



## Beyond the wall

In defeat, the Gandhi family is looking for scapegoats without owning responsibility

Failure is always an orphan, but the scramble among Congress leaders to stick the genesis of the party's devastating collapse in the Lok Sabha election on someone else is comical. What gives it a dark edge is that this evasiveness is being condoned, even promoted, by the reigning supremos. The Gandhis, Sonia, Rahul and Priyanka, were apparently shocked that the party lost as it did in the election. They would not be, had they been in touch with the political situation on the ground that they keep themselves ferociously insulated from, with the help of self-serving aides. This collapse was long in the making, and on their watch – and the signs were all around. It is true that the party was up against factors that were loaded in favour of its principal opponent, the BJP, such as money power and the partisan conduct of the Election Commission. Cataloguing only this is not, however, an honest route to an objective understanding of the party's degeneration. The lack of maturity, egocentrism, and sense of entitlement underlying Congress president Rahul Gandhi and his sister Priyanka Gandhi Vadra's response in the aftermath of the defeat are disheartening for sympathisers and a boon for the BJP. Mr. Gandhi called out senior leaders for not supporting him and resigned as party president – but he should know that in politics, victory and power are commanded, not sought as a favour; Ms. Vadra told a meeting of Congress workers in Uttar Pradesh that they were responsible for the setback – she should know there is hardly any reason why anyone should be working for the party at all in U.P., unless the leadership inspires them to do so.

Blaming subordinates is bad leadership; simply threatening to walk away in the face of a setback is irresponsible brinkmanship. This is why it is revealing that in the midst of all this, the brother-sister duo met Navjot Singh Sidhu, a recent entrant from the BJP to the Congress who is publicly challenging Punjab Chief Minister Amarinder Singh, who led the campaign from the front and held the State for the party. Mr. Sidhu's photo-op gave sufficient grounds to assume that even in this moment of existential crisis, the Congress leadership is susceptible to machinations by courtiers who have a history of undermining strong regional leaders. On a more self-reflective note, Mr. Gandhi would realise that his obsession, to the exclusion of almost everything else, with elections in the party's student and youth wings was meaningless and self-indulgent. Good leaders know there is only one way to go when pushed to the wall. For that he needs to hold himself accountable to his party persons, and openly so. The Congress today needs a strong leader; and Indian democracy needs the leader of the largest Opposition party to be mindful of the responsibility that the position carries. Mr. Gandhi must decide whether he can be that leader.

## Full disclosure

SEBI's new framework for financial disclosure by credit rating agencies may not be enough

Amidst the rising number of defaults by companies, the chief markets regulator is taking the fight to what it thinks is the enemy: ratings agencies. The Securities and Exchange Board of India has asked credit rating agencies in the country to, among other things, clearly state the "probability of default" of the instruments they rate for the benefit of investors. There have been a record 163 downgrades of debt instruments this year, according to data released by Prime Database this week. This is more than double the number of defaults over the whole of last year. Debt instruments issued by prominent companies including Yes Bank, Essel and Jet Airways have been downgraded this year. This spate of defaults, which may well be a sign of the turning of the credit cycle in the broader economy, may have forced SEBI to crack the whip on credit rating agencies. In a circular released on Thursday, SEBI laid down a new standard framework for financial disclosure by credit rating agencies that it believes will enhance the quality of information made available by these agencies to investors. Notably, the agencies will have to publish information on how their performance in the rating of debt instruments compares with a benchmark created in consultation with SEBI. The regulator believes this will help investors to better gauge the performance of credit rating agencies.

SEBI's aggressive regulatory approach seems to suggest a certain disappointment with credit rating agencies, which may not be unfounded. They have been caught napping on several occasions, including during the recent default by Infrastructure Leasing & Financial Services on its debt commitments. They are also seen by many as being more loyal to companies whose instruments they rate rather than to investors who provide precious capital. These concerns need to be addressed. SEBI's attempt seems to be to align ratings methodologies with global best practices. The suggestion to revise the method of computing default rates and the precise definition of terms that raters should use in describing a client's liquidity position – strong, adequate, stretched and poor – are aimed at sharpening disclosure and leaving little room for raters to be ambiguous. What is not clear, though, is how the new framework will effectively resolve the conflict of interest issue that plagues the rating industry. The issuer-pays model where the ratings agency is paid by the issuer of the instrument that it rates is not a healthy one. But the problem is that a viable alternative is yet to be proposed. The bottomline is that the poor track record of credit rating agencies is known to most investors and is appropriately discounted by market participants.

