the way, demanding that developing countries should be entitled to maintain and increase their greenhouse gas emissions for survival and developed countries should mandatorily cut their luxury emissions. At the same time, India has also been sensitive to the constraints of the U.S. and the other industrialised nations in reducing emissions.

Indira Gandhi had exposed the Western efforts to impose environmental colonialism at the Stockholm Conference in 1972 and declared that "poverty is the worst polluter" and demanded that "the polluter must pay". But she had also conceded that development should be sustainable. India's Chandrashekar Dasgupta and U.S.'s Al Gore worked together for the historic agreements in Rio de Janeiro, which led to the signing of the Framework Convention on Climate Change (FCCC) in 1992.

Grand Rio bargain

The concept of "common, but differentiated responsibilities" led to the identification of Annex I countries, which agreed to mandatory cuts. The idea that developed countries should meet the "incremental costs" of developing countries using environment-friendly technologies was another element in the grand bargain at Rio. Huge commitments were made not only for financial support, but also for technology transfer at concessional prices. The fine balance struck by India and the U.S. culminated in the Agenda 21, raising hopes for a renaissance in the areas of both environment and development.

When the U.S. and other developed countries - particularly Japan, Canada, Australia and New Zealand - began to renege on their commitments and began demanding mandat-



GETTY IMAGES/ISTOCKPHOTO

ory cuts from China, India and Brazil during the Berlin negotiations (1995), India did not dismiss their demands out of hand. It accommodated various mechanisms to reduce the burden of the developed world. For this reason, the Kyoto Protocol had a reasonable chance of success, but it was the U.S. that refused to sign it and started to wriggle out of every understanding reached. The whole approach was sought to be changed till the adoption of the Copenhagen Consensus, which was disowned by most of the developing countries. In Copenhagen, former Prime Minister Manmohan Singh personally participated in the new understanding that all commitments would be voluntary and that the UN would only supervise and evaluate their implementation. This incurred the wrath of many developing countries. What remained was only a myth that the Kyoto Protocol was still alive and well and that the Rio spirit was intact.

The much acclaimed Paris Accord was a requiem for Rio and all that the FCCC stood for. The whole value of the accord has been challenged by those who had worked tirelessly for an international consensus to save the planet. James Hansen, formerly the

chief climatologist of National Aeronautics and Space Administration (NASA), was forthright in his assessment: "It is a fraud really, a fake," he said. "It is just b***** for them to say, 'we will have a 2° Celsius warming target and try to do a little better every five years'. It is just worthless words. There is no action, just promises. As long as fossil fuels appear to be the cheapest fuel out there, they will continue to be burned."

By its very nature, the Paris Accord does not warrant the argument made by Mr. Trump. It contains no financial commitment from the U.S. or any other country except a vague offer of \$100 billion after 2020. The Accord deals with the global commitments of countries regarding emissions, mitigation, adaptation and financing from 2020. The allegation that China, Russia and India are only contributing to pollution and not to climate change fund has no basis whatsoever.

The essence of the Paris Accord is only a "strong agreement" to hold the increase in the global average temperature to well below 2° Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5° Celsius above pre-industrial

levels. But the "Nationally Determined Contributions" submitted so far make it clear that they will not be able to hold the increase to below 3° Celsius.

The advantage that the U.S. and other developed countries have gained from the Paris Accord is that all economies, including China and India, are being made to take action on climate change without any commensurate guarantees from the former on funding and transfer of technology. The financial commitment that the U.S. has undertaken is only to change to new energy sources. Naturally, the cost of the switch will be more for the U.S. than for China or India and this cannot be considered as a payout. As eleven State Governors have written to President Trump, if the U.S. abandons its investments in climate change, India and China will benefit from the low-carbon leadership they acquire over time. By maintaining the momentum in global efforts, the U.S. will benefit through its own transition to clean energy. India had initially hesitated to ratify the Paris Accord out of fear that it might not be able to invest in clean energy like nuclear power, unless it gains entry into the Nuclear Suppliers Group. Apparently, it ratified the accord on the basis of certain assurances in this regard from former U.S. President Barack Obama.

