

The loss is not just Istanbul

Why Recep Tayyip Erdogan's grip on Turkey is weakening



MOHAMMED AYOOB

Turkish President Recep Tayyip Erdogan has often said, "Whoever wins Istanbul wins Turkey." This must have come to haunt him last Sunday when Ekrem Imamoglu, the Opposition CHP (Republican People's Party) nominee, defeated Binali Yildirim, the AKP (Justice and Development Party) candidate, decisively in Istanbul's mayoral election. What must have added insult to injury was the fact that Mr. Imamoglu garnered close to 55% of the votes, thus increasing his vote share by seven percentage points compared to the March 31 result when he had barely managed to defeat Mr. Yildirim. Under pressure from Mr. Erdogan and his party, the High Election Board annulled the March 31 election result on flimsy technical grounds. It is clear that many AKP supporters switched to supporting Mr. Imamoglu this time, punishing Mr. Erdogan and his party for their high-handedness.

The beginning of the end?

Does this mean the beginning of the end of Mr. Erdogan's semi-authoritarian rule in Turkey? If one accepts the fact that the Istanbul verdict is a bellwether for what could happen in the rest of the country when the national election is held, then it is good news for the Opposition. The verdict is very important because one-fifth of the Turkish population lives in Istanbul and the city contributes over 30% of the national wealth to the country's GDP. Moreover, Istanbul is not alone in sending the signal that large segments of the population are disenchanted with Mr. Erdogan and the AKP. The second and third largest cities in the country, Ankara and Izmir, also elected Opposition candidates in the March 31 election, as did several other urban concentrations. It is the Anatolian heartland with its conservative and religious orientation that has so far stood by the AKP. But even there Mr. Erdogan's popularity seems to be waning.

One of the main reasons for this is the very visible downturn in the economy and the precipitate fall of the Turkish currency over the past year. Some



REUTERS

of this is the result of Mr. Erdogan's continuing feud with the U.S. More important, the AKP government has grossly mismanaged the economy by spending unwisely on giant and prestigious projects like a new airport in Istanbul, which is slated to be the world's largest, and constructing bridges and gigantic mosques that have depleted resources and driven the government into debts of huge proportions. With the building boom turning into bust and inflation rising, the average voter has been hit hard. This has also begun to alienate the religiously observant bourgeoisie in the towns and cities of interior Anatolia who had formed the financial backbone of the AKP and the engine of growth during Mr. Erdogan's long tenure first as Prime Minister and then as President.

Simultaneously, Mr. Erdogan has alienated a section of his Islamist base by constantly quarrelling with Fethullah Gulen, the leader of the Gulen movement. Following the abortive military coup of July 2016, thousands of Gulen supporters, the most educated and skilled among the religiously observant population, are in jail and thousands of others have been sacked from their jobs. Several universities and schools run by the Gulen movement have been closed and this has affected the quality of education in the country.

Alienating the Kurds

Mr. Erdogan's popularity has also diminished because his recently cultivated ultranationalism seems to have boomeranged. This ultranationalism was intended to placate his allies in the Nationalist Movement Party (MHP), which provides the AKP government crucial support in Parliament, but it

seems to have driven many moderates to side with the Opposition instead. This is particularly true of the Kurdish population – and Istanbul with about three million Kurds is the largest Kurdish city in the world – that has been alienated by Mr. Erdogan's stridently anti-Kurdish rhetoric and the resurgence of conflict between the state and the PKK (Kurdistan Workers' Party). Mr. Erdogan's military campaign against the Syrian Kurdish enclave has added to Kurdish disenchantment with him.

Ankara's ill-conceived involvement in the Syrian civil war has cost Turkey hugely. A massive inflow of refugees and an expanding defence budget have added to its economic woes. At the same time, the Turkish government has been engaged in a running feud with its principal NATO ally, the U.S., over trade issues, differences regarding the Syrian Kurds, and the Turkish decision to buy the S-400 anti-missile systems from Russia. The U.S. has threatened economic sanctions if Ankara acquires the S-400 systems. Turkey has been defiant on this issue, and the first S-400 deliveries are scheduled for July. Experts believe that these sanctions will kick in automatically under the CAATSA (Countering America's Adversaries Through Sanctions Act), a 2017 Congressional law penalising any country that has purchased military equipment from an American foe. The continuing spat with the U.S. threatens to negatively affect the Turkish economy further, with the lira plummeting to new lows following the U.S.'s threats of sanctions.

