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**Change gears**

States should reconsider their opposition to amendments to the Motor Vehicles Act

India's law governing motor vehicles and transport is archaic, lacking the provisions necessary to manage fast motorisation. The lacunae in the Motor Vehicles Act, 1988, require to be addressed to improve road safety, ensure orderly use of vehicles and expand public transport. The Motor Vehicles (Amendment) Bill, passed by the Lok Sabha last year, seeks to do this, but it has now run into opposition in the Rajya Sabha because of its perceived shift of power from the States to the Centre. The issue is not one of legislative competence; as the subject is in the Concurrent List, Parliament can make a law defining powers available to the States. Some State governments are concerned about the new provisions, Sections 66A and 88A, which will empower the Centre to form a National Transportation Policy through a process of consultation, and not concurrence. The changes will also enable Centrally-drafted schemes to be issued for national, multi-modal and inter-State movement of goods and passengers, for rural mobility and even last-mile connectivity. Since all this represents a new paradigm that would shake up the sector, several States have opposed the provisions as being anti-federal. Doing nothing, however, is no longer an option. The passenger transport sector operating within cities and providing inter-city services has grown amorously, with vested interests exploiting the lack of transparency and regulatory bottlenecks. With a transparent system, professional new entrants can enter the sector. As things stand, State-run services have not kept pace with the times. Major investments made in the urban metro rail systems are yielding poor results in the absence of last-mile connectivity services.

Creating an equitable regulatory framework for the orderly growth of services is critical. This could be achieved through changes to the MV Act that set benchmarks for States. Enabling well-run bus services to operate across States with suitable permit charges is an imperative to meet the needs of a growing economy. Regulatory changes introduced in Europe over the past few years for bus services have fostered competition, reduced fares and increased services operating across European Union member-states. Other aspects of the proposed amendments deal with road safety. These, however, are likely to achieve little without strong enforcement by the States. The effort to curb institutionalised corruption at Regional Transport Offices by making it possible for dealers to directly register new vehicles, and enabling online applications for driving licences is welcome. Care is needed to see that other measures, such as sharply enhancing fines for rule violations, do not only result in greater harassment. It is the certainty of enforcement, zero tolerance and escalating penalties that will really work. There are some new provisions to harness technology, including CCTV monitoring, to improve road safety, but these cannot produce results when there is no professional accident investigation agency to determine best practices.

**Brexit troubles**

The British PM faces a tough test to win support in Europe for her Chequers plan

Desperate times call for desperate measures. British Prime Minister Theresa May last week flew to France to meet French President Emmanuel Macron at his holiday home, to lobby for her Cabinet's version of Brexit that emerged from a retreat at Chequers, her own country retreat, a few weeks ago. The proposal scrapped through in the House of Commons. And having just about won the support of her own Tory party MPs, Ms. May and her Cabinet colleagues are now taking the show on the road, hoping to sell the plan to individual European leaders. It won't be easy. Last week, Michel Barnier, the European Union's chief negotiator, suggested in a newspaper article a softening of the EU's position on the Irish "backstop" - a temporary customs arrangement to avoid a hard border between the Republic of Ireland and Northern Ireland, until a permanent solution is found. Both the EU and the U.K. are against a hard border between Ireland and Northern Ireland, key to the Good Friday Agreement that has ensured peace on the island since 1998. However, beyond offering vague language on "regulatory alignment", it is unclear how Britain proposes to achieve this while exiting the EU Customs Union and Single Market. The EU had proposed that Northern Ireland remain in a common regulatory area with the Republic of Ireland and the EU. This was rejected by London. Mr. Barnier wrote that the EU would be willing to "improve the text" of its proposal on the Irish border question.

