

# IN@SIGHTS

VOLUME 184

SYNERGIA FOUNDATION

OCTOBER 2019



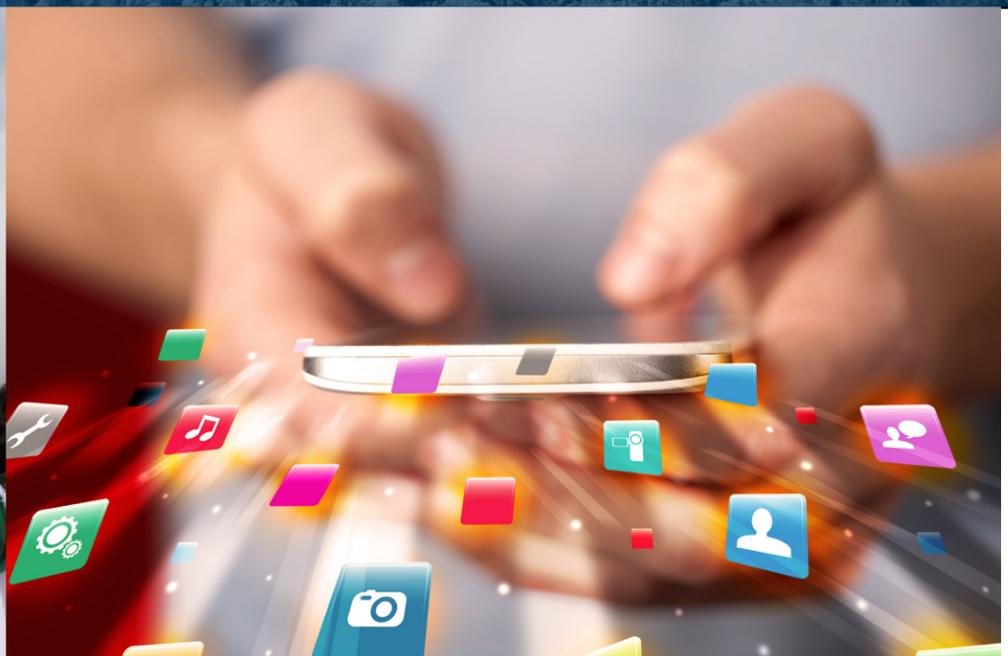
Trump's Watergate moment?



The Netherlands: Green rules turn red



Time to talk about POK



Singapore: Shackling the Internet



South Africa: As the rainbow fades



Harnessing the 'senior' dividend



## Trump's Watergate moment?

The road to the 2020 Presidential elections has got bumpier for Donald Trump with Democrats launching formal impeachment proceedings. Will this result in an impeachment or like in the past, this storm too blow over?

### Background

As President Trump enters the final year of his first term, his presidency has been jolted by a bombshell dropped by a CIA whistle-blower. The whistle-blower report has alleged "*widespread abuse of power*" by the Whitehouse "*to advance personal interests*".

In the eye of the storm are telephonic conversations during which President Trump is alleged to have pressurised President Zelensky of Ukraine to investigate the Democratic Party presidential candidate Joe Biden and his son, as quid pro quo for US military and economic aid. The existence of these conversations was reported by an intelligence operative who has now sought protection under the Whistle-blower Act.

Serhiy Leshchenko, a former adviser to the Ukrainian President, has stated that it was made clear that future discussions on mutually beneficial issues were contingent on investigations into Joe Biden and his son. It is being reported that there are other whistle-blowers also willing to testify now.

The Democrats were quick to grasp this opportunity and the most powerful Democratic elected member, Nancy Pelosi, also the Speaker of the US House of Representatives initiated an impeachment inquiry against President Trump.

### Analysis

Removal of a sitting President from office is a two-stage political process. If the House of Representatives passes the article of impeachment, the Senate is forced to hold a trial. The motion has to be passed in the Senate with a two-thirds majority.

The Democrats are trying to build up a credible case against Trump by mustering witnesses and evidence. The Chairman of the House Oversight and Reform Committee, Elijah Cummings, has asked for additional documents from the administration which are reportedly tied to the Ukraine case and has threatened to issue a subpoena if the request is not complied with.

The transcripts made public by Whitehouse are being interpreted by both sides to suit their respective interests. They make interesting reading if nothing else than to get an insight into the cavalier manner in which state business is conducted at the highest levels.

