



# THE EDITORIAL PAGE

WORDLY WISE  
IF YOU'RE OFFENDED, IT'S YOUR PROBLEM.  
— SALMAN RUSHDIE

## The Indian EXPRESS

FOUNDED BY  
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

# Government vs citizen

Pegasus scandal points to the making of a surveillance state. Our freedoms are at stake



MISHRI CHOUDHARY

## SLOW AND STEADY

Disengagement at Gogra is welcome, but resolving differences in Depsang is key to diffusing tension on Ladakh LAC

ON THE FACE of it, the disengagement by the Indian Army and the Chinese People's Liberation Army at Patrolling Point 17A at Gogra Post in Eastern Ladakh is a positive development, but amid the continuing tensions in the larger theatre of the western sector of the LAC, it is hard to see it as a breakthrough of any kind. The disengagement took place after the 12th round of military commander-level talks and, according to the Indian side, was carried out on August 4 and 5. Disengagement means that troops of the two armies deployed at the point will no longer be eyeballing each other, a situation that could quickly go out of control as it did in the Galwan Valley last year. However, the situation in the Gogra Post area, that involved perhaps less than 50 soldiers on each side, was not as dire as it was on the northern bank of Pangong Lake, where a similar disengagement took place in February this year from an almost war-like posturing by both sides with tanks and troops facing each other over a distance of a few hundred metres.

Both armies are said to have removed all their temporary structures from near PP17A. As at Galwan and Pangong, a mutually agreed no-patrolling zone has been created, and the troops have fallen back to their respective bases. From the Indian point of view, this means that the extent of patrolling of the troops has shifted further inward from PP17A. It is hoped that the suspension of patrolling is only a temporary measure — the Indian officials have said it is — until a larger resolution of the differences on the border question takes place between India and China.

Further rounds of talks may yield similar disengagement at PP15 in the Hot Springs area, which has been another friction point. That will still leave the Depsang area, where Indian troops were patrolling up to the extent of PP 10, 11, 11A, 12 and 13 until February 2020, but are now being prevented from proceeding beyond a point that is about 18 kms inside Indian territory. There have also been reports of a massive build up of military infrastructure by China in the area, on its side of the LAC. Considering that the relatively flat terrain of Depsang makes it vulnerable to an offensive, and the Chinese posturing in this area poses a threat to the strategically important Darbuk-Shyok-Daulat Beg Oldie Road, resolving differences in this area is what actually matters now. Unless that happens, de-escalation — the reduction of the total number of troops deployed, around 50,000 on the Indian side — in eastern Ladakh, and a breakthrough towards the overall reduction in India-China tensions, will remain elusive goals.

## MIX AND MATCH

ICMR study on mixing Covishield and Covaxin could open possibilities. More rigorous studies are called for

IN THE INITIAL months of the pandemic, when the quest for vaccines had just begun, a section of epidemiologists suggested the possibility of using mixed immunisation as one strategy against the unpredictable pathogen. Using a pair of two different vaccines was also advocated as a panacea to supply shortages. Now an ICMR study on 18 people, who were administered Covaxin as their second shot after having received Covishield as the first jab, has yielded encouraging results. The inadvertent mixing of shots triggered a superior immunogenicity profile — including against the virus's more infectious variants — as compared to that produced by two doses of the same vaccine. However, the researchers have rightly cautioned that more detailed analysis is required before the mix-and-match approach becomes an accepted part of the anti-Covid strategy.

For at least two decades, researchers have been trying to find potent immune response combinations against several viral diseases, including HIV. In recent years, the endeavour seems to have met with some success with respect to the Ebola vaccine. The Moscow-based Gamaleya Research Institute that has been at the forefront of this research used the approach to develop its anti-Covid vaccine, Sputnik V. The vaccine uses two different vectors for its two shots — the first dose has the same adenovirus as in the Ebola virus, Ad5, while the second shot uses Ad 26. In the past three months, a slew of studies has suggested broadening the frontiers of the combination approach — pairing shots that use fundamentally different technologies. Preliminary studies show that adenovirus-based vaccines induce strong T-cell response — cells critical to early recognition and management of viral infections — whereas messenger RNA vaccines generate a high number of antibodies. Training the immune cells by a viral vector followed by an antibody boost could, therefore, lead to a potentially stronger defence against a SARS Cov-2 attack. A similar quest is reportedly behind a joint initiative by Gamaleya and AstraZeneca that explores the possibility of combining vaccines developed in the two laboratories. The ICMR study indicates the possibility of Covaxin, which relies on chemically inactivated viruses, becoming part of another potent pair.