However, his article poured cold water on another core element of the Chequers plan: a post-Brexit free trade area between Britain and the EU for goods alone, leaving trade in services for a separate agreement. The U.K. and the EU would collect tariffs on goods on each other's behalf where needed. Mr. Barnier pointed out that goods and services are often inextricably linked, and that the U.K. cannot expect to have free movement of goods without free movement of services, people and capital - the 'four freedoms' of being part of the European Single Market - nor, as an external party, expect to be allowed to collect customs duties on the EU's behalf. The timing of Mr. Barnier's comments, just as Ms. May was trying to win support on the continent, will throw a spanner in the works for her. Mr. Macron is one of Ms. May's toughest Brexit customers, and is unlikely to present a divergent view from Brussels. France has a lot to gain from parts of the financial sector leaving the U.K. after Brexit. A Brexit deal must ideally be in place before a European summit in October; otherwise Britain is at risk of crashing out of the EU in March 2019.

**Citizenship and compassion**

Can India manage with a certain amount of disorder to sustain a plural vision of democracy?



SHIV VISVANATHAN

The current situation in Assam seems like a nightmare, a warning about the internal contradictions of democracy. It is a warning that the 19th century ideas of democracy as electoralism and the notion of the nation-state as a fetishism of borders may be inappropriate as imaginations for the 21st century. It is a caution that governance and politics are full of ironies and paradoxes and that the best of intentions might lead to the worst consequences. Inherent in it is the banalisation of evil that can take place when suffering on a large scale gets reduced to a cost-benefit scenario. Democratic India rarely had experiences of detention camps, except during the India-Pakistan wars, and in 1962 when Indians of Chinese origin were unfairly detained in camps. The last episode, a stain on the Indian conscience, is forgotten or swept aside. Today, the statistic of four million names off the draft National Register of Citizens (NRC) is reduced to an everyday problem of management. This routinisation of violence is deeply worrying.

**Surveillance state**

There is another piece of cynicism that one needs to be cautious of. The Bharatiya Janata Party (BJP) is adept at projecting a mastery of electoral frames and governance to maximise electoral output. It took the normalcy of a governance project and turned it into a panopticon, classifying citizens through a system of surveillance, creating a sense of sovereignty where the bureaucrat plays god, deciding who is in and who is out. With 40 lakh

names off the final draft of the NRC, it has made a play for the majoritarian vote. The party will dwell on the claim that it took the bull by the horns, updating the citizens' register, a challenge the Congress was not up to.

The politics of citizens' registers underlines the problem of migratory politics, refracted through the layered memories of many historical events. It began in the colonial era when the British attempted to import labour for the plantations. Major displacements like Partition and the Bangladesh war added to a huge "illegal" population. "Legality" is determined through certificates. Legitimacy is a stamped paper. But the question one asks is, what happens to the ones who have grown roots, who have brought land in the area? Do they not count with the stroke of a pen? In fact, it forces one to open up the question of who is a citizen? Is citizenship based on land, residence, identity, cultural roots, language, ethnicity? Or is it a formal certificate, a clerical endorsement that makes one a citizen? Informal economies operate according to parallel rules, with residents getting regularised over time and obtaining the entitlements of citizenship after decades of stay. Here, the temporariness of the migrant is something that haunts her. Vulnerable though she is, she also becomes prey to electoral politics of corrupt politicians seeking instant constituencies.

**A leader's summary**

The very scale of the exercise, the suggestion that 40 lakh people must do more to prove their claim to citizenship, gives it a technocratic air. The sense of history and memory is lost. As West Bengal Chief Minister Mamata Banerjee suggested, the label 'infiltrator' already implicates you in a paranoid world, where the other is perpetually suspect.



GETTY IMAGES/STOCKPHOTO

Ms. Banerjee attempted to introduce a notion of sanity by observing that while there may be a minuscule number of people who are infiltrators from across the border, among the 40 lakh people who don't find their names on the NRC are those who crossed over decades back, compelled by historical reasons, and they cannot be considered infiltrators. She made three quick points. First, infiltrators and refugees are different categories, to be coped with differently. Second, time and history are crucial for comprehending such a colossal event. To reduce it to one moment is mindless. Third, by introducing such measures, it is the BJP that is playing the infiltrator, penetrating into citizens' lives, probing what they eat, what they wear and what they do. The BJP, in treating Assam as an enclosure, is also panopticonising our world, increasing the level of surveillance and control over our lives.

