



Grim turn

While pursuing terrorists, the administration should also engage with civil society in J&K

The killings of seven civilians in Srinagar in six days mark a grim turn in the situation in the Kashmir Valley. This vicious, mindless violence against commoners, owned up by a group that calls itself the Resistance Front – believed to be a shadow organisation of the Pakistan-based LeT – is yet another reminder of the pathological hatred transnational radical Islamism inspires. The victims include local Muslims who were branded traitors, but the targeting of the Hindu Pandit and Sikh minority communities is unmistakable. Srinagar's prominent Kashmiri Pandit chemist, Makhn Lal Bindroo, whose decision to stay on through the violent 1990s was seen as a positive omen by the displaced community, was gunned down. The killers used epithets such as 'RSS stooge', 'police informer' and 'traitor' for the victims. Majid Ahmad Gojri and Mohammad Shafi Dar were killed on October 2. On October 7, a Sikh principal and a Kashmir Pandit who had returned to the Valley after taking up a job under the Prime Minister's special job package for migrant Pandits, were gunned down. Islamist terrorists have sought an ethnic cleansing of the Valley for long. The Pandits had to leave in large numbers in 1990 following violence. After 1994, attacks on minorities became episodic, but not without periodical outrages such as the Wandhama massacre, when 23 Pandits were shot dead in January 1998 and the Chittisinghpura massacre, in which 35 Sikhs were killed in Anantnag in March 2000.

The wave of violence is taking place against the backdrop of an uptick in tourist inflow to the Valley and the Centre's push to promote a raft of development schemes. The administration is also encouraging the Pandits to return. A nine-week-long outreach of the Centre in J&K where Union Ministers are visiting remote districts, including those closer to the LoC, is under way. Union Home Minister Amit Shah could make a visit later this month. Strict directives were issued to unfurl the national flag in all government buildings, including schools, on August 15. There is also a higher level of intolerance by the administration, which does not spare even the political activities of mainstream parties. There is an aggressive drive too to punish government staff suspected to be separatist sympathisers. Civilians are soft targets for the terrorists in this milieu. According to police figures, J&K saw 28 civilian killings, surpassing the 22 casualties of security personnel so far this year. Of the 28 killings, four were local Hindus, one Sikh, two non-local Hindu labourers and 21 local Muslims; 23 were political workers, with most from the BJP. No society can tolerate such violence. But while pursuing terrorists, the administration should also engage with political parties and civil society organisations.

Simple, but brilliant

Great discoveries can come from simple ideas which are often overlooked

This year's Nobel Prize for Chemistry is for an efficient, "precise, cheap, fast and environmentally friendly" way to develop new molecules using a simple yet novel concept of catalysis – asymmetric organocatalysis. It was awarded to German scientist Benjamin List of the Max Planck Institute and Scotland-born scientist David W.C. MacMillan of Princeton University who independently developed the new way of catalysis in 2000. They came up with "a truly elegant tool for making molecules – simpler than one could ever imagine". Since then, the process they evolved has led to a "gold rush" in the catalysis field. The multitudes of new organocatalysts developed have helped drive a variety of chemical reactions, in turn accelerating pharmaceutical drug research. The asymmetric organocatalysts have allowed researchers to efficiently produce new molecules with complete certainty of the 3-D orientation or handedness. Molecules naturally present and those synthesised can exist in two forms – right-handed and left-handed, and their properties very often vary depending on their handedness. In the 1950-60s, thalidomide was widely used to treat nausea in pregnant women, but caused severe birth defects. It became clear that the right-handed molecule was highly toxic. But asymmetric organocatalysts allowed the production of molecules of the desired mirror image form. While using other catalysts that require isolation and purification of each intermediate product – leading to loss of substance at every stage – asymmetric organocatalysts allow several steps in molecule production to continue without interruption, minimising waste.

In 2001, the three scientists who first developed asymmetric catalysts won the Nobel Prize in Chemistry. But such catalysts often use heavy metals, making them expensive and environmentally harmful. There were other challenges too – a high sensitivity to oxygen and water. This meant that industrial use made the process expensive. Many enzyme catalysts too are asymmetric and are not sensitive to oxygen and water. But they are very often much larger than the actual target molecule and can take a longer time to do their job. Instead of using enzymes which normally contain hundreds of amino acids, this year's laureates developed a carbon-based catalyst made from a single, circular amino acid. Since these catalysts are asymmetric, only molecules of a single handedness are produced. If Benjamin List used a single amino acid proline to perform a certain bond-forming chemical reaction, W.C. MacMillan demonstrated that many modified amino acids could asymmetrically produce another bond-forming reaction. The circular-shaped amino acid the laureates used ensured that only one mirror image of the molecule could be produced. This year's Prize underlines the often-ignored message – great discoveries can come even from simple ideas which are often overlooked.

