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# NICKELED AND DIMED

JUNE 2021



# THE ISRAEL-PALESTINE CONUNDRUM: DOMESTIC DENOUEMENT



BY TEJASWINI VONDIVILLU  
& DEEPANSHU SINGAL



The recent 11-day 'conflict' which started on May 6th, 2021 between Israel and Palestine invoked international rallies in support of the latter. It initiated several intellectual debates amongst scholars through the lens of history, politics, humanitarianism, international law and economics. In this article, the economic cost of such a devastating 'conflict' will be analysed, from the perspective of both the states.

## The costs to Israel

The impact of Israel's involvement in Palestine manifests itself through several different channels. Israel has a much stronger economy as compared to Palestine. The country's credit score remains "AA-" according to S&P Global Ratings. The economic impact of Israeli activities in Palestine is not trivial. As it is, Israel's public debt rose to 73% of its GDP due to COVID. According to estimates by an Israeli newspaper, Calcalist, every Iron Dome missile cost Israel about \$80,000 to \$90,000. This is excluding the cost of all the air strikes, maintenance of ground personnel, surveillance, etcetera. All of these factored-in, raises the Israeli security budget by about 1% of their GDP.

However, it is misleading to judge the economic impact of this only in terms of security spending. The political instability caused due to this conflict, internationally and domestically, adds to the many costs. Moreover, one cannot forget the devastating impact of the COVID induced recessions on the economy. These contests have led to a large fractionalisation between the Arabs and the Jews in the country. This feeling of animosity and mistrust pummels the level of human capital, ringing the death knell for Israeli economic growth and recovery.

One study mentions that Israel's GDP per capita was lowered by \$2,003 per annum (in 2005 US\$) due to the Second Intifada. Another study states that its GDP would have been a whopping 26% higher at minimum, if not for the tensions. According to RAND International, the best outcome for both Israeli and Palestinian economies would be a 'Two State-Solution'. If not that, even a coordinated or uncoordinated unilateral withdrawal from Palestine wouldn't be as painful as the current situation let alone a violent uprising. It is clear that for the Israeli economy, the direct costs incurred due to its affray with Palestine might not be significant, but the mammoth opportunity cost cannot be ignored.

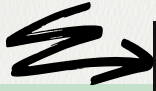
## The costs to Palestine

Through a very robust analysis over the years, Statista shows that the human cost for the Palestinians is far more than that for the Israelis. The United Nations Office for the Coordination of Humanitarian Affairs estimates that between the period 2008-2021, about 5,870 Palestinians have died while about 123,481 have been injured. Proportionally, 262 Israelis have died while about 5,693 were injured. These figures include the fatalities and casualties from the 11-day 'conflict' too. It can thus be reasonably argued that it is an exaggeration on the part of Israel to state that the Israel-Palestine 'conflict' was equally devastating on both ends.

The United Nations approximated that 800,000 people in Gaza do not have regular access to clean piped water and in the recent bombings, 50% of the water network was damaged. Access to electricity has been reduced to 5 hours a day. All 13 hospitals in Gaza are overwhelmed with flooding victims from the 'conflict' and are facing shortage with respect to supplies. The World Health Organization's spokeswoman Margaret Harris called for immediate access for health supplies as well as personnel into the region. She reckons the blockade that Palestine faces, from Israel as well as Egypt, which bans travels and restricts the movements of essential goods such as electricity and water alongside is curbing Palestinians' freedom to move. A report by Human Rights Watch estimates that about a staggering 80% of Palestinians live on humanitarian aid.

While the humanitarian cost is already high, the economic cost is, to put it euphemistically, ravaging. Access to essential goods such as water, electricity and homes has been destroyed, restricted access to, or irreversibly damaged. Sectors such as agriculture, energy, and many other factories and industries have been reduced to rubble. There are restrictions in access to raw materials, personnel for aid, basic goods and services; making economic recovery harder. With accessibility to the building blocks of any economy itself questioned, damaged or in a state of perpetual conflict, how can there be hopes of long-term growth? Another immeasurable cost is that of trauma and mental illness inflicted upon children and citizens of all ages. It is so vast, it cascades to substantially reduce the little hopes of a somewhat sustained economic recovery for Palestine. While we are secure in our nationality, territory, economic opportunities and basic survival, the same cannot be said for Palestinians. In times like this, it becomes imperative to step into the shoes of the innocent victims of these 'conflicts' to really understand the severity that strikes unannounced on this land.

