



The numbers game

India's victory at the ICJ reinforces the importance of small power diplomacy

The election of Justice Dalveer Bhandari to the International Court of Justice for a second term is a major diplomatic success for India. Five of the 15 judges of the ICJ are elected every three years. This year there were six candidates for five slots. The winning candidates required a majority in both the United Nations General Assembly and the Security Council in simultaneous voting through secret ballot. While four candidates were elected smoothly, Justice Bhandari and Christopher Greenwood of the United Kingdom ended in a dead heat as the former won the UNGA and the latter the UNSC in multiple rounds of voting. The U.K. wanted to end the voting and move to a conference mechanism, which involves selecting a panel of three UNGA members and three UNSC members, who would then elect the judge. This mechanism has never been used before. India opposed the move, and the U.K. could not gather adequate support for its demand in the UNSC. The U.K. then withdrew its candidate, paving the way for Justice Bhandari's re-election. India and the U.K. had staked considerable diplomatic goodwill in the election, and the outcome is significant politically for both.

For the first time, the U.K. will not have a judge on the ICJ. It is also the first time that a permanent member of the UNSC has lost at the ICJ on a vote. For British Prime Minister Theresa May the loss comes at a difficult time as she struggles with the process of leaving the European Union and with her own leadership coming under assault from Conservative MPs. In this context, the loss at the ICJ is being read as confirmation of the U.K.'s diminishing role in global affairs. As America's inseparable and unquestioning junior partner, the country had asserted its relevance in the post-War order even as its military and economic power eroded. With the U.S. under President Donald Trump less guided by the "special relationship" with the U.K., a post-Brexit U.K. will have to do much more heavy-lifting in multilateral forums. For India, soon after its failure to gain membership to the Nuclear Suppliers Group, the lobbying for the ICJ election has different lessons. With all five permanent members of the UNSC fiercely locking arms to protect their collective interest of dominating the world body, India's success was built primarily on the support of developing countries, among whom it has nurtured goodwill over the decades. Japan also appeared to align with the P-5. India's call for a more equitable world order has a better resonance among developing countries than the custodians of the current order. India's support in the UNGA was expanding with subsequent rounds of voting, a reality the U.K. and the U.S. could not brush aside. For India, the takeaway is clear: to find a louder global voice, it also needs to put more emphasis on ties with countries away from the high table.

Pill talk

Consumer awareness is needed on the danger of reckless antibiotic use

Around the time the UN Climate Change Conference drew to a close in Bonn last week, so did the World Antibiotic Awareness Week, a World Health Organisation campaign to focus attention on antibiotic resistance. The global threats of climate change and antibiotic resistance have much in common. In both cases, the actions of people in one region have consequences across the globe. Also, tackling both requires collective action across multiple focus areas. For resistance, this means cutting the misuse of antibiotics in humans and farm animals, fighting environmental pollution, improving infection control in hospitals, and boosting surveillance. While most of these goals need government intervention, individuals have a critical part to play too. This is especially true for India, which faces a unique predicament when it comes to restricting the sale of antibiotics – some Indians use too few antibiotics, while others use too many. Many of the 410,000 Indian children who die of pneumonia each year do not get the antibiotics they need, while others misuse drugs, buying them without prescription and taking them for viral illnesses like influenza. Sometimes this irrational use is driven by quacks. But just as often, qualified doctors add to the problem by yielding to pressure from patients or drug-makers. This tussle – between increasing antibiotic use among those who really need them, and decreasing misuse among the irresponsible – has kept India from imposing blanket bans on the non-prescription sale of these drugs.

When policymakers did propose such a ban in 2011, it was met with strong opposition. Instead, India turned to fine-edged tools such as the Schedule H1, a list of 24 critical antibiotics such as cephalosporins and carbapenems, whose sale is tightly controlled. But even Schedule H1 hasn't accomplished much: pharmacists often flout rules, and drug controllers are unable to monitor them. Thus, the power to purchase antibiotics still remains in the hands of the consumer. It is up to consumers now to appreciate the threat of antibiotic resistance and exercise this power with care. These miracle drugs form the bedrock of modern medicine today, and are needed for everything from prophylaxis for a complicated hip surgery to treatment for an infected knee scrape. Losing these drugs would mean that even minor illnesses could become killers, and the cost of health care will soar. Consumers need to remember that not all illnesses need antibiotics, and the decision on when to take them and for how long is best left to a doctor. Multi-resistance in some tertiary-care hospitals to bugs like *Staphylococcus aureus* has grown to dangerous levels. But the experience of countries like Australia shows that cutting down on antibiotics can reverse such trends. The National Action Plan on Antimicrobial Resistance aims to repeat such successes in India. Meanwhile, awareness must be built among consumers so that they see the coming crisis and take up the baton.

