



A thought for today

The emergency care system and facility-based care in India are in their infancy

NITI AAYOG, 2020

Get Back, Docs

Rajasthan doctors' protest is utterly unreasonable

Patients in Rajasthan have been put to great hardship for over 10 days as the medical fraternity has been agitating against the state's Right to Health Bill, which was passed by the assembly on March 21. Doctors from private establishments want it to be rolled back. The Indian Medical Association on March 28 issued a media statement threatening "aggressive action to protest" if there's no rollback. But the doctors' conduct is unacceptable, and patients have borne the cost of the disruption.



Private sector doctors fear that the bill will undermine their business model as they will be forced to offer free treatment. Let's take a look at the legal obligation. Indian jurisprudence has used the Constitution's Article 21 to conclude that no one can be denied emergency medical services as the "golden hour" is often the difference between life and death. Also, Tamil Nadu in 2021 introduced a scheme whereby all hospitals had to provide emergency treatment to stabilise victims. The cost is reimbursed by the state if the patient can't pay. Therefore, Rajasthan's RTH bill is not wholly novel or something IMA is unacquainted with.

Coming to RTH, it's taken six months to make its way through the assembly. During that time, the state government made changes to the original draft to offset the medical fraternity's fears. For RTH to take effect, rules have to be framed. It's only then that details about the kind of private establishment covered by RTH and the reimbursement process will be clear. Doctors have reason to be wary of payment delays but there's opportunity to discuss these matters with the government. Of course, we wouldn't be in this position if India had effective public healthcare. Governments need to spend more to realise it.

Lahore Lesson

If Pak HC can scrap sedition law, surely SC can do it

Lahore high court deserves high praise for scrapping Pakistan's sedition law, calling it inconsistent with the country's constitution. The progressive move should inspire us. In October 2022, our Supreme Court granted the Centre additional time to review the colonial law, telling the Centre to not register fresh FIRs under Section 124A. This was a follow-up on SC's order of May 2022 that put on hold the contentious sedition law.

In Pakistan, as in India, the sedition law is legacy of the colonial penal code for the subcontinent – the India Penal Code 1860 in which Section 124A, the section on sedition, was added as an amendment in 1870. From the very start, Section 124A was used against anti-colonial voices against whom no other charges could be slapped. That the law has survived 156 years is testament to how successive governments in Pakistan and even in consistently democratic India have viewed freedom of speech. The law, over the decades, has been used voraciously to intimidate and silence critics including opposition, journalists, human rights activists and even student protesters.

In the current political turmoil in Pakistan, Lahore HC reading down the sedition law is historic; it also unencumbers Imran Khan. Our SC should not allow the government any more ifs or buts. Scrap sedition. It's a law that needs no crime to be committed. It's a wrong law used to punish for wrong reasons the wrong people.

Human Genome Editing: Scientists Vs Rogues

A world gathering stands against 'designer babies'

Heritable human genome editing remains unacceptable at this time, was the conclusion of the Third International Summit on Human Genome Editing held in London last month. Here are some of its highlights, picked out from the videoconference proceedings.

- The protesters outside did carry placards with slogans like 'Stop designer babies'. But the scientists gathered inside from across the world focused on the remarkable progress made in somatic human genome editing instead, where changing genes in some of the cells of an existing person does not impact their heritable cells.
- One of its most notable success-

with the announcement that he had used CRISPR to alter the embryos (created through IVF) of twin girls to try to make them resistant to HIV.

- Audience questions chased the absence of scientific public documentation of how this 'experiment' is going despite its potentially momentous consequence to the future of humanity – in a way reminiscent of how the origins of Covid also remain shrouded in China. In its responses, the organising committee emphasised both that patients' privacy must be protected and that Jiankui's own submissions have been failing the test of peer review.
- Different papers about the regulatory situation within China since 2018 offered diverse perspectives. One stressed that although there have been advances in scientific securitisation and ethicisation, the new measures are not addressing how research that is funded by private and other non-governmental sources shall be monitored. This is especially important in light of how the latest five-year plan underscores the role of "entrepreneurs" in directing research.

Another referred to ongoing efforts to tap into cutting-edge

mindfield
SHORT TAKES ON BIG IDEAS



es, via CRISPR gene editing, is curing sickle cell disease – a monogenic disorder that affects around 20 million people worldwide. Overall, around 800 gene therapies are now in the clinical development chain.