# CHANGING CONTOURS OF 'EXTRAORDINARY CIRCUMSTANCES': DILAPIDATING SOCIAL HIERARCHIES IN INDIA.



BY SHOBHIT SHUKLA



## Introduction

The Maharashtra State Reservation for Socially and Educationally Backward Classes Act, 2018 ('**SEBC Act**'), was struck down by the Supreme Court on May 5, 2021. The SEBC Act established 16 percent reservation for the Maratha community in public education and jobs, bringing the state's overall reservation quota past the 50 percent limit set by the Court in *Indra Sawhney Etc. vs Union of India and Others* ('**Indra Sawhney**').

Through this judgement, the Supreme Court has now eliminated the longstanding ambiguity regarding the constitutional validity of the breach in the reservation cap created by the SEBC Act, Gaikwad Commission Report. In light of the same, it is crucial to understand how the Apex Court arrived at this verdict and understanding the legislature's intent by juxtaposing this judgment against the contrary decisions given by the Courts previously.

## Upholding the Constitutional Validity of the Constitution (One Hundred and Second Amendment) Act, 2018.

The Constitution (One Hundred and Second Amendment) Act, 2018 ('**Amendment Act**') grants the National Backward Classes Commission ('**NBC Commission**') statutory recognition. The President has the authority to alert backward classes under the Amendment Act. The Supreme Court recognized the NBC Commission's authority to advise the President in some issues granted to them by Article 338B of the Constitution. In the tradition of 'cooperative federalism,' while the designation of SEBCs will be handled nationally, state governments will maintain the right to decide the degree of reservation and make clear policy. As a result, the Supreme Court ruled that only the President can recognize SEBC and add it to the registry. States would only request that SEBC be added to the list, and thus the 102nd Constitutional Amendment was upheld by the court.

## Juxtaposing Against the Gaikwad Commission Report; Through the Scope of 'Extraordinary Circumstances'.

The Justice M.G. Gaikwad Commission report, proposed a reservation for the Marathas on November 2018. However, while recommending reservations, it had not specified the percentage of reservation. Instead, it looked to the 'exceptional circumstances' and 'extraordinary situations' generated on declaring Marathas as socially and educationally backward and their consequential entitlement to reservation. The Gaikwad Commission thus, left it to the government to take an appropriate decision within the Constitutional provisions to address the emerging scenario in the State. Based on this report, the Maharashtra legislature passed the SEBC Act on November 30, 2018, granting the Maratha Community a 16 percent quota in education and government employment, with the state government declaring them a socially and educationally backward class. The Supreme Court however, said that the evidence gathered and tabled by the Commission as stated in the study proves that Marathas are not a socially and educationally backward class, disapproving the conclusions of the Gaikwad Commission on the grounds of which Marathas were listed as SEBCs. In reality, the Marathas are a dominant forward class and are fully integrated into national life, therefore no such 'extraordinary situation' arises for them.

## Conservative Interpretation Leading to a Progressive Outcome

The Supreme Court applied a conservative interpretation to restore the original intent of the *Indra Sawhney* judgment and reached a progressive conclusion regarding the parity of the Maratha community. The Supreme Court held that *Indra Sawhney's* judgment has stood the test of time and has never been called into question by any other decision of this Court and that it was bound by it as well. It further held that providing reservation for the advancement of any socially and educationally backward class in public services is not the only means and method for improving the welfare of the backward class and that the State should take other measures such as providing educational facilities to members of the backward class at no cost, giving fee concessions, and providing opportunities for skill development to the backward class into consideration.

## Conclusion

The Supreme Court's judgment is a welcome one; it relies on constitutional provisions regarding affirmative action for backward communities. The Court upheld the intent behind the *Indra Sawhney* judgment and the Amendment Act; this not only impacts the Maratha Community's call for quota but also acts as a deterrent and an essential precedent to the increasing trend in such calls across the country.

# BETWEEN THE EAGLE AND THE DRAGON - A REVIEW OF DAVID SHAMBAUGH'S WHERE GREAT POWERS MEET: AMERICA AND CHINA IN SOUTHEAST ASIA



BY SAGARA ANN JOHNY

As the United States and the People's Republic of China enter a new era of their battle for global dominance, Professor David Shambaugh's new book, *Where Great Powers Meet: America and China in Southeast Asia*, challenges the predominant understanding of how this power dynamic plays out in one of the world's most geopolitically significant regions - Southeast Asia.

