



## Jailing a judge

Justice Karnan's imprisonment should have been avoided to keep the judiciary's dignity

The imprisonment of Justice C.S. Karnan, who recently retired as a judge of the Calcutta High Court, for contempt is the culmination of a series of unfortunate and unpleasant developments. It was a step that was best avoided in the interest of maintaining the dignity of the judiciary. It is indeed true that Justice Karnan's offences in making wild and totally unsubstantiated allegations against a number of fellow judges, and his tactics of intimidation against Chief Justices who tried over the years to discipline him, were shocking and completely unacceptable. However, a Supreme Court that allowed him to enter the hallowed portals of the higher judiciary would have done better had it adopted a more pragmatic approach. Mr. Karnan was due to retire and it would have been sufficient if he was allowed to do so under a dark cloud of dishonour, after spending his last days in office stripped of judicial work. It is an extraordinarily low moment for the institution that a man who the Supreme Court felt needed his mental health evaluated should be sentenced for contempt of court, arrested and sent to jail. As for alternatives to imprisonment, recommending his impeachment to Parliament was a possibility the Supreme Court may have also done well to consider. There is no defence of Justice Karnan's disdainful refusal to answer the contempt charge or going into hiding to avoid arrest for nearly seven weeks – actions that only served to reinforce his waywardness and disregard for the law.

It is also time for some introspection within the judiciary on the manner in which judges are chosen. That someone as ill-suited to judicial office as Justice Karnan entered the superior judiciary exposes the inadequacies of the collegium system. The absence of a mechanism to discipline recalcitrant judges is another glaring lacuna in the existing system. With the Constitution prescribing impeachment by Parliament, a long-winded and cumbersome process, as the sole means to remove a judge, Chief Justices of the High Courts are at their wits' end when it comes to dealing with refractory judges who are not amenable to any discipline or capable of self-restraint. Non-allotment of judicial work and transfer to another High Court are measures available for the purpose, but in Mr. Karnan's case these hardly had any chastening effect. Instead, he continued to make the self-serving claim that he was being victimised because he was a Dalit. He now has the option of moving the court to seek suspension of his sentence or appealing to the President for its remission. No one would really grudge Mr. Karnan an opportunity to secure his liberty, but one can only hope that in future he does not use his time in prison to play to the gallery and portray himself as a martyr in the cause of fighting corruption in the judiciary.

## Kumble's farewell

His graceful exit as coach shows the mirror to the superstar culture of Indian cricket

A ghastly fissure ripped through Indian cricket as Anil Kumble quit as the national team's head coach on Tuesday. Kumble's exit had seemed inevitable once the Board of Control for Cricket in India called for fresh applications for the post of head coach just as the Men in Blue flew to England for the now-concluded ICC Champions Trophy. Until that moment on May 25, skipper Kohli and coach Kumble had seemed to be a perfect match. The duo oversaw five Test series victories against opponents as diverse as the West Indies and Australia, besides winning one-day internationals and Twenty20s. The lone blip was the loss to Pakistan in the Champions Trophy final this Sunday. Speculation that something was amiss got stronger when leaks surfaced about the alleged rift between Kohli and Kumble, a rumour that was initially denied by the captain but has become a fact following the coach's farewell statement, in which he wrote: "It was apparent that the partnership was untenable." That Kumble resigned despite the Cricket Advisory Committee comprising Sachin Tendulkar, Sourav Ganguly and V.V.S. Laxman endorsing his extension is a reflection of his inherent dignity. He clearly did not want to be drawn into an unpleasant battle with Kohli. It also followed the pattern of his earlier departures, be it his injury-induced Test retirement in 2008 or his resignation as chairman of the National Cricket Academy in 2011. Those decisions were swift, the reasons were delivered with surgical precision, and he left with grace.

A difference of opinion between two strong individuals causing a discord is not new to Indian cricket. There is a precedent in the spat between Ganguly and Greg Chappell, but there are differences between that tussle and what transpired between Kohli and Kumble. The Ganguly-Chappell feud became obvious during India's tour of Zimbabwe in September 2005. Subsequently, Ganguly lost his captaincy and place in the team, eventually returned to the team, and Chappell finally resigned in April 2007 following India's disastrous World Cup in the West Indies. Chappell had a longer stint despite a rebellion in the ranks, and had his say for a large part of that time. For Kumble, the period of uncertainty lasted just four weeks after the BCCI sought applications for the post. The latest development also highlights the superstar culture undermining Indian cricket, a point earlier made by the former member of the Committee of Administrators, Ramachandra Guha. If Kohli can be a prima donna and demand pliable coaches, it will set a wrong example. The BCCI should ensure that a coach with the right credentials is picked and given a contract that lasts till the 2019 World Cup in England. Kumble got a raw one-year deal. It is a position that demands an extended tenure on the strength of results, not one that can be curtailed by bad blood.