- But the extremely high costs and infrastructure needs of current treatments are not manageable for a vast majority of either patients or healthcare systems. In the US the first gene therapy cost around \$1 million and the last one was shy of \$3.5 million. Achieving market authorisation is therefore only one step in the journey to get the therapies to those who need them.
- The existing paradigm of cost effectiveness includes the health gains of the individual over their lifetime and also the reduction in future costs to the healthcare system. But this involves many ethical questions. For example, if blindness does not cost the healthcare system a penny, from the investment perspective does the cure for blindness end up being worth not very much?
- The ghost of the 2018 Second Summit in Hong Kong was ever-present at the Third. Back then Chinese scientist He Jiankui had shocked all

western genomic and biotech ecosystems through academic espionage and early stage investment.

- While a very spotlighted set of problems has already shown that these technologies can accomplish pretty miraculous things, what lie ahead are sweeping changes that by the century's end could quite alter the understanding of what human beings are. In India what should especially resonate is a paper from South Africa that underlined how the quest for equity is not just a matter of cost, ownership and access but also the processes of knowledge production and knowledge produced. Genome editing research reaching its full therapeutic potential for Indians will need science in India to step up.

Trump And The Tempest

His indictment won't just hugely impact next US elections, it will also change America's relationship with politics in fundamental ways

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Arguably one of the most famous poems in American literature is Robert Frost's 'The Road Not Taken'. The poem centres on an individual traveller, who, coming upon two roads diverging in a wood, takes "the one less travelled by (because it was grassy and wanted wear)... And that has made all the difference". What the difference is we don't know; a cryptic Frost does not elaborate. Presumably it served the traveller well.

Collectively as a nation though, America had traversed a road well trodden and well worn, rarely choosing a path less travelled. Political systems instituted at the birth of the Republic have served it well, allowing a democratic transfer of power with predictable and metronomic regularity after elections every four years.

It has also consecrated an imperial presidency in which the White House occupant, once elected, is immovable during his term regardless of any infraction. In his time in the Oval Office, Donald Trump emphasised this with the assertion that the president can do no wrong. Since the people elected the president for a four-year term, they had reposed confidence in him for the length of the term, and anything he did was on the basis of that mandate. He would even pardon himself for his infractions.

As the nation wrestled with the prospect of putting a sitting US president on trial, Nixon chose to quit. Trump is not only not a quitter, but he clearly intends to use his legal troubles – and the spectacle that will accompany them – to power his way back to the White House

Whether this extended to a White House occupant's pre-presidential peccadilloes or post-presidential capers is something that has never been tested before. By convention, in an unspoken compact, even former presidents have been accorded the same level of immunity as incumbents.

But then, Trump is no ordinary former president, most of whom faded into the twilight after their term. He is a live-wire politician and a putative

second-term president running for the White House in 2024, after a gap term he never really conceded. His alleged infractions cut through his term in the White House and across either side of his presidency. And he is being called to account in several cases stretching across and beyond his turbulent term in office.

The immediate development that has turned America – already a political powder keg – into a tinderbox is the decision of a Manhattan grand jury, in a case overseen by the district attorney, to indict Trump for paying \$130,000 hush-money to an adult entertainer – routed through his former personal attorney Michael Cohen – to buy her silence for an alleged affair he had with her, ahead of his 2016 White House election.

The legal aspects of the case, intriguing in itself, have been overwhelmed by the political, social, and racial dimensions, because the prosecutor in this case, Manhattan district attorney Alvin Bragg is a Democrat and black. Cries of political vendetta, weaponisation of the legal system, and miscarriage of justice have erupted among Trump's mostly white MAGA constituency, without waiting for the case to play out.

Even if Trump navigates and negotiates the Stormy squall, there are other tempests in the offing. In Atlanta, prosecutor Fani Willis has said indictments in the high-profile investigation into Trump's alleged efforts to subvert the 2020 election results in Georgia are "imminent". In another case in New York, attorney general Letitia James has filed a civil lawsuit accusing Trump and his family of financial fraud and sought to bar Trump and members of his family from running a business in New York because the former president "falsely inflated his net worth by billions of dollars".