Portuguese traveller Tomé Pires once remarked that 'Whoever is Lord in Malacca, has his hand on the throat of Venice'. Perhaps this exact sentiment echoes in Shambaugh's new book, as he marvels at the ships from all over the world that pass through the Malacca Strait and the immense Chinese infrastructure projects being built right next to it. However, Malacca is just one of the many factors that make Southeast Asia one of the most geopolitically significant regions on the planet. Most importantly, it serves as a microcosm of the global competition between two of the world's biggest superpowers - the USA and China.

In his latest work, David Shambaugh - the Gaston Sigur Professor of Asian Studies, Political Science & International Affairs - delves into the rivalry between the two nations as it plays out in Southeast Asia. He explores the historical legacy and the contemporary roles of the US and China with respect to the ten member states of the Association of Southeast Asian Nations (ASEAN), setting in context his predictions for the future of these power relations. Through the course of his book, Shambaugh argues that the potential capabilities of the United States in Southeast Asia are "underappreciated", while those of the People's Republic of China are "overestimated".

## The Dragon's Fading Shadow

Shambaugh's book builds a convincing case for this argument by highlighting the growing concerns among Southeast Asian experts about China's overreach into their nations. Evidence for these concerns can be found in the Mekong Delta, where China has built dams that restrict the water flow of the Mekong river to countries located downstream such as Myanmar, Laos and Cambodia. Thus, Shambaugh's claim that China's sway over the region may decline and give way for more US influence seems likely considering the former nation's increasingly controversial policies towards ASEAN countries.

This analysis contradicts the popular understanding that China is the inevitable hegemon in the region, exploiting the US' waning presence by dragging the ASEAN states into its sphere of influence. However, the flaw in this perception is that it frames Southeast Asian countries as mere pawns in a game dominated by superpowers, due to their lack of a "cohesive identity". Shambaugh avoids this misconception by dedicating a whole chapter to exploring the agency that each Southeast Asian nation exercises when dealing with the two superpowers. He recognizes that none of them fall entirely under American or Chinese influence. Instead, they maneuver between both countries by aligning with China in certain domains while seeking ties with the US in others. Simultaneously, these nations engage with middle powers such as India, Japan and South Korea to balance against the two dominant powers.

He also emphasizes that despite ASEAN's lack of consensus on several issues, its ability to juggle the influences of these various powers has kept the region relatively peaceful. This understanding aligns with what Ambassador Kausikan describes as the instinct to simultaneously "hedge, balance and bandwagon" which is a key feature of Southeast Asian diplomacy.

## The Eagle's Advancing Shadow

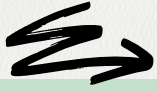
While Shambaugh's analysis of China's weakening diplomatic ties in the region is grounded in reality, his hope that the US will act on these opportunities may still be a pipe dream. After a golden era of US-ASEAN relations under President Obama, the four years under the Trump administration were marked by the notable absence of the US from key policy meetings in Southeast Asia. According to political scientist Nehginpao Kipgen, the United States may have "missed the bus" on the opportunity to define trade rules in the region when it withdrew from the Trans-Pacific Partnership (TPP), encouraging its Southeast Asian allies to sign the Regional Comprehensive Economic Partnership (RCEP) agreement with China that eclipses the TPP.

While Shambaugh acknowledges these problems, he concludes that ASEAN countries may still wish to work with the US to counter China's growing footprint in the region. Following his experience in the Obama administration, Biden may wish to deepen his security ties with ASEAN countries. However, it is unlikely that Biden will also reverse the decline of the US' economic influence in the region due to the lack of domestic political support for free trade. As a result, it remains to be seen whether Shambaugh's prediction that all Southeast Asian nations will return to neutrally hedging between both superpowers across all domains will come true.

## The Future of Great Power Rivalry

As the development and distribution of vaccines by both the USA and China add yet another dimension to their conflict, David Shambaugh's description of the rivalry between the two nations as an "indefinite comprehensive competition" becomes extremely relevant. Shambaugh's book serves as a vital starting point for the analysis of the future of global politics as defined by the power struggle between these two superpowers.

# SHAMIMA BEGUM: THE BIGGER QUESTION IT POSES



BY YASASHVI PAARAKH



Shamima Begum, one of the three girls of the Bethnal Green Trio, left Britain when she was just 15 to join the self-proclaimed Islamic State (IS) in February 2015. Four years after her sudden departure, Begum was discovered in the Al-Hawl camp situated in Northern Syria. She was no longer in IS territory and was pleading to return to Britain. Soon after, United Kingdom's Home Secretary, Sajid Javid, made an official statement stripping Begum of her citizenship.

