



## Words and deeds

India needs Modi to infuse meaning to his I-Day vision with action on the ground

Prime Minister Narendra Modi in his Independence Day speech combined the familiar rhetoric with some fresh thoughts. He spoke at some length about the need for population control, water conservation and plastic use regulation indicating the importance that he attaches to these topics. Some policy measures, including the creation of a separate ministry, are already in place to deal with the crippling water crisis in India which gets worse every year. Indiscriminate plastic use along with the absence of effective solid waste management has already caused such ruin to the ecology that mitigatory measures are required on a war-footing. He also made the significant announcement of creating the position of Chief of Defence Staff, which could improve coordination among forces and restructure the military-civilian relations in a manner that suits the security challenges of the present times better. His call for people's participation in all these and also for development of tourism and local enterprises was in the right spirit. The appeal to produce locally and consume locally may be out of line with globalist prescriptions of development but should be welcomed even if it sounds impractical. His first tenure between 2014 and 2019 focused on the needs of the people while the second one which began this year, he promised, would focus on meeting aspirations. Mr. Modi said his government has achieved in 70 days what previous governments could not in 70 years. He struck an optimistic note and said poverty can be eliminated, and shall be eliminated. As it enters the 73rd year as an independent nation, India needs hope and optimism, now more than at any moment in its recent past.

The triumphalist overtones of the speech, however, sought to camouflage the gathering clouds of a crisis in the economy on the one hand and the threats to the country's social fabric on the other. Going by the trajectory the Indian economy has followed in the past, it could well be on the way to be a \$5-trillion economy in the next five years. But he chose not to adequately address the current slump in rural and urban demand and investment slowdown. There was an attempt, however, to reassure entrepreneurs who were apprehensive of the recent burst of tax activism when he mentioned that wealth creators should not be demonised and he called upon businesses to invest. But while he touched on his decision to strip Jammu and Kashmir of its special constitutional status, J&K will need quietness and slow time to return to normalcy. There were elaborate mentions of unitary schemes – from the 'one nation one tax' that is already in place, to a 'one nation, one poll' plan that is in the making. Such overarching plans are central to his vision and the speech reflected that thinking. But if India is to be on a new course for the better, it needs more than grandstanding from the Red Fort. Deeds must follow words as noon follows dawn.

## Trade rhetoric

Trump is not furthering the cause of free global trade with his unfair attack on the WTO

U.S. President Donald Trump opened up another front in the ongoing global trade war on Wednesday by ramping up rhetoric against the World Trade Organization (WTO). He even threatened to pull the U.S. out of the multilateral trade organisation if it fails to treat the U.S. fairly and blamed it for allowing too many countries to claim the status of a "developing country". In a memo to the U.S. Trade Representative last month, Mr. Trump pointed out that nearly two-thirds of the 164 WTO members classified themselves as developing countries, and raised the issue of even many rich economies claiming to be "growing" rather than "grown" economies. This time around, in Pennsylvania, the President targeted India and China in particular for "taking advantage" of the U.S. by classifying themselves as "developing countries" at the WTO. The status of a developing country allows countries to seek partial exemptions from the WTO's rules for free and fair trade between countries. The status, for instance, allows countries like China and India, with their special tag, to impose higher tariffs on imports from other countries and also offer more subsidies to local producers in order to protect their domestic interests. Developed countries find this to be unfair on their producers who are put at a relative disadvantage, but countries like China have argued that their developing country status is justified given their low per capita income.

Mr. Trump's recent attacks on the WTO would be welcome if they were truly about creating a global trading arena with lower tariffs and fewer barriers to trade. The "developing country" status, which offers substantial benefits to countries that want to protect their domestic interests and which most countries are more than happy to make use of, has indeed skewed global trade over the years in favour of certain countries. But he may be raking up the issue not to further the cause of global free trade, but simply as a convenient pretext to justify further trade barriers against China and other countries. By pointing fingers at other countries that follow protectionist policies, Mr. Trump will find it justified to impose retaliatory tariffs against them. This will help him bolster his "America First" approach and allow him to successfully hold on to his support base in America's manufacturing belt that has been affected by foreign competition. Even if countries like China and India offer to lower their tariffs, Mr. Trump would not take them up on their offer. That is because it would require reciprocity in the way of lowering U.S. tariffs, which would work against the interests of local American producers.

# Rajapaksa redux and a democracy in peril

The return of an authoritarian oligarchy in Sri Lanka could be stopped by a united stand of democratic forces



AHILAN KADIRGAMAR

Sri Lanka is again at the crossroads with presidential elections due before December 9, 2019. The political drive since the newly formed Rajapaksa-led Sri Lanka Podujana Peramuna (SLPP), which swept the local government polls in February 2018, has culminated in Gotabaya Rajapaksa, the much feared former Defence Secretary and younger brother of the former President, Mahinda Rajapaksa, being named presidential candidate.

