

A flawed process that pleased none

Even the Bengali-origin Assamese included under NRC can be deemed ‘illegal immigrants’ later



HARSH MANDER

Fear and disquiet have gripped nearly two million residents of Assam, and their loved ones, after their names failed to show up in the final updated list of the National Register of Citizens (NRC). But the unrelenting tragedy of the Bengali-origin people of Assam is that even those whose names appear on the list have no assurance that they will not be deemed ‘illegal immigrants’ sometime in the future. They are a people for whom there is still no closure, no prospect of permanent security and dignity of citizenship.

Anxieties about land, culture and migration have, over decades, created entrenched fissures in the social and political life of Assam. People on all sides of these bitter divides had hoped that the conclusion of the six-year-long process of updating the 1951 citizen’s register in Assam would resolve finally this long-festering dispute. But despite the immeasurable toll of human suffering that the process extracted from millions of very impoverished people, it is evident that it has resolved nothing.

For supporters of the Assam agitation, it is an article of faith that millions of immigrants from Bangladesh have continued to ‘illegally penetrate’ the porous border which Assam shares with Bangladesh, and that these immigrants will submerge their culture and language and edge them out of their lands and forests. Estimates of the numbers of these ‘illegal immigrants’ that their leaders have tossed around range from five to 10 million. The final figure of less than two million has sorely disappointed, and enraged, them.

BJP’s core agenda

For the ruling Bharatiya Janata Party (BJP) establishment in both Assam and at the Centre, expelling ‘infiltrators’ from Bangladesh has been as integral to their core agenda as abrogating Article 370 and building the Ram Temple. But in their definition, it is only Bengali-origin Assamese Muslim immigrants who constitute a threat to the Indian nation; Bengali



“The burden of proof was shifted to Assam residents to prove that they were citizens.” An official at a National Register of Citizens office in Guwahati. ■PTI

Hindus are not infiltrators but ‘refugees’ for whom India is their ‘natural home’. We do not yet have an official break-up of the 1.9 million people excluded from the NRC, but indications are that more than half of these are Hindu.

Assamese sub-nationalism was never communal: its supporters are agnostic whether Bengalis are Hindu or Muslim. For the BJP, on the other hand, disenfranchising or deporting Bengali Hindus would be political suicide, sacrificing its core constituency. Therefore, BJP leaders in Assam and Delhi are today disingenuously rejecting the process their own government drove as ‘biased’. The only way in which the NRC could work for them would be if they could pass the Citizenship (Amendment) Bill, giving citizenship to undocumented immigrants if they are Hindu, but not if they are Muslim.

The Bengali-origin Assamese, on the other hand, have long maintained that the estimates of illegal immigration are grossly exaggerated, and that most Bengali-origin people in Assam are descendants of people who came in legally when this was one country, and that since the cut-off date of 1971, illegal immigration has been small. The relatively low final tally, even after a highly flawed process which was entirely loaded against them, seems to vindicate their stand. But this is cold comfort and assures them no security, because demands are being raised for re-verification, especially in districts with a high Muslim population.

It is also important to observe that the flawed process of NRC was monitored and, indeed driven, by the Supreme Court of India, in ways that

did little to defend the constitutional rights of the residents of Assam. The burden of proof was shifted to the residents to prove that they were citizens, based on documents such as those linked to birth, schooling and land ownership which impoverished and unlettered rural residents anywhere would find hard to muster. Even when residents succeeded in producing these documents, they were often rejected for small discrepancies, such as in the English-language spelling of Bengali names or in the age even though it is well-known that most rural people do not know their dates of birth. Many of them do not have legal land records. And in the middle of the NRC process, an arbitrary category was introduced of the ‘indigenous’ Assamese, who were treated much more leniently even when they could not produce the required documents.

What the future holds

What does the future hold for the Bengali-origin people of Assam? Those excluded from the NRC will have the option of appealing to Foreigners’ Tribunals (FTs). This is a frightening prospect for them, because the FTs have operated in openly hostile and arbitrary ways. The presiding officers of FTs are often lawyers with no judicial experience and appointed with no security of tenure by the State government, follow no due process, and are reportedly driven by informal targets to maximise the numbers of persons who they deem to be ‘foreigners’.

There is also the enormous workload that the appeals will engender. There are today 100 FTs. An average case in one FT might take one year or

longer to dispose. I did a back-of-the-envelope calculation that even if there are 1,000 FTs which decide one case every working day, it would take more than six years for them to decide 19 lakh cases. Given their actual rate of disposal, it could take three or four times this period.