Reflections on the 'quasi-federal' democracy

Despite a basic structure, Indian federalism needs institutional amendment to be democratically federal



ASWINI K. RAY

Events coinciding with the jubilee of India's Independence draw attention to the federal structure of India's Constitution, which is a democratic imperative of multi-cultural India, where the constituent units of the sovereign state are based on language, against competing identities such as caste, tribe or religion. This built-in structural potential for conflict within and among the units, and that between them and the sovereign state, need imaginative federal craftsmanship and sensitive political management. The ability of the Indian Constitution to keep its wide-ranging diversity within one sovereign state, with a formal democratic framework is noteworthy. Possibly, with universal adult suffrage and free institutions of justice and governance it is nearly impossible to polarise its wide-ranging diversity within any single divisive identity, even Hindutva; so that, despite its operational flaws, the democratic structure and national integrity are dialectically interlinked. But its operational fault lines are increasingly denting liberal institutions, undermining the federal democratic structure as recent events have underscored.

Some fault lines

First, the tempestuous Parliament session, where the Rajya Sabha Chairperson broke down (in August 2021), unable to conduct proceedings despite the use of marshals; yet, the House passed a record number of Bills amidst a record number of adjournments. Second, cross-border police firing by one constituent State against another, inflicting fatalities, which also resulted in retaliatory action in the form of an embargo on goods trade and travel links with

its land-locked neighbour.

Such unfamiliar events of federal democracy are recurrent in India, except their present manifest intensity. Legislative disruption was described by a Union Law Minister (while in Opposition) as a 'legitimate democratic right, and duty'. In the 1960s, the Troika around Lohia claimed its right to enter Parliament on the Janata's shoulders to exit on the Marshals; posters with labels such as 'CIA Agent' were displayed during debates; 'suitcases' were transferred publicly to save the government; occasionally, "Honorable Members" emerged from debates with injuries. This time, in the "federal chamber", "Honorable Members" and Marshals are in physical contact – both claiming 'casualties' – official papers vandalised and chairpersons immobilised. Even inter-State conflict has assumed a new dimension.

Key changes

Such empirical realities have led scholars to conceptualise India's "Post-colonial democracy", and federalism, differently from their liberal role-models. Rajni Kothari's "one party dominance" model of the "Congress system" has now been replaced by the Bharatiya Janata Party; Myrdall's "soft state" is reincarnated in the Pegasus era with fake videos and new instruments of mass distraction and coercion. Galbraith's "functioning anarchy", now has greater criminalisation in India's democracy, which includes over 30% legislators with criminal records, and courtrooms turning into gang war zones; it is now more anarchic, but still functioning, bypassing any "Dangerous Decade" or a "1984".

Federal theorist K.C. Wheare analyses India's "centralized state with some federal features" as "quasi-federal". He underscores the structural faultlines of Indian federalism not simply as operational. So, while many democratic distortions are amenable to mitigation by institutional professionalism, Indian federalism, to be democratically federal, needs institutional amendment despite



being a "basic structure". Wheare's argument merits consideration.

Many deficits

Democratic federalism presupposes institutions to ensure equality between and among the units and the Centre so that they coordinate with each other, and are subordinate to the sovereign constitution – their disputes adjudicated by an independent judiciary with impeccable professional and moral credibility. But India's federal structure is constitutionally hamstrung by deficits on all these counts, and operationally impaired by the institutional dents in the overall democratic process. Like popular voting behaviour, institutional preferences are based either on ethnic or kinship network, or like anti-incumbency, as the perceived lesser evil, on individual role-models: T.N. Seshan for the Election Commission of India, J.F. Ribeiro for the police or Justices Chandrachud or Nariman for the judiciary.

India's federal structure, underpinned on the colonial '1935 Act' which initiated 'provincial autonomy', attempted democratising it by: renaming "Provinces" to autonomous "States"; transferring all "Reserved Powers" to popular governance; constitutionally dividing powers between the two tiers; inserting federalism in the Preamble, and Parts 3 and 4 containing citizens' "Fundamental Rights" and "Directive Principles"; but nothing about States' rights, not even their territorial boundaries. This has enabled the Centre to unilaterally alter State boundaries and create new States. The Indian Constitution itself has been

amended 105 times in 70 years compared with 27 times in over 250 years in the United States.

With 'nation-building' as priority, the constitutional division of power and resources remains heavily skewed in favour of the Centre; along with "Residual", "Concurrent" and "Implied" powers, it compromises on the elementary federal principle of equality among them, operationally reinforced by extra-constitutional accretion. While the judiciary is empowered to adjudicate on their conflicts, with higher judicial appointments (an estimated 41% lying vacant), promotion and transfers becoming a central prerogative, their operations are becoming increasingly controversial.

