



**“Power has only one
duty- to secure the social
welfare of the People”**

Benjamin Disraeli

Answers for 2nd March MCQs

1. Ans- B

- First statement is incorrect as Decisions on important questions, such as those on peace and security, admission of new members and budgetary matters, require a two-thirds majority of the General Assembly, on other questions are by simple majority.

2. Ans- A

First Statement is incorrect as, it is joint venture between the Kerala government and the Union Ministry of Railways.



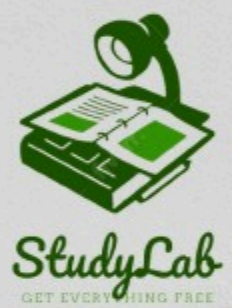
MCQs 3rd March

Q1. Consider the following statements regarding the Intergovernmental Panel on Climate Change (IPCC)-

1. It was set up in 1988 by the World Meteorological Organization (WMO) and United Nations Environment Programme (UNEP).
2. IPCC, is an independent body set up for assessing the science related to climate change having members from all countries.

Which of the statements given above is/are correct?

- a) 1 only
- b) 2 only
- c) 1 and 2
- d) None



MCQs 3rd March

Q2. Consider the following statements regarding the Montreux Convention:-

1. Under the Montreux convention, Turkey has control over both the Bosphorus and Dardanelles straits.
2. It regulates the maritime traffic through the Black sea and Mediterranean sea.
3. The Bosphorus and Dardanelles straits connect the Aegean Sea and the Black Sea via the Sea of Marmara.

Which of the statements given above is/are correct?

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3



EXPLAINER

The Russian invasion is making the global chip shortage situation worse

Will the crisis further deepen as the war escalates? How will the world cope with the colossal shortage?

JOHN KATYK

The story so far: In October, Intel's chief executive Pat Gelsinger, ahead of the company's third-quarter earnings, said he expects the chip shortage to extend until at least 2023. The company's rival, AMD, was a bit more optimistic. At last year's Gartner Conference, CEO Lisa Su said the situation will likely remain 'tight', and would gradually get better in 2022 as more production capacity opens up.

The two CEOs predicted the supply of chips based on the pandemic's effect on a component that has become a lifeline for most gadgets we use every day. Now, the ongoing conflict between Russia and Ukraine is worsening the global chip shortage crisis.

How did the shortage crisis begin? After reaching its peak in 2001, the laptop market growth slowed down with the rise of alternatives such as smartphones and tablets. Then, the pandemic hit. People switched to work from home, children connected to schools through laptops, and get-togethers happened over video calls. This shift led to a surge in demand for laptops and tablets.

The stay-at-home rules also made several people pick up console-based gaming. According to a report by data analytics firm NPD Group, overall total consumer spending on video gaming in the U.S. totaled \$13.3 billion in the September ending quarter of 2020, an



increase of 7% when compared to the same period in 2019, and the highest third quarter spend in history.

These devices in high demand run on thumbnail-sized semiconductor pieces (or pieces some time), performing various functions on a single device. And manufacturers produce them as 200mm or 300mm wafers. These are further split into tiny chips.

While the larger wafers are expensive and mostly used for advanced equipment, the devices that were in high demand needed smaller diameter wafers. But the manufacturing equipment required to make them were in short supply even before the pandemic began. That's because the industry was moving in the direction of 5G, which required the expensive wafers.

But high consumer demand for low-end products, coupled with large orders from tech firms' choiced chip makers whose factories were also closed during lockdowns. As the industry

gradually tried to pull itself out of the supply crunch, logistical complexities exacerbated the problem. And then cost of moving containers across the world drove up the price of the core component used in most electronic devices and automobiles.

Why is the Russian invasion impacting chip shortage?

According to a report by Moody's Analytics, Ukraine supplies rare gases used to produce semiconductor fab lasers, and Russia exports rare metals like palladium to make semiconductors. This combination is required to build chips that power a range of devices, from automobiles to smartphones.

Palladium is often used as an

alternative to gold in making various devices as the metal is highly malleable and resistant to corrosion. The rare metal is considered to be softer than gold, but is still much harder and durable than the yellow metal. This quality of palladium gives it more protection against an impact and a greater resistance to denting. So, automobile makers, electronics manufacturers and biomedical device producers prefer the silvery-white metal.

Russia and South Africa are the two largest producers of palladium. In 2021, Russia supplied 2.35 million ounces (66 million grams) of palladium, according to precious metals-refiner IHS Markit. The silvery-white market would move into a severe deficit without those supplies,

pushing the price up. While platinum and rhodium could be substituted for palladium, Russia is also a leading producer of the other platinum group metals.

Palladium is used in nearly all electronic devices, and the metal is a key to make chipsets and circuit boards. It is used to make multi-layer ceramic capacitors (MLCCs), which are important to make smartphone screens, stereo systems, and power circuit breakers.

As Russia's invasion into Ukraine escalates, the country is getting hit by Western sanctions. This could disrupt the country's exports, leaving the semiconductor firms fewer options to source raw materials to make chip sets.

How are businesses and governments adapting to these changes?

The global semiconductor market is projected to grow by 8.4% to US\$ 601 billion, driven by a double-digit growth of the sensors and logic category, according to data from World Semiconductor Trade Statistics (WSTS).

Aid with the recent trends in electric mobility, automotive safety, and Internet of Things (IoT), the demand for semiconductor is only going to grow. But this growth is coming at a time when products are being built on global supply chains. So, businesses are investing their offshore plans. They are considering 'reshoring' as an option to be shielded from global supply chain disruptions.

"Reshoring production can create improvements that may help in the event of a shortage. For one, it is much easier to control production aspects like quality and control processes for outdoor manufacturing. There are also fewer governmental restrictions when production is held onshore. There are also benefits for the local community when manufacturing is done locally," according to a research paper titled by California Polytechnic State University.

Intel, one of the few companies that both designs and makes its own chips, announced last month, \$30 billion for two new chip fabrication facilities in the state of Ohio. The company plans to invest \$100 billion over the next decade, and build eight more fab factories in the state.

At the other end of the spectrum is government support to provide a conducive environment for businesses to set up facilities to build semiconductor factories. India recently cleared a \$75,000-crore scheme to incentivise companies to design and make semiconductors.

The U.S. government is looking to pass the CHIPS Act, a law that would provide semiconductor firms with \$52 billion in subsidies to advance chip-making in the country.

While business strategies and government policies could help in solving the chip crunch in the long run, the current semiconductor shortage is here to stay with us in the near term.

