



A royal mess

Only pragmatism and prudence can lift the telecom industry from its current troubles

It cannot possibly get messier than this. The telecom industry is in turmoil unable to pay up its dues as per the Supreme Court verdict on adjusted gross revenues delivered in October last; the Court is aghast that its order is not being complied with; and then there is the government torn between revenue considerations, the need to uphold sanctity of contracts, and ensuring that one of the players does not go under in the process of honouring the verdict. Faced with the wrath of the Court, Bharti Airtel paid ₹10,000 crore on Monday with the promise of paying the rest before mid-March when the court will hear the case next. Vodafone Idea, the one hit the most by the judgment, on Monday sought more time to pay up but the Court was in no mood to humour the company and refused to hear the plea. The company eventually paid ₹2,500 crore by the evening. The two companies, as indeed the others in the industry, have only themselves to blame for the predicament that they find themselves in now. They could have paid up their annual dues over the years – which were not material in relation to their respective turnovers – under protest even as they litigated the case in the top court. That would have obviated the need to pay interest and penalties now which are higher than the actual dues. At the very least, they ought to have provided for the liability in their balance sheets as a contingency, which they failed to do.

While they have to pay the price for this now, what can be done to ensure that the blow is not fatal? If Vodafone shuts shop, not only will the industry be reduced to a duopoly, with all the attendant consequences for customers but it will also lead to loss of about 15,000 direct jobs and several thousand more indirect ones. Worse, the cascading effect will be felt across the economy as lenders face the consequences of the company going bankrupt – non performing assets will rise. Telecom equipment suppliers may also go down as their dues will not be paid. And what happens to the 212 million Vodafone subscribers? It is doubtful whether the other two players can absorb them all. The industry is critical to the government’s plans for a digital economy not to mention its revenues, including from the upcoming 5G spectrum auctions. The government has to, therefore, examine what it can do to save the situation without disrespecting the Court’s verdict. Legislation to offer a staggered payment schedule that ensures that the net present value of future payments is equal to the dues is one option experts are suggesting. There could be other options that can be considered in conjunction with the industry, including reducing the adjusted gross revenue-based licence fees and spectrum usage charges. Whatever route it chooses to soften the blow, the government will have to get the Court on its side at the next hearing on March 17. The need of the hour is pragmatism laced with prudence on all sides to clean up this royal mess.

Women-at-arms

In allowing women permanent commission, the court has demolished gender stereotypes

The Supreme Court has delivered a sharp rebuke to the government by asking it to adhere to its own stated policy, articulated on February 25, 2019, on granting permanent commission to women in the Short Service Commission (SSC). Though women are absorbed into the SSC, they are now denied permanent commission in most branches of the Indian Army. More importantly, in furthering the principle of equality and non-discrimination enshrined in the Constitution, the Court has at the same time come down heavily on the stereotypes of women and their physiological features that were consistently put across in the government’s submissions to deny equal opportunity to women who fulfil the same criteria their male counterparts do. As long as society holds strong beliefs about gender roles there will not be change of mindsets, the top court observed. Indeed, the Court has torn into a number of contradictions inherent in the government’s arguments that gravely weaken its case and expose inherent prejudices. For instance, it was submitted that deployment of women officers was not advisable in conflict zones where there was “minimal facility for habitat and hygiene”. Yet, the government admitted to the Court that 30% of the total number of women officers are in fact deputed to conflict areas. In directing the government to grant permanent commission to those women who opt for it, in 10 branches of the SSC, and by ordering the government to level the playing field, the Court has forced acknowledgement of the sterling role women have played and continue to play, shoulder to shoulder, with their male counterparts, for the security of the nation. It has also made recommendations to correct the anomalies including in the matter of pensions due to women.

It is a telling state of affairs that though Prime Minister Narendra Modi announced on August 15, 2018 that permanent commission would be granted to serving women officers of the armed forces, it needed the Supreme Court to prod the government into doing it. The efforts of the litigants, who have waged an uphill battle since 2003, fighting their way up from the Delhi High Court, which ruled in their favour 10 years ago – and the government wilfully ignoring it – all the way up to the Supreme Court, deserve applause. That this discrimination should happen even while the Indian Army experiences a shortfall of officers by about 10,000 in the ranks is all the more galling. It is not as if there is surfeit of women officers: a mere 1,653 out of 40,825. Given the inherent flaws in the structure, implementation and change are not likely to happen soon, even given the Court’s deadline of three months.

India’s disturbing trauma narrative

In the silence over violence being perpetrated against children, the country appears to have lost its moral compass



VIKRAM PATEL

If the seizure of a pair of slippers of an 11-year-old as evidence in an investigation in a sedition case in Bidar, Karnataka, was not ludicrous enough, the imprisonment of a mother of a student in the same case for having contributed to the script of an apparently seditious primary school play, the arrest of the principal for allowing it to be performed in her school, and the interrogation of the children by uniformed police officers in the absence of any child welfare workers, would make a perfect script for an Orwellian nightmare.