# A moment for realism

The case for India-U.S. partnership has been always strong, but the romanticism accompanying it is on test



VARGHESE K. GEORGE

When Prime Minister Narendra Modi and President Donald Trump shake hands and perhaps embrace each other next week, the mandatory encomiums about India and U.S. being the world's largest and oldest democracies, respectively, would have a sombre undertone to them. Both these democracies are passing through testing times.

### Two nations in churning

Powerful political forces are trying to re-litigate principles that have held for decades in India, and have evolved over centuries in America. This ongoing re-litigation involves, at the functional level, some fundamental questions about citizenship, individual and collective rights, particularly religious rights, the terms of engagement between the state and citizens, the balance of power between various branches of the government, the role of the media, etc. At the conceptual level, what is being debated is the question of national identity itself. As recurring incidents show in both countries, this process is oftentimes violent, and not based on a commonly agreed set of facts. And facts are being invented and misrepresented, including in cases where historical records and scientific evidence do not leave any such scope. This internal debate on democracy is also testing the resilience of institutional checks and balances, the bedrock of both democracies. While both India and the U.S. are pondering over the values that define them as nations, talking of shared values – the bond



between the two countries – may sound incongruous.

The other shared bond is of interests. America is deeply divided on what its national interests are. It is unable to decide who are its friends and who are its enemies. Indian commentators have over the years admired America for its single-minded pursuit of its strategic culture, its ability and willingness to use military power to change the course of world politics. But the Trump movement is based on a public repudiation of this strategic culture. The President has repeatedly called out the country's war planners and strategic thinkers. It is not that he is offering any alternative thinking; in fact, his actions are contradicting his own stated positions on so many fronts. He believes that championing a new era of military build-up is essential for making America great again, though he has called American interventions in recent decades "stupid". It is unlikely that America's strategic behaviour would change dramatically, but the fact remains that it now has a President who believes that what America has been pursuing all this while is not its national interest.

Resisting Chinese expansionism

has been a shared interest between India and the U.S. in recent years, and the rising defence cooperation between the two countries is testimony to that. But the American attitude to China, and the way it sees India in that equation, is more nuanced than the linear notion prevalent in India. In the order of American threat perceptions, China appears to be quite low at the moment, with Russia climbing to the top as a conventional threat – yet another point on which the security establishment and the President are not on the same page. Islamism and the potential for nuclear adventurism by North Korea or Iran come much higher on the list than China.

### Not a military threat

China is not a military threat to the American mainland unlike Russia, which has the capability even if not the intent. Economic ties are no guarantee against conflict, strategic commentators have argued citing pre-World War trade links among European countries. But U.S.-China economic links are of a different nature qualitatively. American companies fume about unfair state interventions and IPR (intellectual property rights) losses

in China, but the Chinese market and manufacturing processes are essential for their global operations. For the American state, China, as a threat, comes in the category of 'important, but not urgent'. Moreover, China is a valuable partner dealing with some more urgent questions. During the Obama years, they were climate change and North Korea. Under Mr. Trump, the single-minded focus is on dealing with North Korea. Mr. Trump also hopes for Chinese cooperation in his plans for the America economy. His administration has taken a benign view of Beijing's Belt and Road Initiative while American companies are trying to get as much business out of it as possible.

### Reining in Pakistan

India has complained of American lack of sympathy for its concerns in its policy towards Pakistan. There has been increasing appreciation among Washington's strategic thinkers and policymakers of Pakistan's duplicity in the conflict in Afghanistan. That Pakistan exports terror to its neighbouring countries has now been stated in multiple government documents and Congressional hearings. However, successive U.S. administrations have viewed India's attempts to influence America's Pakistan policy with scepticism. While India wants the U.S. to rein in Pakistan's sponsorship of terrorism, it does not want American opinion on Kashmir – a position that American policymakers consider contradictory. While Americans increasingly appreciate the fact that India has been a victim of Pakistani aggression, they also believe New Delhi could be more appreciative and supportive of American efforts to stabilise the region. Stabilising Pakistan and seeking a political deal with the Taliban have been part of that approach.

Previous administrations would be more guarded in expressing such concerns with India, which may not be case with Mr. Trump. Already, by offering to negotiate between India and Pakistan, the U.S. Ambassador to the UN, Nikki Haley, has stirred up a hornet's nest in India.