THE GIST

■ Ukraine supplies rare gases used to produce semiconductor fab lasers, and Russia exports palladium to make semiconductors. This combination is required to build chipsets that power automobiles and smartphones.

■ As Russia invaded Ukraine, it got hit by various Western sanctions. This could disrupt the country's exports, leaving the semiconductor firms fewer options to source raw materials to make chip sets.

■ Though various government policies can help to avert the chip crunch in the long run, the current semiconductor shortage is here to stay with us in the near future.

● As pandemic hit, People switched to work from home, children connected to schools through laptops, and get-togethers happened over video calls. This shift led to a surge in demand for laptops and tablets. These devices in high demand run on thumbnail-sized semiconductor piece (or pieces some time), performing various functions on a single device. And manufacturers produce them as 200mm or 300mm wafers.

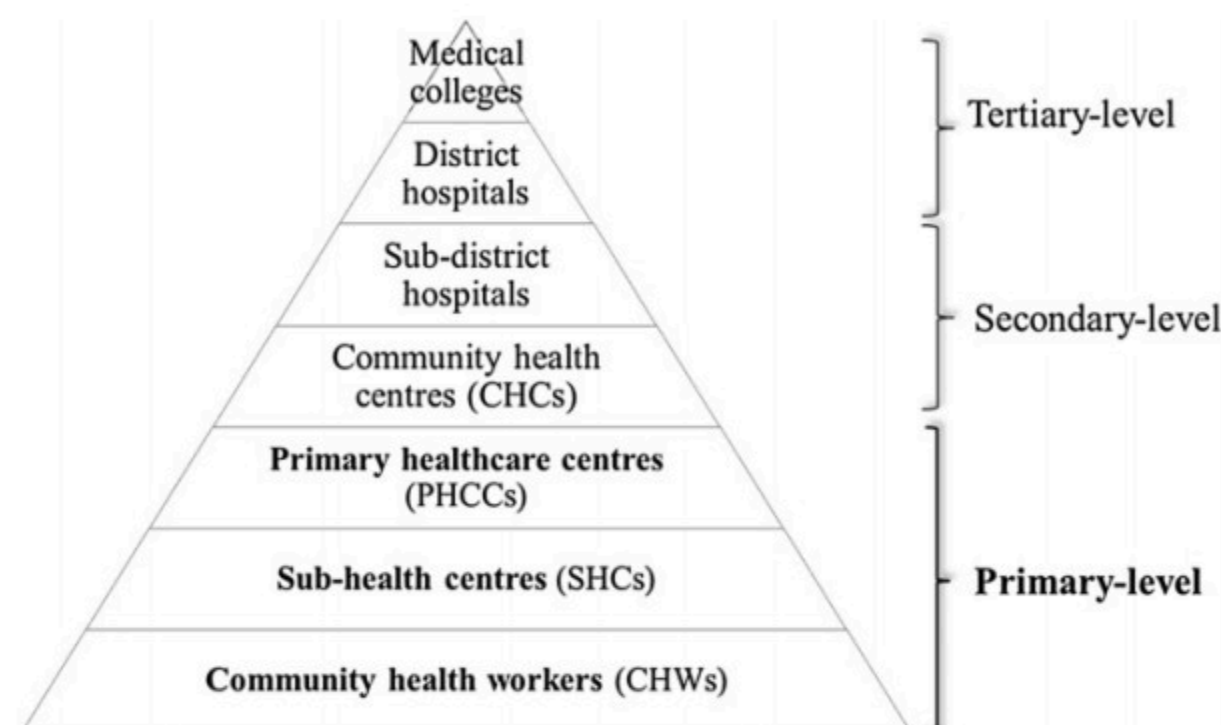
● These are further split into tiny chips. While the larger wafers are expensive and mostly used for advanced equipment, the devices that were in high demand needed smaller diameter wafers. But the manufacturing equipment required to make them were in short supply even before the pandemic began. That's because the industry was moving in the direction of 5G, which required the expensive wafers.

● But high consumer demand for low-end products, coupled with large orders from tech firms chocked chip makers whose factories were also closed during lockdowns. As the industry gradually tried to pull itself out of the supply crunch, logistical complexities exacerbated the problem. And then cost of moving containers across the world drove up the price of the core component used in most electronic devices and automobiles.

● Ukraine supplies rare gases used to produce semiconductor fab lasers, and Russia exports rare metals like palladium to make semiconductors. This combination is required to build chipsets that power a range of devices, from automobiles to smartphones. Palladium is often used as an alternative to gold in making various devices as the metal is highly malleable and resistant to corrosion.

● The rare metal is considered to be softer than gold, but is still much harder and durable than the yellow metal. This quality of palladium gives it more protection against an impact and a greater resistance to denting. So, automobile makers, electronics manufacturers and biomedical device producers prefer the silvery-white metal. Russia and South Africa are the two largest producers of palladium.

● While platinum and rhodium could be substituted for palladium, Russia is also a leading producer of the other platinum group metals. Palladium is used in nearly all electronic devices, and the metal is a key to make chipsets and circuit boards. It is used to make multi-layer ceramic capacitors (MLCCs), which are important to make smartphone screens, stereo systems, and power circuit breakers. As Russia's invasion into Ukraine escalates, the country is getting hit by Western sanctions. This could disrupt the country's exports, leaving the semiconductor firms fewer options to source raw materials to make chip sets.



● Nearly 600 million people in India, mostly in the rural areas, have little or no access to health care. One can add to this another fact: the country is short of nearly five lakh doctors.

● A few years ago, the Union Health Ministry drew flak when it put forth a proposal to train a new cadre of health professionals. Under this plan, these professionals, after undergoing a short term, 3-3.5 year course in modern medicine, were to serve the health needs of the rural population, with a focus on primary care. Such short-term courses aren't new in the Indian health-care scenario. In the 1940s, primary care physicians — who were trained under short-term courses, and broadly termed Licentiate Medical Practitioners (LMPs) would deliver quality services in the rural sector until the Bhore Committee (1946) recommended abolishing them in the idea that India would produce enough MBBS doctors.

● Short-term courses in modern medicine have been consistently equated with producing “cheaply made, poor quality doctors”. However, one begs to differ with this. LMPs cannot be called quacks if they be adequately trained in their field (primary care) and have a well-defined role in health care.