India was seen as an adversary at the beginning of the Paris Conference, because of its championship of the Kyoto Protocol. It was only after it virtually abandoned Kyoto by saying that the world had to go beyond the failed agreements of the past that its status changed from that of a "challenge" to a "partner" in the eyes of the U.S. The *New York Times*'s cartoon showing India as the elephant stopping the Paris train in its tracks was not an exaggeration of the Indian position at the time of the beginning of the Paris conference.

India may have eventually embraced the lesser evil of voluntary cuts for everyone rather than mandatory cuts for the main emitters, among which New Delhi itself might have been counted. The U.S. will gain little by turning India into an adversary once again at a time when a whole range of issues in India-U.S. relations are yet to be clarified and taken forward. Walking together on climate change will be beneficial to both.

The writer was the vice-chairman of the Conference of Parties of the Framework Convention on Climate Change from 1992 to 1995 and Chairman of the G-77 at the Berlin Conference in 1995

FROM THE READERS' EDITOR

The government and the media

There is a symbiotic relationship between popular opinion and the focus of a daily, one that we must examine carefully



A.S. PANNEERSELVAN

For nearly a decade, the dispatches from the *Columbia Journalism Review* (CJR) were seen as a harbinger of the new challenges confronting journalism. It documented the crisis in the Western news media industry, it investigated how Silicon Valley companies are upending journalism, it examined the limitation of algorithm-driven journalism, it talked about the failure of the pay wall, and about filter bubbles and echo chambers created by social media and its debilitating influence on journalism. One anticipates its arrival in the mailbox with a sense of trepidation.

However, its latest newsletter was a departure. It spoke about the best kind of newspaper war that is happening in the United States right now. It spoke about the competition of competence between the two major U.S. dailies - *The New York Times* and *The Washington Post* - in their series of investigative stories about the Donald Trump regime.

The CJR writer observed: "It wasn't that long ago that both papers were in dire straights. Back in 2013, while *The Times* was struggling to attract digital subscribers and tweaking its pay wall, Jeff Bezos's purchase of *The Post* was seen by some as 'quixotic adventurism'. Four years later, both outlets have stabilised their financial footing, and news consumers are reaping the benefits."

Scrutinising the White House

The close scrutiny of the White House affairs by the two newspaper majors was so intense that Margaret Sullivan, former Public Editor of *NYT* and the present media columnist for *The Post*, wrote: "The two papers have been answering each other's major scoops like smitten teens volleying text messages." And, to top it, last week also saw Kevin D. Williamson's article in *National Review*, "The news ain't fake," that addressed the conservative audience who are distrustful of scoops from newspapers seen as left-leaning. He wrote: "We owe it to ourselves to take account of reality. And we owe it to the country, too. It is cheap, it is cowardly, and it is bad citizenship to simply shriek 'fake news!' every time reality forces a hard choice upon us. Living in a free, self-governing society means making a great many hard choices, and there is

no one to make them but us." These stories, in a sense, gives us tools to evaluate the role of Indian newspapers in holding those in power accountable.

Evaluating the NDA government

This week will mark the completion of three years in power of the National Democratic Alliance (NDA) government led by Prime Minister Narendra Modi. The opinion about the performance of the government and that of the media is evenly divided. Those who support the present government, with an enviable presence on digital platforms, say that newspapers were unnecessarily critical of some of the historic decisions of the government.

The other section feels that Indian newspapers have gone into a self-censorship mode and have failed to point out the gap between official rhetoric and the delivery of the official machinery. One criticism, by this section, against the media is that it is focusing more on the acts of omission and commission of the Opposition parties rather than that of the ruling dispensation.

Over the next two weeks, this column will look at how Indian newspapers in general, and *The Hindu* in particular, reported on the government over the past three years. The views of the reading public play a vital role in defining the character of a newspaper's coverage. There is a symbiotic relationship between popular opinion and the focus of a newspaper.