While it will take continuous engagement for India and the U.S. to explore their shared interests in Asia-Pacific and Af-Pak, any misalignment between the U.S. State Department and the Pentagon is no good news for India. Mr. Trump has cut the budget for the former while committing more money to defence, and the White House has declared that the new administration believes in hard power, not soft. The Pentagon sees each bilateral relationship from a military planning perspective while the State Department places it in a broader strategic calculation. Consequently, the U.S. Department of Defense has been a champion of enhancing cooperation with India, and its initiatives often do not pass muster with the Department of State. For instance, the Pentagon supports the sale of Guardian drones to India, while the State Department has raised the red flag that the technology has been given only to South Korea, a treaty ally of the U.S., so far in the region. Resolution of such intra-government disputes can only be achieved by a strong-willed political leadership committed to ties with India.

The India-U.S. partnership has inherent reasons to survive. But the romanticism that characterised the hype of well-meaning advocates of a stronger partnership needs to be tempered with a dose of realism. The heady romance is taking a pause, but the companionship will endure, loveless as it could be.

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# The high cost of ageing

Evidence shows that health systems must be recast to accommodate the needs of chronic disease prevention

VEENA S. KULKARNI, VANI S. KULKARNI & RAGHAV GAIIHA

The National Health Policy (NHP), 2017, is long on banalities and short on specifics. In a somewhat glaring omission, little has been said about the rapid rise in the share of the old – i.e. 60 years or more – and associated morbidities, especially sharply rising non-communicable diseases (NCDs) and disabilities. In the context of declining family support and severely limited old-age income security, catastrophic consequences for destitutes afflicted with these conditions can't be ruled out. Besides, continuing neglect and failure to anticipate these demographic and epidemiological shifts – from infectious diseases to NCDs – may result in enormously costlier policy challenges. An estimate provided for the 2014 World Economic Forum suggests that NCDs may cost as much as \$4.3 trillion in productivity losses and health-care expenditure between 2012 and 2030, twice India's annual GDP.

Detailed projections of the old in India by the United Nations Population Division (UN 2011) show that India's population, ages 60 and older, will climb from 8% in 2010 to 19% in 2050. By mid-century, their number is expected to be 323 million.

Population dynamics and a rapidly changing age structure reflect the combined impact of increasing life expectancy and declining fertility. Life expectancy at birth in In-

dia climbed from 37 years in 1950 to 65 years in 2011, stemming from declines in infant mortality and survival at older ages due to public health improvements. The key question is whether longer lives have translated into healthier lives. Our evidence raises serious doubts.

### Evidence from IHDS survey

Our analysis, based on the India Human Development Survey (IHDS) 2015, the only nation-wide panel survey covering the period 2005-2012, throws new light on these issues. A major advantage of the panel survey is that the same individuals are tracked over a period of seven years.

The prevalence of high blood pressure among the old almost doubled over the period 2005-12; that of heart disease rose 1.7 times; the prevalence of cancer rose 1.2 times; that of diabetes more than doubled, as also that of asthma; other NCDs rose more rapidly (i.e. by two and a half times).

A related question is whether multi-morbidity (i.e. co-occurrence of two or more NCDs) also rose over this period. Often multi-morbidities occur non-randomly or systematically. The prevalence of high blood pressure and heart disease rose more than twice while that of high blood pressure and diabetes nearly doubled.

Wealth quartiles were constructed to examine whether prevalence of NCDs varied across them and over time. The burden of NCDs



shifted from the most affluent to the least affluent over this period. In both the first (least wealthy) and fourth (wealthiest) quartiles, the prevalence rose sharply in most cases but in all the rises were faster among the least wealthy. The ratio of high blood pressure in the first quartile relative to the fourth rose from 0.36 in 2005 to 0.40 in 2012; that of heart disease rose from 0.31 to 0.38; that of diabetes from 0.23 to 0.34; and that of blood pressure and heart disease rose from 0.11 to 0.58. As NCDs are associated with a large majority of deaths among the old – about 93% of the total deaths among 70 years or more in 2013 – they are now more vulnerable to mortality risk. In fact, the least wealthy have become more susceptible to this risk.

By age 60, the major burdens of disability and death arise from age-related losses in hearing, seeing or moving, and NCDs (WHO, 2015). Thus co-occurrence of disability

and NCDs poses a higher risk of mortality.

### Assessing disability

Disability is the umbrella term for impairments, activity limitations and participation restrictions. An assessment of functioning in activities of daily living (ADLs) is one method widely used to assess disability in older persons. Disability is usually measured by a set of items on self-reported limitations with severity of disability ranked by the number of positively answered items. Disabilities in ADL show dependence of an individual on others, with need for assistance in daily life.