● concern is that the rural population would be made to feel like second class citizens by appointing a lower tier doctor to treat them. This can be put to rest by not letting LMPs replace MBBS doctors but instead work in a subordinate capacity. A few changes in the public health system can be envisioned here: LMPs be employed in sub-centres where they perform both clinical and administrative functions at the sub-centre level. This would also allow easier access to primary and emergency care and keep the post of medical officer for MBBS doctors, thereby deterring any competition between the two cadres of physicians.

● This has many advantages. With LMPs working at the grass-root level, a single PHC would be able to handle a bigger population, allowing for more resources to be concentrated on individual PHCs for manpower and infrastructure development and also for increasing the remuneration of medical officers. Ancillary responsibilities can be taken off an MBBS doctor and their skills put to better use.

9 in 10 Indians think wife must always obey husband: study

Pew Center report on gender roles released

G. SAMPATH
NEW DELHI

While Indians accept women as political leaders, they mostly favour traditional gender roles in family life, says a report released by the Pew Research Center, a Washington DC-based non-profit.

The study, titled "How Indians view gender roles in families and society" and released on March 2, is based on a survey of 29,999 Indian adults conducted from November 2019 to March 2020.


According to the report, while 55% of Indians believed that men and women

make equally good political leaders, "nine-in-ten Indians agree with the notion that a wife must always obey her husband".

Traditional norms

Indian women were only slightly less likely than Indian men to agree with this sentiment (61% versus 67%). Although most Indians expressed egalitarian views on gender roles, with 62% saying that both men and women should be responsible for child care, traditional norms still held sway, with 34% convinced that child care "should be handled primarily by women".

Similarly, while a "slim majority (54%) says that both men and women" should be responsible for earning money,

 While a 'slim majority (54%) says that both men and women' should be responsible for earning money, as many as 43% believed that earning an income is mainly the obligation of men

PEW CENTER REPORT

ne, as many as 43% believed that earning an income is mainly the obligation of men. Also, 80% of Indians agreed with the idea that when there are few jobs, men should have more rights to a job than women.

While Indians valued both sons and daughters, nearly 94% said it is very important for a family to have at least one son, with the corresponding figure for daughters being 90%.

About 64% of Indians also said that sons and daughters should have equal rights to

inheritance from parents. But while four-in-10 adults said that sons should have the primary responsibility to care for ageing parents, only 2% said the same about daughters.

The report, noting that prevalent gender norms "are part of a wider phenomenon in Indian society where, for a variety of historical, social, religious and economic reasons, families tend to place higher value on sons rather than daughters, found that 40% of Indians saw "sex selective abortion as acceptable

in at least some circumstances".

However, 42% found this practice "completely unacceptable".

Noting that Indian women are typically not much more likely than Indian men to express egalitarian views on son preference and gender roles, the study found that similar views prevailed among young Indian adults (18 to 34) relative to their elders.

Findings compared

The Pew Center report also compares gender attitudes in India with its findings in the rest of the world.

The study, noting that a global median of 70% said that it was very important for women to have the same rights as men, found a similar

ratio in India, with 72% of Indians saying gender equality is very important.

However, Indians were less likely than people in North America (92% median), Western Europe (90%), and Latin America (82%) to place a high value on gender equality.

They were more likely to do so compared to sub-Saharan Africa (48% median) and the Middle-East-Northern Africa region (44%). In South Asia, Indians were more likely to bat for gender equality than Pakistanis (72% to 64%).

The survey found that Indians with a college degree were less likely to hold traditional views on gender roles, although this did not extend to all gender-related issues.

● **Pew Center has released report on gender roles. According to the report, while 55% of Indians believed that men and women make equally good political leaders, "nine-in-ten Indians agree with the notion that a wife must always obey her husband".**

● **Although most Indians expressed egalitarian views on gender roles, with 62% saying that both men and women should be responsible for child care, traditional norms still held sway, with 34% convinced that child care "should be handled primarily by women".**

● **Similarly, while a "slim majority (54%) says that both men and women" should be responsible for earning money, as many as 43% believed that earning an income is mainly the obligation of men.**

● **Also, 80% of Indians agreed with the idea that when there are few jobs, men should have more rights to a job than women. While Indians valued both sons and daughters, nearly 94% said it is very important for a family to have at least one son, with the corresponding figure for daughters being 90%.**

Lines and roles

The time may have come for clarifying the role and functions of Governors

Signs of a confrontation between Raj Bhavan and the elected government in a State are not infrequent in the country. The onus often appears to be on the Chief Ministers to avert a constitutional crisis, as evidenced by Pinarayi Vijayan trying to buy peace with a miffed Governor, Arif Mohammed Khan, rather than pursue a confrontational course, over several issues in recent times. One way of seeing these developments is to attribute them to the appointment of those who have been politically active in the recent past as Governors and the partisan role they play as agents of the Centre. However, the problems may have to do with the way they understand their own powers. Constrained by the 'aid and advice' clause in their routine functioning, some Governors seem to be using the discretionary space available to them to keep regimes on tenterhooks. A Constitution Bench of the Supreme Court laid down in 1974 that the President and Governor shall "exercise their formal constitutional powers only upon and in accordance with the advice of their Ministers save in a few well-known exceptional situations" – "situations" also illustratively listed. Yet, there is the extraordinary situation of some Governors not acting upon requests to grant clemency or assent to Bills; and, in one instance in Tamil Nadu, a reluctance to reserve for the President's consideration a Bill that expressly requires Presidential assent because of obvious conflict with a central law.

Much of the conflict arises due to the Constitution itself. It fixes no time-frame for the Governors to act, and contains, in Article 163, an unusual power to choose what is in their discretion and what is not, with the courts being barred from inquiring into whether any advice and, if so, what advice was given. The Sarkaria Commission on Centre-State relations recommended no change in this scheme, but it is time it is revisited. While as the 'lynchpin' of the constitutional apparatus, Governors indeed have a duty to defend the Constitution and encourage or caution the elected regime, the impression that Governors are not obliged to heed Cabinet advice persists in some areas. At a time when regional political forces are actively seeking to be heard by the Centre, it may be time that the provisions relating to the Governor's role are amended. Identifying areas of discretion, fixing a time-frame for them to act, and making it explicit that they are obliged to go by Cabinet advice on dealing with Bills can be considered. Regarding Bills, it is clear that the Constituent Assembly passed the provision for Governors to return Bills for reconsideration only on the express assurance that they have no discretion at all. In addition, as suggested by the M.M. Punchhi Commission, ending the practice of burdening Governors with the office of Chancellor in universities should also be considered.