Some good news

While all these factors point to a gradual but certain weakening of Mr. Erdogan's hold on power, it is too early to say that it will lead to him being unseating in the next election. Parliamentary and presidential elections are more than four years away and much can happen in between to reverse the Istanbul verdict, especially given the way Mr. Erdogan has concentrated power in his hands and misused it to muzzle the media and harass opponents of all hues. Nonetheless, the Istanbul election does indicate that the President's semi-authoritarian rule has not been successful in quashing the democratic spirit among Turkey's voters. This is good news.

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An indecent settlement

Johnson & Johnson's paltry settlement for faulty hip transplants is problematic



PRASHANT REDDY T.

There have been no mass tort cases in India like the Acetabular Surface Replacement (ASR) hip implant case. In this, Johnson & Johnson has been accused of selling its faulty ASR hip implants to approximately 4,700 Indian patients between 2004 and 2010. The company announced a global recall of the ASR hip implants in 2010 after doctors in the U.K. and Australia reported an extremely high failure rate for the implant. The metal in the implant was apparently degenerating, causing damage to the bone and tissue, apart from leaching dangerous metals like cobalt and chromium into the blood stream of the patient. By 2013, J&J announced a \$4 billion settlement to cover the claims raised by 12,000 patients in the U.S.

Meanwhile, in India, individual patients filed cases against the company before consumer courts. There was no governmental response till 2017 when the Drug Controller General of India (DCGI) set up a committee of experts to probe the matter. This committee stated that J&J, as part of its global recall, had published advertisements in two English language newspapers informing patients that it was effecting a recall of the ASR hip implants and would pay for the revision surgery of those patients who required the implant replaced. Apparently 1,032 Indian patients contacted the company in response to these advertisements. And of these patients, the company paid for revision surgeries of 254 patients, while another 774 patients were kept on monitoring. The remaining 3,600 patients are likely not even aware of the issues with their hip implants because J&J did not contact each patient individually.

The challenge before court

In 2018, an expert committee under Dr. R.K. Arya recommended that J&J be ordered to pay each patient a baseline compensation of ₹20 lakh and additional compensation based on the age of the patient and disability suffered by him. When the DCGI ordered J&J to pay compensation as per the formula laid down by the expert committee, its order was challenged before the Delhi High Court



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on April 8, 2019 by J&J which argued, and rightly so, that only courts of law and not regulators like the DCGI could order payment of compensation.

In May, the company struck an entirely different chord, claiming that it was willing to pay ₹25 lakh to patients who had a revision surgery and approached the government's committee, provided that the payment was not construed as an acceptance of any liability. As per the court's order, this settlement offer would not affect the patient's right to claim further compensation subject to the fact that any possible future award of compensation from a court would have to be adjusted with the ₹25 lakh already paid. The order records that J&J was in effect extending this offer to merely 67 of the 289 patients who had approached the 'expert committee' of the Central government because only these 67 patients had been "verified" and had received revision surgeries.

Problems with the settlement

There are several problems with this settlement. The first is that the patients who are the most important stakeholders are not party to this litigation. One of the fundamental tenets of law is that no order, not even one that is perceived to be a favourable order, should be passed by a court of law without hearing the parties who are going to be impacted by the order. The only way patient interests can be protected is to invite patients to be part of the process. This is not merely an issue of abstract theory but one of practical implications. For instance, if there was even one lawyer for the patients present in court, he or she would have informed the court that most patients have not approached the expert committee of the government because it was as clear

as day that the committee did not have any legal powers to award damages. Instead, most patients moved consumer courts seeking compensation. Thus, dealing with the claims of only the 289 who contacted the committee is pointless. The same lawyers would have also informed the court that as per the expert committee report, J&J has knowledge of at least 254 patients who have had revision surgery. Why then is J&J prepared to pay only 67 patients who had the revision surgery? Also, what of the remaining 3,600 patients who have not been informed of problems with the implant?