In select disabilities, there is a sharp rise with age and over time. Difficulty in walking was 1.7 times greater in the age group 70-plus years relative to 60-69 years in 2012. Over the period 2005-2012, overall prevalence rose 6.1 times. Difficulty in using toilet facilities was 2.3 times higher among the older group (70-plus years). Overall prevalence was five times higher in 2012. Difficulty in dressing was about 2.5 times higher in the older group. Overall prevalence jumped about five times between 2005-12. Hearing difficulty was just under twice as high among the older group in 2012, while the overall prevalence rose 4.7 times over this period.

To assess severity of disabilities, these are classified into counts of 1-4 and greater than 4. The proportion of old women was larger than

that of males in both groups and years. At the aggregate level too, disabilities grew in both groups, especially in the group greater than 4. Thus both prevalence and severity of disabilities rose during 2005-2012.

As observed earlier, it is the co-occurrence of NCDs and disabilities that is more likely to be fatal. We find that in most cases there was an increase. Heart disease and disabilities (1-4) rose 1.3 times. Blood pressure and disabilities in this range rose 1.2 times, as also diabetes and disabilities. Blood pressure and heart disease and disabilities increased 1.4 times.

In brief, that the curse of old age has become worse is undeniable. Along with expansion of old age pension and health insurance, and public spending on programmes targeted to the health care of the old, careful attention must be given to reorient health systems to accommodate the needs of chronic disease prevention and control by enhancing the skills of health-care providers and equipping health-care facilities to provide services related to health promotion, risk detection, and risk reduction.

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## 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.

### Positive messaging

Prime Minister Narendra Modi has understood our feelings accurately and captured our imagination with his eloquent appeals to our nationalism, patriotism and sense of identity. A succession of scams stymied governance in the United Progressive Alliance's 10-year rule and it is idle to expect Mr. Modi to pull a rabbit out of his hat and find an answer to every problem in his government's three-year rule. Mr. Modi's administration is scam-free and seems well poised to deliver on its promise of 'acche din' in the remainder of its term or next.

However, if Mr. Modi is going to be long on rhetoric and short on delivery, the campaign could backfire like 'India Shining' ("The art of positive messaging", June 21).

KANGAYAM R. NARASIMHAN, Chennai

While it is refreshing that the writer has counselled the Opposition to also try and be positive about India, he appears to be biased. He has omitted mentioning the positive deeds this government has achieved such as the anti-corruption drive, Swachh Bharat, reworking the LPG gas subsidy, inculcating discipline in the bureaucracy and fixing accountability. An unkind note is his trying to predict doom for the ruling dispensation. There should be an equitable presentation of merits and demerits.

S. KANNAN, Karaikudi, Tamil Nadu

### The Karnan saga

The fact that Calcutta High Court judge Justice C.S. Karnan retired as a fugitive rather than retiring gracefully makes one sad. It is unfortunate that a person of the stature of Mr. Karnan could act in a manner

unbecoming of a judge. His arrest finally sends out a strong message to other judges that however aggrieved one may be, one must abide by the laws of the land to uphold the dignity of the judiciary at any cost. Anyone trying to dispense his/her brand of justice may have to face the consequences sooner rather than later as per the laws in force ("C.S. Karnan held near Coimbatore", June 21). K.R. SRINIVASAN, Secunderabad

### Kumble's exit

Finally, the grapevine in the social media turned out to be correct about Anil Kumble's exit as coach ("Sport" - "Apparent the partnership was untenable", June 21). Team India has had a long history of unacceptability of native coaches. John Wright brought in 'work ethic' but Kumble cannot! How odd! Tendulkar, in his book,

questioned the credentials of Kapil Dev as coach. Had Kumble soft-pedalled, one feels that he could have continued.

A.V. NARAYANAN, Tiruchi

The only fault of Anil Kumble, a proven match-winner and a highly successful coach of the Indian team, may be that he tried to bring in much more professionalism, discipline and commitment to the team. If the captain's say is so decisive in the selection of coaches and team members, what and where is the need for and role of selectors? After all, captains too come and go. It is no surprise that Kumble, a man of dignity and scruples, called a spade a spade and decided to move on.

C.G. KURIAKOSE, Kothamangalam, Kerala

Kumble's untimely resignation has once again

proved that our cash-rich cricket board is spineless and wants only a yes-man in every department. Thankfully, they haven't blamed the coach for the debacle at the Oval. This is neither the first instance nor

is it going to be the last for the board to humiliate cricketers who have served the country honourably.

