

Editorial

Monday, June 11, 2018

The Tragedy of Higher education: Are we moving towards an insecure future

The greatest tragedy of our society, as it turned out, is the inconceivable reluctance to embrace change and accept the realities of life. What made it worse is the fact that there is an ever-present

expectant air of anarchistic freedom. Perhaps, the public have got so attuned to the protracted disturbances and social unrest at a subconscious level that we have now come to accept these frequent social unrest and flare-ups as a way of life. There is no other plausible explanation for the innumerable acts of wanton violence and irrational destruction which apparently provides sadistic pleasures to the rapidly growing rank of perpetrators.

The underlying current of uncertainty and uneasiness that has pervaded our society, even at the

best of times, speaks more for the situation we all have come to experience and abhor, but have been forced to endure. One of the most affected section of the society during the present social flare-up, or any social unrest for that matter, has been the student community. One would be hard pressed to come up with a single year without the disturbances and interruptions in their academic activities. With such protracted disruptions year after year, do we now have the right to expect the students to perform to their optimum and to compete with students from the rest of the country and come up trumps? Don't we at least owe them the responsibility to shield and protect them from influences and disruptions which take them away from their main priorities- to acquire and assimilate knowledge which will help them achieve their dreams and help in changing the society for the better?

We need to provide them an atmosphere free of apprehensions and tensions- an ambience conducive to development of knowledge and progressive thinking. Students, especially those who are below the graduation level should not be made to indulge in agitations and protests, except under extreme circumstances when absolutely required.

We have been increasingly witnessing the participation of very young students, some as young as primary level, either voluntarily or through coercion, in various demonstrations, protests and agitations.

They need to be made to understand their priorities and be provided with enough space and support to realize their full potential. And contrary to popular argument, home schooling in the state is a concept whose time is yet to come. For now, educational institutions remain the only practical option for imparting knowledge and teaching social interaction skills to the impressionable young minds. What is worrying is the impasse that is going in Manipur University creating total disturbances to the academic atmosphere. The students are losing out on valuable time and opportunities because of the irresponsible attitude of the VC. It would be the most prudent move for us all if we can ensure a disturbance-free atmosphere for the students in the state. We owe at

least that much to ourselves and to the future of the state. And for that a efficient, dedicated persons need to be appointed as the Vice Chancellor of the Manipur University.

Legal Clinic

Section 354 of Indian Penal Code

By: Joy Sarkar,
Legal Practitioner

Section 354 of Indian Penal Code lays down provision for punishment in case of assault or criminal force to woman with intent to outrage her modesty. The section states as follows:-

Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

A charge under Section 354 is one which is very easy to make and is very difficult to rebut. It is not that art of emity false implications are made. It would however be unusual in a conservation society that a woman would be used as a pawn to wreck vengeance. When a plea is taken about false implication, Courts have a duty to make deeper scrutiny of the evidence and decide acceptability or otherwise of the accusation. In order to constitute the offence under Section 354 mere knowledge that the modesty of a woman is likely to be outraged is sufficient without any deliberate intention having such outraged alone for its object. There is no abstract conception of modesty that can apply to all cases.

A careful approach has to be adopted by the Court while dealing with a case alleging outraged of modesty. The essential ingredients of the offence under Section 354 IPC are as under:

- (i) that the person assaulted must be a woman;
- (ii) that the accused must have used criminal force on her, and
- (iii) that the criminal force must have been used on the woman intending thereby to outrage her modesty.

Intention is not the sole criteria of the offence punishable under Section 354 IPC, and it can be committed by a person assaulting or using criminal force to any woman, if he knows that by such act the modesty of the woman is likely to be affected. Knowledge and intention are essentially things of the mind and cannot be demonstrated like physical objects. The existence of intention or knowledge has to be called out from various circumstances in which and upon whom the alleged offence is alleged to have been committed.