Embattled path to stability

The AIADMK strategy of clinging on to power at any cost is fraught with danger



NARAYAN LAKSHMAN

Nine months and more have passed since the All India Anna Dravida Munnetra Kazhagam (AIADMK) government in Tamil Nadu, headed by Chief Minister Edappadi K. Palaniswami, survived a vote of confidence on the floor of the State Assembly, yet there appears to be no indication that a powerful leader will take charge of party affairs.

Contrarily, interminable factional squabbling seems to have engulfed the party, and with each passing month the balance of power within the AIADMK seems to be in even more flux. This hints at a breakdown in mechanisms that made the relatively leader-centric governance style of Jayalalithaa possible. There are growing fears that the political vacuum at the very core of the party will push it toward implosion. How did matters come to such a pass?

Historical balance of power

In the broad, historical context of India's politics, it is typically States governed by national parties, such as the Bharatiya Janata Party (BJP) or the Congress, that tend to see a greater magnitude of factional conflict within the party system; this is reflected in their policy agendas too. Research at the London School of Economics by John Harriess sheds light on what could reasonably be considered the stylised facts in this regard.

Along with several other studies, this research suggests that States witnessing higher levels of factional conflict within the party system also tend to be socially and politically dominated by relatively powerful caste groupings.

A good example of such a State is



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Karnataka, where Vokkaligas and Lingayats, and to a slightly lesser extent Brahmins, have dominated the party system, whether it is through the BJP, the Congress, or the Janata Dal (S).

This stands in contrast to States such as Tamil Nadu or Andhra Pradesh, where strong regional parties, often helmed by charismatic leaders associated with popular culture, have relatively tighter party organisational structures and processes.

For the latter type of State, intra-party power is relatively centralised in the hands of these leaders, giving them a freer hand to fashion political agendas that cater to the interests of their most significant social bases.

Typically, such States are situated in the context of fragmented social power between caste groupings, easily observed in Tamil Nadu, where caste prevalence and dominance vary enormously from one part of the State to another, and political parties must necessarily look to broad-based welfare schemes that meet the welfare needs of this diverse population.

Dark side of welfare politics

In this light, the turn of events in Tamil Nadu over the past year and more raises troubling questions about the forces that are reshaping the political landscape of the State.

On the one hand, successive

leaders of Tamil Nadu have adhered strictly to a welfare-minded approach in policymaking. Note how the State was a national pioneer for the noon meal scheme for children, or for activity-based learning in primary education, or in the grant of a variety of free welfare goods to the masses.

However, the dark side of this "benevolent autocratic" style of governance is the tendency to relentlessly pursue rent-seeking opportunities. This has led to a systemic institutional rot that has sparked deep concern over governance failures. Further, it has contributed to a deterioration of the policy environment to the point where numerous industries have fled to other Indian States rather than get locked into a system of institutionalised extortion.

Passage of a movement

Looking back to the shape of Dravidian politics toward the turn of the century and beyond, both the AIADMK and its arch-rival, the Dravida Munnetra Kazhagam (DMK), were built on a much sharper focus on the welfare of the ethnic Tamil man and woman.

In the DMK, former Chief Minister M. Karunanidhi rose to the top in his party through his involvement in the Dravidian movement as a screenwriter, poet, and literary genius. Like C.N. Annadurai before him, Mr. Karunanidhi fo-

cussed on promoting social reforms that underpinned the Dravidianist philosophy, such as self-respect marriages to undercut the role of the priestly caste, and policies to promote Tamil and diminish the official use of Hindi.

Yet, over his five stints as Chief Minister, a gradual change spread across his party cadres. What was once a radical social reform movement for the lower castes based on anti-Hindi and anti-North agitations – a phenomenon that scholars such as Narendra Subramanian term describe as "assertive populism" – gave way to a more inclusive accommodationism of all castes, and economic opportunities became the prime vector of governance.

Under former Chief Ministers who were in the AIADMK, M.G. Ramachandran and Jayalalithaa, a slightly varied form of "paternalist populism" took root, built less on radical Dravidianism's ethnic demands and more on providing mass welfare to a broad swathe of society, including the lowest levels of the class pyramid but also some elites.

In both parties, resource allocation came to depend increasingly on charismatic leaders who had relied on the power of the silver screen to build up their political personas as champions of a social cause. In doing so they also fuelled deeply ingrained personality cults around themselves and their coteries, leading to the obliteration of second-, third- and fourth rung leadership capability within their parties.

Perhaps it was the inevitable consequence of this lopsided balance of power within the two major Dravidian parties of the State that a culture of unhinged rent-seeking took hold and got institutionalised. Soon, ministerial berths became gateways to untold private wealth extorted from a system of pliant bribe-givers, big and small.