N. MAHADEVAN, Chennai

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### CORRECTIONS & CLARIFICATIONS:

In the report headlined "Defence readiness under scanner" (June 21, 2017), Admiral Arun Prakash was erroneously referred to as Navy Chief. It should have been former Navy Chief.

The *Hindu* dated June 18, 2017, (Section 1) had an article headlined "We must subject the canon to criticism" which stated that the American Constitution has 7,762 words. In "Easy like Sunday Morning", the "Magazine" supplement quiz on the same day, the third question was about the country – United States of America – whose Constitution has 4,400 words. A reader had sought a clarification on the actual number of words in the American Constitution.

Berty Ashley, the quiz setter, clarified: "The Constitution of the United States of America in its original unaltered state as envisioned by the founding fathers had 4,543 words, including the signatures spreading over four sheets. ... The quiz question was taking into consideration the Constitution as it was written in its original form. (That's why in Question10, I have specified 101 amendments in the Indian Constitution)."

The University of Chicago Law Review, Vol. 81, No. 4, Fall 2014, said: "In its current form, the U.S. Constitution comprises 7,762 words contained in seven original articles and 27 amendments."

It is the policy of The Hindu to correct significant errors as soon as possible. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300; E-mail: readerseditor@thehindu.co.in

# Where are the commons?

From land to creative spaces, our commons are being fenced by encroachers and even the state



PRABHA SRIDEVAN

The tension between ownership to tangible and intangible property and the enjoyment of the commons by all is not a new phenomenon. Fences could not have been there when land came into existence. Fences came later, encumbrances came later and so did title deeds and *patta*. Kuthambai, one of the ancient learned Siddhars, sang songs seemingly simple but layered with philosophical and metaphysical subtexts. One goes like this: “*Vetta veli thannil meyenirupporokku pattayam edukkadi?*” (What would the one who has realised Infinite Space do with certificates of ownership?) He was of course singing about a different space, not about tangible property like land.

Even after man felt that there was need for fences and certificates of ownership, he still recognised that some lands must be kept in common for use by all or for the sake of all. In medieval England they were called commons, a resource to be enjoyed by all. These lands and the non-arable lands were classified in Tamil as “poramboke”. The protest song “*Porambokku enakku illai porambokku unakku illai porambokku oorukku porambokku bhoomikku*” is about this commons and how the commons are diminishing. The words “*mandai veli*” and “*maattuthaavani*” are poignant echoes to a time when cattle had access to grazing grounds. Not now, those areas are covered by concrete structures. If we could divine the thoughts of our cattle, we would know they are wondering why their lives are protected with such violence and vehemence when all they want is grass.

## Encroachment all around

Shifting gear to bring the Siddhar’s query to lands on hand, how can *patta* be granted to the commons? But commons are being fenced with grim determination not just by private encroachers but even by the state with its irresistible might. The *poramboke* song is really a protest against the encroachment by state in the Ennore creek which must be kept in the commons. The approved coastal map of the creek shows that

no development can be permitted in the water-spread area which covers about 8,000 acres. But already there are thermal plants, oil companies and other such constructions on 1,090 acres of the 8,000 acres which are protected as per the Wetlands (Conservation and Management) Rules, 2010. And helplessly we ask like Juvenal, “*Quis custodiet ipsos custodes?*” (Who guards the guard?)” The rules begin with a preamble about how wetlands are a vital part of the hydrological cycle, how they are seriously threatened by landfills, and overexploitation, and how it is necessary to maintain and conserve the wetlands and aim for ecological balance consistent with the Ramsar Convention (an international treaty on wetlands signed in 1971). Oh yes.

Our beaches in Chennai are open to the public, we think. But last year we read that the Chennai Corporation refused permission to underprivileged children who wanted to play a soccer tournament. This was no permanent construction or encroachment, just few hours of robust and joyous play, for children who had been practising for it. The reason given for refusal was that Olive Ridley turtles would be disturbed by this activity. The tournament was scheduled in September. It was scrapped. Experts said that Olive Ridges would be thousands of miles away in September, so the alleged disturbance was plainly illusory. Let us now read Article 39(f) of the Constitution which directs the state to ensure that children “are given opportunities and facilities to develop in a healthy manner”. But those children, who are stuck in spirit-sapping residences, who want to spend their energy in a space that is common to all, were frustrated in their attempt. Then we have reports of growing juvenile delinquency, blind to the reality that a childhood spent without the freedom of playing in open spaces could warp the young minds. Where are the commons for our children who do not hold a *patta*, where are the *poramboke* areas open to all in the world?