Mix-and-match trials have not reported significant side-effects so far. But experts say these trials need to have several times more participants to pick up rare events. Caution is also imperative because the endeavour combines shots that have different adverse event profiles. Studies are already underway to ascertain the most potent gap between doses in a combination approach. ICMR needs to upscale its endeavour in these directions.

## CLASSROOM ASSEMBLY

In the rush to forbid words in Madhya Pradesh assembly, powers that be may have forgotten what legislatures are all about

ULLU KA PATHA certainly qualifies as "unparliamentary language", and calling someone a "chaar sau bees" on the floor of the state legislature may well be stretching the bounds of rhetorical flourish. But the list of 1,560 words forbidden in the state assembly, compiled by officials in Madhya Pradesh over three months, also seems to be more pointed in some of its exclusions. After all, accusing the Treasury of "corruption", "lying", "murdering democracy" and "deceit" is much of what the Opposition does.

The directions issued to the MLAs by the MP assembly is the first of its kind, but is unlikely to be the last. After all, which political party in power wouldn't want to stifle the most catchy criticisms of itself under the guise of maintaining decorum? The special status enjoyed by legislators across democracies — parliamentary privilege — can be among the peskiest forms of free speech. And like most forms of robust debate, it can turn unruly. In fact, Chief Minister Shivraj Singh Chouhan, while justifying the legislative assembly's move, likened the House in session to a "fish market".

Most people in India will be familiar with the "fish market" simile from their school-days. Teachers have often employed the term to describe and control an over-excited bunch of kids. But MLAs, elected representatives of all kinds really, are not children and the House ought not to be run like a classroom, where obedience is more important than questions, mannerisms more important than criticism. And perhaps most important of all, while it took three months to frame the list of words elected men and women cannot utter, the Monsoon Session of the MP assembly will meet for only four days. It seems that in trying to create a minefield of rules to allow the House to function with "decorum", the powers that be in MP forgot to slot time for it to meet.

The past few days have once again provided extensive evidence of a cyberattack on Indian citizens. Barring the evasive statements issued by various ministers of the Government of India, we are yet to hear any substantive explanation of why phone numbers of several Indian politicians, including Rahul Gandhi, activists and lawyers were found to be amongst the 50,000 other phone numbers believed to be potential surveillance targets by governments around the world. It is correct that for a variety of reasons, forensic testing that might have revealed infection by NSO's Pegasus was not possible in each of these cases. But the presence of these numbers does call for a thorough investigation, instead of another word salad being offered by the government. The French and Israeli governments have already ordered an investigation.

Most followers of this controversy will remember that this is not the first time the current government has been accused of snooping on civilians. In 2019, it was alleged that NSO's software was used by GoI to exploit a vulnerability in WhatsApp to illegally spy on 24 citizens, and hack as many as 121 Indians. All that resulted in was bombastic denials by ministers, and blocking of any action by the ruling party. The Parliamentary Standing Committee on Information Technology chaired by Shashi Tharoor had held some hearings but no substantive outcome resulted or at least no information was made public. Such inaction across board leaves us citizens to wonder whether the surveillance structure is one where all parties are complicit and the inaction is deliberate after some obligatory public outrage.

In 2019, WhatsApp, in order to avoid any conflict with GoI, decided to sue NSO in California. The documents filed in that lawsuit tell us that Pegasus could "remotely and covertly extract valuable intelligence from virtually any mobile device". Pegasus was designed, in part, to intercept communications sent to and from a device, including communications over iMessage, Skype, Telegram, WeChat, Facebook Messenger, WhatsApp, and others. Pegasus was modular malware, which meant that it could be customised for

different purposes, including to intercept communications, capture screenshots and exfiltrate browser history and contacts from the device. That case is now on the discovery stage, in which both sides can request documents and records that may reveal more.