The aim of this article is not to pass a judgement on their decision to revoke Begum's citizenship, instead it aims to bring to light racial factors that influence such decisions. The British state not only expelled the first woman from their political community but also denied her any further recourse to procedural and access to substantive justice. It is also important to note how this power of being able to revoke citizenship allows states to undermine the dignity of a human.

In Britain itself, multiple Prime Ministers and Home Secretaries have frequently voiced their opinion on the worth of swapping human rights for security measures, the most important objective for a state is to maintain national security while protecting collective citizenship rights. One of the strategies they do so is through citizenship revocation. Citizenship is a primary human right as it gives an individual 'a right to have a right' in the first place. What does the life of an individual, sans any citizenship, look like? The individual is reduced to a bare life.

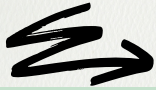
The next question that arises is how does one come to 'achieve' this highly coveted citizenship. Jus sanguinis and Jus soli are the two ways an individual comes to acquire citizenship. Jus soli assigns nationality to a natural person by reason of their birth, in a given territory. Jus sanguinis, on the other hand, attributes the nationality that one's parents hold at the time of birth of the child. Inserting this into modern-day politics, scholars have highlighted how this introduces a major flaw in legalistic citizenship systems: citizens with access to multiple nationalities due to their jus sanguinis are more prone to having their citizenship stripped- a phenomenon we are seeing play out in front of our eyes. Although Begum is British by her jus soli, Javid argued that she is also entitled to Bangladeshi citizenship through her jus sanguinis, even though Bangladesh has publicly disowned Begum, leaving her stateless.

The revocation of citizenship suggests hierarchical notions of humanity, whereby the state's obligations to its constituents differ depending on each individual's socially constructed racial and gender identities. Especially in a post 9/11 world how do Western communities define their citizens? To further examine perceptions of an individual, we must delve deeper and understand the relationship between 'Britishness' and ethnic and religious minorities. This dehumanization is aptly captured by the Orwellian line: 'all (humans) are equal, but some are more equal than the others.'

This further continues to propagate the 'Us vs. Them' rhetoric which, as seen in the world previously, is often used to spread political agenda. States and their leaders capitalize on the fear they themselves create by distinctly separating classes of people based on their genders, race, caste to further their political ambitions. The British state employed this very rhetoric polarizing its citizens into two broad categories 'with us or against us' using it as a legitimization of breaching basic human rights.

Although statelessness and citizenship revocation have existed even before Shamima Begum's case, such practices remain hidden in mainstream international policy discussions. Nations across the world are using this tool to control their populations, and some even tailor them to suit their political ambitions. In the United States of America, the Trump administration had intensified its denaturalization efforts targeting people of colour. According to UNHCR, there are nearly 600,000 individuals living in the Rakhine state stateless on the basis of the current law, which effectively denies citizenship for members of Muslim minority groups. The Shamima Begum case sparked controversy as it probed at issues bigger than itself; not only that citizenship revocation is being used as a tool, but a tool tainted by colonialist and imperialist perceptions.

# THE SLIPPERY SLOPES OF OIL



BY ATISHA MAHAJAN



The lifetime research of Michael Ross, a renowned political scientist, has empirically demonstrated oil-abundance to be linked with the persistence of autocratic regimes and blockages in democratic transitions. Economically, abnormal oil revenues have been shown to distort economies with an overdependence on hydrocarbons and underperformance in other sectors. Fortunately, due to the increasingly frequent price fluctuations in oil, Arab states have had to come to terms with the drawbacks of the resource, and are now focussed on economic diversification. However, this new chapter for the Middle-East is a competitive one; down the slippery slopes of oil lies a serious possibility of regional conflict.

In 2020, economic diversification for oil-dependent countries picked up newfound traction. Given the COVID-19 pandemic and the Saudi-Russia oil price war, prices plummeted to their lowest in twenty years. While this disastrous price-slump may have reinstated the urgency to diversify, the need for it has been a long-standing one. To begin with, oil and gas reserves are exhaustible resources which are expected to run out in the long term. Given the growing efforts to implement renewable resources, the global demand for hydrocarbons is also expected to deplete within the next two decades.