## A creative commons

In the other-worldly world of intellectual property too, shrinking open spaces harm the public well-being. Creative Commons is a concept which enables and facilitates sharing of knowledge and creativity to build a more equitable, accessible, and innovative world within the framework of law. The use of Creative Commons licence for copyright is based on a



S.R. RAGHUNATHAN

philosophy of openness and sharing and not on monetising strategies and restrictive ‘fences’. As SpicyIP, a repository on Indian intellectual property law, commented in its blog, the entire exercise of this endeavour is “to place a book in the hands of every child”. In like manner, the soccer tournament in Marina and Besant Nagar was intended to place a ball of joy in the hands of the child.

The 2006 WHO Report on Intellectual Property Rights, Innovation and Public Health found that increasing IP enforcement does not necessarily increase innovation especially in developing countries where the technology expertise has still not reached the optimum level. On the other hand, it is positively detrimental because it restricts access to its consumers, the majority of whom are poor. The price stranglehold, which is the equivalent of fencing and refusing permission to play soccer, causes rippling harm.

Now I come to another space where diminishing commons are positively harmful: access to justice. Section 327 of the Criminal Procedure Code says, “The place in which any Criminal Court is held for the purpose of inquiring into or trying any offence shall be deemed to be an open Court, to which the public generally may have access, so far as the same can conveniently contain them.” The place of justice is meant to be common to all and easily ac-

cessible. This too is becoming a luxury not freely accessible, and that is not compatible with the Idea of Democracy.

I will end with the story of a wise woman of Tamil Nadu as I began with a wise man. This woman is barely into her teens. She lives in a small tribal village close to Bandipur. I owe this story to Spicy IP founder Prof. Shannad Basheer. She had created a new step in her dance. This is an extract of the dialogue between Prof. Basheer and her.

“Do you know that it is something new you have created?”

“Yes.”

“Do you want to be known as the one who created the step?”

“It is ok.” (She does not care either way.)

“If your classmate passes it off as her innovation, would you mind?”

“No.”

“Would you fight with her?”

“Why should I?”

“If she had created a new step, would you pass it off as yours?”

“Why should I?”

She obviously had a strong ethical core and possessed the wisdom to understand that some spaces must be common to all and unfenced – *Vetta veli thannil meyenirupporokku pattayam edukkadi*. We are losing this Truth.

Prabha Sridevan is a former judge of the Madras High Court

# Mental health and the university

The education system must treat mental health as a valuable public good in its own right



HEMACHANDRAN KARAH

The Mental Healthcare Act was approved recently by Parliament. From now on, stigmatising a mentally ill person, and denying him or her the wherewithal for treatment will be illegal. As a teacher, I am interested in a special provision in the Act where public institutions such as universities are urged to treat mental health as a valuable public good in its own right.

Parents send their sons and daughters to university. On graduation, they expect the latter to chase the ‘Indian dream’. What goes unnoticed in this pursuit of dreams is the undue strain on well-being or inner resourcefulness which experts call mental health. Because it seems intangible and yet ever-yielding, we tend to treat mental health as a kind of black box, tucking it away until it becomes absolutely essential to retrace anomalies that precipitate a crash. Surely, universities cannot afford this.

## Pressure to perform

In the higher education scenario, sidelining mental health may still happen amid a belief that the latter is anathema to rigour. Mental health takes a back seat even within something as significant as a doctoral programme. For one thing, PhDs demand long-standing cerebral commitment on the part of the students and their beloved. Over five-plus years, students learn to grapple with hypotheses, narrative frameworks, and research methods. Can a protracted doctoral training in methodological prowess render graduate students feel wanting from within? Yes, it can. In fact, it may potentially undermine their wherewithal to weigh real-life challenges such as a shaky knowledge of English, attention deficit, competing gender demands, knowledge accessibility, and ups and downs of an unforgiving employment market. They may even be prompted to ignore at their peril a structural evil such as caste discrimination. Conversely, graduate students may slowly become self-serving, or be wrongly perceived as such. In like manner, a million instances of social regression may affect doctoral candidates during a student tenure and beyond.

Doctorate is a specialist training. It aims to prepare someone as a full-fledged professional researcher in a given field. An undergrad programme, on the other hand, aims to offer a generalist training in one or a selected

cluster of knowledge systems. Furthermore, an undergrad course is designed with the premise that its clientele are straight from the school, and are in formative stages of life. Naturally, tertiary classroom is an ideal place to test the scope, depth, and the reception of any field of knowledge. A mental health-aware teaching plan may potentially strengthen such disciplinary manoeuvres from the foundations up.