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Manipur and Development

Political Economy of Collusion

The write up produced here is the lecture delivered by Prof. Amar Yumnam on Arambam Somorendra Memorial Lecture held yesterday, the 10th June, 2018 at Lamyamba Shanglen Palace Compound

I feel greatly humbled for having given me this opportunity to share with you some of my ideas on what I feel about the development dynamics characterising Manipur in memory of one of the great souls Manipur has had in recent centuries. While I had heard of Shri Arambam Somorendra on many discussions and debates with my friends, my personal interaction with him was a very short and late one. A few months before he passed away, I had the first and the last interaction with him. I had the opportunity of travelling together with him across the Barak Valley for about ten days. This short togetherness and the consequential interactions gave me the occasion to appreciate him as a person. Three impressions have got embedded in me. First, the non-assuming ability of him to interact and debate across age groups is unparalleled. Second, his robust ability to converge the cultural roots with contemporary social strengths is something to be emulated. Third, the holistic way he analyses contemporary socio-political problems exhibits how concerned and erudite he is.

Today, I shall try to honour his soul by committing myself to the principle of the Austrian School of Economics and so wonderfully put forth by Jeffrey Tucker, thus, in the introductory chapter of his book: "... We live two realities: the one the government imposes on us and the one we adopt in our real lives.... [J]ust because government mandates certain things and forbids others does not mean that we must follow or even tolerate the official roadmap for our lives".

The previous Memorial Lectures have certainly ushered in a process of opening the Black Box of the society and polity of Manipur. I would make a small attempt today to open the economic component of the Black Box which has put Manipur in what it is today. Before I come to the core arguments of my presentation, I would like to make the framework of my articulation clear. I am certainly thinking of the dynamics in Manipur post-1949. I may be asked why I have taken this year as the take-off point of my articulations. The personal reason is that I am particularly very weak in the knowledge and understanding of the distant past. But I do have an academic and pragmatic reason for this.

I do understand and subscribe to the contemporary approach in Economics of examining development as path-dependent phenomena; history is important. Path dependence "implies at the very least a sequence of events narrowing the scope of action eventually resulting in a state of persistence or inertia The decision pattern used repeatedly in the past may even amount to an imperative for the future course of action so that ultimately no further choice is left. In order to explain the dynamics of these processes, self-reinforcing processes have been identified as major drivers which are likely to accumulate in a specific path of action.

The inherent self-reinforcing dynamics – being driven typically by the 'externalities' arising from the actions of other agents, or strongly routinised (learned) individual behaviours – is likely to pass quickly beyond the control of any individual actor; the regime takes the lead and potentially renders the process into a non-reversible state of local equilibrium or "lock-in".

This phenomenon need not necessarily be continuum all the time for there could be "path-breaks"; instead of following the same old path there could be shocks or interventions that invariably resulting in following a path different from the earlier one. It is this sense that I have taken 1949. This year marked the end of a phase and initiation of a new one in the evolutionary dynamics of the political economy of Manipur. In the subsequent years, Manipur has experienced something like Acemoglu and Robinson writes about Congo:

The history of the Kingdom of Congo, and the more recent history of the Congo, vividly illustrates how political institutions determine economic institutions and, through these, the economic incentives and the scope for economic growth. It also illustrates the symbiotic relationship between political absolutism and economic institutions that empower and enrich at the expense of many.

Having spelled out the reason why I have taken 1949 as the pathbreaking year for understanding the contemporary socio-politicoeconomic dynamics of Manipur, it is now incumbent on my part to explain what I mean by development. Without taxing more of your time, let me define it straightaway. *Development is a process and an outcome where the people of any society, given the institutions and the geography, have the opportunity to move to a higher level of well-being than the prevailing one; people should experience the scope for assured employment and income sooner or later.*

The key words here are process, outcome, institutions and geography, and I shall be coming to these soon. Let me talk of the implications of the definition I have adopted. The post-1990 development literature has established that development is a process to be understood contextually and the results to be experienced *in situ*. Development for Manipur cannot happen and experience in Delhi⁴; both process and outcome should be occurring in Manipur. We are not ruling out the flows – inward as well as outward – of capital, but emphasising the primacy of generating endogenous productive strengths.

I particularly consider Institutions and Geography as the exemplary differentials for Manipur, it would be in place here to jointly appreciate the meanings of the two terms. First, let me take up institutions.

In the light of path dependence and contextualising development endeavours, the significance of institute is paramount. But what do we mean by these? While economists encompass both formal and informal institutions in their analysis, other social scientists generally confine to the informal ones. The credit for bringing institutional approach to development in the centre-stage of economic analysis and starting a new industry should be given to Douglas North.⁵ Though references are now more frequently made by both North and others to his earlier contributions⁶, it was his 1990 classic⁷ which made an indelible mark on both academic and non-academic intelligentsia. North expounds what is generally called the *rules of the game* or *property rights* approach to the institutional explanation of development.