An appetite for war but no place for peace

Millennia after Ashoka's well-articulated moral discourse against war, the world is far from walking the talk



RAJESH BHARGAVA

News has just beamed on television screens that Putin has called off the war, expressed remorse at what he has done, deeply regretted the horror he unleashed. He has also publicly apologised for mass murders and for the suffering he has caused to survivors. This has a tremendous impact on other readers/warrior politicians. George Bush and Tony Blair both apologise for the devastation they caused in Iraq. Suddenly, we, humans, are on the verge of a dramatic, revolutionary change in our perspective on the world and the way we think about ourselves. This is a genuine step towards a peaceful world, one in which wars have no place and violent conquests are a thing of the past.

I have allowed my utopian imagination to take flight despite an on-going brutal war that impacts the entire world – hardly a good time for moral self-indulgence. Yet, I feel justified because something like this has occurred at least once when around 260 BCE, Ashoka, a newly crowned war and conqueror. Ordinary people have called against war ever since. Massive popular protests against wars have been witnessed in our own times. But there is no other instance, to my knowledge, when a conqueror denounced his own actions and takes humankind in a new moral direction.

It took a cataclysmic act to transform Ashoka. For until then,

he was himself a follower of the warrior ethic. In pre-Ashokan elite culture, hyper masculine virtues were extolled. In the Rig Veda, Indra, the god of sky, rain and thunder, who, being strong and violent, is also the god of war. Blessed with a muscular physique and terrifying demeanour, he, through sheer brawn, is able to push apart the world into two halves (heaven and earth), whose primordial waters, split open the cosmic mountains so as to free imprisoned sunlight and cattle. With his eye, a Sanskrit word signifying both physical strength and the power to dominate, Indra pulverises rivals. To politically subjugate the enemy, he happily destroys, crushes, splits apart, slays, and breaks his spirit. Bold men like Indra, the most important Vedic god, as the role model and are called *sina* ("fighting, man-charger"). They are skilled in horse and chariot combat. They like murder in cattle raiding expeditions and glorify warfare. Here, violence and conquest are a way of life. Invasion of someone else's territory and its occupation are considered entirely legitimate.

Anti-war consciousness
Ashoka himself followed this ethic until the conquest of Kalinga when the scale of wanton destruction, the displacement of 150,000 people, and the death of at least 1,00,000, left him disheartened and changed his perspective. "On conquering Kalinga, the beloved of the Gods (Ashoka) felt remorse, for, when an independent country is conquered, the daughter, death, and deportation of the people is extremely grievous... all survivors... suffer violence, murder, and separation from their loved ones. Even those who are fortunate to have escaped its direct impact suffer from the misfortune of their friends, acquaintances, colleagues, and relatives". Thus, the war had tragic consequences for practically every resident of Kalinga. He goes on to say, "even if a thousandth of that many were to be slaughtered or deported today, it would have weigh heavily on his mind".



Romila Thapar rightly notes that "the anger and remorse at the suffering in Kalinga is not the regret of a man moved by a passing emotion, but the meaningful conviction of a man who was consciously aware of the sorrow he had caused". Thenceforth, Ashoka publicly denounced the glorification of conquest and dismissed the idea that fame and glory are goods in themselves. The only kind of fame and glory he wished for is one that is achieved by obeying and following the Dhamma, i.e. public and political morality.

From now on, central to the king's Dhamma is *Sarvajana, sarvalokahita* (welfare of all living beings in this world and hereafter). War and conquest upset the physical security of humans as well as the valid pursuit of these goods. Therefore, these must be eschewed. True glory lies in elevating life-sustaining goods of ordinary persons above power and conquest. Thus, by formulating Dhamma, Ashoka attempts to reshape the Brahmanic ideology of masculine culture in its entirety. By rejecting the warrior ethic, Ashoka launched a radically new vision of kingship in which violence became a contingent rather than a necessary, constitutive feature. They do not spring from human nature nor are they intrinsic to the human condition. They stem from insatiable greed and gargantuan ambition. Although it is hard to imagine a world without anger and aggression, or conflict-free human condition, multiple ways exist to manage and contain them. Large-scale violence and war are avoidable.

Humanity's refusal to learn
Yet, the human species refuses to learn. Alternatives to organised violence stare us in the face but powerful rulers carry on regardless. Worse, they invariably justify their cruelty, offer pseudo rationales and increasingly reinforce the belief that war is a part of human nature and violence is granted in our DNA. A subtler justification of war points to the good results it begets. Did not the position of women improve after the Second World War? Did war not get Europe to welfare state? Did it not improve longevity by improvements in education, technology and medicine? These arguments are absurd. Of course, bad things have unintended consequences that may in the long run be good for us. But that is not reason enough to aim to bring about the bad. We must seek out the best peaceful alternatives to secure the good. In any case, we cannot forget that wars are instigated by strong, ambitious men to intimidate the weak into giving up something generally valuable. Wars bring devastation to the many in order to bring enormous material gains to the few. It is therefore painful to see our elected governments pay vast sums of money to protect. At international fora we condemn acts of war and perpetrate on their fertility. But in the same breath we ridicule peace makers as effeminate. Our public discourse continues to be replete with the glorification of machismo.

No escape from wars
Ironically, human awareness against the inevitability of war has grown at a time when the frequency and scale of war have increased exponentially. The 20th century can be aptly described as the Age of Wars with the first quarter of the 21st century already an extension of the 20th century. I will not be surprised if not a single day in the last 100 odd years has passed without large-scale violence and destruction in one or the other part of the world. And not a single year since the so-called 'long peace' has passed in which the most powerful countries in the world have not bombed one or the other of their perceived enemies. Ordinary people in some or the other region of the world have suffered its brutal consequences long after formal war is over. It is more than 2,000 years since we developed a well-articulated moral consciousness against war. But humanity is nowhere near walking the talk.

Rajesh Bhargava is a political theorist and an honorary fellow, Centre for the Study of Developing Societies (CSDS).

An appetite for war but no place for peace

- Article gives reference of Ashoka and mentions how Millennia after Ashoka's well-articulated moral discourse against war, the world is far from walking the talk.