The point Ms. Banerjee is making is fundamental. In this tussle between nation-state and an open democracy, the enclosure and the panopticon as mediums of control are at odds with the idea of the commons and the hospitality of the community. Technocratic solutions cannot hide the absence of human and historical understanding. She might be dismissed as a rabble rouser, but it is she who is pointing out that the BJP is playing on the anxieties of people, rousing

old hates between Bengal and Assam. To hide behind the abstractions of sovereignty and security and, officialising parochialism is the logic of the BJP game.

The handling and management of large populations create a problem of ethics. Assam raises the question of both triage and exterminism. Once one plays out the census game, makes a few concessions, one almost feels that the remainder are dispensable. The dispensability and disposability of large populations confronts India on a large scale. One cannot handle such situations merely through law. One needs generosity, hospitality and compassion. One needs to understand that once our civics accepts the detention centre and the internment camp as routine, we are creating gulags of the mind, where one can begin with an ordinary act of classification and erase a people. Indian democracy has to face the genocidal prospect inherent both in its technocratic sense of governance and in the anxieties that electoralism creates.

**The populist frame**

In fact, it is BJP president Amit Shah who gives away the game as his party adopts a tough stand. He claims that the BJP is fighting for the security of the people. The shift from citizenship to a preoccupation with security unfolds a different paradigm of thought. Nation-state and citizenship as encompassing entities offer different ideas of order and control. Security is a panopticonising notion, while citizenship is a caring, even protective, one. Security operates on the grids of surveillance, scrutiny and separation. Citizenship is a more hospitable notion of initiating the other into a system. The norms of the paradigm are different. Mr. Shah's response was a giveaway because it puts the idea of security within a populist fra-

network, where demographic and cultural anxiety becomes the raw material for emerging vote banks. A register which began as a routine, even clinical exercise now acquires a Machiavellian shadow. Suspicion and anxiety magnify as rumour becomes epidemic. One hopes the register does not create an Orwellian situation where some are more equal than others.

This point becomes clearer when we read that the Vishwa Hindu Parishad wants a similar NRC exercise in West Bengal and other States. Rather than seeing wider conspiracy theories, it is the inner contradictions of the exercise that we shall consider.

**The Assam model?**

Maybe one has to go back and look at our Constitution and reread notions of the border, the very idea of citizenship. We need to go beyond hard definitions and look at the penumbra of these concepts. A citizen may be defined in terms of certain properties. But the question is, how humane or plural is such a definition? Can we manage with a certain amount of disorder to sustain a plural vision of democracy? These are the questions Assam raises but our policymakers do not discuss. How do we create a more hospitable, affable theory of citizenship where marginal groups survive, where nomads and other fluid groups are allowed to follow their life lines? Can we think of a nation-state with permeable borders and a fluid sense of citizenship which makes life more hopeful for the refugee? These are questions not for the distant future, but challenges this decade will have to overcome. We have to rethink the Assam in us.

Shiv Visvanathan is an academic associated with the Compost Heap, a group in pursuit of alternative ideas and imagination

**Anatomy of an outbreak**

How Congo learnt from the 2014 Ebola crisis and is dealing with the situation this year



R. PRASAD

The Ebola virus returned to the Democratic Republic of the Congo (DRC) just days after the World Health Organisation (WHO) announced, on July 24, that the Ebola outbreak had ended there. Congo says it has recorded a fresh outbreak in North Kivu province - the tenth instance in the country since the virus was discovered in 1976. At least four samples have tested positive and the majority of cases are in Mangina, about 30 km from Beni city, a densely populated area.

But the outbreak in North Kivu, announced on August 1, appears to be a fresh and unrelated one, having occurred about 2,500 km away from Bikoro in Equateur Province where the last outbreak was first reported this May.