Control of a vast span of indus-

tries rested in the hands of individuals closely associated with both parties. For example, the V.K. Sasikala clan came to acquire and hold interests in every sector, from distilleries and cinema to finance, steel and exports. For another, based on ownership of the Sun Group by the Maran clan, the family scion, Kalanithi Maran, raised his net worth to something in the range of \$4.7 billion.

Reaching an inflection point?

Tamil Nadu's current turmoil has to be situated in this context of rapacious rent-seeking by its political class. Even if the oxygen has been sucked out of the heart of the AIADMK machine, the stakes are too high to walk away from Jayalalithaa's parting gift to her party – four and a half more years in power.

At the same time, the machinations of the BJP are hard to ignore, particularly given its strong position nationally, and its apparent keenness to gain entry to the ram-bunctious if forbidding politics of India's southernmost State.

The implied political strategy of clinging on to power at any cost, which is what the Palaniswami-Panneerselvam combine seems to have adopted, is fraught with danger. It implies a careful balancing act between facing the challenges posed by sidelined AIADMK leader and Sasikala's nephew, T.T.V. Dhinakaran, to the unity of the party, keeping the vested interests in New Delhi happy, and putting up at least a façade of good governance.

Failure on any of these fronts could quickly topple this government. While it may produce even more chaos in the immediate future, it may not necessarily be a bad long-run outcome, especially if it paves the way for elections to throw up a new political leadership that eschews the insidious habit of institutionalised plunder.

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M.R. MADHAVAN

The dates for the winter session of Parliament for this year have not been announced yet. In the last few years, the session usually started in the third or fourth week of November and closed just before Christmas. In 2013, the last winter session of the previous Lok Sabha started in the first week of December, was adjourned after 10 sittings, and continued in early February. Given the notice period of two weeks to summon a session, it is unlikely that we will see the commencement of the session before the second week of December.

Fewer, shorter

In the past, sessions have been shortened or even 'merged'. The year 2008 presents an interesting glimpse into this process. A special two-day session was summoned in July for a confidence vote, after the Left parties support to the UPA coalition government. The government won the vote narrowly. This session was termed the monsoon session and the regular sessions held in October and December were termed as a continuation of the same session in different parts.

The reason is that the government wanted to take advantage of one of the rules of procedure which stipulates that a motion cannot be proposed twice within the same session. This enabled the government to avoid having to prove its numbers again.

This brings us to the question of the key roles of Parliament. The lawmaking and financial functions of Parliament are primarily to examine and endorse government proposals. (Though the Constitution permits any member to propose a bill, private member bills are rarely enacted.) Parliament also has the important role of holding the government to account for its actions.

Defending the parliamentary system versus the presidential system, B.R. Ambedkar argued that all such systems attempted a balance between stability and responsibility. Both systems provide a periodic assessment by the electorate through elections. However, the parliamentary system provides a higher level of responsibility on the government through daily assessment by members in the form of questions, resolutions, no-confidence motions, adjournment motions and debates on addresses. He felt that daily assessment was more effective in holding governments to account, and more appropriate for India.

This argument presupposes frequent sittings of Parliament. In the initial years of our Republic, Lok



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Sabha sat for about 125-140 days a year. The size of the country and poor connectivity meant that MPs could not make a quick dash to their constituencies and there were planned intersession gaps to enable them to split their time between Delhi and their constituencies. Though it is far easier to travel today, Parliament has met for just 65-75 days per year in the last couple of decades. A direct consequence has been less scrutiny of the government's actions, and even that of bills and budgets. A clear requirement for a more effective Parliament would be more sitting dates and a clear plan of those dates.

The Constitution specifies that Parliament will be summoned by the President; the President shall act on the aid and advice of the Council of Ministers; and there cannot be more than six months between two sittings of Parliament. Similar provisions exist for State legislatures. Thus, it is effectively the Prime Minister (or the Chief Minister) who determines

when Parliament (or an Assembly) will meet, subject to the gap being less than six months.

One can see where this could go. Indeed, in several States the situation is dire. Data for 20 Assemblies over the last five years indicate that they meet for 29 days a year on average. States such as Haryana (12 days a year) and Uttarakhand (13 days) rarely meet. There have also been some extreme cases in terms of session time. On September 25, 2015, the Puducherry Assembly commenced a session at 9.30 a.m. and closed at 9.38 a.m., which included a two-minute silence for obituary references, just short of the record of the shortest session by the same Assembly in October 1986, five minutes. Even a large State such as Uttar Pradesh has held a 10-minute session, in November 2011, in which the resolution to divide the State into four parts was passed.

Is there a way out?

One has to address the structural issue of the government deciding when to summon the legislature, and its ability to adjust the dates in response to emerging circumstances. That is, dilute the power of the government to be the sole decider of session dates.