The Rajapaksa regime, which decimated the Liberation Tigers of Tamil Eelam and consolidated considerable power around a family until it was dislodged in January 2015, may now be on the verge of recapturing state power and drastically changing the political landscape for the next decade, if not longer. Even as the United National Party (UNP) in power is dillydallying on its presidential candidate, the SLPP is moving fast in an electoral game that the Rajapaksas have proven to be masters at.

### Reshaping democratic space

The rise of Gotabaya Rajapaksa, after what seemed like decisive regime change in January 2015, is in good measure due to the failures of the current Wickremesinghe-Sirisena government. Neither did the new government hammer through the allegations of corruption and rights abuse levelled against the Rajapaksa regime nor did it provide a meaningful programme to address economic woes. Rather, infighting and self-serving manoeuvres within the government have brought its stated plans, from economic reforms to a

constitutional political settlement, to a standstill.

Despite the many political and economic failures of the current government, the significant shift over the last five years has been the opening of democratic space. The climate of fear and continuing militarisation were to a great degree reversed. In the war-torn regions, where there was fear to even speak in private during the post-war years under Rajapaksa rule, people now take to the streets demanding the release of military-held lands, answers on those who have disappeared in the war and relief for the rural indebted. Throughout the country, with the fear of abductions gone and repression decreasing, dissent and the culture of protests have returned along with greater freedom for the media.

### State power and nationalists

This democratic space is greatly at risk with a Gotabaya Rajapaksa presidency. Sri Lanka has gone through bouts of authoritarian rule and gruelling periods of state repression particularly during the Janatha Vimukthi Peramuna insurgencies in the south and the escalation of the civil war. However, while the current conjuncture may not witness similar mass violence unleashed by the state and armed movements, it is loaded with the dangers of a deeper political shift.

During its decade-long-tenure, the Rajapaksa regime used state power to consolidate its oligarchic ambitions. The significant difference in its current avatar is the mobilisation of considerable popular support and the consolidation of its nationalist base while in the opposition. During its previous stint, it actively politicised the military and bureaucracy and enshrined sections of the business classes. Over the last two years, however, the calls for a return of the Rajapaksa regime are emanating from sections of retired mili-



tary officers, the business lobby and the bureaucracy. A craftily built Sinhala Buddhist nationalist base, by mobilisations against Muslims who are construed as the new enemy, binds this constituency. Such a social base combined with state power can drastically change the character of state and society.

The failed 52-day political coup in October 2018, which was engineered by President Maithripala Sirisena to install Mahinda Rajapaksa as Prime Minister, illustrated a capacity to rapidly politicise state institutions. It is due to the independence of the judiciary and the military that their short stint in power was not prolonged. Nevertheless, the political coup exposed their desperate hunger for power and the support that was readily available for them within the bureaucracy.

A Rajapaksa victory in the presidential elections will create the momentum for a major victory in the parliamentary elections. A repeat of events following the elections in 2010 just after the end of the civil war, with drastic changes in Parliament and constitutional amendments leading to further consolidation of state power under a Rajapaksa oligarchy, may reverse curtailment of the executive presidency that came with the 19th Amendment of 2015. The Rajapaksa administration of the past has time and again manoeuvred the legislature and the judiciary, as with its record of swiftly buying ov-

er parliamentarians or sacking a Chief Justice with ease, when the judiciary resisted its influence.

The main challenge for the Rajapaksas is going to be the handling of the broader citizenry that in recent years has internalised democratic freedoms after three decades of war and the authoritarian post-war years. With the repressive mechanisms of the state disrupted, if not dismantled after regime change, and the difficulty in justifying militarisation in non-war times, their project of authoritarian consolidation is bound to face resistance. Consequently, they may resort to amassing tremendous power and smashing any resistance to their political and development agenda, leading to more severe measures than the past.

The economic programme and priorities of another Rajapaksa government are likely to be the urban-centred neoliberal policies that they themselves initiated, which the current government wanted to accelerate but failed to do without mustering the political will. Indeed, Gotabaya Rajapaksa, as Defence Secretary after the war, brought the Urban Development Authority under the Defence Ministry as he mobilised considerable investment in urban real estate, coupled with brutal slum demolitions and evictions for the "beautification" of Colombo. The Rajapaksa governments, from their first term in 2005 to the second term in 2010, shifted emphasis from the rural to the urban. And this time around, with the strong backing of the urban professional and business lobby, Gotabaya Rajapaksa will be looking for results, possibly crushing any obstacle in the path of his development drive.