This outbreak, on May 8, was based on two samples testing positive - made possible by a prompt sharing of information by Equateur officials about 21 cases of fever with haemorrhagic signs and 17 deaths on May 3. Again, on July 28,

the North Kivu health division shared information about 26 cases of haemorrhagic fever, including 20 deaths, which led to four samples testing positive and the announcement, on August 1, of there being a fresh outbreak.

"The detection of the virus is an indicator of the proper functioning of the surveillance system," Congo's Health Minister Oly Ilunga Kalenga said in a statement.

"Ebola is a constant threat in the DRC. What adds to our confidence in the country's ability to respond is the transparency they have displayed once again... we will fight this one as we did the last," WHO Director-General, Dr. Tedros Adhanom Ghebreyesus, tweeted.

**Contrast in responses**

While Congo has displayed its considerable experience and also promptness in its response, WHO has also made similar moves. Hours after the outbreak was declared on May 8, WHO released \$1 million from its Contingency Fund for Emergencies. Its multidisciplinary team began an active search for cases and people who had come in contact with those who were infected. Then, treatment facilities and mobile laboratories were set up and the community educated on safe

practices. In 2014, when Ebola had struck three West African countries (Guinea, Liberia and Sierra Leone), these measures were delayed and were responsible for the spread and high mortality.

But despite the pro-active measures this time, 14 laboratory-confirmed cases were reported about 10 days after the outbreak was declared. Most were in remote, hard-to-reach areas, which made it a challenge in terms of surveillance, case detection and confirmation, contact tracing, and access to vaccines and therapeutics. But one confirmed case, in Mbandaka city with a population of 1.2 million population, changed the risk perception completely.

In the 2014 West African epidemic, WHO's Emergency Committee convened only after some 1,000 people had died. This time around, it convened 10 days after the outbreak was declared on May 8.

But despite the heightened global risk, the committee has not viewed it to be a 'Public Health Emergency of International Concern', which is a formal WHO declaration. There are two main reasons for this. The first is the "rapid and comprehensive" response by the government, WHO and other partners. According to an editorial in *The Lancet*, the median time



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from illness to hospitalisation this time in Congo was just one day. In contrast, in the 2014 outbreak, the average time in West Africa was 5 days; in Congo, it was 4.7 days.

**Vaccine power**

The second reason is the availability of VSV-EBOV, an investigational vaccine, developed by Canada's National Microbiology Laboratory and manufactured by Merck. In results of the 2015 vaccination trial carried out in Guinea (and published in *The Lancet*), the vaccine offered "substantial protection" against Ebola.

Though the vaccine is still to be approved by a regulatory agency for commercial use, it has been approved for "compassionate use" in outbreaks. "Vaccination will be key to controlling this outbreak," Dr. Ghebreyesus has said.

In this outbreak, there are several firsts. On May 9, a day after

Congo declared an outbreak, WHO and the Ministry of Health set up a specialised cold chain to store the vaccine in the provincial capital Mbandaka. And on May 14, the first batch of more than 4,000 doses of vaccine was on its way to Congo. "This marked the first time vaccines were available so early in a response," according to a WHO release.

On May 21, vaccination of health workers as well as people in contact with Ebola began in Mbandaka. In total, 3,330 people were vaccinated (May 21-June 30).

The quick and proactive steps were not in vain. On July 24, WHO announced the end of the outbreak when a period of 42 days (two incubation periods) following the last possible exposure to a confirmed case had elapsed without any new confirmed cases being detected.

While it took nearly 30 months to control the 2014 West African epidemic (more than 28,600 people were infected and 11,300 died), it took less than three months in the case of the May 8 outbreak. On July 24, the total number of laboratory confirmed cases was just 38 (and 16 more probable cases) while the number of deaths was 33.

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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.

