



## The Nipah test

Age-old practices of infection control are crucial to limit the deadly outbreak

The outbreak of the deadly Nipah virus around Kozhikode, Kerala, is a test of India's capacity to respond to public health emergencies. In 2018, the World Health Organisation listed Nipah as one of the 10 priority pathogens needing urgent research, given its ability to trigger lethal outbreaks and the lack of drugs available against it. As an RNA (ribonucleic acid) virus, Nipah has an exceptional rate of mutation – that is, it can easily adapt to spread more efficiently among humans than it does now. Such an adaptation would result in a truly dangerous microbe. Nipah already kills up to 70% of those it infects, through a mix of symptoms that include encephalitis, a brain inflammation marked by a coma state, disorientation, and long-lasting after-effects, such as convulsions, in those who survive. Thankfully, in most outbreaks in South Asia so far the virus has displayed a “stuttering chain of transmission”. This means that once the virus spreads from fruit bats, its natural reservoir, to humans, it moves mainly to people in close contact with patients, such as hospital staff and family caregivers. But these caregivers are at high risk, because the sicker the patients become, the more virus they secrete. Preliminary reports suggest that the Kozhikode outbreak is also displaying a stuttering chain of transmission. Of the 11 confirmed Nipah fatalities, three were from the same family. While researchers are still investigating how they were exposed, a bat colony living in a well in the family's yard is a strong suspect.

This fits in with how outbreaks have historically begun in the subcontinent. In a 2007 outbreak in Nadia, West Bengal, for example, patient zero is believed to have acquired the virus from palm liquor contaminated by bat droppings. The next wave of infections have historically occurred among close contacts and caregivers, such as nurses; the same pattern has been detected in Kozhikode as well. But these are preliminary reports, and new information may change what we know about the present virus. Several patients with symptoms of infection are under observation. Only when clinical investigations are complete can it be determined how contagious the virus really is. If it is found travelling over long distances, the authorities will have to be ready with strategies to combat its spread. The good news is that Kerala's public health systems have acted with extraordinary efficiency so far. Doctors identified the virus in the very second patient, a diagnostic speed unrivalled in developing countries. This must be commended. But big challenges remain. The death of a nurse shows that health-care workers may not be taking adequate precautions when dealing with patients, by using masks and following a strict hand-wash regimen. The virus has no specific treatment. The best defences against it are the age-old principles of infection control, which Indian hospitals have not mastered as yet. Kerala's health authorities must ensure these principles are widely adopted, and no preventable transmission takes place.

## After re-election

Nicolás Maduro must address discontent and economic hardship in Venezuela

Venezuelan protesters failed last year to force President Nicolás Maduro to step down in the midst of an economic and humanitarian crisis. After his emphatic victory in Sunday's presidential elections, they have to reconcile themselves to his rule for another six-year term. The embattled Mr. Maduro won the poll with 68% of the vote, and with a turnout of less than 50%, according to the election commission. Potential challengers to Mr. Maduro, Hugo Chávez's protégé and successor, are either in detention or barred from the contest after they organised mass protests against his government, alleging brutal misrule and economic mismanagement. An umbrella coalition of opposition parties and activist groups, the Broad Front for a Free Venezuela, had called on the people to boycott what they said was a sham exercise. Mr. Maduro's closest rival, Henri Falcón, alleged fraud and demanded a fresh ballot. It is highly unlikely that demands for a re-poll will be countenanced by the Maduro regime. But it is clear that the shrinking democratic space has exerted a toll on the polity overall. The Venezuelan health system has all but collapsed. A Minister who expressed concern over the high incidence of certain diseases that were believed to have been eradicated was sacked promptly last year. The collapse of the medical system is particularly shocking, given the emphasis on health care in Chavez's commodity-driven growth model. Inflation has hit 13,000%, and the economy is set to contract further. It is hard to believe that Venezuela, with the world's largest proven oil reserves, was considered Latin America's wealthiest country not so long ago.

Venezuelans have been leaving the country to escape shortages of rations and the rampant unrest. The UN estimates that each day 4,000 Venezuelans are making it across to Colombia. There is talk of a concerted international response to the Venezuelan crisis after Mr. Maduro's re-election, especially further sanctions by the U.S. and possibly the European Union. But there are moral and practical limits to these measures against a country that is gripped by a systemic crisis – and the humanitarian costs of sanctions must not be ignored. In any case, Venezuela's oil production has been falling steadily, and analysts do not expect that an embargo on its exports would have the desired impact. Mr. Maduro may be part of Venezuela's problem. But he can be a big part of the solution as well. He could make a beginning by ceding democratic space for dissent both within and outside his party, and by rolling back the country's confrontational foreign policy. Blaming the West alone for Venezuela's economic crisis will not get him very far.