### Islamophobic discourse

Ideologically, while an Islamophobic discourse began to take hold in Sri Lanka some two decades ago with the U.S.-led "global war on terror", it was after the end

of the civil war in Sri Lanka that the Rajapaksa regime, and Gotabaya Rajapaksa in particular, began supporting reactionary forces such as the Bodu Bala Sena. During the latter years of the Rajapaksa regime, proto-fascist goon squads carried out pogroms against Muslims. With the continued ideological growth of Islamophobia, anti-Muslim attacks have continued with impunity even after regime change. This chauvinist nationalist segment is further emboldened after the Easter Sunday attacks, in April.

For a country with a comprador elite on all sides, sovereignty will be peddled to the masses as the ultimate national treasure and combined with an expansive security complex. However, economic concerns could force a new Rajapaksa regime to succumb to the market and cut deals with external powers. In the past, they were the first to sell sovereign bonds in the international markets. And with time, they will align with one or the other great power depending on the fear of the stick they wield and the carrots they offer.

With the current conjuncture of geopolitical instability and the emergence of authoritarian regimes around the world, the conditions seem worryingly conducive for a Gotabaya Rajapaksa regime. The convergence of retired military actors, an extractive business lobby, a nationalist bureaucracy and an organised chauvinistic base, when combined with state power, spell danger not just of authoritarian nationalism but a fascist takeover of the state. It is democracy that is at risk, and ironically, it is elections that might pave the route to shutting down that democratic space. The return of the Rajapaksa oligarchy can be stopped by only a united stand of the fractured democratic forces.

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## Lessons after the great deluge

Kerala needs to adopt watershed-based master planning and review building byelaws

ANJITHA AUGUSTINE, SHYAMA KURIAKOSE, RAJESH GEORGE & MONOLITA CHATTERJEE

The unique geography of Kerala, with its steep climbdown from 900m high elevations of the Western Ghats to the coast of Malabar, has resulted in a land with a vast riverine network. There are no less than 44 fast flowing rivers that drain the rainwater Kerala is blessed with into the Arabian Sea. It is a lifeline that supports a very fertile land, some of the most singular flora, fauna and also a people and their lives in a symbiotic way.

### Large-scale urbanisation

However, this drainage basin has seen massive urbanisation over the last two decades with the erstwhile wisdom of coexistence with the State's waterways beginning to fade away. This linear development which has been along major road networks, has completely ignored the varying and ecologically sensitive landscape. Substantial portions of revenue lands in the State are wetlands and forests, which has resulted in a shortage of buildable land parcels. This in turn is creating huge pressure on these ecologically fragile areas for conversion to government-supported infrastructure projects as well as private profit-making enterprises.

Not surprisingly, all landslide and flood-affected areas in the State are in Ecologically Sensitive Zones (ESZ-I), as categorised by the Madhav Gadgil report. The

Post Disaster Needs Assessment (PDNA) report that was prepared by the UN for Kerala following the massive flooding of 2018 looks at some of the gaps in law and policy. The State Action Plans on Climate Change elucidate measures for disaster-risk reduction in the wake of an increasing frequency of heavy rainfall in turn leading to more flooding and landslides. Though plans and laws such as Integrated Water Resources Management or Coastal Regulation Zone Notification hold key solutions to natural disasters that are linked to water management, most of them are not implemented or followed to the letter. A lack of holistic and coordinated measures within planning departments has resulted in further problems. Also missing are key pieces of legislation for housing and land use in fragile zones which allow buildability but with sensitive development.

### Dilution of laws

The need of the hour is for a review and revision of building byelaws for urban and rural areas in accordance with bettering environmental sustainability. In 2017, a judgment of the High Court of Kerala mandating the inclusion of a clause in building rules, and which said that 'natural drains and streams shall not be obstructed by this development/building permit', has yet to come into effect. Further, the Kerala Conservation of Paddy Land and Wetland Act, 2008 – it has immense potential to preserve such land as natural watershed buffers – has suffered too



many dilutions even as rampant reclamation of paddy lands continues. The absence of a databank on paddy lands and wetlands as mandated by the law, has only exacerbated the issue.

### Master plan focus

There are, however, cities and regions the world over that deal most successfully with heavier precipitation in much less favourable topography than Kerala's. The dire need is for watershed-based master planning and development legislated guidelines for each major river basin, especially those that impact densely populated settlements. Primarily, such master plans should focus on these areas.

First, there must be a demarcation of ecologically sensitive zones using existing village survey maps and public participation. There must be clear land use plan for these zones specifying flood plains, protected forest areas, agricultural and plantation zones, with details of the types of crops, building usages permitted and the density of buildings permitted.

Second, to compensate owners in non-buildable areas, there must be strategies such as Transfer of

Development Rights to buildable zones in cities.