A simple solution is to have a calendar of sittings announced at the beginning of each year. This would help members and others plan better for the whole year. Just imagine the trouble members currently

face in scheduling other engagements in the absence of any certainty of the parliamentary schedule. One also needs to build in the possibility of additional sittings that the government can require if it needs urgent parliamentary approval for action under unforeseen situations.

A variant, such as that followed by the British Parliament, is to have year-long sessions. Thus, the five-year term of Parliament consists of five sessions of a year each. This would require some minor changes in rules such as permitting no-confidence motions to be taken up multiple times in a session if a significant minority asks for it.

A different approach would be to allow a significant minority of members to call for a session. Pakistan's Constitution requires a session of Parliament within 14 days if one-fourth of its membership demands one. It also states that Parliament should meet at least 130 days every year and there should be at least three sessions.

The legitimacy of the government in a democracy is derived from constant scrutiny by elected representatives. Perhaps it is time to tweak the rules of the game to strengthen the system and ensure that key institutions such as Parliament and State legislatures are able to perform their roles more effectively.

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LETTERS TO THE EDITOR

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Seat at the high table

An Indian being re-elected to the International Court of Justice, and with overwhelming support, is a feather in the cap of Indian diplomacy. Baiters of the Prime Minister may be working overtime to find an obscure reason for India's victory. However, the fact is that there is respect for India and its institutions.

V.S. GANESHAN,
Bengaluru

■ The rise of a new global economic order, where Third World countries are becoming the harbinger of reforms in hitherto Western-dominated institutions, is now a reality. India's success in the ICJ election shows that developing countries are willing to cooperate in ending the unilateralism prevalent in Bretton Woods institutions, and where

Western hegemony is established. The support that India garnered is due to its soft power and democratic outreach in trying to make every country a partner in development. This is contrary to the Western notion where economic dividends outweigh other factors.

GAGAN PRATAP SINGH,
Noida, Uttar Pradesh

■ India's victory is a moment to savour as it is a reflection of India's growing stature internationally. Perhaps it is for the first time in the history of global institutions that a permanent member of the Security Council has bowed out to a non-permanent member. It is a clear indication that the winds of change in the world order are inevitable.

M.R.G. MURTHY,
Mysuru

■ It may be victory, but India should stay rooted to the ground as the victory was at least partially made possible due to Brexit. For the U.K., it is a wake-up call with its decision to exit from the European Union, it has found itself isolated from many of its allies who have not taken kindly to its move. The incumbent Prime Minister has been deft enough to remind the country gracefully that its trade relations with India are more important than a win at the ICJ. With its trade relations with the EU sinking, the U.K. has no other alternative than to look for greener pastures.

V. SUBRAMANIAN,
Chennai

To the top post

A look at the history of the Indian National Congress will show the erosion of inner party democracy over the decades. Around

Independence, elections for INC presidents would be held regularly, an event that eventually shifted to a longer period. Then, by 1995, the rot started to set in. Continuing with a system of dynastic politics is a disservice to both the INC and the country. Rahul Gandhi needs to earn his right to be party president, just as anyone else in the Congress should. What the party needs now is a strategy on how it is going to lift half a million people out of poverty, hunger and unemployment. Methods by which, in the face of a still growing population, the country can industrialise yet not deplete its resources or choke its citizen on its own waste. How does it intend reforming the police? How does it plan to expand manpower? How does it plan to relieve the pressure on the health services? Who addresses

racism and sectarianism, and how? Is the Congress ready to fight corruption?

OJAS SARUP,
The Netherlands

A real star

Former Wimbledon champion Jana Novotna will be remembered most for her fighting spirit. The Czech star let slip a comfortable winning lead of 4-1 in the deciding set to go down 7-6, 1-6, 6-4 in the 1993 Wimbledon final against Steffi Graf. At the presentation ceremony, the Duchess had lent a shoulder for Novotna to cry on and said, "You'll win this one day." She did, in her third Wimbledon final in 1998, beating France's Nathalie Tauziat.

R. SIVAKUMAR,
Chennai

Touching frugality

The article, "The miser's advantage" ('Open Page' -

More on the web", November 19), of the octogenarian author who takes pride in being frugal enhances readers' respect for him. The fact that his entire family cooperated with him in his endeavour to be on his own doubles our respect for his family. In fact, this has also been the true life story of many similar, unsung and self-made men in our country who live with dignity and honour. When I recently sent a letter to my relative, penned on a postcard, it came back to me undelivered. When I asked her, her reason was that she never entertained postcards. Life today seems to be all about pomp and grandeur, bereft of values and finer sentiments.

PUSHPA DORAI,
Nurani, Kerala

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