# The fading appeal of soft power

Recent strategic decisions indicate a post-normative turn in India's foreign policy



HAPPYMON JACOB

In India's evolving foreign policy imagination, the pursuit of power and influence seems to eclipse the country's traditions of normative behaviour and principled positions. The jury is still out on whether by shedding its normative shibboleths New Delhi is finally doing what states typically do, and whether or not its post-normative turn will negatively impact its national interests.

### The rise of realpolitik

Around three months ago, the Central government frankly told the Supreme Court, “we don't want India to become a refugee capital,” even as the Border Security Force (BSF) had been pushing back Rohingya refugees from the eastern borders.

India's stand *vis-à-vis* Rohingya refugees is an indication of how New India proposes to deal with humanitarian issues in its neighbourhood. Its approach to the Rohingya crisis (i.e. its refusal to admit people fleeing for their lives into the country or to ask Myanmar to address the human rights violations against its Rohingya population) is informed by several realpolitik considerations. At the domestic political level, there is a religious rationale for pushing back Muslim Rohingya, and an electoral calculation *vis-à-vis* the Northeast and West Bengal. At a broader level, with the Chinese charm offensive in the region putting India on the defensive, it does not want to alienate Myanmar. And yet, in its enthusiasm to please Myanmar by not nudging it to resolve the refugee issue lest it warm up to China, India actually ended up ceding ground to China when Beijing began negotiations

between Myanmar and Bangladesh.

India's response to the Rohingya crisis, then, is in stark contrast to its long tradition of offering refuge to the region's homeless. What makes this policy even more petty-minded is the Bharatiya Janata Party-led government's proposed Citizenship (Amendment) Bill, 2016, which empowers the government to offer citizenship to migrants hailing from minority communities in the neighbourhood, except Muslims. It is clear then that the government's position on refugees is anything but principled.

### Downplaying non-alignment

Consider another example. Through the much-publicised celebration of the India-Israel partnership, the government has made it clear that it seeks to pursue a foreign policy guided by realpolitik. From being ideological opponents to maintaining a relationship in the closet, India and Israel have come a long way. While an earlier BJP-led National Democratic Alliance (NDA) government had invited the then Israeli Prime Minister, Ariel Sharon, to visit India, and the Congress-led United Progressive Alliance (UPA) government deepened engagement, the current NDA government has taken the relationship to another level. New Delhi doesn't any more pay heed to accusations of human rights violations against Tel Aviv, its blatant refusal to abide by various UN resolutions, or the manner in which it discards the political rights of the Palestinians.

This is not to discount the fact that there is an instrumental rationale underlying the India-Israel relationship, especially in terms of national security and strategic considerations. But isn't there a troubling politico-ideological narrative underwriting this partnership which seems to go beyond the material requirements of the Indian state?



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Non-alignment once used to be the cornerstone of India's foreign policy, and even after the collapse of the Soviet Union, New Delhi continued to pay lip service to it. In 2016, only for the second time ever, India's Prime Minister was not present at the Non-Aligned Movement (NAM) summit. NAM stood for several important global movements: decolonisation, disarmament, correcting the inherent ills of the global economic order, etc. For sure, some of the founding ideals of NAM may have lost their relevance today, but the grouping can help rising powers such as India to enhance their global standing and influence. But then, solidarity with other developing countries is no more a foreign policy priority for New Delhi, nor is it greatly invested in strategic autonomy.

With the U.S. designating India as a “Major Defence Partner”, it is one India's closest strategic partners today. In 2016, India had signed the Logistics Exchange Memorandum of Agreement with the U.S. which gives both sides access to designated military facilities for refuelling and replenishment. Clearly, this is far more useful to the U.S. than to India. Several such agreements are in the pipeline. In 2014, the U.S. replaced Russia as India's largest defence supplier, and the Russians started negotiating arms sales with Pakistan that same year.

It is in this context that Mr. Modi's “informal summit” with Rus-

sian President Vladimir Putin in Sochi is viewed as an attempt by both to reassure each other that the relationship has not lost its warmth. However, will India-Russia relations survive the several fundamental geopolitical and material transformations taking place in the Asian region and their sharp, and seemingly irreconcilable, differences in dealing with them?

And whatever happened to good neighbourliness? The South Asian Association for Regional Cooperation (SAARC) seems to be consigned to the dustbin of history as for some reason New Delhi sees no future for it. Is the ‘mistreatment’ of SAARC in our best interest? It is ironic that SAARC and NAM, both India-centric institutions, have been sidelined by our own conscious efforts.

Non-alignment is passé, ‘neighbourhood first’, despite the recent overtures, is falling apart, and multi-alignment is increasingly looking like a fantasy: India's post-normative foreign policy is in a shambles.