This is only a part of the surveillance structure that operates unbridled in India. On March 11, the Indian government casually announced the adoption of facial recognition technology enabled surveillance. We were told that using photographic and other information from government "databases", 1,100 individual participants in the Delhi riots had been identified. The number was later raised to 1,900. When other advanced democracies, including the European Union and several states in the US, have been slowing down or stopping use of facial recognition in the public sphere altogether, here in India, we seem to be not only traveling at top speed in the other direction, but the actions of the government indicate that rule of law is no more than a small bump on the way.

There are at least three other projects that are building a 360-degree surveillance mechanism by the government. These projects, namely CMS, NATGRID and NETRA, operate under complete secrecy without any publicly available information. CMS and NETRA are demonstrably among the most invasive in the world — all the more so, considering how a patchwork of broadly worded laws with questionable compliance rates allows them to tap into virtually any network, often without the knowledge of the service providers themselves. NATGRID was built with an intent to enable government agencies to get information such as bank account details and transaction details, in violation of the principles which were laid down in the Supreme Court's Puttaswamy judgment.

There seems to be a concerted effort to create a surveillance state, monitor free flow of information and use technology to control instead of empowering citizens. Where the government reads every face, political dissent is under permanent intimidation. We cannot live our lives outside the range of others' cameras anymore.

What should happen now? First, we should not allow this to be yet another scandal that captures our attention for a few weeks before some other thing erupts. We all must keep the pressure on.

Second, an independent inquiry commission must be set up. This commission should not be headed by one or two Supreme Court judges but by a panel consisting of members of judiciary, civil society and technical experts. We must also ensure that the matter is not sent to the CBI, who the Supreme Court itself has called a caged parrot.

Third, in the absence of an independent judicial inquiry ordered by the Supreme Court, states should order the kind of investigations the state of West Bengal headed by Mamata Banerjee has ordered.

Fourth, all the victims should approach courts, police and ask for their rights to be enforced. Courts should stop buying the catchall argument of national security and allow governments to use the market to create an infrastructure of surveillance. Government's right to have continuous access to our data, without adequate safeguards, should also be held a violation of constitutional human rights.

Fifth, information about the three surveillance projects, namely CMS, NATGRID and NETRA, should be publicly available and they must be subject to the principles laid down in the Puttaswamy case.

Sixth, we must use this opportunity to force Parliament to make by statute a strong personal privacy charter protecting the right to be free from forms of behaviour collection and mass data analysis that are demonstrably harmful. Such an Act should not have any exceptions. It should subject all government surveillance — and government use of private surveillance technologies — to the rule of law.

Without the freedom to think freely, there are no rights that can be exercised by anyone. If we leave this discussion only to politicians and don't hold them accountable this time, we are doomed to live through the death of freedom.

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## NOT JUST A DALIT

With Bahujan movement weakening, there's revival of caste pride among SCs



BADRI NARAYAN

WHO WANTS TO be called a Dalit? A young student from an Uttar Pradesh village, who belongs to a Scheduled Caste, asked me this question. He said, please don't call us "Dalit". He explained that it is an insulting term that produces an inferiority complex and that they prefer to be called by their "caste names". These have a glorious history as the communities have produced kings and seers.

The student further said that one of their main struggles is to acquire an identity that may give them social confidence. This is the post-Bahujan social truth that one observes in a state like UP. There are many Twitter handles and Facebook pages run by youngsters from various marginalised communities arguing for, describing and asserting their caste identity as a form of social glory. They are engaged in inventing their caste heroes, histories and icons and creating various social groups to disseminate this information and forge a caste-centred public sphere. In another conversation, a few educated youngsters from these communities explained that those who see them from the outside, such as people from non-SC social groups, politicians, academics, media and many civil society organisations, call them "Dalit". On the other hand, many people from SC communities who are mainstream Ambedkarites also call themselves Dalits and, while using this term, they seek to project themselves as an assertive community struggling for social empowerment.