The fact that Willis and James are also black Democrats has brought the focus on the political and racial aspects of the case, largely ignoring the fact that they are elected officials. In a system inherited from the Dutch, who governed New York (then called New Amsterdam) in the 17th century, most state prosecutors and judges in America are elected because administrators of that era believed that they would be less susceptible to pressure than political appointees.

Bragg for instance was elected in 2021 defeating a Republican candidate (and becoming the first African American to be elected New York County district attorney). He will be up for re-election again in 2025 after his four-year term.

But such is the extent of political polarisation in America that partisanship is automatically assumed even in legal and judicial circles now. Political hacks are now recounting the famous repartee then presidential candidate Kamala Harris essayed in 2016 when she was taunted by Trump after she was forced to drop out of the race. "Too bad. We will miss you Kamala!" Trump tweeted. "Don't worry, Mr President, I'll see you at your trial," Harris clapped back. That moment has arrived.

Beyond the immediate political jockeying – including within the Republican Party where many moderates are only too happy to see Trump's brought down – the slew of cases constitutes the biggest test for American democracy and political systems since Watergate.

As the nation wrestled with the prospect of putting a sitting US president on trial, Nixon chose to quit. Trump is not only not a quitter, but he clearly intends to use his legal troubles – and the spectacle that will accompany them, including being handcuffed, fingerprinted, and photographed – to power his way back to the White House.

Whether or not he succeeds, the case also takes America down a road not taken – where no future president, current or former, is immune from criminal prosecution. As with Frost's traveller, we don't know whether the outcome will be good or bad. Only that it will make a difference.



'Indian' & 'Pakistani' Walk Into Brit High Offices...What Happens?

Nothing much. Sunak & Yousaf's ethnicity won't change key policies, neither do they want it to

Rashmee Roshan Lall



Heard the one about the Indian and the Pakistani, abroad in Britain? That's a variant on the opening line of the well-worn joke convention featuring two people of different nationalities, cultures or professions.

Usually, they say or do something that raises a smile while simultaneously addressing a complex issue revolving around stereotype or mindset.

In 2023, the joke may be on Britain. The Indian and the Pakistani, both of Punjabi heritage, have been busy doing politics. At the highest level. The Pakistani has taken office as first minister of Scotland, which is roughly analogous to CM of an Indian state. Hamza Yousaf has vowed to lead a campaign to partition the United Kingdom and were he to succeed, he would effectively be setting himself up to be the Jinnah of tomorrow's Scotland.

It falls to the Indian then to be the Nehru of today's Britain. As the first Hindu and non-white UK PM, Rishi Sunak is the man who's meant to hold it all together.

Separately and together, Yousaf and Sunak have made history. Within six months of Sunak's ascent to the highest office in Britain, Yousaf has become the first South Asian Muslim to take charge of a western European semi-autonomous democratic country. Both men are deeply conscious of the symbolism and history-

making weight of their ascent. If Sunak is known for lighting Diwali lamps on the doorstep of Downing Street, Yousaf famously took his first Scottish parliament oath back in 2011 in Urdu, while wearing a kilt.

The rise of Sunak and Yousaf illustrates the realities as well as the usual platitudes about the depth and breadth of ethnic and faith diversity at the very top of British politics. But more striking by far is the extent to which they have neither tried to remake their nation's politics, nor signalled any intention to do so.

The new first minister is no straight swap for Nicola Sturgeon, who is known as much for her gamine bob and feisty communication skills as for the passionate intensity with which she champions Scottish independence. Instead, Yousaf's critics sometimes call him "Humza Useless" and in the words of one political sketch writer, he's somewhat "like a leader created by ChatGPT".

During the SNP leadership election, his main rival challenged Yousaf's elevation to Sturgeon's role with

this devastating critique: "More of the same is not a manifesto, it is an acceptance of mediocrity." The plaint is that Yousaf's ethnicity is more notable than his governing abilities and that he has "failed upwards" in a succession of ministerial briefs, including transport, justice and health.