In the telephonic conversation, Zelensky says, "I would also like to thank you for your great support in the area of defence.....we are almost ready to buy more Javelins from the US for defence." Trump's reply is, "I would like you to do us a favour though because our country has been through a lot and Ukraine knows a lot about it." Further on in the conversation, Trump comes closer to the issue of Biden investigations done earlier in Ukraine, saying "I heard you had a prosecutor who was very good and he was shut down, and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved". The prosecutor being mentioned is Shokin, a Ukrainian public prosecutor who was removed from the Bursima investigations.

It may be recalled, Bursima Holdings is a Ukrainian Gas Company under investigation since 2012. In 2014, then US Vice President, Joe Biden's son Hunter joined its board of directors. The investigations were being done under Shokin. There was intense pressure from Whitehouse under Obama to remove Shokin, allegedly on grounds of corruption. During his visit to Ukraine in 2015, Vice President Biden threatened to get a \$1billion loan cancelled unless Shokin was removed. Three months later Shokin was relieved as the public prosecutor.

### Assessment

- Trump has the numbers in his favour. An impeachment motion requires two-thirds majority in the Senate. The Republicans have a majority there and numerically the vote is unlikely to pass, provided it is able to clear the first stage in the House of Representatives.
- Prima facie, the following facts emerge from the study of transcripts. Trump asked for a favour but quid pro quo is not explicit but implied. Legal interpretation can go either way. However, if one links this conversation with the blockage of a \$250 million military aid package approved by Congress but held in abeyance by Whitehouse without any stated justification, the picture becomes murkier.
- In his defence, Trump states the many issues are discussed between Heads of States which directly or indirectly impact on state matters and cannot be quoted out of context as a breach of trust or misuse of office. He has now gone on the offensive, openly asking not only Ukraine but also China to open investigations against Joe Biden.
- This is not the first inquiry against Trump launched by the Democrats after they gained control of the House in 2018. In January investigations were initiated leading to the Mueller Report which documents the findings of Special Counsel Robert Mueller's inquiry into Russian efforts to interfere in the 2016 United States presidential election. The report looks at allegations of conspiracy or coordination between Donald Trump's presidential campaign and Russia, and allegations of obstruction of justice. Nothing substantial came out of Mueller Report which was not able to conclusively conclude Trump's culpability and left it to the House to take a call.

# Time to talk about POK



The withdrawal of special provisions granted to the state of Jammu and Kashmir (J&K) is the biggest political gamble. For decades, Pakistan Occupied Kashmir (POK) took a backseat in the political narrative of J&K. Is it time to reclaim it and bring closure to J&K's integration?

## Background

In August 1947, 560 princely states concurred to a union with India or Pakistan and were duly amalgamated. Hari Singh the ruler of Jammu & Kashmir State had dithered, having signed a standstill agreement with Pakistan (India refused) which committed Pakistan not to invade Kashmir. In October 1947 tribal levies (lashkars) under Pakistani military leadership, command and control and with Pakistani Army logistic support swept unopposed into J&K wreaking rape, murder and pillage on the hapless citizens.

A panicked Hari Singh signed the Instrument of Accession on 26 Oct 1947 agreeing to join the Indian Union. Faced with an almost impossible task of stopping the Pakistani invasion due to no prior notice, Indian military quickly responded and by the end of 1947, the onslaught had been stemmed and pushed back with severe losses inflicted. At this critical juncture, while fighting was still in progress, Mountbatten recommended to the Indian Prime Minister to take the matter to the UN, where he said it would have a "cast-iron case". He believed the UN would direct Pakistan to withdraw. On 31 December 1947, India referred the Kashmir fighting to the UN Security Council (UNSC).

The matter was debated at length while fighting continued unabated in the Kashmir mountains. UNSC issued its now-famous Resolution No 47 on 21 Mar 1948, which stipulated a three-step process - withdrawal of all Pakistani forces, India to progressively reduce its forces to the minimum level required for law and order and make arrangements for a plebiscite. Pakistan continued to pump in forces into J&K in a vain bid to capture/retain whatever it could before a cease-fire took effect.

A cease-fire was achieved by the UN-appointed Commission at the beginning of 1949 which left India in control of the Kashmir Valley, most of the Jammu province and Ladakh while Pakistan gained control of the western districts comprising the present-day Pak Occupied Kashmir (POK), Gilgit Agency and Baltistan.

## Analysis

India went to the UNSC in good faith, confident in its premise that the Instrument of Accession had sealed the legal question of Kashmir's accession to the Indian Union. From an Indian point of view, the aggressor was Pakistan who had dispatched tribal "marauders" to seize Kashmir, despite signing a standstill agreement that committed Pakistani forces not to invade Kashmir.