**A word of advice**

The article, "A basis for Opposition unity" (Editorial page, August 3), which prescribed enlightened abdication for Congress president Rahul Gandhi and the Indian National Congress, appears to be a road map for their marginalisation. Even staunch critics of the Congress will have to admit that its recall and brand value are much higher than all other parties', pan India. The Congress may not win 2019 on its own. So what? It has had a memorable past and will eventually gain opportunities - provided it remains the 'Congress - the pre eminent party'. The original idea of reviving the Congress based on its strength and reach is still the correct approach even if it takes time. The party is that it has a host of young leaders in its ranks who have the belief and strength to make the Congress the

preferred choice in an electoral contest. While 2019 is a myopic goal, 2024 is not far off. The 'savarna' theory is clever but there is nothing to bear it out. In winning the race, the prize will be in enabling an India that is at peace with itself.

V.T. SAMPATH KUMARAN, Mysuru

**Abuse in Bihar**

The alleged mass abuse at a shelter home in Bihar raises disturbing questions about the deterrent effect of the existing legal framework in dealing with extreme crimes against children. Seeking the death penalty for perpetrators appears more a knee-jerk response from policy makers. We need to ensure the certainty of punishment and not its severity.

M. JEVARAM, Sholavandan, Tamil Nadu

A CBI inquiry will unearth the truth. The last Bihar Chief Minister Nitish

Kumar can do now is to act swiftly and ruthlessly. At the same time, he must remember the irreparable damage to his image and that of the coalition government in Bihar.

S.V. VENKATAKRISHNAN, San Jose, California, U.S.

The alleged crimes must be treated with the full rigour of the law. The unspeakable events have only reduced the catch-phrase "beti bachao" to a slogan empty of meaning. Mr. Kumar's position has become untenable and he must resign. It would be the only decent thing to do for a politician said to have a conscience.

G. DAVID MILTON, Maruthancode, Tamil Nadu

**Net result**

It is a huge loss if endangered sea life such as ray fish, the Olive Ridley turtle, saw fish, knife-toothed fish and even dolphins (classified as Schedule I animals under the

Wildlife Protection Act, 1972) and their prey base are being decimated as a result of destructive fishing using seine nets off the coast of north Andhra Pradesh ('Framed' page, "There lies the catch", August 5). It is disastrous for the biodiversity of India's oceans and the future of the fishing industry. Is there no authority to monitor the indiscriminate plunder of our sea wealth? This responsibility is vested more with the Wildlife Department as the protection of all schedule species/animals is defined in the Wildlife Act.

B.M.T. RAJEEV, Bengaluru

**Under watch**

There is no doubt that it is good idea to have total CCTV surveillance across Chennai to ensure security (Chennai, "Coming soon: total CCTV camera surveillance in city", Aug. 5). But most important is maintenance. In this regard, it is a fact that the

track record across cities is abysmally poor. A few years ago, CCTV cameras were installed, with much fanfare, at several traffic intersections in Chennai. Today, most cameras are dysfunctional and violations continue unabated. The sad part is that the non-functional state of the gadgets is known only while conducting an inquiry after an accident.

P.G. MENON, Chennai

**India falters**

Cricket cannot be one-man's game. Only Virat Kohli played with passion and grit in the first Test against England. No other batsman supported him. The bowlers did their best but the batsmen failed to build on the advantage. I am reminded of the Barbados

Test in 1997, where set a target of 120 in the fourth innings, India was pummelled into submission by Franklyn Rose. ('Sport' page, "Stokes lands knockout punch, England snatches a thriller", August 5).

NAGARAJAMANI M.V., Hyderabad

India's defeat in the first Test follows a similar pattern of the outcomes in the longer format of the game. A task made simpler by the Herculean efforts of the bowlers is wasted by the poor performance of willow-wielding stalwarts, many of whom are considered some of the most reliable batsmen in times of crisis.

ARUN MALANKAR, Mumbai

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CORRECTIONS & CLARIFICATIONS: Editing error: In the heading, "Toll in Shia mosque attack in Pakistan rises to 35" ('World' page, August 5, 2018), the reference to Pakistan should have been to Afghanistan.

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