The feedback loop works both ways, implicitly and explicitly. I solicit readers' views on this crucial topic, which will form the backbone of my analysis. I have no hesitation in agreeing with Milan Kundera's description of our perception of the present: "There would seem to be nothing more obvious, more tangible and palpable than the present moment. And yet it eludes us completely... Each instant represents a little universe, irrevocably forgotten in the next instant." In this age of information glut - profound, profane, trivia and rumours - we need to take a pause and relook at what type of newspaper war is happening here?

Where does the newspaper's contrarian and adversarial role end and where does it become a force multiplier for the ruling party? I will restrict my analysis only to newspapers because news television is mimicking gladiatorial sport and that requires a different set of skills and language to explain its content.

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SINGLE FILE

Gender equality, the freedom struggle way

The movement empowered the women, but also feminised the men

RUCHIRA GUPTA



In this time of toxic masculinity, we must recognise and learn from the successes of the past. Mahatma Gandhi consciously feminised India's freedom struggle to win against the brute masculinity of British power.

He saw his mother Putlibai and his wife Kasturba (in picture) use peaceful resistance against patriarchy at home. His mother would fast to put

moral pressure on his father, and his wife would refuse any act that he asked her to do if she did not agree with it. He personally experienced the power that resists rather than destroys. He incorporated this knowledge into a political tool, *satyagraha*, that combined civil disobedience with constructive action. Not only was each activity in civil disobedience possible for women to do, because it was non-violent, but each act of constructive action was especially suited to women.

The Champaran trigger

When on the famous day of April 16, 1917, Gandhiji was asked by the British sub-divisional magistrate to leave the district of Champaran, and cease recording the plight of indigo farmers, he refused and wrote two letters. In the first, he asked a friend for volunteers, especially educated women volunteers, for the constructive action of running schools and ashrams where girls would be educated and hierarchies of caste, class and gender would be overcome.

In the second letter, he stated his own civil disobedience: he would not leave Champaran without recording the plight of the farmers. By November, he had opened three girls' schools and ashrams in Champaran.

With the sustained help of these ashrams, an increasing number of volunteers completed and submitted a report on the pitiable condition of Indigo farmers to the British, who were forced to withdraw the unjust laws and offer some redress. Emboldened with their success in the running of ashrams and schools, women during the freedom struggle began to participate in protest politics. They began to organise public meetings, unionise mill workers, picket liquor shops, boycott foreign goods and court arrest. Organising public meetings meant stepping out of the boundaries of home, unionising mill workers meant overcoming the *purdah*, boycotting foreign-made cloth meant spinning your own, going to jail and running ashrams meant overcoming caste restrictions.

India's national movement included an unprecedented number of women and ended up creating an unmatched number of women leaders. Eventually, these actions changed the women, but also feminised the men, who too learned to cook, clean, wash, spin, weave and stitch. This role reversal embodied the possibility of women doing men's work and men doing women's work; a shared humanity that replaced the gendered polarisation of the dominant and the dominated.

Ruchira Gupta is an anti-trafficking activist and founder of Apne Aap Women Worldwide



CONCEPTUAL

Paradox of value

ECONOMICS

A term that describes the phenomenon of the market price of goods essential to life, like water, being way lower than that of goods that are non-essential, like diamonds. It is also called the diamond-water paradox. Even though water is much more valuable to life than diamonds, its abundant availability - as compared to diamonds - causes its marginal value to buyers to be lower than that of diamonds. Hence, water usually costs much less than diamonds, unless there is a huge scarcity in its availability. In that case, both the marginal value and price of water would be way higher.

MORE ON THE WEB

The Cannes coverage <http://bit.ly/IndiaatCannes>

SHELF HELP

Making sense of the stock market

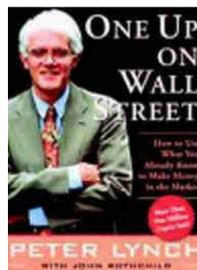
Books that teach about investing in stocks

PRASHANTH PERUMAL

Got some money to invest in the stock market? Not sure if you should do it yourself or part your hard-earned money with a money manager whose performance is very likely to be mediocre? Or just want to know if investing is your cup of tea? Whatever be the case, here are a some good books that can help you understand the fundamentals of investing, if not make you incredibly rich over time.