On the respective legal position of both countries at the time of the dispute, noted American political scientist C Christine Fair has this to say "First, Pakistan was not entitled to Kashmir. Second, India has an instrument of accession".

Naive to the geopolitical machinations of world powers, Indian political leadership

failed to see the inadequacy of reliance on international intervention to regain Pakistan occupied Kashmir (POK). As regards the Northern Areas (Gilgit-Baltistan) in a request to the UN-appointed commission, India demanded that these areas should be restored to the government of Jammu and Kashmir and India should be allowed to defend its borders. The commission was unable to ensure this.

Contrary to Indian expectations, the UNSC Resolution 47 went on a tangent and was bereft of any practical and implementable solutions to the problem. India expected in all fairness the world body to label Pakistan the aggressor and coerce it to vacate its illegal occupation of the erstwhile Kashmir state.

In India, there is unanimity that PoK is an integral part of it, and the country needs to regain physical control over it and bring closure to the unfinished agenda of Indian nationhood. The 1994 Indian parliamentary resolution asserting that POK is part of India and efforts should be made to liberate it from Pakistan occupation reiterates this objective. Unfortunately, this clear and unambiguous resolution was not appropriately acted upon as economic and other imperatives hijacked the national narrative since then.

Ironic as it may sound today, it was Indian leaders who suggested the plebiscite. The people of J&K had faced Pakistani tribal lashkars in their true colours and had little taste for more of the same. It was therefore not surprising that the Pakistani leadership demurred.

Jammu and Kashmir is a kaleidoscope of communities: Ladakh Buddhist, Jammu Hindu, Kashmir a mix of Sunni and Shia and some Christians and Sikhs also spread across the territories. However, the anger over the rapacity and brutality of the Pakistani invaders was common to all.

## Assessment

- While Pakistan may be very vocal in advocating its case, it has been in breach of international law on several counts. For one it has unilaterally absorbed the disputed Northern Areas into its Federal Structure, illegally ceded the Shaksgam Valley to China and allowed strategic infrastructure to come up in disputed POK as part China-Pakistan Economic Corridor (CPEC).
- In a situation with the potential for nuclear confrontation, discretion is the better part of valour and therefore, an all-out military offensive to recapture POK may not be the most prudent solution.
- Consistent and sustained diplomatic and political efforts over an extended period are called for. Notwithstanding the nuclear overhang, there is a window existing for conventional options, as was so graphically shown by Pakistan itself in 1999. India has the ability and capacity to create similar opportunities in POK.
- In the interim, India must continue to lay stake to its claim over POK in all international fora, to drive home the clear message that integration of POK with J&K is the only unfinished agenda of Indian nationhood.

# Harnessing the ‘senior’ population dividend



The increasing lifespan of people is one of medical science’s great achievements. This demographic change brought about by people living longer offers never-before opportunities to harness the experience, expertise and creativity of seniors.

## Background

The phenomenon of an ageing population creating social and economic worries first became apparent in rich industrialised countries in North America, Western Europe and Japan. As birth rates dropped and with advances in medical sciences, a better life quality allowed people to live longer. It caused a decline in working-age population, increased health care and ballooning pension budgets. More importantly, it has now started to change the demand drivers within the economy, for better or worse, we still don’t know.

## Analysis

With ageing populations becoming a reality in most of the developed world, the question now being raised is how we can harness the experience, expertise and **creativity** of such a historically large number of older people towards raising overall productivity without curbing employment opportunities for the youth.

Ageing is a phenomenon which is affecting largely the affluent countries. In 2015, only three countries—Germany, Italy and Japan—had 20% or more of their population over 65 years old. By 2020, 13 countries will be in this category and this number will rise to 34 countries by 2030. UN statistics have used the old-age dependency ratio to work out the ratio of the aged population to the working-age population, fixing the aged population’s median age at 65. This ratio has been on a steady rise over the last few decades—2005 (11.3), 2010 (11.7), 2020 (expected 14.4) and 2030 (expected 18). This is a global average which will vary from country to country.

However, countries like India, Brazil and some other developing economies have a huge pool of young just entering the working population and can add to their human resources dividends. India stands to gain immensely from the “demographic dividend” if it is properly managed. India’s working-age population (aged between 15 and 64 years) has grown larger than the dependent population (below 14 and above 65) since 2018. This youth bulge is going to last till 2055. Japan, China and South Korea were able to leverage this demographic dividend in a most effective manner to reach their current level of growth.