### How does all this add up?

Thinking beyond normative strictures has both positive and negative implications. When free from ideological constraints and legacy dilemmas, states can pursue their self-interest with a free hand. There will be lot more flexibility to determine the demands of national interest, for national interest is itself not static, only the idea of it is. India's post-normative approach to external behaviour also is a recognition of the importance of the pursuit of power in the contemporary international system. In that sense then, the new foreign policy thinking in the country has some merits.

The post-normative turn also comes with its challenges and complications. For one, the soft power persuasiveness of a country is also the product of its political ideals, civilisational values and its

cultural resonance. Choosing to exclusively focus on hard power for foreign policy outcomes sidelines our rich soft power attributes. Second, new India's foreign policy choices also indicate the company it wishes to keep in the comity of nations and what it wants from the international system. It seeks hard power, great power status and the company of great powers – not an equitable international order and the company of developing nations. If so, we must also ask how steadfast are our current great power partnerships? Will they stand the test of time well beyond the attraction of India's growing defence budgets and expanding consumer markets?

Post-normative India is also an aggressive India, and even the hollow invocations to Gandhian non-violence have become less than routine. Worryingly, the reliance on aggression as a foreign policy tool seems to have strong domestic political origins, premised on a mistaken belief that force can overcome resistance. Some Ministers openly threaten neighbours of military strikes, and military leaders display a growing fondness for making domestic political statements. Confrontation seems to have displaced quiet diplomacy as our favoured tool for conflict resolution. And, as a society, we seem to be emotionally invested in coercive solutions to political questions both within and outside the country. Yet, India is more insecure today than it was four years ago.

We would do ourselves good to remember that the pursuit of national interest is a complex affair, and norms, values and soft power should co-exist with the pursuit of hard power.

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# Keeping each other on edge

Anguish about the tussles between the executive and the judiciary is misplaced



N.L. RAJAH

In recent times, a series of stormy issues between the executive, the powers that be and the judiciary has had the common man clutching his head in despair. The shrillness in public discussions leaves him with an uncomfortably distinct impression that this is the end of the road for an independent judiciary. Such anguish, however, exposes a poor understanding of the complex web that constitutional relations between the three organs of the state – the executive, the judiciary and the legislature – inevitably are.

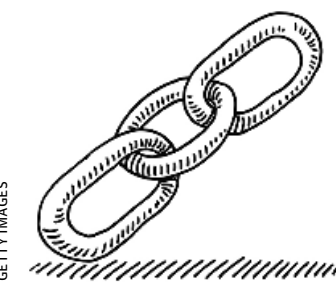
Every developed constitutional democracy in the world has had its share of such showdowns. But at the end of the day, such tussles have only strengthened democracy and not weakened its structure as the history of constitutional governance the world over would attest.

In England, in 2003, the then government announced the abolition of the office of the Lord Chancellor (who traditionally also head-

ed the judiciary) and further declared that a Supreme Court of the United Kingdom was to be established without so much as consulting or informing the judiciary. This resulted in huge public outcry. The result was that Lord Woolf (then Lord Chief Justice) and Lord Falconer (then Lord Chancellor) started a series of discussions that involved the judiciary and the government about “the key principles and principal arrangements” that would govern the new establishment. In 2004, the consensus arrived at during such talks was ultimately reduced to an agreement known as the “Concordat”. The terms of this agreement were then collated in a statute by enactment of the Constitutional Reform Act, 2005, which managed in large measure to dissipate the tensions between the executive and judiciary. Perhaps it is high time India takes a serious look at an option such as this.

### The chain

As Lord Woolf so wisely pointed out, the three organs of the state are like three chains that hold the structure of the state together. He observed, “If one chain slackens, then another needs to take the strain. However, so long as there is no danger of the chain breaking, the fact that this happens is not a manifestation of weakness but



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any conduct which would have, “the effect of producing open collision between our authority and yours” Grant, responded to this by simply shutting down all the courts in Bombay contending, “I have therefore to announce that the court has ceased on all its sides, and that I shall perform none of the functions of a Judge of the Supreme Court until the court received an assurance that its authority will be respected and its process obeyed and respected and rendered effectual by the Government of this Presidency.” This raging struggle between the government and the judiciary ultimately was resolved with the intervention of the Privy Council on a technical issue relating to jurisdiction. However, it serves to remind us that the judiciary versus executive conflict in this country has a long history and with the coming of the doctrine of separation of powers, tensions are inevitable.

He asserted his judicial powers in a striking manner in the celebrated case of *Moro Raghunath*. Raghunath was orphaned at the age of 14. The British placed him in the guardianship of a person called Pandurang Ram who was related to the Peshwas. The Bombay government was committed to treat him as a privileged ward. The guardianship was contested by Raghunath's father-in-law who filed a habeas corpus before the Supreme Court of Bombay contending that Raghunath had been illegally detained by Pandurang Ram. A writ was issued, but the government of the day headed by John Malcom as Governor refused to obey it. Instead the Governor wrote to the judges to refrain from

strength.”