The term Dalit is not so popular in states like Punjab, Rajasthan and Madhya Pradesh.

Among a sizeable section of the marginal communities in Punjab, asserting oneself as "chamar da puttr" (son of a leather worker) is preferred. The verdicts of various high courts and Supreme Court commissions also discourage the use of the term "Dalit" in official communication.

In the villages of UP, very few people from the marginalised communities use "Dalit" to define their social and political identities. Most of them use their caste names or the governmental term, "SC". However, some politicians frequently use "Dalit" in their political discourse, thus showing the gap between political language and the people's language. Many social activists, civil society groups and NGOs use the term "Dalit" without understanding the ongoing reconfiguration of the communities' sense of identity.

Kanshi Ram may have recognised the problem in using "Dalit" while addressing the rural marginalised communities of UP, which is why he preferred to use "Bahujan" in his political discourse. Mayawati also preferred to use "Bahujan". Kanshi Ram's project of invoking caste identities among the marginalised and their conversion to a broader Bahujan identity is almost non-functional now in UP. When the Bahujan movement was stronger in the state, the emphasis on separate caste identity-based glory and pride was almost invisible. Now, when Bahujan assertion seems to be weaker, the assertion of caste pride and dependence on caste glories appears among marginalised communities.

and are reshaping Dalit public discourse in urban and rural north India. Where the sense of caste glory once worked as a socio-psychological resource for the production of the Bahujan public, it is now also working to facilitate the formation of the Hindutva public.

The growing trend of asserting caste identity among the marginalised is a replication of the "graded inequality" of the caste system diagnosed by B R Ambedkar. It may cause the production of a new set of multiple inequalities. This emerging phenomenon may also hurt the Ambedkar-initiated project of the annihilation of caste in Indian society but it needs to be documented and discussed to understand the mobilisation of marginalised communities of north Indian society. We also need to understand what Michel Foucault meant when he opined that identity is not fixed but, rather, is a discourse mediated by our interactions with others. "Dalit", which was once an empowering term for a section of the marginalised, is now considered insulting by other sections.

In fact, changes in identity also denote changes in aspirations. Managing this new sense of identity requires the crafting of new electoral and mobilisational politics and political diction. Let's see which political group comes up with a new craft to mobilise the support of various castes and communities under the Dalit-Bahujan-marginalised categories.

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## AUGUST 10, 1981, FORTY YEARS AGO

**BUREAUCRATS MOVED**  
PRIME MINISTER INDIRA GANDHI has carried out a major reshuffle of secretaries in her government. At least three senior secretaries have been reverted to other states. Twelve other ministries will have new secretaries. The government has decided to appoint T N Chaturvedi as Home Secretary. He will succeed S M H Burney who will take over as Governor of Nagaland and Manipur. Chaturvedi is Education secretary at present. The new commerce secretary will be Abid Hussain now with the Asian Development Bank. The government will have IAS officers as secretaries for the first time. They will be

Anna George Malhotra who will be education secretary and Sarla Grewal, the social welfare secretary.

**WORLD BANK REPORT**  
While praising India for making progress on food and some other fronts, the latest World Development Report of the World Bank is severely critical of India's performance in infrastructure areas and its continued lag in exports compared to its potential. Figures given in the publication show India in a poor light with regard to overall growth rates as well. Perhaps for a country moving towards socialism, the strongest criticism is in the statistics. The top 10 per cent households have 33.6 per cent of

household income.

**REAGAN APPROVES BOMB**  
THE US PRESIDENT Ronald Reagan has authorised the building of the neutron bomb which kills with radiation but does not destroy property. Key US allies like France, West Germany and the UK have been appraised of the US decision. The plan according to the White House is to keep the bomb in the US and not deploy it elsewhere. The decision can lead to building stockpiles in six months. Meanwhile, the Soviet Union has said that the US decision smacks of "cannibalistic instincts" and Moscow has right to respond.