The corporate world also looks at hiring afresh / extending services of older employees with a jaundiced eye. The perception that ageing is often associated with a decline in cognitive abilities – the brain’s ability to learn and remember skills and to problem solve. With multitasking now a common feature of many jobs, there is a view that older workers may be less competent in handling the demands of the work-place. The expectation is that older employees are less motivated, unwilling to involve themselves in learning new skills and are therefore less likely to be innovative. The fear is that when older workers are less willing to adapt to change, this may hold companies back in meeting new challenges.

This thought process needs to change as the overall fitness, both physically and mentally, has drastically improved over the years due to excellent health care, improved lifestyles, greater awareness of overall physical wellbeing. Add to this the advantages of experience gained over three to four decades, a mature outlook and a sense of innate satisfaction in those with a reasonably successful career, we are looking at a workforce which can add value to any organisation at the middle and upper echelons. Where required, renewal of skills to match current work cultures could be facilitated.

The demand side of the economy is vital to its growth. With ageing populations, this demand side is undergoing radical changes. The demand drivers for senior citizens is vastly different from that of working-age people- they buy health care products and invest in retirement homes/ old age sanatoria. Economies will have to make the necessary adjustments/ transitions to take advantage of the purchasing power of senior citizens. In India, this trend has been noted and online businesses have happily reported rising profits from sales to this segment which has started to have sufficient surplus income to indulge in shopping.

## Assessment

- The trend to encourage immigration of only highly skilled workers, as prevalent in Northern America and Australia may change once the shortage of even basic labour is felt. Countries like Singapore, Lebanon and the Gulf countries have been importing manual labour for years to work in their factories, homes, farms and infra construction businesses. India with a large working population stands to gain as it would be in a position to meet the demand unless robotics and AI can close the gap between demand and supply.
- The retirement ages, with improved overall health, is bound to be increased from 60 to 65 and even up to 70 at some later stage. This will reduce the pension bill, keep the higher taxes coming for a longer period and reduce the need for imported workers. However, in countries like India, this may not be practical at least while the youth bulge exists as it reduces the employment opportunities for the younger generation.
- Does the aged population remain relevant to society and the nation or are they just burdens? In this context, the quote of Goldie Hawn is worth understanding—*“What helps with ageing is serious cognition — thinking and understanding. You have to truly grasp that everybody ages. Everybody dies. There is no turning back the clock. So the question in life becomes: What are you going to do while you’re here”*.
- Society and the Governments must see the aged population as an asset and provide opportunities to remain in the workforce longer as well as engage in volunteering, creative activities, mentoring and relieve both the social and economic pressures generated by them.

## India Watch

As per a statement made by the government in the Parliament, India will have approximately 34 crore people above 60 years by 2050; this is more than the total population of the US! Therefore, it makes sense to look at this huge segment of the population as an asset rather than a millstone. We need to, if necessary, re-jig their skills and ensure that they find a useful slot in the job market and earn into their old age, rather than merely living off an increasing pension and healthcare burden on the exchequer.

# I Lebanon: A nation reborn



Lebanon has seen a rapid decline in its economy over the last decade. It witnessed the largest protests since 2005 against their political leaders who have ruled for almost three decades and have brought the economy to the brink of disaster.

## Background

Lebanon has been in an economic turmoil for years, with GDP growth running at a pitiful 1% to 2% annually since 2011. The government is under pressure to raise taxes, cut spending, and curb corruption in an effort to implement economic reforms to secure an \$11bn (£8.5bn) aid package from international donors. But the measures are proving deeply unpopular with the public, which widely blames nepotism, institutional corruption, and profiteering by politicians for bankrupting the government. The public at large is angry that these core causes are not being addressed.

Considered an upper-middle-income country, Lebanon has seen a rapid decline in its economy over the last decade. It is only behind Greece and Japan in its debt to GDP ratio which will balloon to 150% of GDP by 2020. Decaying infrastructure, widespread corruption, misgovernance has led to the present situation. Talent has fled westwards in droves leaving behind a youth bulge which has no jobs and a third of the total population lives below the poverty line, as per the World Bank.

To make things worse, 1.5 million Syrians and 450,000 Palestinians have taken refuge in Lebanon. This has pushed the average Lebanese into poverty, with 300,000 being unemployed, most being unskilled youth.

## Analysis

The uprising began during the third week of October after the government announced new tax proposals, most painful being the 20 US Cents fee for VOIP calls over social media apps. It grew into a socioeconomic protest against rampant corruption, deterioration of public services and heightened pain inflicted by government austerity programs. The government is also considering a proposal for a gradual increase to the value-added tax, currently at 11%, and new levies on gasoline.