Anti-war consciousness

- It took a cataclysmic act to transform Ashoka. For until then, he was himself a follower of the warrior ethic. In pre-Ashokan elite culture, hyper masculine virtues were praised.
- Ashoka himself followed this ethic until the conquest of Kalinga when the scale of wanton destruction, left him distraught and changed his perspective. Thenceforth, Ashoka publicly denounced the glorification of conquest and dismissed the idea that fame and glory are goods in themselves. The only kind of fame and glory he wished for is one that is achieved by obeying and following the Dhamma, i.e. public and political morality.
- The central to the king's Dhamma is *Sarvajana, sarvalokahita* (welfare of all living beings in this world and hereafter). War and conquest upset the physical security of humans as well as the valid pursuit of these goods. Therefore, these must be shunned. True glory lies in elevating life-sustaining goods of ordinary persons above power and conquest.
- By rejecting the warrior ethic, Ashoka launched a radically new vision of kingship in which violence became a contingent rather than a necessary, constitutive feature. They do not spring from human nature nor are they intrinsic to the human condition. They stem from insatiable greed and gargantuan ambition. Although it is hard to imagine a world without anger and aggression, or conflict-free human condition, multiple ways exist to manage and contain them. Large-scale violence and war are avoidable.

Humanity's refusal to learn

- Yet, the human species refuses to learn. Alternatives to organised violence stare us in the face but powerful rulers carry on regardless.
- We must seek out the best peaceful alternatives to secure the good. In any case, we cannot forget that wars are instigated by strong, ambitious men to intimidate the weak into giving up something generally valuable. Wars bring devastation to the many in order to bring enormous material gains to the few.
- It is more than 2,000 years since we developed a well-articulated moral consciousness against war. But humanity is nowhere near walking the talk.

A negation of the individual and a collective moral decay

Handing down the death sentence in a cursory manner and the ensuing public silence are cause for concern



ARJUN JOSHI & SURABHI VAYA

Last week, a little over 13 years after the blasts in 2008 (in July) in Ahmedabad, Gujarat, the designated court to conduct a speedy trial decided the fate of 78 of the accused people. The Sessions Court building turned into a fortress on the day of the verdict. Unlike other days, people were frisked before they were allowed on the court premises. But in this seeming silence and secrecy, on a video-conference link, 49 people were convicted. When those adjudged guilty were asked if they had anything to say, most spoke with fondness about their family members, many recounted their clean jail records and educational qualifications; some pleaded innocence. Many broke down and begged for mercy.

Within a week, the court sentenced 38 of 49 people to death. In a judgment that was 7,015 pages long, written entirely in Gujarati, the court perfunctorily read out the names of convicts, almost like a school roll call – to – tie a noose around the neck and hang the convict until he is dead. – making it one of the most jarring cases in the history of independent India of the use of discretion to sentence citizens to death.

According to a report by Project 39A at the National Law University, Delhi, a total of 488 prisoners in India (as of 2021) were on death row, which is an increase of nearly 21% from 2020. In one fell swoop, the unprecedented verdict of the court in Ahmedabad has now added a near 10% increase to this number; it is also a reflection of the growing trend of trial courts to cursorily hand down the death sentence.

Degree of retributive justice
Debates on the death sentence often focus on its efficacy or constitutionality. But even the liberal critique sidesteps the central issue: the death sentence grants the state the monopoly of violence. This monopoly is justified by claiming that such a step prevents crime or that it is a measure of long-due justice. But at its core, death as a punishment for the 'rarest of rare' crimes is the highest measure of retributive justice in criminal law, based entirely on discretion.

Fundamentally, 'rarest of rare' is a standard that allows a court of law to use public sentiment as a judicially reliable standard in handing out the death sentence. India's carceral criminal jurisprudence requires a court to calculate proportionality between crime and punishment. But here is a sentence that goes beyond the confines of these calculations to deprive a person of their life – committing an act whose central value itself is immeasurable. Justice P.N. Bhagwati pointed to



this in his dissent from the majority Supreme Court view, in *Bachan Singh vs State of Punjab* (1980). In a remark that discretion is a poor substitute for principle, he held that any standard setting to explain when an institution can kill someone defeats the moral imperative to do no harm. Thus, instead of lifting the moral atmosphere of society, the 'rarest of rare' standard gives an institution the power to bracket people as those who deserve to live imprisoned and those who deserve to be institutionally killed. The impossibility of reform, the heinous nature of the crime, the shock to the public conscience, none of these things sufficiently justify the right of a fallible institution to take someone's life.

The harm of this loose standard is on full display in this verdict under discussion. After the verdict is delivered in any criminal trial, lawyers make what are called 'mitigating arguments' – essentially to contextualise the convict as an individual and not as the accused. In this case, first, the court orally convicted 'en masse' several of the accused instead of declaring the charges proved against them separately. That is, out of the 78 accused, 49 were convicted, but the

point of calling it 'en masse' is because it was done in groups based on charges, and not for each accused, consequently, not indicating the individual roles of the accused. It then directed the defence to commence sentencing arguments without access to the lengthy written judgment that contained specific findings of the court. By depriving the defence of the verdict, the court crippled even the possibility of making a proper mitigation argument. In a bizarre turn of events, the prosecution argued that the defendants should argue for mitigation before it would even disclose which convicts it intended to seek the death sentence. The role attributed to each of the accused was different. By equating them for mitigation purposes (individual circumstances were unaccounted for and context and circumstances were considered to be the same) and handing down a mass death sentence, the court has only opened the door for greater misuse of a questionable power to end a life without any oversight.

Evidence of humanity
Mitigation turns usual court proceedings on their head. Unlike other trial stages where a court adjudicates between competing legal identities of an accused, the complainant, etc., in mitigation, the court hears evidence of a person's humanity. Do they play cricket? Do their neighbours like them? Do they feel remorse or empathy for the people they affected? What if

they are innocent? How should they feel contrition then? Do they demonstrate the possibility of readjusting to life outside prison if they are ever released? It allows discretionary sentencing to don a veneer of compassion when both outcomes – incarceration or death – are fundamentally inhuman. Hearing mitigating circumstances requires – however temporarily – for the trappings of distance and formality to be stripped away so that a court may see a person instead of a convict. As the keeper of public conscience, the court's decision to ignore all reasons to let someone live says more about our collective bloodlust than the 38 people we keep pretending are not one of us. It relies on a remarkably craven view of human potential.

Maybe calling it the death 'penalty' itself is problematic. It is not a levy on delayed tax filings or a moment in a football match. Such a permanent sentence requires us to assume that our institutions are infallible and user-proof. To cast this as a simple 'penalty' ignores what it truly does – and did in this case; it negates the individual for the final time.

— Arjun Joshi is a lawyer practising at the High Court of Gujarat. He assisted in defending eight of the accused in the bomb blasts, (of whom six were sentenced to death and two were acquitted). Surabhi Vaya is a law student who assisted with the sentencing arguments of six convicts in the 2008 Ahmedabad blast case, and who were sentenced to death. The views expressed are personal.