The perfect smokescreen

The second problem with this payment of ₹25 lakh per patient is that there is no theory of damages supporting the payment of this amount. Normally damages are split under different heads such as loss of future earnings and solatium for hardship – all of which will be calculated on the basis of the age of the patient. A 40-year-old patient who has a much higher earning potential than a 60-year-old patient deserves to be compensated at a higher rate. J&J needs to explain the basis of treating all the patients equally. The expert committee had recommended ₹20 lakh as a baseline compensation to which more could be added as per a formula it proposed. Going by this formula, the compensation payable to these patients would depend on age and disability and would be far in excess of the ₹25 lakh proposed by J&J. The High Court needs to guarantee some transparency in this regard since there are pending cases before the consumer courts which will be dealing with similar questions.

The third tragedy with this settlement is that it provides the perfect smokescreen to both J&J and the DCGI who have so far had to deal with intense media scrutiny over their failure to take care of patient interests. By presenting to the media a deal that has the blessings of the Delhi High Court, both J&J and the DCGI will get away with the appearance of having taken care of patients even when it is clear that ₹25 lakh is a pittance of a compensation. The image of this settlement which costs J&J a paltry sum of ₹16.75 crore will end the public pressure on the company despite no justice being done to the patients.

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SINGLE FILE

Wayanad's hope

Rahul Gandhi has his task cut out in Wayanad, which is among the poorest performing districts in Kerala

P.K. AJITH KUMAR



On a hot afternoon in Jaipur recently, the driver of the cab in which I was travelling wanted to know where I was from. Kerala, I replied. Where in Kerala? Wayanad, I said. He smiled: Oh yes, Rahul Gandhi's constituency.

The hilly district in northern Kerala has suddenly become a familiar name across the country thanks to the Congress president contesting the parliamentary election from there. And what a wise decision it turned out to be. Ever since making its debut as a Lok Sabha constituency in 2009, Wayanad has been one of the safest bets in Kerala for the Congress, due largely to the unwavering support enjoyed by the party's ally, the Indian Union Muslim League. The late M.I. Shanavas from the Congress had won both the previous Lok Sabha elections from Wayanad, after losing all the five he had contested elsewhere.

Given Mr. Gandhi's stature and the response to his campaign, he was expected to significantly improve Shanavas's victory margin of 20,870 in 2014. He lived up to the expectations by winning 4.31 lakh votes.

Earlier this month, Mr. Gandhi came to Wayanad to thank the voters, ensuring it continues to stay featured in national news.

There was a time when it hardly figured even in State news. I remember having to tell someone, when I was a student in Thiruvananthapuram, where exactly Wayanad was located. Most people then imagined Wayanad as a place full of forests and tribal settlements. This is sadly not true anymore. Wayanad continues to lag behind many districts on most indices. It has among the lowest per capita incomes in the State. It has poor infrastructure. It only ranks high on tourism, which has paved the way for the mushrooming of a large number of hotels and a real estate boom. But this has come at a heavy cost to the environment. Wayanad is nowhere near as green it used to be, nor is it as cold. There was a time when very few shops used to sell fans. Now people switch on air conditioners during the summer. Earlier, we would see much heavier showers during the monsoon. Lakshidi, the gateway to Wayanad district, once recorded among the highest average rainfall in the country. That has now become a distant memory.

What hasn't changed is the quality of medical care, which remains as poor as before. Even now, a seriously ill patient in Wayanad has to go to Kozhikode, some two and a half hours away. During his campaign, Mr. Gandhi had talked about setting up a new medical college. Given the Congress's poor show this election and reports about Amethi's disappointment with Mr. Gandhi's performance, Wayanad is hoping for more from its new MP.

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DATA POINT

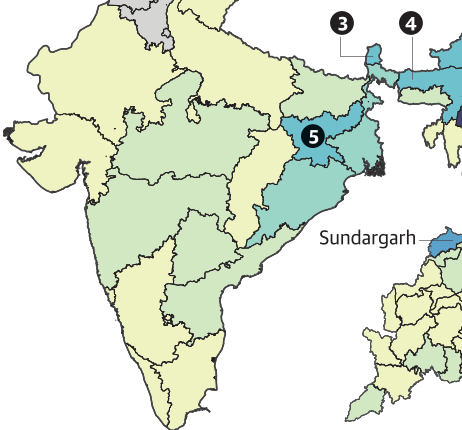
Many tongues

In many northeastern and eastern States, at least three languages are spoken by a significant proportion of the tribal population, while in the rest of India the effective* number of languages is fewer. Effectiveness depends on how widely a language is spoken in a State. **By Srravya C. & Vignesh Radhakrishnan**