Lebanese Prime Minister, Saad Hariri gave his coalition partners 72 hours to back economic reforms. He also announced a 50% cut back on salaries of a top government official, legislators and MPs. He has tried to pacify the public by assuring them that the banking sector and the country's central bank, which are flush with cash, will help reduce the deficit by about \$3.4 billion by 2020. But the protestors do not trust government motives and are demanding nothing less than the resignation of the entire cabinet and its replacement by technocrats to deal with the economic crisis.

Saad Hariri, a Sunni Muslim, has been traditionally backed by the Saudis. In recent years, the coalition government in Lebanon has seen a steady increase in the political influence of the Iranian-backed Hezbollah who along with their allies hold the majority in the parliament and cabinet. Its other backer, the US, too is tightening purse strings as part of its wider campaign against Iran and its proxies.

The consistent instability in Lebanon has shaken investor confidence and made it harder to revive an economy already struggling to absorb more than 1.5 million Syrian refugees. Previously, also demonstrations had erupted caused by a shortage of US dollars, the most trusted medium of exchange and disruptions in the pensions of retired soldiers.

## Assessment

- Lebanon is a typical case; for a country of its size, it is flushed with funds yet suffering from economic depravations. Leaked Swiss papers have ranked it like No 12 in the list of countries with the largest US dollar holdings. Unfortunately, this wealth is in hands of few and in most cases tucked away safely in tax havens and offshore bank accounts.
- Faced with loan defaults and lack of inflow of funds, the government is undertaking measures which target the common man through new taxes and levies, with no effort towards recovery of stolen wealth or curbing the accumulation of wealth by the elites. A systematic change in the whole system of the fiscal structure of the country is needed. This will not come cheap- \$4.8 billion per year.
- The protests are a public censure of Hariri's ineffective rule no doubt. But Hariri's ouster is not the answer- it will only open the way for further domination by the Hezbollah and its allies. This will further dry up funds as its major donors are Saudi Arabia and the Gulf countries. Technocrats can stem the tide and initiate corrective actions but with most settled abroad, it leads to the question are they ready to jump in and help their country. The country needs genuinely honest legislatures and politicians who can transform this beautiful country, referred to as the 'Paris of the East' in its heydays.
- Revenues generated by the dynamic financial and real estate sectors, but also by trade activities, luxury tourism and remittances have benefited only a minority of the population. Estimates of wealth inequality are extremely limited.
- So far, protests have been peaceful, but once the Hezbollah gets involved, things could turn ugly. A relatively stable nation of the Middle East is on the verge of jumping into the cauldron of turmoil affecting the entire region.

# I The Netherlands: Green rules turn red



The Dutch experience in confronting strident public anger while implementing international protocols is illustrative of the dilemma governments face while balancing the aspirations of the people with wider environmental concerns.

## Background

Nitrogen is like a building block of life but its overuse as a fertiliser and other commercial purposes turned it into a blight for mankind. Once nitrogen leaks into the environment it poisons the air, soil and water, alters ecosystems and destroys biodiversity and disturbs the delicate balance of greenhouse gases. It clogs water bodies with algae growth which is fatal for fish and if ingested by human beings, it can lead to bowel cancer. Equally harmful are nitrogen oxides emitted by car exhausts, farm soils, livestock and fertilisers construction equipment.

Europe with its limited landmass engages in intensive farming techniques. It has a high consumption of nitrogen and as a result, heavy pollution- about 80% of Europe's freshwater exceeds the maximum threshold for nitrogen. As per a study, excess nitrogen costs EU between Euro 70 to 320 Billion per year in terms of various negative fallouts. To control this, European countries brought out the 1999 Gothenburg Protocol, a multi-pollutant protocol ratified by 26 parties, which includes 25 states and the EU.

The biggest culprits are agriculture and the construction industry. Approximately half of the nitrogen used as fertilisers leaks back as pollution or is wasted by denitrification. Research has shown that in the Netherlands, 70% of the surface area exceeds critical limits for nitrogen.

In May, the highest court in the Netherlands put on hold over 1800 infra projects citing a violation of EU legislation by construction and farming activities which are emitting large amounts of nitrogen. In response, thousands of angry Dutch farmers have been out on the streets on their tractors in cities such as the Hague causing the 'biggest Traffic Jam ever' -over 1,136 km long- and bringing life to a standstill.

## Analysis

The Netherlands is the world's second-largest agricultural exporter after the US. However, spatially the Netherlands is much smaller (41, 453 sq. km compared 9.834 million sq. km of US). As a result, Dutch farm holding is clustered together and are often found at the periphery of protected areas of the Natura 2000 network, the EU's bloc-wide scheme to protect natural areas.