North's endeavour is to provide a vital component to a unified theory of development by analysing "the institutional framework that defines the deliberate incentive structure of a society", the other components being theory of demography and knowledge.

For North economic development⁹ is a path dependent phenomenon. North rejects the usual assumption of economists of ergodicity of phenomenon as anti-historical. He asserts that the world is characterised by Knightian uncertainties; while the earlier dominant physical uncertainties have decreased the uncertainties associated with human environment have increased. So human beings have faced uncertainties all along.

These uncertainties arise both in a world of perfect perception and imperfect perception, the former because "knowledge depreciates in value over time"¹² and the latter is self-evident. In order to tide over these uncertainties, there has been "the deliberate effort of human beings to control their environment".

It is in this process that human beings have devised rules of the game or constraints that shape human interaction. These encompass both formal and informal constraints, and may be either created or evolved.

In other words, human beings construct belief systems regarding the way the politico-economic system works and should work, which serve as the "resultant institutional matrix [that] imposes severe constraints on the choice set of entrepreneurs when they seek to innovate or modify institutions in order to improve their economic or political positions." These structures are the "institutions [that

humans impose on [human] landscape in order to produce the desired outcome"¹⁵. Belief systems and institutions are internal and external structures of human representation. These have shaped human behaviour and their interaction. North sees organisations – whether economic, political or social – as players or agents that "provide a structure to human interaction". They are formed with certain objectives of their own and their competition within the rules of the game lead to changes in institutions themselves. Institutional change is generally *incremental* as sharp changes would be resisted by existing organisations. This incremental change thus takes place in consonance with the *existing institutional matrix*. Change, therefore, is path dependent. In this process, the earlier personal exchange relationships have been replaced by impersonal exchange relationships through the market. North attributes the resultant growth to a massive reduction in production costs which more than offset the rise in total transaction costs. There is strong emphasis on the political or rather the political economic aspect of institutions in North.¹⁷ It is this aspect which now constitutes the major areas of contribution and debate within Institutional Economics. This is what Hall and Jones¹⁹ do when they analyse the cross-country differences in productivity on the basis of differences in *social infrastructure*²⁰. Now the political economics of institutions, including state, is a highly studied area.

(Remaining part of the lecture will be produced on our next issue)

The plastic waste menace

By: Junroi Mamai

The World Environment Day celebration on 5 June this year was hosted by India this year. With this year's theme being 'Ban plastic pollution', the United Nations Environment Organization has urged the world's governments, industries, communities and individuals to come together and explore sustainable alternatives and urgently reduce the production and excessive use of single-use plastic that pollute the oceans, damage marine life, and threaten human health.

As per statistics, the world uses 500 billion plastic bags each year, and at least 8 million tonnes of plastic end up in the oceans – which could mean that a full garbage truck is dumped into the ocean every minute. It is also reported that 50 percent of the plastic we use is single-use or disposable. About one million plastic is bought every minute and it makes up 10 percent of all the waste we create.

Plastic bag pollution is a major threat to both marine and land animals. The animals often consume plastic bags and die a slow and painful death. These easily available bags have also polluted our rivers and streams and choked the life out of the already diminishing aquatic life. Unfortunately, despite so many campaigns and awareness against the use of polythene bags, the problem of plastic pollution persists and shows no sign of decrease.

We do not have to look far, for all our roads and streams and rivers are filled with it. Without a moment's hesitation we chuck all our garbage covered in a polythene bag into the river or out into the street. These bags end up into the bodies of animals, with often fatal consequences.

We have also been witness to the slow degradation of many beautiful streams in our twin capital cities, which have slowly turned into foul-smelling flowing garbage dumps. Heaps and heaps are thrown into these streams that ultimately drift into the river. What we do not realize is that the huge amount of garbage we regularly dump into these streams and rivers has caused irreparable damage to the ecosystem. Rivers are our lifeline; we cannot choose to ignore its rapidly increasing pollution rate.

Since synthetic plastic does not biodegrade, there is an urgent need to reduce its use, if not completely stop it, besides encouraging regular recycling. Research shows that, though invisible to the naked eye, microscopic plastic particles are present in the air at various locations throughout the world and oceans. It is time we encouraged strong public interest and participation and took ownership of our environment.

(Courtesy: AT)