In response to this price volatility and an urgency to diversify, the GCG countries individually introduced a brand of 'vision policies' to tackle the matter. For instance, in wake of the oil-price slumps of 2014, Saudi Arabia launched an ambitious economic and social reform plan called 'Saudi Vision 2030' in 2016 to combat oil price volatility. The plan focused on raising non-oil revenue from 163.5 billion riyals (or \$43.6 billion) to 600 billion riyals (or \$160 billion) by 2020, and 1 trillion riyals (or \$267 billion) by 2030. It also proposed to privatize less than 5% of Saudi Aramco, the state-owned Saudi Arabian Oil Company responsible for almost 12% of the global oil production, to raise as much as \$2 trillion for a new sovereign fund. To scale foreign and private investment efforts, the country also announced plans to fund large-scale infrastructure projects in healthcare, construction, transportation, renewable energy, tourism, wastewater, desalination and education.

Kuwait, another GCG nation, is the sufferer of a similar disproportionate dependency on oil with 90% of the government's revenue and 50% of the country's GDP coming from the hydrocarbons sector. To address this, the country's 2010 Prime Minister Nasser Al-Sabah commissioned a policy-plan similar to Saudi Arabia's strategy called 'Vision 2035'. The scheme aimed at diversifying the economy by reducing its dependency on hydrocarbons and improving the productivity of different socio-economic sectors.

Other Gulf countries such as Bahrain, Qatar and Oman also launched similar policies to promote economic and social diversification to reduce dependency on oil via foreign investments around the same time as Saudi Arabia and Kuwait. However, this widespread adoption of similar strategies is where the complication arises. Since the 'vision' policies of all these countries are more or less identical, and the time-frames to execute them overlap closely—the *competition to grab the same opportunities is intense*. Not only is this a concern for economic and political rifts in the region, but also threatens the successful implementation of these plans in any of the countries in question.

The close alliance between Saudi's Mohammed Bin Salman and Abu Dhabi's Mohammed Bin Zayed is perhaps the most important relationship in the Middle-East. It permits them a unique advantage which can be leveraged over all other states in the region. However, since both countries wish to pursue foreign direct investments in the same sectors common economic goals have left them in an extremely awkward position to say the least. Aware of UAE's first mover advantage as the popular regional hub of many multinational companies, competitive insecurities took grip in Riyadh. In response, Saudi Arabia made some bold moves to tip the scales in its favour.

However, Saudi Arabia's true seriousness towards liberalization can be gauged by Mohammed Bin-Salman's new \$500 billion capital backed 'carbon-free megacity of the future' called NEOM. To aid the liberalization efforts, the country has also made notable strides in the social sector by loosening some long-enforced lifestyle restrictions such as the female driving ban and public-theatre ban to make the country more palatable for expats.

Undoubtedly, UAE's arsenal of counter-offers was also loaded to offset Saudi's provocative moves. The regional super-power allowed expatriates to have a greater stake in the economy by permitting full-ownership of companies, and also introduced some accommodations for future citizenship as well. Nevertheless, the rift between the two countries is in its infancy in the current form, and only time can tell if there is a true threat of regional conflict in the Middle East. However, it's important to monitor these events closely as they will set a precedent for other smaller economies in the region to follow.

Given the large number of stakeholders involved, the problem of economic-diversification for the Middle-East is one that could potentially lead to a breakdown in important relationships and ties between countries. Nevertheless, one can count on the 'vision policies' to make the Middle-East more economically accessible for multinational companies who seem to be the unlikely winners of the oil-dependency crisis in the area. Indeed, the oil that once united the Middle-East has left the region on a slippery footing with little recourse.

# THE UNMAKING OF DENG'S CHINA AND REMAKING OF MAO'S CHINA: AN ANALYSIS OF THEIR ECONOMIC LEGACY IN CHINA



BY MEHER MANGA



In a session of the National People's Congress at the Great Hall of the People in Beijing on 11th March 2018 an amendment was passed to abolish presidential term limits making Xi Jinping's China's President for an indefinite term. This has caused many scholars across the world to term Xi Jinping as "Mao of the 21st century" because this extent of power consolidation in China was seen during Mao's era. China has been through a circle of development from tightened consolidation of power during Mao's rule to Deng's Open Door Policy to now Xi Jinping's new China which in a way can be seen moving back to Mao's era. Thus, this paper sets to analyse the economic legacy of Mao Zedong and his successor Deng Xiaoping in China today and tries to evaluate the question: Is Xi Jinping's China moving back to Mao's China? Thus, in answering this question I argue that Xi Jinping is certainly adopting many of Mao's authoritarian policies and has an uncomfortable relationship with Deng. However, this cannot be explained by terming him as a "Maoist." I emphasise on the fact that the context in which Xi Jinping is functioning is of utmost importance to explain why he is moving back to Mao's policies.