Basing its argument upon statistics, the ruling Coalition party D66 has sought a solution by reducing livestock holdings by half. This would enable the construction projects to proceed without infringing nitrogen limits set by the EU. As per the D66

parliamentarian, Tjeerd de Groot, "70 per cent of Dutch nitrogen emissions come from agriculture, a large part of which comes from intensive livestock farming. That is huge. At the same time, the contribution of intensive livestock farming to our own economy is not even 1 per cent. The ratio is completely missing."

The D66 has offered farmers financial support to switch to cycle farming- in which animals only eat food that humans do not eat. This means the farmer is no longer reliant on animal feed and fertiliser from abroad. It will also reduce the farmers' ability to maintain huge livestock holdings and will automatically lead to fewer animals. The D66 proposes cutting the number of pigs by 6 million and chickens by 50 million.

The farmers, which are a major vote bank of the coalition parties, are livid as they have been singled out to make concessions for other industries like construction and aviation, which are even bigger polluters.

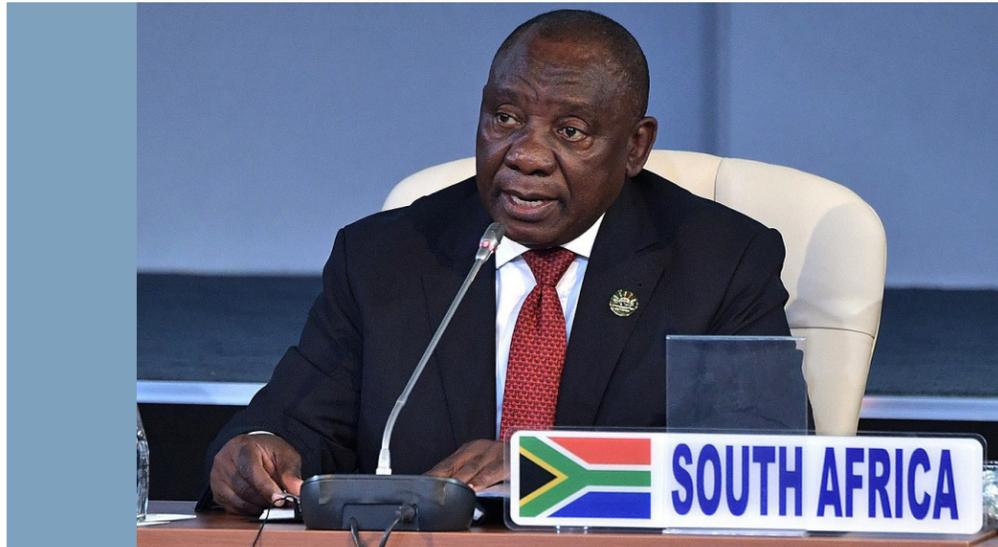
## Assessment

- The conflict of demands between income for a large farming sector and housing needs of its substantial middle class, has led to the current standoff in the Netherlands. The EU designated green cover is also being impinged upon as mandated stand-off distances are impossible to maintain while creating habitations in close vicinity of green spaces. Therefore, international legislatures need greater diligence at the formulation stage of environmental laws as they result in the impasse at the implementation and thus fail to achieve their objectives.
- The Netherlands is illustrative of states finding themselves in a Catch 22 situation- to implement environmental protocols for the larger good results in conflict with own population. However, all have to be prepared for sacrifices and a drastic change in the way we live and work if the planet has to be saved- there is no painless solution.
- For almost a century, farming techniques are more focussed upon profits vis a vis preservation of soil and ecosystem, causing huge long term deprecations. These techniques have to give way to more nature-friendly methods while at the same time ensuring food production does not dip drastically.

## India Watch

The 2017 Indian Nitrogen Assessment (INA) reached the conclusion that nitrogen pollution is mainly caused by agriculture. Out of the 17 million metric tonnes of nitrogen fertiliser used annually, only 33% is usefully absorbed by the plants while the rest leaks into the soil causing a cascade of environmental and health impacts. While India is one of the few countries to have conducted the INA, it has much more to do to effectively reduce the use of nitrogen-based fertilisers.

# South Africa: As the rainbow fades



2015 witnessed a major outbreak of xenophobic violence in Durban leaving seven dead. Violence against foreign nationals in South Africa has dulled the colours of the Rainbow Nation. What has led to such bleak circumstances?