Structural conflicts

The story is not different for the "all India services", including the State cadres. What is operationally most distorted is the role of Governors: appointed by the Centre, it is political patronage, transforming this constitutional authority of a federal "link" to one of a central "agent" in the States. Thus, the critical instruments of national governance have been either assigned or appropriated by the Centre, with the States left with politically controversial subjects such as law and order and land reforms. Thus, most of India's federal conflicts are structural, reinforced by operational abuses.

Yet, there is no federal chamber to politically resolve conflicts. The Rajya Sabha indirectly represents the States whose legislators elect it, but continue even after the electors are outvoted or dismissed; with no residential qualification, this House is a major source of political and financial patronage for all political parties, at the cost of the people of the State they "represent".

Possibly, this explains its continuity. Constituting roughly half the Lok Sabha, proportionately, it reinforces the representative deficit of Parliament, which, through the Westminster system of 'winner-take-all', continues to elect majority parties and governments

with a minority of electoral votes. The second chamber is not empowered to neutralise the demographic weight of the populous States with larger representation in the popular chamber; it cannot veto its legislations, unlike the U.S. Senate. It can only delay, which explains the disruptions. Joint sessions to resolve their differences are as predictable and comical as the "voice votes" in the Houses. India's bicameral legislature, without ensuring a Federal Chamber, lives up to the usual criticism: "when the second chamber agrees with the first, it is superfluous, when it disagrees, it is pernicious".

Historically, party compositions decide when they agree or disagree. Whenever any party with a massive majority in any state finds itself marginalised in the central legislature, it disrupts proceedings, just as popular issues not reflected in legislative proceedings provoke undemocratic expressions and reciprocal repression. Such examples abound in India's "quasi-federal" democracy till now.

Lessons to learn

Empirical and scholarly evidence suggest Wheare's prefix about federalism arguably applies to other constitutional goals (largely operationally), while the federal flaws are structural, reinforcing conflicts and violence, endemic in the distorted democratic process. It is a threat to national security by incubating regional cultural challenges to national sovereignty, and reciprocal repression. We might learn from the mistakes of neighbouring Sri Lanka and Pakistan rather than be condemned to relive them. India's national security deserves a functional democratic federal alternative to its dysfunctional "quasi-federal" structure, which is neither federal nor democratic but a constitutional "basic structure".

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Infusing public health into Indian medical education

A middle ground is to upgrade community medicine to 'community medicine and public health' in the curriculum



SOHAM D. BHADURI

The country has witnessed the menace of two COVID-19 waves and stares at a third. While COVID-19 has been presented as an overarching public health calamity, the influence of medical doctors in the health policy response to COVID-19 has been particularly profound. This is symptomatic of our long-standing tendency to confound medicine with public health which permeates even the highest policy-making echelons.

If anything, both the scope and consequence of medicine in the overall health of the population is significantly limited. COVID-19 entails that this fact leaves the libraries and academia, and manifests as tangible policy measures that help consolidate public health in the country.

Distinct specialty, stagnation
In the 1950s, a global consensus and a concomitant national consensus on the importance of socially-oriented physicians in popu-

lation health resulted in the establishment of community medicine as a distinct medical specialty, both at the undergraduate and postgraduate levels. Vast swathes of the community medicine curriculum are devoted to tackling major public health challenges through a plethora of vertical disease control programmes which have always driven the national public health discourse. The larger medical curriculum has remained more or less stagnant since post-Independence.

Similarly, hardly any attempt has been made to reform the community medicine curriculum, from one that primarily provides technical inputs to technocratic health programmes – to one which can also take on the larger questions related to health policy and health systems, and inculcate critical thinking along lines that are divergent from clinical medicine.

Multidisciplinary science

Some experts have advocated the establishment of public health departments in medical schools, inspired by the COVID-19 pandemic. Community medicine, while frequently equated with public health, fails to embrace multiple facets of the multidisciplinary assemblage of competencies that is



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public health. Juxtapose the community medicine curriculum with that of any of the few bastions of socially-oriented public health courses, and the distinction becomes readily apparent. But proponents of community medicine have not been in denial of this essential distinction – eventually, community medicine is a medical specialty while public health is a multidisciplinary science. Since public health is a multidisciplinary science, why do we emphasise instilling public health competencies in medicine, and not so much for other allied fields such as engineering or anthropology?