## Remaking Mao's China: Xi Jinping's China

Why is Xi Jinping purging features of the Dengist state and modelling his economic policies in a way Mao did? There are many scholars who have termed Xi Jinping a "Maoist" However, while analysing the policies of a leader, the context in which they function is of paramount importance. The kind of China Mao inherited was primitive and underdeveloped whereas the China Deng inherited had suffered the destructive policies of Mao. The China that Xi Jinping is leading is a whole new China, which is competing with the United States of America for global hegemony and rapidly developing. Thus, each of these leaders cannot be divorced from their context and Xi Jinping's policies should not be reduced to ideological reasons.

Elizabeth Economy in her book *The Third Revolution Xi Jinping and the New Chinese State* argues, Xi Jinping took over China when "there was a growing sense within the country that significant contradictions had emerged in the political and economic life of China" Further, for Xi his main aim is to realise the "Chinese Dream." Xi Jinping's Chinese dream consists of three things: a) China should double its per-capita GDP from 2010 to 2020 b) it should have a military "capable of fighting and winning wars"; and c) it should meet the social welfare needs of the people. This is not it as Xi is faced with the rise of India as one of Asia's giants which poses a threat to Chinese hegemony in Asia. Recently, it has been the trade war with the USA which is Xi's biggest challenge and a huge threat to Chinese aims of global domination. This is the context in which Xi Jinping is formulating his policies.

Faced with such challenges, Xi's utmost goal is to keep the state intact. To become a superpower globally, China has to be intact domestically and Xi understood this very well. This, in turn, requires political cohesion, economic growth, a favourable balance of power, and strong armed forces. This requires Xi to enact policies that strengthen his iron fist in a way Mao did. Thus, to deal with these issues Xi has to have strong control over the party like Mao.

Most importantly China's trade war with the United States requires a strong leader at the helm and nationalism in China. Coronavirus has further impacted the Chinese economy domestically and internationally, as many countries imposed restrictions on Chinese goods. Thus, this required excessive political control on the economy by Xi Jinping

## Not Maoist but Jingpingist Policies are Remaking Mao's China

In a recent [interview](#), Xi clarified that in his way of looking at China, the country had roughly thirty years of Maoism and thirty years of Deng Xiaoping's economic liberalization and rapid growth. Xi has warned that neither era can negate the other; they are inseparable. Xi has recognised the importance of trade and open international markets. He has understood the importance of Deng's Open Door Policy for China to achieve global domination. Yet, Xi does not want to give credit to Deng as he wants to portray himself as the champion of open markets and thus he wants to push Deng into the backdrop. For Deng, the purpose of the Open Door Policy was to reform the Chinese economy through foreign firms and technology. Whereas for Xi, an open economy is a way for economic diplomacy and flexing China's muscle. Nevertheless, there is more similarity in Xi's approach to leadership with that of Mao where he attributes importance to his personal supreme authority and tight control on the economy.

However, it is incorrect to term Xi Jinping's policies as "Maoist" or "Dengist" as he has used a mix of their policies depending on the need of the hour. Xi is neither a Maoist nor a Deng-ist. Even though Xi has chosen to remake Mao's China, calling him a Maoist is oversimplifying his position.

# AND A DEAD MAN WAS WALKING TONIGHT...



BY BEHIND THE SCENES NGO

*"Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place."*  
~Frederic Bastiat, French Economist and Philosopher

Ever since the release of the film, *Kagaaz*, by Satish Kaushik on OTT platforms, a sudden awareness has surged throughout the country of the atrocities a common man has to face due to the inefficiencies of the Indian State Governments. The film follows the struggles of Lal Bihari (*Mritak*) who spent 19 years of his life in an attempt to prove that he is, in fact, alive. For a piece of land that was part of an inheritance, Lal Bihari's uncle bribed a government official to declare Lal Bihari dead, in order to take over the land. Though the film may take a languish pacing in certain parts, the message resonates wholly. Lal Bihari became a stroke of inspiration for many others in similar situations when he founded the Uttar Pradesh Association of Dead People. He was not the only breathing individual to be pushed into a grave.