Even more worrisome is that it is not just people whose names have been excluded from the NRC whose cases will be considered by the FTs. Disappointed by the smaller numbers of Bengali Muslims in the final list, the State government has already indicated that it will continue to verify even those whose names have been included, and if it believes that they could be foreigners, it would refer them as well to the FTs.

Citizenship without rights

The biggest question relates to what would be the fate of the people who, at the end of this process, are declared ‘illegal immigrants’. There is no question of Bangladesh accepting them: the Indian government is not even negotiating this with Dhaka. The Assam agitation was clear in its demand of ‘detection, deletion (from electoral rolls) and deportation’. Home Minister Amit Shah declared in Parliament that he would deport illegal immigrants from every square inch of Indian land. How would this be accomplished? Would these millions be pushed forcefully into Bangladesh? Or would they be locked in massive detention centres? If yes, for how long? The realistic probability is that, in the end, they would be allowed to live in India, but stripped of all citizenship rights. They would be a ‘marked people’, powerless and susceptible to social violence and intense state scrutiny.

Think then of the demand – and the promise by Mr. Shah – of extending the NRC to all of India. Think of this being done with amendments to the citizenship law which accepts all undocumented immigrants as Indians except those who are Muslim. Think of throwing sections of Indian Muslims into the vortex of human suffering caused by the NRC and FT processes. This would mean the destruction of the secular Constitution of India, an end to India as we know it, a country which belongs equally to people of every faith.

Harsh Mander is a human rights and peace worker, writer and teacher

FROM THE READERS’ EDITOR

Selective silence leads to calamities

Not reporting some news may provide momentary comfort, but it will hurt the social fabric in the long run



A.S. PANNEERSELVAM

The explanations provided by the Chairman of the Press Council of India, C.K. Prasad, in defending the body’s intervention in a petition filed in the Supreme Court show a limited understanding of the role of a responsible press in a democracy. Justice Prasad’s letter to the Chairman of The Hindu Group Publishing Private Ltd., N. Ram, brought out this myopia in an unequivocal manner. The Chairman of the statutory watchdog of the press came up with a bewildering separation of “individual right and national interest”, thus reducing the right of the press to an individual right.

News is a public good

The rights of the press do not pertain to the right of any individual reporter or media organisation. The freedom of the press represents the collective will of the people. It flows from Article 19 of the Constitution. The rights and privileges of the press are devised to provide crucial information to citizens so that they can make informed choices in a democracy. So, it is very disturbing that this public good is being converted into an “individual right”. In his interview to *HuffPost India*, Justice Prasad prioritised the state’s interest over the people’s interest when he declared that in his personal opinion, “some news is best not reported”. He came up with a three-way conflict of interests: public interest, national interest, and freedom of the press. Justice Prasad fails to understand that these three are integral to a democracy and are related. They cannot be disaggregated.

Some readers wanted to know whether I am prepared to reconsider my opinion in the light of Justice Prasad’s view. They felt that my column, “Information blackout leads to silence and exaggeration” (August 12), which argued against the idea of institutionalised curbing of media freedom, had been effectively countered by Justice Prasad. There is a vast difference between bearing witness and a voyeuristic gaze. Journalism is not an instrument for wishful thinking but a mirror that reflects the views of citizens. It is through journalism that we get a glimpse of reality. When this intrinsic value of journal-

ism is replaced by the instrumental requirements of the ruling elites, the world becomes a very dangerous place.

Recently, Alan Rusbridger, former Editor of *The Guardian*, initiated a Twitter thread on this particular peril that has plagued journalism for nearly a century. He sought examples of wishful thinking colouring news judgment in journalism. He cited the case of the *Express* [in the U.K.] 1936-1939 repeatedly telling readers that there’d be no war because no-one wanted another war”. Mr. Rusbridger said he was looking for cases of wishful thinking (“I hope this will be for the best”) that turned out to be false prophecies (“there will be no war”), and hence showed “corrupted reporting”.

The problem of wishful thinking

Of multiple responses to Mr. Rusbridger’s tweet, I would like to share four examples. One person responded that the press “did no due diligence” when the U.S. claimed that there were Weapons of Mass Destruction in Iraq before launching a war on that country; the press, especially the Western media, simply bought the propaganda lock, stock and barrel. The director of the journalism fellowship programme at the Reuters Institute for the Study of Journalism at the University of Oxford, Meera Selva, pointed out another example: “Business pages cheer-leading Jon Moulton of Alchemy Partners as he bought Rover, as a sign that the UK car industry could still be saved.” Former executive director of the Organisation of News Ombudsmen, Jeffrey Dvorkin, said everyone believed that the “Arab Spring will succeed in bringing democracy to the region because everyone has a smartphone”. Andrey Mir cited the example of the study by Walter Lippmann and Charles Merz on how the *New York Times* had consistently skewed coverage in favour of what its editors wished would happen: “That the Bolsheviks would continue Russia’s involvement in the war against Germany, and then, after the war, that the various White Army factions would defeat the Bolsheviks.”