## Background

In the past few days, rioters wreaked havoc on the streets of Johannesburg, torching vehicles and looting shops that belonged to foreign nationals. About 70% of the foreign nationals in South Africa come from neighbouring countries - Nigeria, Zimbabwe, Mozambique and Lesotho. Another 30% is made up of people from Malawi, UK, Namibia, eSwatini (Swaziland), India and other countries.

The Nigerian expats seemed to be in the crosshairs of the attackers as out of the 12 fatalities reported so far, the majority were Nigerian nationals. Other victims included Ethiopians, Congolese, and Zimbabweans. Panic-struck Nigerians are being airlifted home under the aegis of the Nigerian government. There have been retaliatory attacks in Nigeria against South African businesses and the South African diplomatic missions in Lagos and Abuja have been temporarily closed. Since violence feeds on violence, there is the possibility this vicious cycle will repeat itself.

## Analysis

Dubbed as the “Rainbow Nation” by Archbishop Desmond Tutu, during the heyday of 1994 democratic elections, South Africa is struggling to live up to the legacy of its venerated leader Nelson Mandela as a haven for multi-racial diversities. The South African politician, Jeremy Cronin aptly summed up the realities of today’s South Africa when he said “Allowing ourselves to sink into a smug rainbowism will prove to be a terrible betrayal of the possibilities for real transformation, real reconciliation, and real national unity that are still at play in our contemporary South African reality.”

Although these latest attacks are gaining considerable media traction, there is nothing new about them. In 2015 there was a major outbreak of xenophobic violence in Durban, which resulted in seven fatalities. The attacks were allegedly incited by the Zulu King Zwethlini who had accused foreigners for shrinking jobs and rising crime. However, even then the South African Human Rights Commission denied any link to xenophobic tendencies.

South Africa is the mecca for economic migrants from Africa seeking a better life. However, migrants have brought misery for the indigenous South Africans. Only one in three South Africans has a job and the crime rate is skyrocketing. So, it is no surprise that foreign migrants are drawing the ire of the locals. The downturn in the economic situation has not helped matters either.

Local township politics also play a part in stirring up xenophobic emotions. Community leadership has proven to be a lucrative vocation for many unemployed locals who with little positive achievements to their credit, deflect local frustrations on foreigners.

Another factor at play is the concept of South African exceptionalism or a feeling of superiority among South Africans in relation to other Africans. This has created real embarrassment as South Africa for long fostered a world view of itself as the guardian of human dignity irrespective of colour and creed. The Rainbow Nation is now being accused of reverse apartheid against its poorer African cousins, and not without cause.

Until recently, the South African government refused to call these type of incidents xenophobic attacks and labelled it as mere acts of criminality. Incidentally, the country has the dubious distinction of having one of the highest rates of murder and gender crimes in the world.

Speaking on South African Heritage Day, President Cyril Ramphosa emphasised the need to pursue unity in diversity, challenging the perception that South Africa is Xenophobic and unsafe for women. The President cancelled his trip to the United Nations General assembly and has sent envoys to seven of the disgruntled African states to set matters right. Most of these nations had provided asylum to South Africa’s political leaders and activists during the Apartheid era.



## Assessment

- As President Trump is fond of saying, globalisation is dead and it is now the time of nationalists. Rising expectations faced with declining realities have made citizens xenophobic. This is not confined to developing countries like South Africa and India. With little hope for the improvement of the world economy, xenophobic trends will be the rule of the day in times to come.
- In comparison to the other African countries, South Africa has a fairly stable political atmosphere, however, the state of the economy makes it hard to support their own populace and local resentment against foreigners will last unless the economy accelerates appreciably.
- One of the shortcomings of African nations is the lack of industry and this directs migration routes towards more industrialised countries either within Africa or outside. The service industry too has made very little impact and hence the economic migrations across borders will continue to stress the polities.
- Post-1994, national integration in South Africa has been painted with a romanticism that does not translate practically. South Africa has different tribes in different regions and the system of integration must begin from the grassroots. The top-down approach from the constitution is of diluted value which can only benefit identity politics.

# Singapore: Shackling the Internet



Singapore's latest anti fake news law has grabbed headlines as it affords sweeping powers to the state to monitor online platforms and chatgroups. Is this going to be the new normal for cyberspace?

## Background

"The Protection from Online Falsehoods and Manipulation Act" (POFMA) is the latest act in the ongoing saga for control of cyberspace by the State. Passed earlier this year by the Singapore parliament, the law was prompted by the faceoff with Facebook over the posts on linking Singapore's banks and Malaysia's 1MDB State Fund. The Singapore government called the post "false and malicious."