Though the film takes a satirical approach, the essence of the issue is quite astounding. When approached from the aspect of corruption and harassment of the common man, the situation is very ironic because a person who is alive and breathing can be stripped of his dignity as a human being, all by the means of a pen and paper. The Association initially had about 100 people, while currently it has more than 20,000 members. The most common reason that was found, was very similar to what Lal Bihari had experienced. Relatives of the concerned person would bribe local government officials to declare them dead and take over the inherited land from them. The lack of proper property rights and the lack of a will allows people to exploit such laws to their advantage.

In a similar situation, an old widowed woman, Bhagwani Devi was declared dead by her brother-in-law, in order to take over the land her husband had left her. Upon asking some of her relatives, they commented that since she was already declared dead, there was no guarantee that she would not be harmed in any way. Aside from corruption, the safety and the emotional state of the individual is also compromised. They are denied many of the benefits that an individual would normally receive from the government (like pension funds), their medical insurance (if any) is cancelled, and bank accounts frozen etc. The complete loss of income becomes an added burden to the individual. In a very real and cruel sense, a dead person cannot work, even if they are standing in front of you.

Another problematic aspect that comes to surface is the lack of grievance redressal policies in the country as a whole and in the administration of local governance. In the hierarchy that is maintained in workplaces, it is surprising that none of the higher officials objected to such an act or investigated it. The person who has been declared dead now has nowhere to turn to, since the governmental office refused to acknowledge him as an alive person. While they keep on asking for proof of him being alive, the damage that is caused to the individual soon becomes irreparable. Even in the case of Lal Bihari, he had to get an order from the then Chief Minister of Uttar Pradesh in order to be recognised as a living person. He committed several minor felonies as well, so that an arrest warrant might be issued, however, the Police never arrested him, and his efforts went in vain.

Certain situations also lead to insurance frauds resulting from others claiming a sum of money in the name of a person who has been declared dead falsely. Several such cases have surfaced in recent years, causing authorities to start full investigations into such claims. Officials in not just rural areas, but urban areas as well have been forging death certificates in order to claim the insurance money. Almost 15 such cases have been found, since February this year, and five men have been arrested for it as well in Gurugram. Even though the whole country now knows about this issue, the saddest part of this ordeal is that the struggle never becomes easier. The struggle to be legally alive never changed in reality and remains a hard, long drawn battle against the system. The absurdity of the situation never reduces as well, making it harder for the victim to accept and fight for his right. It is, in the end, the common man who bears the brunt of someone else's greed.







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## NICKELED & DIMED

A space for young scholars to put forth their work in the form of well researched articles on issues relating to politics, law, IR, foreign policy, economics, finance and a lot more. The forum provides a wide range of perspectives which are often overlooked by mainstream media. If you wish to submit any articles, refer to the author guidelines on <https://nickeledanddimed.com> and email your article to [cnes.jgu@gmail.com](mailto:cnes.jgu@gmail.com)

## OTHER INITIATIVES BY THE CENTRE FOR NEW ECONOMICS STUDIES

**SAMVAAD:** A student run discussion forum initiated by the Centre for New Economics Studies The forum seeks to promote active public engagement by distinguished scholars who have expertise in areas of law, economics and other social studies, present an interdisciplinary perspective.

**CONVERSATIONS IN DEVELOPMENT STUDIES:** The student-run publication is an in house, peer review journal of OP Jindal Global University which aims to promote a variety of perspectives from different scholars over a stated theme.

**INFOSPHERE:** Being the centre's latest research platform, InfoSphere offers a space for a fact-based, objective analysis on some of the most contemporary issues of economic and social policy concern in South Asia

**INTERLINKED:** Interlinked is a podcast series which focuses on topics relating globalisation. It provides valuable insights on global issues that help understand India better in its socio-political climate

**AZAAD AWAAZ:** This monthly magazine (Patrika) aims to focus on the marginalized sections whose voices are often muted in the cacophony of flashy mainstream media discourse.

**SWABHIMAAN:** The premise of Swabhimaan is based on the themes of Gender and Entrepreneurship but not limited to the conventional meanings they are commonly perceived as

**VISUAL STORY BOARD :** Visual Storyboards are an experimental method for visually archiving our research team's fieldwork, with a more exclusive focus on studying the lives and livelihoods of unsecured workers and communities across India.