These examples explain the huge cost paid by humanity when the media is reduced to a tool of wishful thinking. Whatever be the magnitude of the crisis, it is vital for citizens and policymakers to know the truth. Not reporting some news may provide momentary comfort, but it will hurt the social fabric in the long run.

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Redesigning medical education

In addition to raising the standards of medical professionals, the system should innovate

KRISHNA REDDY NALLAMALLA

Despite tremendous changes in health systems over the last century, medical education curricula have remained mostly outdated. The key elements that define today’s global health systems include ageing populations; demand for quality, equity and dignity; transition from communicable to non-communicable diseases and from episodic illnesses to lifelong ailments; double burden of disease in some countries; and disruptive advances in medical knowledge, IT, and biotechnology.

Medical education is the bedrock on which the needs of ‘human resources for health’, one of the major building blocks of any health system, are met. Today’s health professionals are required to have knowledge, skills, and professionalism to provide safe, effective, efficient, timely, and affordable care to people. They are required to: be proficient in handling disruptive technologies, understand the economics of healthcare, have the skills to work in and handle large and diverse teams, be ethical, demonstrate empathy, and be abreast of rapid developments in medicine.

Today’s medical education should be able to groom such professionals to face medicine of the 21st century. In addition to raising the standards of medical professionals, the system should innovate to meet the growing shortage of health professionals to serve ageing populations with lifestyle and lifetime ailments.

Required reforms

First, there is a pressing need to revisit the existing guidelines for setting up medical schools and according permission for the right number of seats. Methods of education across fields are undergoing changes on account of advances in e-learning methods and tools, including remote learning, virtual classrooms, digital dissections, and simulation systems for imparting skills. Extending teaching privileges to practising physicians and allowing e-learning tools will address the shortage of quality teachers across the system. Together, these reforms could double the existing medical seats without compromising on

the quality of teaching.

There are ongoing innovations in medical education to prepare professionals for the complex and rapidly changing healthcare system. In fact, *The Lancet* report, ‘Health Professionals for a new century: transforming health education to strengthen health systems in an interdependent world’ (2010) outlines key recommendations to transform health professional education. According to a study by Densen P. (2011), “it is estimated that the doubling time of medical knowledge in 1950 was 50 years; in 1980, 7 years; and in 2010, 3.5 years. In 2020 it is projected to be 0.2 years – just 73 days.”

At this pace of change, a student can be prepared to process information that is readily available than to know past knowledge. Periodic recertification based on continuing learning systems may become essential to keep up with the fast pace of change. Virtual learning tools eliminate the need for didactic classrooms. Dynamic curricula designed around specific health systems will become more relevant than the systems designed for the classical hospital-based care. Since health professionals work in teams, inter-professional combined learning methods are being introduced. Even the concept of the teaching hospital is changing from a single, large hospital to a network of hospitals and community health centres.

For a more responsive system

The Medical Council of India has been mired in controversies, resulting in deterioration in the quality of education. Also, its policies and strategies were delinked from the rapid changes happening in health systems within India and globally. By monopolising control over every aspect of medical education, it bred the culture of deep-rooted corruption. However, if MCI splits its functions into four well-defined areas, and stipulates fixed and rotating terms to key people, it could enable the creation of a more responsive system.

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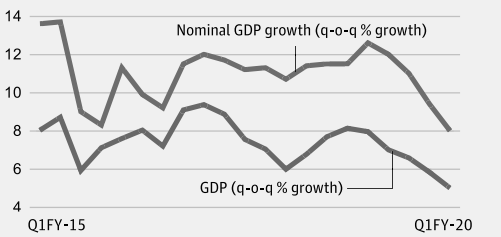


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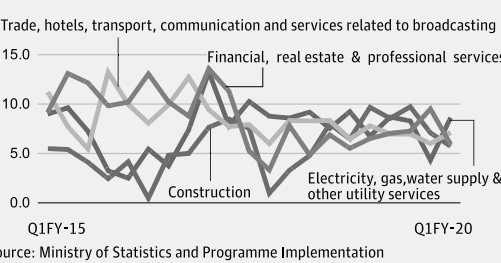
In first gear