# Reversing the scale of priorities

The Chennai-Salem highway case will test the judiciary's assessment of environmental and economic interests



SUHRITH PARTHASARTHY

In the weeks ahead, the Supreme Court will hear arguments on an appeal filed against a judgment of the Madras High Court in *P.V. Krishnamoorthy v. The Government of India*. There, a series of notifications acquiring land for a proposed eight-lane expressway connecting Chennai to Salem were quashed. The Supreme Court has already denied, with good reason, the National Highway Authority of India's urgent request for a stay of the judgment. Such an order would have rendered unavailing the High Court's lucidly reasoned ruling. Indeed, the quality of the High Court's verdict is such that, when the appeal made against it is heard, the Supreme Court could find that the judgment demands a wider, national embracing.

### Question of procedure

The eight-lane highway is part of the "Bharatmala Pariyojana", a centrally sponsored highways programme, aimed chiefly as a corridor for more efficient freight movement. The intended highway between Chennai and Salem will cover more than 250 km, and, once constructed, will cut its way through a slew of agricultural and reserve forest lands. Although the High Court framed a series of questions that required answering, the ultimate controversy in the case came down to this: was an environmental impact assessment (EIA) required before efforts were made to acquire land for the highway project? If not, at what stage of the project was such an assessment required?

According to the petitioners, many of them landowners, the state had failed to obtain an environmental clearance for the project before acquiring land and had thereby violated its responsibilities. What is more, in any event, such permission, they argued, could hardly be obtained since it was clear that the project would have a deleterious impact on the forests, the surrounding water bodies and the wildlife of the region.

The government denied this. It argued that its power to acquire land under the National Highways Act, 1956, was unconditional. There was, it said, no law mandating an EIA before efforts are made to acquire private land. In its belief, a notification under the Environment (Protection) Rules, 1986, which required an EIA for the construction of a new highway, did not decree such an assessment for the purposes of securing the land.

### Sustainable development

For some time now, it's been evident that the environment is in a state of utter ruin. Recognising this, in 1987, a United Nations-backed committee led by the former Norwegian Prime Minister Gro Brundtland proposed a long-term strategy which called for sustainable development, among other things. This programme, radical at the time, titled "Our Common Future", defined the principle as an endeavour to ensure that any development "meets the needs of the present without compromising the ability of the future generations to meet their own needs." Since then, sustainable development has been viewed as something of a mantra in environmental jurisprudence. So much so that in India, even before the principle crystallised into a binding international norm, the Supreme Court in *Vellore Citizens' Welfare Forum* (1996) read the idea as intrinsic to India's constitutional structure.



E. LAKSHMI MAYYANAN

"The traditional concept that development and ecology are opposed to each other is no longer acceptable," wrote Justice Kuldeep Singh. "'Sustainable Development' is the answer."

But grand as this statement sounds, in practice it's proved scarcely useful. For the courts have invariably seen sustainable development as demanding a balancing exercise, as requiring a calculation of trade-offs between the environment and the economy. What this has meant, as Nivedita Menon has argued, is that the courts of neoliberal India wound up fashioning a sliding scale of priorities in which the environment, particularly the urban ecosystem, always trumped people, but where eventually development trumped it all. This approach, she showed, was typified in the Supreme Court judgment in a case concerning industrialisation at the Kudremukh National Park (*Godavarma*, 2002). Holding that any development would have an adverse effect on the ecology and the environment, a balance, wrote Justice Arijit Pasayat, had to be struck. "Where the commercial venture or enterprise would bring in results which are far more useful for the people, difficulty of a small number of people has to be bypassed," he wrote. "The comparative hardships have to be balanced and the convenience and benefit to a larger section of the people has to get primacy over comparatively lesser hardship."

Utilitarian reckonings of this

kind, perhaps, represent a problem inherent in seeing sustainable development as a virtuous model. It could easily be argued that by its very design the principle calls for a form of calculation that tends to see growth as outplaying all other concerns. As Amartya Sen wrote, while the prominence accorded to sustainable development may be laudable, we must equally ask whether "the conception of human beings implicit in it is sufficiently capacious". A project, for example, which might defer future generations the opportunity to breathe fresh air may well be defended on a simple application of the norm if those future generations are likely to be rich enough to enable them to live comfortably without breathing fresh air. In this illustration, the principle overlooks, as Prof. Sen wrote, "the need for anti-emission policies that could help future generations to have the freedom to enjoy the fresh air that earlier generations enjoyed."