A negation of the individual and a collective moral decay

- In the backdrop of recent court verdict- where a special court has sentenced 38 accused to death and 11 to life imprisonment in the Ahmedabad blasts of 2008, Author provides arguments against the death penalty.
- According to a report by the National Law University, Delhi, a total of 488 prisoners in India (as of 2021) were on death row, which is an increase of nearly 21% from 2020.
- In one fell swoop, the verdict of the court in Ahmedabad has now added a near 10% increase to this number; it is also a reflection of the growing trend of trial courts to cursorily hand down the death sentence.

Degree of retributive justice

Debates on the death sentence often focus on its efficacy or constitutionality. But the central issue remains : the death sentence grants the state the monopoly of violence. This monopoly is justified by claiming that such a step prevents crime or that it is a measure of long-due justice. But at its core, death as a punishment for the 'rarest of rare' crimes is the highest measure of retributive justice in criminal law, based entirely on discretion.

- Fundamentally, 'rarest of rare' is a standard that allows a court of law to use public sentiment as a judicially reliable standard in handing out the death sentence. India's carceral criminal jurisprudence requires a court to calculate proportionality between crime and punishment. But here is a sentence that goes beyond the confines of these calculations to deprive a person of their life — committing an act whose central value itself is immeasurable.

As per the author, instead of lifting the moral atmosphere of society, the 'rarest of rare' standard gives an institution the power to bracket people as those who deserve to live imprisoned and those who deserve to be institutionally killed. The impossibility of reform, the heinous nature of the crime, the shock to the public conscience, none of these things sufficiently justify the right of a fallible institution to take someone's life.

- Handing down a mass death sentence, the court has only opened the door for greater misuse of a questionable power to end a life without any oversight.
- Maybe calling it the death 'penalty' itself is problematic. It is not a levy on delayed tax filings or a moment in a football match. Such a permanent sentence requires us to assume that our institutions are infallible and user-proof. To cast this as a simple 'penalty' ignores what it truly does — it negates the individual for the final time.

The Libyan imbroglio gets more complicated

Peace requires a level of leadership and statesmanship that has not been apparent for several years



Libya's deeply divided politics took a turn for the bizarre when, on February 10, it acquired two prime ministers. This marks the culmination of binaries that have defined the country for the last eight years: it has had two centres of power; two armed forces; two central banks - one controlling the treasury, the other printing the currency; and two rival international coalitions that have influenced politics.

In the east there is the House of Representatives (HOR) in Tobruk that is headed by the speaker, Aguila Saleh. It is backed by the Libyan National Army (LNA) under self-styled Field Marshal Khalifa Haftar. In the west, the Government of National Accord (GNA) in Tripoli was the executive authority; in February last year, it was replaced by the Government of National Unity (GNU).

The broken country has provided a home for several of the region's disgruntled militants, who have joined its various warring groups. These have included militants who were hostile to Chad's President Idriss Deby. One such group, the Front for Change and Concord in Chad (FACT), on April 11, 2021, crossed over from its base in Libya into Chad and, in the ensuing conflict, the veteran president was killed, signalling prolonged instability in the Sahel region.

Libya divided

Till recently, the GNA in Tripoli, which had some ideological affiliation with the Muslim Brotherhood, was backed by a part of the national army and local militia, and was supported by Turkey and Qatar. It controls the northwest of Libya, including Tripoli and Misrata.

The Tobruk administration controls the east, centre and south of the country. It is hostile to the Brotherhood and committed to fighting extremists, particularly those linked to the Islamic State. It thus enjoys the support of the UAE, Egypt, France, the U.S., and Russia. In April 2019, Mr. Haftar, backed by his foreign sponsors and Russian mercenaries



from the private Wagner group, had mounted a major military effort to bring the country under his control; by November 2019, he had reached the outskirts of Tripoli. His march was halted by the GNA's agreement with Turkey for military assistance - Turkey then flew in several hundred of its own soldiers and a few thousand militants from Syria and forced Mr. Haftar to retreat. A ceasefire was arranged under UN auspices in October 2020.

In February last year, the UN special envoy for Libya facilitated the setting up of an interim government, the GNU, in Tripoli, headed by Prime Minister Abdul Hamid Dbeibah, that would include members from the east and west. However, contrary to the earlier proposal, instead of finalising a new constitution, the HOR speaker, Mr. Saleh, unilaterally issued a new election law and decreed that only presidential elections would take place on December 24, thus ensuring that the HOR would remain unchanged and he would retain his authority.

The presidential election threw up three principal candidates - Mr. Haftar; Saif al-Islam Qaddafi, the former ruler's son; and Prime Minister Dbeibah himself. All of them were controversial. Mr. Haftar's democratic credentials were doubtful. Mr. Saif al-Islam banked on the nostalgia for the order and security during his father's rule and amnesia about the attendant tyranny. On becoming prime minister, Mr. Dbeibah had assured he would not be a candidate for the presidency; besides this, he also declined to resign from his post three months before the elections, as required by the electoral decree. None of these candidates enjoyed nationwide support.

Two days before the elections, the election commission declared that,

taking into account "technical, judicial and security reports, it would be impossible to hold elections" on the approved date. This has set the stage for the current imbroglio. Mr. Saleh in Tobruk used the impasse to declare that Mr. Dbeibah's term had ended and, on February 10, announced that the HOR had unanimously elected former interior minister Fathi Bashaga as prime minister. Mr. Dbeibah rejected this appointment and said he would stay in power till elections were held. Mr. Bashaga, who, like Mr. Dbeibah, also belongs to Misrata, said he was proceeding to Tripoli. On February 24, he submitted his cabinet to the HOR for approval.

A complicated set of external developments has led to the ongoing fiasco in Libya - Turkey's diplomatic outreach to Egypt and the UAE. In May last year, a Turkish delegation was in Cairo, ending the freeze in diplomatic interactions from 2013, when the Brotherhood government of Mohammed Morsi had been overthrown in a military coup.

Then, in August, the UAE's national security adviser visited Ankara, and was followed in November by the Crown Prince of Abu Dhabi. The latter promised UAE investments of \$10 billion in Turkey's beleaguered economy and later placed \$5 billion in Turkey's central bank in a swap arrangement. The Turkish President visited Abu Dhabi on February 14.