F Wall Street, written by Joe Ponzio, a relatively unknown hedge fund manager, provides everything a beginner needs to know about investing. Unfortunately, it remains a hidden gem.

The book provides a strong but accessible introduction to everything - from the philosophy of investing to how to value a business to keeping your patience. An equally good book is *One Up on Wall Street*, a bestseller by le-



gendary American money manager Peter Lynch. It describes the tale of how Mr. Lynch found stocks whose price multiplied manifold over the years. The book has been criticised for making investment look too simple, but it is likely to open your eyes to the incredible opportunities hidden in the stock market.

Lastly, you're never going to be a good investor until you understand the nuts and bolts of accounting. Sensible investing requires reading and making sense of annual reports,

which is impossible until you understand the language of business. It takes a little persistence, but in case you want to test the waters, *Crash Course in Accounting and Financial Statement Analysis*, written by Matan Feldman and Arkady Libman, provides a very accessible introduction to accounting for beginners. You're likely to find a plunge into any introductory or intermediate accounting book a lot less daunting after this one.

As a further mention, once you feel you can handle them, all four books written by accounting professors Charles W. Mulford and Eugene E. Comiskey should set you on course to learning everything you need to know about issues on advanced accounting and due diligence. After you're done reading these books, you're equipped with all that you need to analyse stocks in an expert manner. Happy investing!

FROM THE HINDU ARCHIVES

FIFTY YEARS AGO MAY 22, 1967

Mobilisation of forces in U.A.R. and Israel

From the blue of the Mediterranean across the arid desert wasteland to the Gulf of Aqaba armed U.A.R. and Israeli soldiers continue their face-to-face confrontation. No incidents were reported along the 165-mile long frontier in the nearly 48 hours since the U.N. Emergency Force pulled out of its front-line buffer positions. Israel, having completed partial mobilisation of its armed forces - the biggest since the 1956 Sinai battle - is settling back for what could be a long period of waiting. Authoritative Israeli circles vowed that if trouble started it would have to come from the Arab side. But if it comes they are saying, "we can take care of ourselves, with or without U.N. help." The military build-up in the area has hit high point on the eve of United Nations Secretary-General U Thant's visit to Cairo on Monday [May 22] for an on-the-spot look at the situation with full mobilisation, including the call-up of reservists in U.A.R.

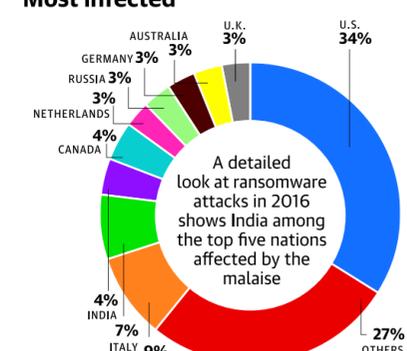
A HUNDRED YEARS AGO MAY 22, 1917

"Broken coin" case

At the Chief Court to-day was dismissed with costs the suit by Mr. Thomas Cochrane, New York Representative of the Universal Film Manufacturing Company Ltd., against Neikban Cinema Syndicate represented in Rangoon by Mr. E. Fernandes. The suit, pending for the last five months, was to restrain the defendant by injunction (which was recently granted by the Court) from exhibiting the picture film known as the "Broken Coin" episodes Nos. 15 to 22. The plaintiff's counsel explained to the court that certain difficulties which had arisen owing to non-arrival of the affidavit of documents which his clients offered to file. It was presumed that they had been lost in sea in transit from America and his instructions were to allow the case to be dismissed. Moreover the agent (Krishna Das) who had filed the suit on behalf of the plaintiff had ceased relations with the plaintiff and difficulty arose as to who would make the affidavit of documents.

DATA POINT

Most infected



Source: Symantec