State-wise split

As many as nine languages have a significant number of speakers among the tribal people in Manipur, while in Uttar Pradesh only one language is widely spoken

1. MANIPUR: 8.8
2. NAGALAND: 6.3
3. SIKKIM: 4.7
4. ASSAM: 4.7
5. JHARKHAND: 4.5



EFFECTIVE NUMBER OF LANGUAGES

NA 0-1.9 2-2.9 3-3.9 4-5.9 6-7.9 > 8

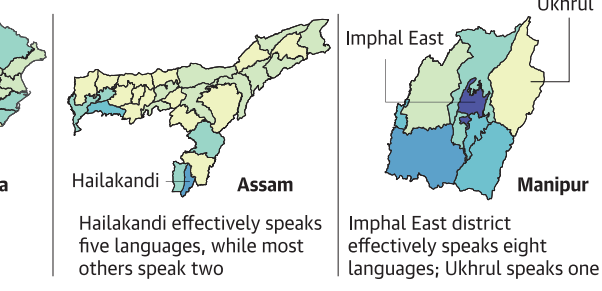
Languages galore in the Northeast

The table lists the States where five or more languages have a significant number of speakers among their tribal populations

| State | Languages effectively spoken |
|-----------|--|
| Assam | Bodo, Assamese, Miri/Mishing, Karbi/Mikir, Garo |
| Jharkhand | Santali, Hindi, Ho, Kurukh/Oraon, Mundari |
| Manipur | Thado, Mao, Tangkhul, Kabui, Paite, Himar, Liangmei, Vaiphei, Kuki |
| Nagaland | Konyak, Ao, Lotha, Angami, Chakru/Chokri |
| Sikkim | Nepali, Bhotia, Lepcha, Limbu, Sherpa |

Variations at the district level

There is high variation in the effective number of languages spoken across districts in most States. For instance, there are effectively five languages spoken in Sundargarh, Odisha, while only one is effectively spoken in most other districts of the State



Source: Census 2011 *To know how the effective number of languages is calculated using the Laakso and Taagepera method, see <https://bit.ly/2LhyFZA>

FROM The Hindu ARCHIVES

FIFTY YEARS AGO JUNE 26, 1969

High yielding tapioca and sweet potato

The Central Government is expected to release nine high yielding tapioca hybrids and three sweet potato hybrids shortly. These hybrids have recorded two to three times more yield than the existing varieties. They were evolved at the Central Tuber Crops Research Institute, Trivandrum, and their release was recommended by a two-day workshop on tuber crops held here [New Delhi]. The Director of the Institute, Dr. M. L. Magoon, explained at the meeting the salient features, including production potentials, of the tapioca and sweet potato hybrids. The workshop felt that early release of these new varieties would bring about a major breakthrough in tuber crops production in the country. Noting the lack of attention to the problem of collection of valuable germ plasm of the different tuber crops, the workshop recommended that a co-ordinating unit be established to undertake intensive survey and collection from different parts of the country.

A HUNDRED YEARS AGO JUNE 26, 1919.

Protest against Repression. Mr. Gandhi's Speech.

A public meeting was held on Tuesday night [June 24] in Bombay under the auspices of the Satyagraha Sabha at which resolutions were passed protesting against the Rowlett Bills and praying the Viceroy and the Secretary of State to withdraw the legislation. Another resolution moved by Mrs. Avanthikabai Gokhale prayed for withdrawal of the deportation order against Mr. Horniman in view of the fact that the reason given by the Secretary of State in justification of the said order was found to be not capable of being substantiated. Mr. Gandhi in his concluding remarks said that if they could hold similar orderly meetings all over India the Government would have to cancel the orders against Mr. Horniman. If the people of India did their duty the Government would have to do their duty.

CONCEPTUAL Bond vigilante

FINANCE

This refers to any of the large bond market investors who aggressively sell government bonds in the open market as a mark of protest against the policies adopted by the government or the central bank of a country. The huge selling of government bonds can cause the price of these bonds to witness a sharp drop in price, thus leading to a significant rise in their yields. In other words, bond investors can cause a considerable rise in the borrowing rates of governments, thus exerting significant pressure on them. While some view bond vigilantes as harmful speculators, others see them as an essential force disciplining governments that spend beyond their means.

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