

Gist of EPW December Week 2, 2021

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1. The Ordinance Raj

Context

The recently repealed [farm laws](#), which faced strong public uproar had been passed through the ordinance route. Hence the issue of misuse of ordinances has gained public attention.

Introduction

An Ordinance is a law that can be promulgated by the President of India (Article 123) or by a Governor of a State (Article 213) on the aid and advice of the respective governments when either of the houses is not in session. These ordinances fail to continue if the parliament takes no action within six weeks from its reassembly.

The ordinance does not find its place in the “Westminster Model of Democracy” that we have adopted, but it was retained as it was a part of the [Government of India Act, 1935](#).

Read more on the [Ordinance Making Power of President & Governor](#) in the link.

Misuse of Ordinances

- Ordinances were initially adopted as an emergency provision and though necessary safeguards were introduced to prevent their misuse, these measures have not yielded expected results.
- Ordinances have been issued continuously on various controversial issues/matters to evade parliamentary scrutiny and debate. The average number of Ordinances issued in a year has been constantly rising since the 90s and has seen a steep increase in the last decade.
- Ordinances have also been re-promulgated multiple times, which was earlier seen in the States.

Supreme Court Rulings

- [D C Wadhwa vs the State of Bihar, 1986](#)

The SC quashed the re-promulgated ordinances by the Governor of Bihar and held that “the **legislative power of the executive to promulgate ordinances** is to be used **in exceptional circumstances** and **not as a substitute for the law-making power of the legislature**”.

- **Krishna Kumar Singh vs State of Bihar, 2017**

SC held that “**Re-promulgation of ordinances is a fraud** on the Constitution and a subversion of democratic legislative processes”.

In spite of such strong rulings by the SC, the judgements have failed to curtail the Executive’s urge to overuse ordinances.

Conclusion

Although India has been successful in conducting “free and fair” elections, the true success of a democratic system can be measured by looking at what happens in between the elections.

Undemocratic practices such as misuse of money bills, suppression of opposition, and use of money power to alter the mandate of the citizens have been on the rise in the last few decades, and misuse of Ordinance power is one among them which undermines the “**Principle of Separation of Power**” which is a part of the **basic structure of our Constitution**.

2. Need for Equalising Endowments

A Lesson from Two Centuries of Global Inequality (1820–2020)

Introduction

This article talks about the persistence of inequality as seen over two centuries.

Rising levels of inequality at the global scale are of major concern as it has an immense effect on the Social and Political unity of the system.

Given the importance of the issue, “Reduce inequality within and among countries” is added as **Goal 10 of Sustainable Development Goals (SDG)** (2015). Likewise, many institutions such as the **World Inequality Lab** at the Paris School of Economics have taken up studies to demonstrate the trends in global inequalities over the last two centuries.

Highlights of the Report

- In the period 1820-1920, inequalities at the global scale increased in both inter-and intra-country levels.
- In the period 1920-1980, a continuous increase was seen in the inter-country inequalities while the intra-country levels eased a bit.

These observations provide detailed insights into the pattern of varying inequality levels.

Impact of Population and Incomes on Inequalities

- The last two centuries saw an evolving imbalance in the population across the globe.
- The change in the population balance of the world has a huge impact on global inequalities.
- The comparison of per capita income of regions with declining populations and regions such as Southeast Asian and African countries also reflects the same.
- Two centuries ago, the top 10% of the population accounted for about 50% of the global income, whereas the bottom 50% of the population had a share of just 14%.
- Currently, the share of the top 10% of the population has raised to 55% of income and the share of the bottom half of the population has shrunk to a scanty 7%.
- The top 1% of the population has a share of about one-fifth of the total income.

This gives us clear evidence of the implications the population and their income has on the inequalities. A systematic approach of redistribution is to be adopted to instil balance in the regions.

Impact of Average Income Levels on Inequalities

- In 1820, the average income of the top 10% of the population was around 18 times more compared to that of the bottom 50%
- By 1980, the difference has widened to about 50 times.
- In 2020, the numbers have come down to 37 times, which is still a substantial number.

These figures show the details of the divide within the segments of the global population.

Cause of Concern

- The display of inequalities among the top 10%, middle 40%, and bottom 50% shows the huge gap between the rich and the poor and questions the presence of the middle-class population in reality.
- Also, it questions the extent of success of various policies implemented on both national and global levels to promote inclusive growth.

Conclusion

The prevalence of inequality as seen over two centuries clearly points towards its genesis in establishments that maintain inequality in such a consistent way. To improve and attain convergence in the economic status of populations across the world, the policies of redistribution have to be thought of beyond taxation or ruthless progressive taxation with state-sponsored social security on the lines of Europe, which shall prevent the accumulation of wealth in a few individuals to a great extent.