### Primacy to the environment

Sustainable development can, therefore, work only if the environment is seen as valuable for its own sake. The Madras High Court does this in its judgment in *Krishnamoorthy*. To argue, as the government did, that an EIA wasn't required before land was acquired for a highway, as the court recognised, was to effectively place the cart before the horse. As the court pointed out, the highway in question here was a greenfield project that was intended as an altogether new road to be constructed on virgin land. In such a case, to eschew an EIA before land was obtained would have created irreversible effects that would have had a bearing not only on the environment, but also on the social and economic life of the landowners.

"The land of an agriculturist," wrote Justice T.S. Sivagnanam, for

the court, "is vital to sustain his livelihood... The land provides dignity for the person." The judgment, therefore, not only holds the state accountable for the violation of basic notions of due process, in exercising the power of eminent domain, but also sees the possession of farmlands by farmers as an article of faith. But most importantly, the ruling deepens a commitment to the protection of forests and waterbodies. It places the environment in a position of primacy over unthinking measures of ostensible development.

When a highway passes through a reserve forest would it not, the court asks, "pave way for establishments in the near vicinity"? Would it not "pave way for poaching of endangered species of birds and animals"? Would it not "pave way for illicit felling and transportation of valuable timber"? The rigours of the country's environmental laws, the judgment therefore holds, ought to outweigh those of procedural laws concerning acquisition of land, for "the protection of environment stands in a higher pedestal when placed on scale with that of the economic interest."

By so holding, the Madras High Court has effectively reversed the prevailing scale of priorities. This is especially remarkable since it comes at a time when the government is seeking to further weaken the existing norms for environmental clearance. That such efforts at diluting environmental protections are underway when it has become increasingly apparent that climate change represents an existential threat ought to alarm us into action. One way to act is to compel the state to look beyond exercises of balancing, as the High Court does, and to see nature as intrinsically valuable.

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## Shaky building blocks

The draft National Education Policy reinforces outdated ideas about the goals of a foundational literacy programme



SHAILAJA MENON

Many children in elementary classrooms across India cannot read and write proficiently, as demonstrated on an annual basis by the Annual Status of Education Reports (ASER). This affects other school-based learning, as well as functioning in societies and economies that prize literacy.

### Capabilities of young children

It was heartening, therefore, to see a chapter devoted to "Foundational Literacy and Numeracy" in the draft National Education Policy, 2019. The focus it places on the early years is welcome, and the continuity it recommends between the pre-primary and primary years is necessary. Likewise, its emphasis on mother tongue-based education and oral language development are critical. However, the analysis presented on why children fail to learn to read and write largely points to factors surrounding the teaching and learning process – the health and nutritional status of children, high student-teacher ratios, and so on.

While each of these factors is undoubtedly important, they do not address with sufficient clarity curricular, pedagogical and teacher education-related issues that plague the teaching and learning of early literacy in many Indian classrooms.

Most classrooms across India view the task of foundational literacy as teaching children to master the script, and being able to read simple words and passages with comprehension. Higher order meaning making, critical thinking, reading and responding to literature, and writing are typically reserved for later years of schooling. This draft reinforces such restrictive and outdated ideas about the goals of a foundational literacy programme.

Research evidence from around the globe demonstrates unequivocally that even very young children are capable of using early forms of reading, writing and drawing to express themselves and to communicate; they are also capable of inferential meaning-making, critical thinking, and so on. This entire body of scholarship, referred to as "emergent literacy", has been ignored in the draft. This has powerful consequences for the recommendations that follow, which propose largely oral activities for the pre-primary grades, reading hours for Grades 1-3, with an additional hour for



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writing starting only in Grades 4 and 5. It contradicts evidence suggesting that young children be taught listening, speaking, reading and writing simultaneously and not sequentially.

### Many pedagogical approaches

Another concern is that the recommendations are based on generic theories of early childhood education, such as multiple age groups learning together in flexible, play- and activity-based ways. They don't draw upon ideas specific to the teaching and learning of early literacy. Early literacy requires a "balance" between helping children to acquire the script, and engaging them with higher order meaning making. It also requires knowledge of a variety of pedagogical approaches, such as reading aloud to children, guiding children in their efforts to read and write, encouraging independent exploration, helping them learn about different genres of texts, and so on. Further, it needs

a balance of materials – moving beyond textbooks and workbooks to high quality children's literature, material created by the children themselves, and the like.