Even his decision to plough the long furrow towards a sunlit future of Scottish independence appears to be based on a somewhat selective reason to seek the brutal political partition of a nation. Five years ago, Yousaf explained to a Scottish political magazine that the 9/11 attack on the Twin Towers in New York profoundly changed his worldview and that after the 2003 invasion of Iraq, he realised independence was the only way to keep Scotland out of British wars. If anything, Yousaf may indicate the importance of a nuanced foreign policy in a multi-ethnic society, but also the need to leave domestic concerns at the water's edge.

As for Sunak, there is little sign he plans to rewrite the country's political script, seek to seed the British curriculum

with knowledge of the Raj and propel the state towards emollient engagement with the sores of history.

His controversial new asylum and migration law is one example. Joining with his home secretary Suella Braverman, another politician of Indian origin, Sunak wants a policy that is not humane, workable or even in line with international law. The European far right is united in praise of the proposed legislation, which follows in the wake of Australia's brutal and staggeringly successful 20-year-old 'stop the boats' policy towards uninvited migrants. Interestingly, the Sunak-Braverman policies have been criticised as "cruel", "heartless" and "racist".

Should we have expected different from Sunak and Braverman? Should Yousaf in Scotland be held to a standard that is more inclusive? Braverman has challenged the idea "that a person's skin colour should dictate their political views" and Sunak has previously joked about compliments for his "tan". It is, as Priyamvada Gopal, Cambridge professor of postcolonial studies once noted, "the triumph of a carefully managed and trivialised diversity".

Diversity is a meaningless word unless it signals real change. The colour, cultural heritage or DNA of those who run the show may be changing. Not the politics.

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Narayani Ganesh

When Beatle Paul McCartney wrote lyrics for the number titled 'The Fool On The Hill', he was alluding to his meditation teacher, Maharishi Mahesh Yogi, who tended to giggle and laugh a lot. To Paul, as a seeker, along with his fellow Beatles John Lennon, Ringo Starr and George Harrison, the fool actually refers to the wise fool who sees the world and everything in it from not just a higher perspective but from a position of great clarity. He laughs since he is amused at all the petty bickering and misunderstandings that happen in the course of one's daily life, all because one lacks perspective and insight. The title of the song is also believed to have been inspired by the Dutch design collective titled 'The Fool', which in turn is said to have been inspired by the Tarot card titled 'The Fool',

that is valued at Zero, and hence could be the first or last in the pack of cards.

The fact remains that all through time, the wise knew that the fool is not to be taken to be dumb or insignificant, because although he may seem foolish and idiotic, the fool is actually wise and even to an extent, enlightened. Hence, the court jester, the fool, in any king's palace, is one who can make a joke of anything and everything, and make everyone laugh, when there are so many challenges and stress factors floating around. To accomplish this is no mean task; it required the fool to have knowledge, deep insight, wisdom and tact to be able to make light of serious situations and bring in fresh perspective.

"From a traditional point of view," says Bradley Olson, writing in Joseph Campbell's newsletter, the 'Mythblast',

"the Fool is a zero, a nobody; one to be ridiculed and degraded. The Fool is thought to be impulsive, irresponsible, unorthodox, unmannered, an empty-headed, naive simpleton who lacks good judgement. The Fool is often understood to be graceless, senseless, and ugly – sometimes even deformed. He may be a dwarf, or otherwise deformed. Fools may also be incredibly pompous while simultaneously being shockingly incompetent. But there is another, deeper, side to the Fool, an aspect that is the most important of this multi-faceted, bewildering, disturbing, frustrating, and yet ultimately revitalising and creative archetype: the Wise Fool."

In the sociopolitical climate of the early 2000s, when the word 'fool' returned to common use, fear dominated the emotional landscape of the time,

says Olson.

Perhaps the "bewildering uncertainty of Postmodernism" triggered a return to the conservative concept of the fool, because the more rapid the pace of change in a society, the more frangible, malleable, and unfathomable life becomes, the more appealing conservatism becomes. The traditional fool can subvert and invert challenging situations that pose threats and risks to stability, thereby making everything more tolerable and manageable. And everyone loosens up.

Coming back to the song 'The Fool on the Hill', what McCartney was trying to convey is that one needs clarity of perspective and the confidence to be able to turn things upside down – to engage with the world and yet be outside of it – and still make sense of it all with love, without getting burdened about it. ganeshnarayani@yahoo.com Today is All Fools' Day

More About The Fool On The Hill



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