Violation of rights

For those puzzled readers who may be wondering what the pair of slippers might have to do with this surreal theatre, it was the very object referred to in the play, according to media reports, when a child says “the boy who was selling tea till the other day is asking us for documents. I’ll ask him where he was born and where his papers are. If he does not provide them, I will beat him with my slippers”. Even if some patriots might argue that a child’s slippers could indeed be used to wage war on our great nation and the remand report for the two women “found grounds for suspicion that the two influenced the children”, the students themselves insisted, even after repeated interrogation, that they wrote the play themselves.

On the other hand, one child told HuffPost India, “We were scared. The policemen raised their voice every time they questioned

us.” Not surprisingly, many students have stopped going to school since then.

I imagine most people would think that this story must be fake news not only because it is so utterly absurd but also because our police who cannot find a moment to stop the lawless mayhem on our roads which have made India one of the world’s largest traffic-death countries must surely be doing more important things. But the soul-crushing truth is that these events did happen. Leaving aside the numbing irony that a law designed by the British to suppress the freedom of speech of our avowedly non-violent independence activists should now be used by the police to suppress the freedom of expression of school-children, my anguish is because of the terror that these children must have experienced as a result of this ordeal.

Not only did the arrest of the mother, a single parent, leave the child in the care of a neighbour but the arrest of the principal of their school left all the children without their trusted headmistress. Simultaneously, the police, threatening as they must have seemed to the children in their full regalia and having carted away the mother and principal to jail, were trying to get them to squeal incriminating evidence which could be used against these very trusted adults.

On ‘toxic stress’

These traumatic experiences are not only a violation of the fundamental rights of the child but are severely damaging to their mental health. As the media reported, one child said when her mother was finally released, “I felt lonely and sad because all I have is my mother. I have never lived without her for a single day. So I was terrified.”



GETTY IMAGES/ISTOCKPHOTO

The most damaging kind of trauma is that which results in “toxic stress”, a term used to describe a child’s experience of persistent adversity or abuse. Persistence, with no hope of escaping the threatening situation, is the hallmark of toxic stress. Perhaps the most vicious example is unfolding in Kashmir where, after two decades of living in a context suffused with the fear of violence from one side or the other, children have been subjected to six months of a lockdown, losing their fundamental rights of freedom to learn, play and be carefree. Worse, they must witness, silently, the mounting rage and helplessness that dominates the emotional landscape of their parents and their community, compounding their own feelings of insecurity, hopelessness and alienation. There are now many reports of the mental health crisis engulfing young people in the Valley.

The events in Kashmir and Karnataka are not an aberration. Consider the harrowing accounts of the experiences of children in a shelter home in Muzaffarpur, Bihar, where young girls were kept locked up for most of the day and where they were raped, after being sedated, at night. Investigators observed many signs of mental health problems, for example remarking on how “strangely they behaved”, laughing and crying in rapid sequence, remaining silent

for long periods, and appearing to be severely depressed. Many girls had self-inflicted injuries, a behaviour associated with trauma in children. Conditions in other shelter homes were not much better, with appalling stories of cruelty and torture, and several instances of suicidal behaviour and mental breakdown.

Yet another example of unspeakable violence has unfolded in the past week with dozens of young women being insulted, paraded and forced to remove their innerwear to prove they were not on their period by their principal and school staff after a used personal hygiene product was found in a garden of their school, in Bhuj, Gujarat. “There are no words to describe the humiliation that we faced,” said one of the students, as the media reported. No doubt, the overall atmosphere in such a school must have been atrociously oppressive.

Breach of trust

Among the most primal emotions which humans experience in their earliest years of life is fear. Fear is key to survival for, in leading to behaviours such as crying, it prompts a trusted adult to respond with affection, food or, most importantly, safety. But there are times when the fear can have catastrophic consequences and this is when the threat is persistent and unpredictable and, especially when, it is perpetrated by an adult who the child has been taught to trust and rely on for their protection – such as the police or the school principal or the child welfare worker or the army. It is this breach of the bulwark of trust which is the most poisonous toxin for the mind, and it is this feature which binds all these forms of trauma together.

When the Donald Trump administration in the United States im-

plemented its policy to reduce illegal immigration by separating children from their parents at the U.S. border with Mexico, there were harrowing consequences on the mental health of the children. A report, published by the U.S. government’s own inspectors, confirmed that separation of children from their parents had caused grievous psychological harm and laid the foundations for lasting and profound mental health problems in later life. Virtually every major American professional society concerned with mental health, public health or children’s health condemned the government’s actions as an assault on children’s rights and well-being. While there has been a deathly silence from most professional groups in India in response to the gratuitous levels of violence being perpetrated against our children by the state, a few courageous institutions stand out for doing their job. In the past week, a panel of the Karnataka State Commission for Protection of Child Rights concluded that “it is clear that the police violated the rights of the children at the [Bidar] school”.