Teachers need to know how to differentiate instruction for learners at different levels and how to provide specific help to students who are struggling. This also requires sufficient time – an average of two-three hours per day, as per the recommendations of the Ministry of Human Resource Development (MHRD). While it may be beyond the scope of a policy document to detail specific curricular and pedagogical approaches, it must provide sufficient direction for a national curriculum framework to pick up from – in this case, it should signal the need for a balanced and comprehensive approach to foundational literacy and knowledgeable teachers for its implementation. Earlier documents addressing this issue (for example, MHRD's Padhe Bharat, Badhe Bharat, 2014, and Ambedkar University's position paper on Early Language and Literacy in India, 2016) have been far more specific in recommending a comprehensive approach with expanded time, and a balance of goals, methods and materials.

### Teaching literacy

This brings me to a third concern, which is a lack of discussion about

what it takes to prepare teachers to successfully teach foundational literacy in a multilingual country. Instead, the document recommends recruiting volunteers and community members to support the acquisition of early literacy (even remedial instruction!) in the primary grades, albeit under the guidance of teachers. This lends credence to a dangerous and erroneous idea that any literate person can teach literacy, and undercuts sophisticated understandings related to children's development and literacy learning that teachers ideally bring to their jobs. Volunteers can be used, but cannot be a primary mechanism that a national policy relies upon to deliver foundational literacy to students.

In focusing on the limitations of the non-academic nature of anganwadi experiences on the one hand, and the inappropriate curricular and pedagogic practices followed by many private preschools on the other, the authors of the draft appear to have not engaged with the advances made by scholars, practitioners and policymakers in the field of early literacy.

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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.

### State of the media

Over the years, political parties in power have learned how to influence and even silence the media ("Democracy can die in daylight too", June 14). More than print media, it is mostly TV channels that have lent themselves to easy manipulation. Facts and real issues have been relegated to the margins and only biases are perpetuated. It is sad to see many intelligent people falling for fake news and propaganda. Since 2014, one sees TV channels targeting not the government for its failures but the Opposition. Even the Rafale disclosures in this newspaper were not

picked up by much of the media for further analysis.  
V. NAGARAJAN,  
Chennai

The disdain that some sections in the country have for the judgment of the common people is only too evident in sentences like "the BJP's logic-defying triumph...". The party has the people's support. What other logic is required to understand the BJP's victory?

M.S. SAGAR REDDY,  
Hyderabad

The narrative reinforced by the media that there is no alternative, or the TINA factor as it is called, was accepted by most people

who wanted a "powerful" Prime Minister and not a performing democratic government.

G.B. SIVANANDAM,  
Coimbatore

### No free will

One cannot be forced to accept a custom and then call it 'free will' ("Liberals need to think again", June 14). It is an entrenched system of domination that led to the institutionalisation of many regressive social customs. Men at the forefront of society always decided what women must do. Every time we justify such customs by calling them acts of 'free will', we are letting down the women

who suffered silently and even gave up their lives because of following these customs and practices.

VRINDA RAJVANSHI,  
New Delhi

When a nation is confronted with terror attacks, it adopts strong measures to tighten its national security. We must be unified in our fight against terrorism. If we argue that certain measures being taken hurt for safety hurt our religious sentiments, it will dilute our fight against terrorism.

SNEHA THAKUR,  
New Delhi

### Take responsibility

Congress general secretary

Priyanka Gandhi Vadra's castigation of party workers for the dismal performance of the Congress in Uttar Pradesh is really unfortunate ("You let party down, Priyanka Gandhi tells Congress workers", June 13). It shows that Congress leaders squarely place the blame on the workers if they lose, but if they win, then all credit goes to the Gandhi family and the leadership.

ARUN MALANKAR,  
Mumbai

### Water conservation

Singapore is known to conserve water in multiple ways, Israel's water management has made its agriculture less dependent

on rain and freshwater resources, and China is making huge investments in water conservation projects. In comparison, policymakers in India have consistently failed to accord due importance to water conservation initiatives ("Rainwater harvesting could have saved city from crisis", June 14). Mindless exploitation of groundwater resources and failure to recharge existing water aquifers are why many parts of Tamil Nadu are facing severe water shortage. It is high time we made this issue a priority.

M. JEVARAM,  
Sholavandan

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