3. Strategic Dissonance in Afghanistan and a Way Forward

Afghanistan has been a hub for many foreign interventions in the last two centuries starting with the **Afghan wars** (19th century), proxy war **between US and USSR** (late 20th century), and the **US Global War on Terror** after the 9/11 attacks. Afghanistan was at the crossroads of the “**Great Game**” rivalry between the mighty empires of Britain and Russia in the 19th century.

Historical Background

In this article, the historical background of recent events in Afghanistan and its relevance to India’s foreign and security policy are analysed.

- **The Beginning**
 - When Pakistan was formed, the Emir of Afghanistan did not accept the **Durand Line** (Afghanistan–Pakistan border) across the North-West Frontier Province (NWFP) and protested since the territories of Baluchistan, Baltistan, and Gilgit belonging to the Afghans were handed over to Pak by the British.
 - However, the British transferred the Khyber Pakhtunkhwa (NWFP region) to Pakistan as a ploy to divide the Pashtun people, in spite of protests from Pashtuns led by Khan Abdul Ghaffar Khan famously called the “Frontier Gandhi”.
- **The Entry of the US**
 - The US considered Afghanistan as a bridge to the **Turkmenistan–Afghanistan–Pakistan–India (TAPI)** energy pipeline, which was proposed to supply oil to South Asia and to compete with Iran’s **Iran–Pakistan–India (IPI) pipeline**.
 - The US was also interested in the mineral deposits in largely unexplored locations in Afghanistan’s borders.
 - The US supported the “**Mujahedeen**” (Jihadist forces) who were fighting against the then Afghan government that was supported by the USSR. In July 1979, President Jimmy Carter sanctioned 500M USD to fund the “Mujahideen” that was jointly trained by the CIA (US), the MI6 (Britain) and the Pakistan forces. “**Operation Cyclor**” was instituted to destroy any government in Kabul and out of this eventually came the “**Taliban**” and “**Al-Qaeda**”.

- The [Taliban](#) gained prominence from 1996 to 2001, as they overpowered many of the allies of the US during its war with the Soviet Union. The Taliban, in its new avatar, reclaimed power on 15 August 2021 after the surrender of the Ashraf Ghani government.
- **Impact of US Occupation and Withdrawal**
 - The US-led war on global terror cost more than **eight trillion USD** and killed about **one million people**. The US spent **2.3 trillion USD** on military operations in Afghanistan and Pakistan.
 - **Noam Chomsky of Gulf News** pointed out that “US strategy of bombing villages and killing people in the middle of the night, just like in Vietnam, played into the hands of the Taliban akin to the Tet Offensive in Vietnam in 1968. A military strategy of airpower and indiscriminate drone strikes cannot work in a scenario of guerrilla warfare”.
 - There are reports that heroin production was encouraged to finance the CIA’s illicit activities.

Impact on India

The Developments in Afghanistan have their implications on India and the developments seem to have surprised India, a statement by the Chief of Defence Staff indicating “that this is not being expected so soon” confirms the same. This reflects the lack of effective intelligence.

India was also not part of the multilateral conference that took place with Russia, China, and Pakistan with the aim of a dialogue between the Afghan government and the Taliban.

India remains in a state of delusion and denial regarding the importance of Pakistan to America’s geopolitical interests in the region. Also, we have little coordination with Iran and Russia on this issue, who with China, seemed to have given support to the Taliban against the US.

Way Forward for India

It is reported that the Taliban has acknowledged the \$3 billion development aid by India. Stanikzai, a Taliban senior leader stated “India is very important for this subcontinent. We want to continue our cultural, economic and trade ties with India like in the past”. In this regard,

- India has to engage with the Taliban using both formal and backdoor channels.
- India must strive to protect its people-oriented investments in Afghanistan like the three dams, Parliament building, road networks and the medical facilities and also, involve in the grassroots development projects that focus directly on the people as a goodwill gesture without expecting anything in return.
- India must continue its trade relations in spite of the current challenges in transit.

- India should use its soft power to persuade the Taliban to restore the rights of women and minorities in Afghanistan.
- India also needs to factor in strong political and economic cooperation between Russia and China in Eurasia.

Conclusion

As George Hegel says “The only thing that we learn from history is that we learn nothing from history”, the recent events in Afghanistan have important lessons for us to learn. Dialogue is necessary with all the involved stakeholders to maintain peace and stability in the region. Shortcomings in intelligence gathering and analysis should be repaired.

However, the main lesson learnt is that “irrespective of how strong the military and money power is, intervention in another country for dubious reasons will certainly result in failure”.