Let me emphasise that my concerns about traumatising children have nothing to do with taking sides with a particular brand of politics or ideology, but simply about upholding the foundations of science, the law, ethics and, ultimately, our humanity. I have little doubt that the children of Shaheen Urdu Medium Primary School, the Muzaffarpur shelter home, the Shri Sahjanand Girls’ Institute and all over Kashmir, cry to see their beloved country descend into such madness that it has lost its moral compass. To be sure, I weep with them too.

Vikram Patel is the Pershing Square Professor of Global Health at Harvard Medical School

The long and the short of Trump versus the rest

With the weight of the Republican Party now behind him, the U.S. President is going all out to bag the November poll



KRISHNAN SRINIVASAN

The American Congress predictably acquitted U.S. President Donald Trump from charges of obstruction of Congress and abuse of power. This has left the Democrats, their supportive bureaucrats and the media detesting him while the Republicans and their followers embrace him, or back him sufficiently, to want him to continue in office.

The liberal media never accepted Mr. Trump as legitimate, depicting him as racist, chauvinist and a liar; they are unable objectively to assess the President’s policies. Democrat-supporting liberals in the Federal Bureau of Investigation, the Central Intelligence Agency and the bureaucracy showed their discontent in a quasi-rebellion against the President, and when the Russia collusion probe led nowhere, they turned to the impeachment route. Citing the sixth U.S. President, John Quincy Adams (1825-1829), “America... goes not abroad in search of monsters to destroy. She is the well-wisher to the freedom and independence of all,” the liberal guardians of the presumed benevolent empire consider Mr. Trump a reckless isolationist – although he injected billions of dollars into the military – for questioning the financial burdens of alliances with the North Atlantic Treaty Organi-

zation, Japan and South Korea.

A shift in Republican stance

Republican establishment figures and ultra-conservatives, originally resentful of Mr. Trump, now coalesce behind him because he favours economic protectionism, chauvinism and foreign policy isolationism, has reduced corporate and wealth taxes, imposed limits on immigration and refugees, appointed conservatives to Supreme and Federal courts, de-regulated the economy and supported evangelical agendas including support for Israel’s settlements and recognition of Jerusalem as its capital. If President Barack Obama’s tenure saw the elimination of Osama bin Laden and stimulated the economy, Mr. Trump has killed Islamic State leader Abu Bakr al-Baghdadi and Iran’s General Qasem Soleimani, slashed unemployment and grown the economy while opposing government programmes such as Obamacare and the Green New Deal. His approval among Republicans is around 90% despite his hostile takeover of the Party while branding himself as a warrior against elites, fake news and a corrupt establishment.

Driven by the urge for publicity, Mr. Trump uses provocation, confrontation and bombast to dominate the news agenda and exploit the vulnerabilities of his adversaries. His boasts of successes, which bend facts to breaking point, infuriate his opponents and distort their judgement. Populism is disjunctive to the educated, but has certain merits in encouraging neglected constituencies to participate in the democratic process,



though it is illiberal in nature and assaults institutions tasked with oversight over majority rule. Mr. Trump’s opponents attack his boorishness but neglect the reasons why many voters supported him, namely because working and middle-class Americans, losing faith in state institutions and political parties, are responsive to right-wing extremists.

A resonating slogan

After the Gulf War fiasco and the financial crisis, Mr. Trump understood that the U.S.-led liberal order, free trade and globalisation no longer had popular traction; that is why his slogan “Make America Great Again” resonates. Americans know Mr. Trump held no public office, was a shady real-estate operator, draft dodger, evader of taxes, denigrator of Muslims, Latin Americans and women, but they elected him nevertheless, and he has continued along the same path, focusing on power irrespective of principle. With the weight of the Republican Party now behind him, he has, in effect, been campaigning from the day of his inauguration, while building a sophisticated data-gathering and voter mobilisation operation with an eye to winning the November 2020 election. Basic to this approach is bilateral leverage or *quid*

pro quo. Mr. Trump saw nothing wrong in asking the Ukrainian President to advance his political interests, or in acting against a Congress instruction. He claims the Democrats in Congress are obstructing him, and that only those who elected him could hold him accountable. It will be the American people who will finally express judgement on the Trump presidency, next November.