These engagements are the result of several factors. One, with the U.S. apparently increasingly disengaged from West Asian affairs, the regional states are themselves addressing contentious issues. Second, there is a high degree of crisis-fatigue - the long-drawn conflicts in Syria, Yemen and Libya have caused widespread death and destruction and exacerbated regional instability, but yielded

no military outcome. Finally, the Gulf nations and Egypt now seem less concerned about the challenge from political Islam, particularly the Muslim Brotherhood, given that its internal cohesion and regional influence have significantly abated. These considerations have encouraged regional powers to pursue fresh diplomatic engagements focusing on economic cooperation.

These developments are being reflected in Libya. With the blessings of the UAE, Egypt and Russia, Mr. Saleh has brought about a rapprochement between Mr. Bashaga and Mr. Haftar, with the latter perhaps being promised the post of defence minister in the Bashaga cabinet. Egypt welcomes the Bashaga-Haftar reconciliation as a coalition that would be sensitive to its interests and expand economic links through contracts for its companies and jobs for its citizens. Russia believes that the Saleh-Bashaga-Haftar administration will prioritise its interests over those of western powers and ensure that its bases in the country are not disturbed. Turkey hopes that national unity and stability will enable it to revive its unfinished projects from the Qaddafi era and, with Libyan support, expand its interests in the East Mediterranean.

Outlook for Libya

Libya is once again experiencing the 'one state, two governments' situation of earlier times. The reason for optimism is that, for the first time in several years, we could have a government that straddles the east-west divide, with the support of external powers.

But the outlook is uncertain - Mr. Dbeibah shows no sign of going quietly into the sunset. He has announced several populist measures and has set out a detailed plan to take forward a transparent political process. He is also mobilising militants loyal to him and has warned of war if he is forced out of office. The HOR, meanwhile, has said it will meet shortly to approve Mr. Bashaga's new government. The prospect of renewed conflict cannot be ruled out.

Peace and national unity in Libya require a level of leadership and statesmanship that has not been apparent in the country for several years.

Talmiz Ahmad served as Indian Ambassador to Saudi Arabia, Oman, and the UAE

The Libyan imbroglio gets more complicated

- Recently, the Libya parliament has approved a new government despite the incumbent administration pledging not to cede power, pushing a fragile peace process to the brink of collapse and raising the risk of new conflict.
- Libya now has two prime ministers, two centres of power; two armed forces; two central banks - one controlling the treasury, the other printing the currency; and two rival international coalitions that have influenced politics.
- In the east there is the House of Representatives (HOR) in Tobruk that is headed by the speaker, Aguila Saleh. It is backed by the Libyan National Army (LNA).
- In the west, the Government of National Accord (GNA) in Tripoli was the executive authority; it was replaced by the Government of National Unity (GNU).



The political crisis leaves Libya without a unified government, with the main political and military forces bitterly divided and with no clear path forward. Peace and national unity in Libya require a level of leadership and statesmanship that has not been apparent in the country for several years.

The alarming rise of food shares

Spells of impoverishment during the pandemic were not infrequent, and lower castes and minorities bore the brunt of it

RAGHAV GAIHA, NIDHI KAICKER
& AASHI GUPTA

Few observations survive the test of time. Fewer gain significance over time. Engel's Law is a case in point. A version is that the poorer a family, "the greater the proportion of the total outgo which must be used for food. The proportion of the outgo used for food, other things being equal, is the best measure of the material standard of living of a population." Based on this law, our objective is to examine spells of impoverishment during the pandemic in India. Our analysis is based on the CMIE Consumer Pyramids Household Survey (January 2019-August 2021).

It is not just food expenditures that differ but also diets. The caste-based hierarchy is deep-seated in India, with the Brahmins and other upper castes at the top, and the Scheduled Castes (SCs) and Scheduled Tribes (STs) at the bottom. Traditionally, Brahmins are vegetarian, while SCs and STs are not. Hindus in India are better-off than Muslims on average. While many Hindus are vegetarian, many also eat meat with the exception of beef. Muslims are non-vegetarian and are allowed to eat all kinds of meat except pork.

Rise in food shares

The shock of the pandemic caused breakdowns in food supply chains and a fall in food demand, a consequence of loss of income. Yet, subsistence food requirements had to be met. Amidst the misery, food prices spiked as there was speculative hoarding by food sellers and 'panic buying' by consumers. The lockdowns resulted in a sharp rise in food share across rural and urban India and among all socioeconomic groups comprising various castes and religions, but at different rates.

Among SC households in rural areas, the food share ranged from 46% to 54% before March 2020. However, it surged to about 64% in April 2020 coinciding with the first national lockdown. Similar trends were observed among STs, Other Backward Classes (OBCs) and Others. In urban areas, it was the OBCs and Others who saw a sharp rise. One reason for the opposing results in rural and urban India could be the shift of expenditure in urban areas by the upper castes to home-cooked food – a change in lifestyle forced by the lockdown and fear of the pandemic.

Once restrictions were lifted, there was a sharp decline in food share across all groups. While this decline continued in August 2021, food shares were still higher than pre-pandemic levels. However, the extent of contraction differed between rural and urban areas and among different castes. To illustrate, the food share of SCs recorded the sharpest contraction, followed by Others, STs and OBCs.

In urban areas, the fall was steepest among the STs, followed by Others, SCs and OBCs.

During the peak of the first wave (September 2020), food expenditure shares declined among all households in urban areas. In rural areas, SCs and STs saw a rise in food shares despite relaxation of restrictions. Soon after, food shares declined across all castes until November 2020, followed by a slightly steeper rise which peaked during the second wave, especially in urban areas.

Different religious groups also experienced a sharp rise in the share of food expenditure in both rural and urban areas. The shares of food among rural Hindu households ranged from 44% to 52% prior to March 2020, and among urban Hindu households from 40% to 49%. These shares spiked to over 61% and over 59% in April 2020, respectively. The shares of Muslims in rural areas ranged from 48% to 58%, and in urban areas from 45% to 52% prior to the first lockdown. They rose to about 66% and 62% in April 2020, respectively. The increases were almost double of those in rural areas. At the onset of the pandemic, urban areas were hit harder than rural areas in terms of rising COVID-19 cases, which may have led to greater shifts in food budget expenditure in urban households. After April 2020, the shares declined gradually until November 2020 with a steady rise across all religions in both rural and urban areas during the second wave, with a peaking of the shares in May 2021.

Nothing definitive can be inferred about the impact of the third wave except that it was less severe than the previous waves. It is thus not unlikely that food shares may have risen slightly as the informal sector and employment remained sluggish and the food supply chains were far from fully restored.