## Opening up young minds

Take a literature class, for example. College teachers may make use of a supreme role of literature such as an advocacy function. During an advocacy adventure, teachers and students gain a rare freedom to explore something as ghastly as disability discrimination caused by an ill social organisation. Towards this end, they may examine a circulation of a malicious stereotype, and much more, in favour of a disability-enabled literary criticism. All the same, to introduce the three-dimensionality of a discriminatory environment, I will prompt students to imagine situations where one is pushed against the wall, harassed, and, for that matter, offered an unexpected healing touch. Such a narrative imagination, I contend, may enable students to open up. Further, it may help them appreciate something as fundamental as emotional fulfillment, and factors such as discrimination that can potentially wreck it from inside. Likewise, teachers may encourage students to consider how their respective disciplines add value to human well-being. A teacher of computer science, for example, may offer a module on the impact of robotics and the digital revolution on human emotion. In a similar vein, a civil engineering teacher may introduce a module on the close link between habitat, architectures, and human resourcefulness. The possibilities are endless! It all depends on the will of the teachers who are in some sense unacknowledged pillars of the much-talked-about knowledge revolution.

‘Guru Brahma, guru Vishnu, guru dhevo maheshvaraha’. I will not hesitate for a moment to ignore the mythical import of this Sanskrit dictum. However, I cannot afford to discount the special role of a teacher in the creation, preservation, and destruction of knowledge. Great teacher and student bonding facilitates a creation of priceless ideas, the preservation of human goodness, and a war against bigotry. It is for this reason we should reinstate mental health as a binding principle and an everyday reminder of human dignity in a university setting.

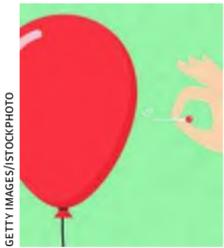
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## SINGLE FILE

# Too much profit?

The GST’s ‘anti-profiteering’ clause makes no economic sense

PRASHANTH PERUMAL J.



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Businesses that receive the benefit of paying lower taxes under the new goods and services tax (GST) regime can’t keep it with them. Instead, according to the GST Act, they must pass it on to consumers by reducing the price of the products they sell. “Any reduction in rate of tax on any supply of goods or services or the benefit of input tax credit,” the Act reads, “shall be passed on to the recipient by way of commensurate reduction in prices.” If any business fails to comply with this rule, authorities from the National Anti-Profiteering Authority (NAPA) will use the “anti-profiteering” clause of the Act to take action against them – by ordering a reduction of prices, imposing penalties, or even cancelling a company’s registration.

The supposed intent of the clause is to prevent price rise induced by the imposition of the new national tax. In order to offset the higher taxes imposed on certain goods, the government wants to make sure consumers receive the benefits of lower taxes on other goods.

The only problem is that the anti-profiteering clause makes no economic sense. It assumes that lowering the tax rate on businesses will improve their profit margin, so they should not complain about lowering prices. While it is true that a reduced tax rate can improve profit margins, it does not follow automatically that prices need to fall. This is because pricing decisions are based solely on consumer demand for a product, not the cost of production. Businessmen do not sell their products at a higher or lower price because their cost of production has changed after a change in the tax rate. In fact, it is the likely price that consumers will pay for a product that determines what businessmen will pay for its inputs. This is why the NAPA has been empowered to muscle businesses into lowering prices.

## Aggressive stance

The government has also been aggressive in its rhetoric against businesses hoping to profit from lower taxes. “We expect companies to cooperate. We hope we don’t have to use the weapon,” said Hasmukh Adhia, the Union Revenue Secretary, in a veiled threat. Simply put, the NAPA will soon be forcing businesses it targets to sell products at lower prices. Contrary to the intention of the anti-profiteering clause, this will not benefit consumers. Shortages are likely to follow as prices fall without a commensurate increase in supply. This is because profit-capping will distort business returns, thus discouraging new investment that could help ramp up production. In contrast, when the tax rate is reduced without a cap on profits, it usually leads to a similar fall in prices, but without shortages. This is because higher profit margins – due to lower taxes – attract new investment and increase supply.

Another fallout will be corruption and inefficiency as the government begins implementation of the clause. Bureaucrats with the power to interfere in the market will likely increase the burden on businesses than improve consumer welfare. This does not portend well for doing business in India.



## CONCEPTUAL

### Hubris syndrome

PSYCHOLOGY

A condition where the behaviour of politicians, business leaders, and other people in power, changes for the worse as they come to enjoy increasing power and influence. The syndrome causes certain changes to the brains of these leaders which in turn makes them suffer from a number of undesirable qualities; including losing touch with reality, taking excessive pride in their actions, displaying lesser empathy towards other people, and taking arrogant decisions or actions without sufficient thought. The term was coined by former British Foreign Secretary David Owen, who has studied behavioural changes in various world leaders, in his 2007 book by the same name.