In India, even when there was no strict separation of powers, we had the remarkable case of John Peter Grant who was the Chief Justice of the Supreme Court of Bombay in 1829.

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### Judicial independence

The tensions that ran high during the Emergency between the executive and the judiciary are too well known and documented to merit repetition here.

Catastrophic as each of these instances was considered when it occurred, judicial independence remains unaffected and firm in these countries even today.

Constitutional principles such as the independence of the judiciary in a well-established system of democratic governance are tall towers built on the sure foundations of tried and tested principles. They do not come apart at the trace of a slight tempest.

In a bygone era, authority was accepted on principles set by a culture of reverence. Today none of the three organs of the state is inclined to extend this privilege to the other. Therefore, every constitutional authority can seek to validate its action only on the touchstone of reason and conformity to the constitutional ethos. Concerns about the independence of the judiciary being in peril have set alarm bells ringing. However, these are neither meant to escalate tensions nor to confound the common man but are to be treated as a wake-up call to the constitutional authorities concerned to get their act together and resolve issues amicably within the larger constitutional framework.

In the wise words of constitutional scholar Dennis Pearce, “For the good of our society, it is better for the combatants to realise that they are there to serve the people, not their own ends, and to adapt their conduct accordingly.”

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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.

### Karnataka mandate

After reading the report, “It was our mandate, says Shah” (May 22), one only wonders why the top leadership of the BJP was in such a tearing hurry to install B.S. Yeddyurappa as the Chief Minister of Karnataka. How could they not have been aware of the fact that they would be flagrantly violating the code of ethics? Mr. Yeddyurappa's hasty resignation, perceptibly to save face for the BJP, was a mockery of democracy. The golden words of Rajaji, “God save our people,” are relevant even today. That he foresaw an India evolving into a cauldron of pelf is worth remembering.

### MANI NATRAAJAN, Chennai

### Viral outbreak

The deadly Nipah has now

struck and the most disturbing part of the newly emerging zoonosis is that there is no vaccination (“Kerala may seek WHO help to battle Nipah”, May 22). Given India's densely populated towns, the outbreak of new infections will have a tremendous impact. The Central and State health ministries should issue guidelines on the dos and don'ts to be followed. As preventive care alone is not enough, the state machinery should ensure that proper infrastructure is in place to effectively treat those who are infected.

PUSHPA DORAI, Nuranji, Kerala

### Higher education today

Creative-minded teachers who experiment with innovative pedagogic methods are ridiculed

while those who encourage rote learning and adopt outdated methods are awarded (Editorial page, “The classroom as the instructor's castle”, May 22). There are no incentives for academics who attempt to sharpen the creative minds of their students. Those in the academic world are fully aware of the real merit of API, wherein window-dressing gimmicks are resorted to. Teachers are overloaded with the need to create and maintain too many records to satisfy the many regulatory bodies headed by the UGC. Today's students have fertile and questioning minds due to the Internet revolution but are burdened with archaic teaching and learning processes.

RAMEEZA A. RASHEED, Chennai

■ Though we have numerous institutes of higher learning in India, we are unable to make it to the list of top 100 universities in the world. We still gloat about India's glory in science and live in the past. Higher learning centres have become mere job market suppliers. The course corrections suggested by the writer only show that there are numerous deficiencies in the system. We are happy with mediocrity. Unless dedication, passion and discipline become the key words to follow in educational institutes, we will only continue to dream about creativity and excellence.

R. SRIDHARAN, Chennai

■ While it was common practice in the past for teachers to take out time and engage with their students in

informal settings, the dubious demands of today put on teachers by a quantitative scoring system has put an end to this. Moreover, it was inspiring to be taught by teachers who drew respect not only for their intellectual understanding but also for their varied interests across disciplines. As a result, it was common to find classes of some professors packed with students even from other departments. There was a

leisurely yet rigorous and self-directed charm in the pursuit of higher education – something which seems to be missing today. The overemphasis on quantification and narrow outcomes is stifling autonomy and freedom which is the hallmark of academic and intellectual rigour.

FIROZ AHMAD, New Delhi

MORE LETTERS ONLINE: www.hindu.com/opinion/letters/

### CORRECTIONS & CLARIFICATIONS:

A photograph of Prof. (Dr.) Virendra Narayan Yadav, MLC from Saran Graduate constituency, was erroneously published along with the report, “Bihar MLC's sons booked for molestation” (May 22, 2018, some editions) in place of BJP AWARDHESH Narayan Singh.

In the ‘Data Point’ graphic titled “UNEV implementation” – about crime and criminal tracking network and systems – (OpEd page, May 21, 2018), the percentage figure (given in numerals) corresponding to Gujarat was wrongly given as 0. It should have been 100. (The shading in the map is correct).

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