Third, the master plan should focus on permitting only ecologically sensitive building strategies for these areas by proposing new construction techniques. Controlled development can be proposed using building height rules, floor area ratio control, and restrictions on cutting and filling natural land.

Fourth, strategies to make sure that all infrastructure projects are carried out in a scientific manner with strict scrutiny must be specified. This should include roads built on difficult terrain and all public infrastructure projects in wetlands and the High Ranges.

Such an intensive and sensitive hydrology-driven master plan requires very specialised expertise and experience which may not be readily available in our home-grown available pool of resources. The State should not shy away from acquiring the most appropriate skills to implement this urgently given the massive damage to life and property it now faces both in the short and long term. A complete overhaul of processes to hire technical expertise which allows access to necessary skills, and with a long-term vision of capacity building of local agencies, is the way forward.

### Global planning

After the floods in Kerala in 2018, the Chief Minister's team visited the Netherlands to learn how cities with high levels of a water footprint are dealing with climate

change issues. Copenhagen in Denmark, which faces a similar problem of repeated flooding, has come up with active cloudburst responsive planning as a process to develop the city in line with climate change needs. Though we cannot just transfer or have carbon copy solutions from Europe, we must learn from each experience in order to collectively formulate strategies that address our needs.

Furthermore, post-disaster management of land and geography needs imaginative actions by the authorities and people in order to reverse the damage already done. The floods in 2018 brought high levels of silt from the highlands, reducing river depths and narrowing river mouths. A year later, this silt has not been cleared, reducing the carrying capacity of rivers. Serious strategies are required by the government and the people to reclaim groundwater percolation and flood plains. Legal processes and bye-laws need revisions. The water footprint needs to be reinstated, and the relationship with water resources rebuilt. This may be the only way we can face a future of changing weather patterns.

Anjitha Augustine is an architect and urban designer; Shyama Kuriaakose is an environmental advocate and Senior Project Fellow with the Vidhi Centre for Legal Policy; Rajesh George is a landscape architect working with the hydrology of Kerala, and Monolita Chatterjee is an architect and sustainable environment activist

## 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.

### Acquitted

The verdict, on Wednesday, by a sessions court in Alwar, acquitting the six accused in the lynching of Pehlu Khan, a Haryana dairy farmer, two years ago, is baffling (Page 1, August 15). It will only embolden so-called cow vigilantes to further take the law into their own hands. There is strong evidence in the form of video footage. If its veracity is in doubt, the court could have well directed the prosecution to seek the opinion of forensic experts. Is it so difficult? Justice should not only be done but also seen to be done. The State should

vigorously pursue this case in the High Court.

T. ANAND RAJ,  
Chennai

The verdict depicts the sad reality of the criminal justice system in India. A horrific murder was recorded on camera yet there is no justice. We should not forget that injustice anywhere is a threat to justice everywhere. It is an irony that this judgment came a day before we celebrated our Independence Day. A country's legal system which cannot ensure justice to a poor victim who was lynched because of the perception that he was an alleged cow

smuggler has no right to proclaim that it stands for the principles of constitutionalism, rule of law, equality, right to life and liberty. An utterly disgraceful murder takes place and the legal machinery of the state fails to punish the culprits. Such developments will only encourage hate and intolerance, especially against a particular community.

MANSHA MISHRA,  
Sahibabad, Uttar Pradesh

The sessions court has sent out a wrong signal: that the guilty can go unpunished as a result of a few legal deformities. Unless the

higher judiciary takes cognisance of the matter and takes up the case *suo motu* to punish the guilty, such verdicts will only induce other perpetrators to commit even graver and more heinous crimes. The verdict also raises questions about the efficacy of our law enforcement agencies and the justice delivery system.

SYED SULTAN MOHIDDIN,  
Kagitalapenta, Kadapa, Andhra Pradesh

A host of factors such as an insincere investigation, an ineffective prosecution and accused-friendly laws are what have led to the miscarriage of justice. The Congress government must

make amends by filing an appeal against the verdict. All the officials concerned should be hauled up for their acts of commission and omission. The Pehlu Khan case not only exposes the chinks in the criminal justice system but also the vulnerability of all governmental agencies.

S.V. VENKATKRISHNAN,  
Bengaluru

### Sectoral crisis

There is a need to support the automobile industry and in turn revive the economy with animal spirits (Editorial, "Symptom as cause", August 15). Disposable income is either stagnant and

employment is at an ebb. There is news of industrial distress if one can use the examples of Jet Airways and the headwinds in the automobile sector. No segment can be said to be in bloom. Creditors are wary and erring on the side of caution leading to a liquidity crunch. The fallout of demonetisation has not waned as well. The government needs to adopt a take-no-prisoners approach in tiding over the acute economic crisis.

DEEPAK SINGHAL,  
Noida, Uttar Pradesh

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