Singapore's ruling party justified the law on the grounds of security of its fast-growing digital and financial hub and its dependence on an online environment that needs authentic information. Through POFMA, the State will control the dissemination of any "misinformation" deemed to be a threat to national security, public tranquillity and its "friendly relations" with other countries.

## Analysis

Singapore is a tightly run city-state with a proclivity for minding the citizen's business. Information Technology News Singapore has reported that about 84% of Singaporeans are now internet users. An average Singaporean is logged on for about seven hours every day out of which about 2 hrs are devoted to social media.

With such a high penetration of the net, the Singapore government fears a fracturing of Singapore's delicately balanced multi-ethnic and multi-religious makeup if fake news is allowed to spread unabated. The law specifically targets malicious trolls, bots and fake accounts.

The law has attempted to define nebulous terms such as falsehood. Under POFMA a "false statement of facts" is legally defined as that "which a reasonable person, seeing, hearing or otherwise perceiving it would consider it to be a representation of a

fact.' This definition is an objective standard and does not give scope to a subjective assessment of each individual case. It also leaves the onus of interpretation on a "reasonable person" who in this case would be a government functionary as obviously the general public's opinion will not be sought.

Within the purview of the law, falsehoods would mean *statements or information that influence elections, incite hatred between different groups of persons and affect the confidence in the government and other entities*. However, this law does not extend to opinions, criticism, satire and parody.

"Closed platforms, chat groups, social media groups, can serve as a public megaphone as much as an open platform," Senior Minister of State for Law Edwin Tong said in parliament. The law can be used to censor private platforms such as chat and groups with end to end encryption.

Other laws such as the Telecommunications Act, Broadcasting Act, already criminalise falsehood and enable the government to penalise those peddling mistruths. POFMA goes a step further, by giving the government targeted powers to stop the spread of fake news over social media.

The law will require online media platforms to carry corrections or remove content the government considers to be false. Further, any minister of the government can decide whether the content on an online platform is considered a "falsehood" by directing the issue to the Infocomm Media Development authority which can block the platform or source of the fake news. Those who disagree must appeal to a minister before they can appeal to the High court.

A convicted individual can face a jail sentence up to ten years and noncompliant companies are fined up to USD \$7,20,000.

Critics of the law, state that people will be wary of what they say or post online because the mandated punishments are quite severe. This will eventually strangle free speech and citizens will live in constant fear of prosecution.

## Assessment

- The lack of clarity in the law could provide a loophole for the state to twist one man's satire into another man's falsehood and initiate legal action. Since the interpretation of posted material is the prerogative of the state, or more specifically its functionaries, its misuse against dissenters is a foregone conclusion.
- The government's defence of having 5.6 million internet users who are vulnerable to misinformation does not justify the arbitrary nature of the law. The government should consider using more specific and well-defined terminology in wording the critical articles of the new law to avoid loopholes and aberrations which can be exploited or create legal logjams.
- Singapore follows the step of Vietnam and Thailand, where governments have resorted to identical pretexts- national security and public to impose restrictions. However, it compromises the true ideal of liberty, that is free speech.
- Singapore is to have elections in 2020 and allowing the ministers of the ruling party to dictate what constitutes "real" and "fake" news can be detrimental to the impartiality of pre-election canvassing.

To access all editions of the Synergia Foundation Key Insights Newsletter, visit: [www.synergiainsights.in](http://www.synergiainsights.in)



Editor - Christina George

## SYNERGIA FOUNDATION

Synergia Foundation is an independent and strategic think tank whose purpose is to augment decision-making at a policy level while enriching individual discourse and public dialogue. With fact based insights, the Synergia Foundation provides impactful solutions that challenge the status quo, turning risks in to opportunities.

## SYNERGIA FORUM

The Synergia Forum is a by-invite only session where we invite eminent subject matter experts to discuss the challenges and disruptions that governments, academia and businesses may face today and in the future.

## INSIGHTS

Synergia Insights is our weekly print and digital publication. Authored by functional and geostrategic experts, we provide unbiased analyses and assessments of both national and international affairs that affect our lives.

## Address

34, Vittal Mallya Road,  
Bengaluru, Karnataka 560001,  
India  
Tel : +91 80 4197 1000  
Email : [info@synergiagroup.in](mailto:info@synergiagroup.in)



@SynergiaFoundation



@SynergiaImpact



[www.synergiafoundation.org](http://www.synergiafoundation.org)  
[www.synergiaconclave.org](http://www.synergiaconclave.org)