Spurts of higher food share are alarming for three reasons: inferior cereals are substituted for expensive cereals; lower amounts are spent on more nourishing foods such as fruits and vegetables; and other essential non-food items such as education and healthcare are neglected. Thus, spells of impoverishment during the pandemic were not infrequent, and lower castes and minorities bore the brunt of it. The Budget (2022-23) is a mixed bag as it seeks to promote growth through investments but neglects deficiency of aggregate demand, especially among the deprived. Whether this is a lack of sensitivity to the plight of the disadvantaged or a misguided growth strategy of growth or perhaps both requires a deeper scrutiny.

Nidhi Kaicker is an Assistant Professor of Management, Ambedkar University, Delhi; Aashi Gupta is a Doctoral Student in Economics, Delhi School of Economics, University of Delhi; and Raghav Gaiha is Research Affiliate, Population Aging Research Center, University of Pennsylvania, Philadelphia

Engel's Law is an economic theory introduced in 1857 by Ernst Engel, a German statistician, stating that **the percentage of income allocated for food purchases decreases as income rises.**

● Analysis is based on the CMIE Consumer Pyramids Household Survey (January 2019-August 2021).

Can a person refuse COVID vaccine? SC seeks govt. view

Court was hearing plea against making it mandatory

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Wednesday asked the government to respond to advocate Prashant Bhushan's "important" argument that a person has an absolute right to refuse COVID vaccine and States cannot compel them to take the vaccine on the pain of denying them basic rights.

Appearing before a Bench of Justices L. Nageswara Rao and B.R. Gavai, Mr. Bhushan said though the Centre had made vaccination voluntary, several States had issued notification making vaccination mandatory by denying basic rights and services to people who are not inoculated against the virus. Even children were denied access to schools if they or their parents were not vaccinated. He referred to reports that children, who have very little chance of contracting the virus, are showing symptoms of myocarditis after vaccination.

'Individual health'

Mr. Bhushan, who is himself not vaccinated, said the decision whether or not to get inoculated solely concerns individual health and not public health as vaccinated people, as their unvaccinated counterparts, continue to get and transmit the virus. In fact, he argued, people armed with natural antibodies after surviving a COVID attack show better resilience.

Mr. Bhushan, appearing for Jacob Puliyl, a former member of the National Technical Advisory Group



Prashant Bhushan

on Immunisation, said the government had ignored getting an informed consent from people about vaccination by being opaque about vaccine trials and by not putting the entire data and inconsistencies up for public and independent scientific scrutiny.

"Vaccines are creating more variants of COVID-19 virus. Mass vaccination creates more variants when the virus tries to escape the effects of the vaccine. Over 90% of the population have already got COVID after the Omicron wave. They now enjoy superior and more robust protection from those who are vaccinated. So why insist on vaccination? I have an absolute right to refuse to take any medicine which I, after study, feel would do me more harm," he argued.

He contended that though "vaccine does prevent, to some extent, people from becoming ill, people who are healthy hardly have any chance to suffer COVID, and nobody knows the long-term effect of the vaccine. If vaccine does not anyway prevent the transmission of the disease, there is no point mandating vaccine as a precondition to access basic

rights and services".

Countering for the government, Additional Solicitor-General Aishwarya Bhati said 96.8% of the population had already taken their first dose and 80% their second dose. Mr. Bhushan's contentions were of no significance at this stage. Ms. Bhati said Mr. Bhushan's "tall claim" about children showing symptoms of myocarditis had no relevance as the vaccine administered to them in India was Covaxin which contained dead or inactive virus.

Justice Rao, addressing Mr. Bhushan, said that he might be taking the court into the "deep realms of science" and judges were not scientists.

Limited enquiry

However, the court said it was ready to go in for a "limited enquiry" into the question whether the decision taken by the States to make vaccination mandatory was based on relevant data or executed arbitrarily.

"Before I take medicine, I have to give consent. For it to be informed, I need to have all the data placed before me. Trial data has to be released in order to be studied. Otherwise, trials are conducted by the pharmaceutical companies. They will hide inconsistencies. Data need to be released to be studied by independent scientists," Mr. Bhushan argued.

The court asked the government to place its response in an affidavit by Saturday and posted the case for March 8.

● several States had issued notification making vaccination mandatory by denying basic rights and services to people who are not inoculated against the virus. Even children were denied access to schools if they or their parents were not vaccinated. He referred to reports that children, who have very little chance of contracting the virus, are showing symptoms of myocarditis after vaccination.

● Over 90% of the population have already got COVID after the Omicron wave. They now enjoy superior and more robust protection from those who are vaccinated. So why insist on vaccination

Clear road map for 5G auction: PM

Modi cites Biden's call to 'Make in America' and rely less on foreign supply chains

JACOB KOSHY
NEW DELHI

Citing U.S. President Joe Biden's State of the Union address where he exhorted Americans to 'Make in America' and rely less on 'foreign supply chains', Prime Minister Narendra Modi on Wednesday said India too ought to be *Atmanirbhar* [self-sufficient] and take cognisance of this "global trend".

"Make more cars and semiconductors in America. More infrastructure and innovation in America. More goods moving faster and cheaper in America. More jobs where you can earn a good living in America. And instead of relying on foreign supply chains, let's make it in America," said Mr. Biden on Wednesday.

Mr. Modi was speaking at a webinar to discuss Union Budget allocations for



science and information technology, and said the Budget laid emphasis on "sunrise sectors" such as Artificial Intelligence, geospatial systems, drones, semiconductors, space technology, genomics, pharmaceuticals, clean technologies and 5G.

The Budget laid a clear road map for 5G spectrum auction, and PLI schemes had been proposed for de-

sign-led manufacturing related with a strong 5G ecosystem. He asked the private sector to increase its efforts in this area.

'Use of technology'

"We are familiar with the principles of science, but we have to emphasise how to make maximum use of technology for the ease of living," Mr. Modi said.

The global market for

gaming was expanding and therefore the budget had focussed on Animation Visual Effects Gaming (AVGC). India needed to adapt toys to "Indian milieu and needs," he said.

The Prime Minister exhorted the private sector to take maximum advantage of change of rules for the use of geospatial data and the infinite opportunities that had emerged due to the reform.

"The world has seen our reliability from our self-sustainability to vaccine production at the time of COVID. We have to replicate this success in every sector," Mr. Modi said.

Mr. Modi also emphasised the importance of a robust data security framework for the country, and asked the gathering for a road map for setting standards and norms for that.