With both private consumption growth and investment rate dropping below 5% in Q1 FY2020, the GDP growth rate has fallen to 5%. Nominal GDP growth has slid to 8%, a record low. Growth in employment-intensive sectors such as manufacturing and construction has also been muted. By **Vignesh Radhakrishnan**

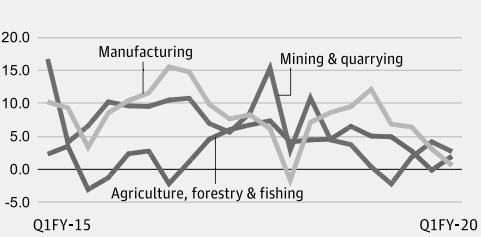
DISTINCT SLOWDOWN Both nominal GDP (which includes inflation) and real GDP grew at the slowest-ever pace since the NDA took charge in 2014. Nominal GDP is a proxy for income growth, especially that of corporates. A slowing nominal GDP will eventually lead to low tax collections. The government estimated a 11% nominal growth in the Union Budget and over 15% of tax revenue growth



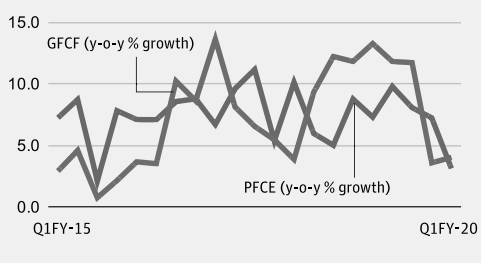
LAGGARDLY PACE For a while now, the rest of the sectors have had growth rates within the 5% to 10% band. In Q1 FY2019, the construction sector, an employment-intensive sector apart from manufacturing, slowed down to register a seven-quarter low (5.7%)



SECTORAL CRISES From 12.1% growth in April-June 2018 to 0.6% in April-June 2019, the manufacturing sector experienced the biggest slowdown. This is its lowest growth rate in the last six years (barring Q1 FY2018, when it shrunk because of destocking before GST implementation). For the fourth straight quarter “mining and quarrying” and “agriculture, forestry and fishing” have grown at less than 5%



UNDERLYING FACTORS Both Private Final Consumption Expenditure, which reflects consumption, and Gross Fixed Capital Formation, which reflects investments, fell drastically in the latest quarter. PFCE accounts for more than 55% of the GDP and GFCF accounts for 28% to 30% of the GDP



The **Hindu**.

FROM THE ARCHIVES

FIFTY YEARS AGO SEPTEMBER 2, 1969

Coup in Libya: Republic proclaimed

The Libyan Army has taken over the Government in Libya and proclaimed a Republic, the Italian news agency ANSA reported today [September 1, Rome], quoting Radio Benghazi. The coup occurred while King Idris was in Turkey. The coup apparently was led by a group of leftist army and air force officers who promptly established a revolutionary council to rule the country. Maj.-Gen. Sadduddin Shuwier was named its chairman. Tripoli and Benghazi radio stations blared socialist slogans proclaiming the revolution stood for “Arab unity, socialism and freedom.” An Ankara report quoted the Private Secretary of King Idris as saying that the military coup in his country was of “no importance” and that the monarch planned to return to Libya as scheduled. He said over the telephone reports that the King would go to London or Switzerland were not true. He declined further comment.

A HUNDRED YEARS AGO SEPT. 2, 1919.

Afghan Intrigue.

The Honorary Secretary, Punjab War News Association, writes: The following facts relating to the events and incidents which preceded the attempted Afghan invasion of India have reached India from an unimpeachable source. They serve to show not only the ugliness of the conspiracy that was hatched in Kabul, but how very grave are the dangers that still threaten the peace of India. In 1916 three Indians, who had been provided with a little money from some unknown source, arrived in Kabul and settled down in the Bazar. There they let it be known that they were the heads of a Conspiracy that had been formed to overthrow the British Government of India. These men were Obeidullah, a converted Sikh, who styled himself Administrative Minister of the Provisional Government of India, one A.H. Aziz, said to be an inhabitant of Kasur, who styled himself Assistant Administrative Minister, and Burkatullah, the well known renegade, who acted as Secretary of this precious organisation. The conspirators also had a President, one Mahendra Partap who was sent to Kabul from Berlin, but very little is known about this man who seems to have been slightly insane. He is said to have left Kabul in 1918. The existence of the conspiracy, of course, soon became known to the Amir Habibullah, who, however, took no notice of it as being beneath contempt.