The pragmatic answer is that medical doctors, *de facto*, are likely to continue to be the most influential players in public health policy at least in the foreseeable future. This makes it imperative that medical doctors imbibe multi-

disciplinary public health thinking right since their formative days. Recent medical curricular reforms in India have laid a stress on inculcating clinical empathy, early clinical exposure, and at least ritualistically, on greater community exposure.

The Cuban example

However, none of these confers the competencies necessary to critically assess the larger public health and health systems landscape of the country. For a medical curriculum to be steeped in clinical medicine and not inculcate a broader public health orientation is least desirable where health policy is largely shaped by doctors. At the postgraduate level, re-emphasising multidisciplinary public health principles would be equally important to ensure that we create not just community medicine technocrats but also well-rounded advocates of health system reform. While health-care reform is a complex process with numerous interacting elements, the role of formative medical education in it is quite often underrated. Countries such as Cuba demonstrate how a medical curriculum attuned to public health can strongly influence the whole philosophy of health-care provision in a country.

Despite the considerable overlap between them, the non-substitutability of community medicine and public health cannot be ignored, at least in the current Indian context. Community medicine will always defend its exclusivity as being a fundamentally medical specialty meant only for doctors, and public health courses will rightfully need to be open to students from diverse backgrounds.

Looking ahead

A middle ground can be struck by upgrading community medicine to 'community medicine and public health' both at the undergraduate and postgraduate levels. This will involve revamping the community medicine curriculum through incorporation of or emphasising those areas of public health which are presently left out or under-emphasised, such as social health, health policy and health systems. At the same time, representation of experts other than doctors and from fields allied to public health will be essential in the refurbished 'community medicine and public health' departments.

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LETTERS TO THE EDITOR

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Terror again

It is unfortunate that terrorism is showing its ugly head again in the Valley, with civilians as targets (Page 1, October 8). After making Jammu and Kashmir a Union Territory, the Centre seems to have slowed down in its initiative to instil confidence among the people and local leaders, and develop inclusiveness in government programmes and policies in the Valley. The all-party meet with the Prime Minister seemed promising, but there do not seem to be steps after this.
D. SETHURAMAN,
Chennai

■ The targeted killings of Kashmir's religious

minorities revive the horrific memories of the orchestrated expulsion of the Pandits from the Valley in the 1990s. Pakistan's hidden hand in the murders is palpably visible. What is shocking is the inability and unwillingness of India's political class to condemn the targeting of minorities.
V.N. MURUNDARAJAN,
Thiruvananthapuram

Microfinance, inclusion

I write this as the CEO of the Microfinance Institutions Network (MFIN). While it is good to have different perspectives, the article, "RBI microfinance proposals that are anti-poor" (Editorial page, October 6, 2021) is not entirely factually correct. One thing which stands out

is the writer's fear that private financiers will profiteer and interest rates will go northward; there is even an erroneous example as an illustration. MFIs charge interest rate on a declining principal basis and the example given is erroneous as interest amount cannot be the same for 24 months; it will decline each month. NBFC-MFIs (only on whom interest rate prescription applies) make up for a mere 32% of market share. And the interest rates of major institutions are in the range of 19% to 21%, with a cost of funds of -12%. Anybody familiar with finance knows that interest rate is a function of cost of funds, transaction cost and risk cost is well understood.

And NBFC-MFIs in India have the lowest transaction cost when compared globally, while delivering doorstep services. On the writer's fear of rate deregulation and rates going up, besides the point of only 32% of market having cap, the example of banks in India comes to mind. Have the rates gone beyond the roof or actually fallen, post-deregulation in 1991, including private banks? The facts are there to see. Such things can happen under oligopolistic conditions but not in India where the microfinance market is fiercely competitive with nearly 200 lenders (banks, NBFCs and NBFC-MFIs) and which will be complemented by the RBI and SRO

oversight. Global research shows that caps only create market inefficiencies and often defeat the policy objective of universal inclusion. To illustrate, in a margin-capped environment, institutions will shy away from far-flung areas as operational costs go up – which need the services the most. On the writer's point of "private" and "profit", MFIs have suffered losses for three years in the

CORRECTIONS & CLARIFICATIONS:

A clarification: With reference to the report titled "People paid for treatment despite PM-JAY" (some editions, October 6, 2021), a mail from the Public Health Foundation of India said: "... the report incorrectly states that the study was technically supported and guided by the Public Health Foundation of India. ... The technical team of the foundation has neither contributed in the manner reported nor has it been associated with the study."

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last five years due to extraneous reasons such as COVID-19. It is now well accepted by Indian policy that any institution (public or private) needs to be sustainable and not subsidy driven. Both public and private institutions have a role in meeting the challenge of exclusion, but sustainably.
ALOK MISRA,
New Delhi