## MORE ON THE WEB

International Yoga Day: In pictures

<http://bit.ly/yogadayinpics>

## FAQ

### A tiff within Sri Lanka’s Tamil polity

On the turbulence in the Northern Provincial Council

MEERA SRINIVASAN

**What was the recent crisis in Sri Lanka’s Northern Provincial Council in Jaffna?** As many as 21 of the 38 members of the Provincial Council in Sri Lanka’s Tamil-majority north said that they had no confidence in C.V. Wigneswaran, their Chief Minister. The members’ move not only threatened his office briefly, but also signalled a possible split in the Tamil National Alliance (TNA) that runs the Council. The TNA is also Sri Lanka’s main opposition party.

**Why did the Council members withdraw support?** They were protesting the Chief Minister’s action on a recent report that inquired into allegations of corruption and maladministration facing the four ministers in the Council. The report found two ministers guilty and pointed to insufficient evidence to prove charges facing the other two. While the CM asked the two “guilty” ministers to resign, he urged the other

two to go on leave to facilitate another inquiry. A large bloc of members found the response unfair.

**Why did this put the TNA’s unity at risk?** The TNA is an amalgam of four political parties with different political histories and positions during the civil war. Some of the constituent party leaders differ with ITAK veteran and TNA leader R. Sampanthan on some issues, and accuse him of being “very close” to the Colombo government. Mr. Sampanthan has been engaging the Colombo leadership on constitutional reform which he sees as a crucial step in achieving an acceptable political solution to the national question. The Chief Minister has adopted a relatively confrontational approach with the Centre. He also co-chairs the Tamil People’s Council, an organisation that includes critics of the TNA such as the hard-line party Tamil National People’s Front that the CM backed in Sri Lanka’s August 2015 parliamentary

polls. On the recent controversy in the Council, three TNA constituents initially appeared to back the CM but later mediated a compromise between him and the TNA leader.

**How did the controversy end?** After negotiations between Mr. Sampanthan and Mr. Wigneswaran, the latter agreed to reverse his decision on the two ministers who had not been found guilty. Soon, Mr. Sampanthan announced that ITAK members would withdraw their motion of no confidence. The CM urged the ministers not to interfere in an impending legal inquiry.

**What are the challenges ahead?** Mr. Sampanthan has the task of pushing the Colombo government to take steps towards an acceptable political solution, even as the Constitution-making process drags. The NPC faces the mounting challenge of reviving the economy and people’s livelihoods in the north, even as it addresses key post-war challenges.

## FROM The Hindu. ARCHIVES

FIFTY YEARS AGO JUNE 22, 1967

### India to stick to nuclear policy

The Defence Minister, Mr. Swaran Singh, to-day [June 21, New Delhi] condemned, in a statement before the two Houses of Parliament, the Chinese explosion of hydrogen bomb as “further evidence of China’s callous indifference to the opinion of the rest of the world”. He said the Government viewed this development with grave concern. Mr. Swaran Singh took the occasion to explain India’s nuclear policy. He made it clear that the Government would continue to give its most careful attention to India’s security in the context of China’s nuclear policy. The Defence Minister assured Parliament that “all practicable ways and means of ensuring our security are constantly under examination”. At the same time, he said, India would steadfastly adhere to the policy of developing nuclear energy for peaceful purposes and added “the effect of this policy on our security is also kept under constant review”.

A HUNDRED YEARS AGO JUNE 22, 1917

### Madras Internments. Protest in Madras.

A crowded public meeting was held last evening in the Gokhale Hall, Armenian Street [Madras], to protest against the orders of internment passed against Mrs. Besant, Mr. G.S. Arundale and Mr. B.P. Wadia and to support the appeal for funds on behalf of Mrs. Besant made by the revered patriot and leader, Dr. Sir S. Subramania Iyer.

The Hon’ble Rao Bahadur B.N. Sarma, Member, Imperial Legislative Council, presided. The Gokhale Hall was filled to its utmost capacity. The main entrance had to be closed at 5 p.m. for want of room inside the Hall. Hundreds of people were standing in the street without opportunity to get in. So early as 4 p.m. the hall had been filled and the number of persons present was between two to three thousand. Students were warned, by means of poster on the outside wall, not to attend the meeting.

## DATA POINT

### The rise and rise of democracy

Since the 1990s, more and more countries have turned to multiparty democracy as their political system, while single party and military systems have diminished. Interestingly, the number of monarchies has remained relatively constant