Then and now

In the previous presidential election of 2016, Republicans and independents who voted for Mr. Trump were driven mainly by dislike of Hillary Clinton and the elites who backed her. This time the Democrats and many independents will be motivated by hatred for Mr. Trump and his record. Independents, who will determine the outcome, will vote with consideration to their conscience and bank balances. Those who benefit from Mr. Trump’s economic policies will vote for him, short of an economic recession or financial crisis, which although widely predicted, have yet to materialise. Those worried about democracy, liberal values and civic rights will vote against him for fear of authoritarianism, racism and inequality.

How could one of the most divisive Presidents in American history, impeached for high crimes and misdemeanours, reeling from one self-inflicted crisis to another, win high office again? The election debate will focus largely on Mr. Trump, which is what he wants. Republicans will emphasise his accomplishments and Democrats his transgressions, though the elec-

tion ought to be about the economy, American traditional values and democracy. To win, the Democrats must appeal to the working and middle class, the automaker and steel worker. Mr. Trump will claim that millions of unworthy immigrants entered the U.S while jobs went to China and Mexico and the establishment stood idly by. His 2016 strategy was to win key States such as Michigan, Pennsylvania and Wisconsin, and that will be his objective again. Mr. Trump could, therefore, suffer a heavy defeat in the popular vote while winning the handful of States that decide the electoral college. Accordingly, while the impeachment process against Mr. Trump failed, its effect on voters in a few crucial States will prove critical.

Much will also depend on the Democrats’ choice of nominee. Mr. Joe Biden would be portrayed by Mr. Trump as a corrupt re-run of the Obama regime. Senators Bernie Sanders and Elizabeth Warren will be painted as radical leftists who endanger American prosperity. No sitting President incumbent has lost since George H.W. Bush’s defeat to Bill Clinton in 1992 during tax increases and a recession. The 2020 presidential election will represent a decision between liberal and illiberal democracy. Whatever the outcome, the Trump presidency has laid down new yardsticks to preoccupy his successors and political leaders in all other countries for many decades to come.

Krishnan Srinivasan is a former Foreign Secretary

LETTERS TO THE EDITOR

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Right to dissent

Dissent is a vital ingredient of a vibrant democracy, as indicated by Justice D.Y. Chandrachud (“Blanket labelling of dissent as anti-national hurts ethos of democracy: Justice Chandrachud,” Feb. 15). Dissent and democracy are often considered synonymous in a liberal-democratic social order. It is through open debate and discussion that the diversity of perceptions in a democracy gets exposed. Only through continuous interactions on critical issues does the real truth emerge. We owe our independence to Mahatma Gandhi, who had the

courage and fortitude to express his dissent in a peaceful manner. In a progressive society, contrary views should be entertained. Further, the legislature should pass laws to protect dissidents, activists and whistle-blowers; it takes courage to take a stand and speak up, while the easiest thing is to ‘go with the flow’. Dissent must be welcomed not just on the political front but in religious and professional spheres as well.

T.S. PATHAK,
Pune

In national interest?

Prime Minister Narendra Modi’s assertion on Sunday

that his government stands by its decision to dilute Article 370 in Jammu and Kashmir (J&K) and to introduce the Citizenship (Amendment) Act (CAA) is a product of high-handedness, prompted by the brutal majority enjoyed by his party in Parliament (Front page, “Will stand by decision on Art. 370, CAA: Modi,” Feb. 17). His justification, that these decisions were “in national interest and necessary”, does not hold water, given that there are umpteen number of matters of national interest to be addressed on priority, like improving the economy; job creation; resurrecting

ailing PSUs, etc. Also, why should a government that can invite Members of European Parliament to visit J&K, in order to get a ‘normalcy’ certificate, refuse to heed to the resolutions passed in international bodies?

A. JAINULABDEEN,
Theri, Tamil Nadu

Vulnerable electorate

The phenomenal outreach of social media networks in our country has raised the susceptibility of the electorate to micro-targeting. Through social media networks – coupled with sophisticated data mining and analytical tools – companies have acquired

enormous capabilities to profile individuals. One can visualise the potential of these tools being used by political parties as a force multiplier to increase vote share, considering the vulnerabilities already existing in India. (Editorial page, “In political micro-targeting, the vulnerable Indian voter,” Feb. 17).

A.VENKATASUBRAMANIAN,
Tiruchi, Tamil Nadu

PSA against Dr. Faesal

By slapping the draconian Public Safety Act on bureaucrat-turned-politician Dr. Shah Faesal, the Centre has proved that democracy in Kashmir has a connotation different

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from that in the rest of the country. The UPSC topper had become a poster boy and an icon for youngsters in the Kashmir Valley wishing to join the mainstream. Any criticism of its narrative is now being considered seditious by New Delhi. The need of the hour is to reverse all such tyrannical orders that violate the human rights of people. Also, the conversion of the paradise into a military garrison needs an immediate relook if everything is to be considered normal in J&K.

AHMED YASEEN,
Baramulla, J&K

