

ENEMY AT THE GATES: ON KERALA-KARNATAKA BORDER ROW**Kerala-Karnataka Border Issue Poses Questions On Restrictions, Relations During A Pandemic**

Kerala's grievance over Karnataka sealing its border to prevent the spread of COVID-19 has brought under focus the extent and the possible limits, of restrictions that may be imposed by the government to deal with a public health emergency. After the Kerala High Court directed the Centre to ensure free vehicular movement for those requiring urgent medical treatment on the national highway that connects Kasaragod in Kerala to Mangaluru in Karnataka, the Supreme Court has directed the Centre to confer with the States and formulate the norms for creating a passage at Talapadi, the border. An amicable solution is possibly round the corner, as there are reports of Kasaragod district suffering due to the highway closure. Many here depend on medical facilities in Mangaluru for emergencies, while others rely on inter-State movement for essential medicines to reach them. These include those battling endosulfan poisoning for many years. Karnataka's objection is based on the fact that Kasaragod has Kerala's largest number of positive cases. It has a reasonable apprehension that allowing vehicles might result in the disease spreading to its territory. However, it is clear that those who may travel across the border for urgent medical needs are patients other than those who are pandemic victims. A key question that has arisen is whether legal measures taken by the State to prevent the further spread of an epidemic can extend to a point where there is no exception even for medical needs.

The Kerala High Court took the view that denying emergency medical aid amounts to a violation of the right to life and liberty, and addressed jurisdictional objections from Karnataka by observing that its direction was to the Centre, as what was under closure was a national highway. There is significant irony in the Kerala point of view. Late last month, the Kerala Governor promulgated the 'Kerala Epidemic Diseases Ordinance, 2020' to arm itself with extraordinary powers to deal with the pandemic. One of its clauses says the State can seal its borders for such period as necessary, while another empowers it to restrict the duration of essential or emergency services, including health, food supply and fuel. Karnataka may have reason to believe that it is equally entitled to seal its borders and restrict essential services. It is a moot question whether Kerala's new law would weaken its case that its neighbour cannot shut down its border and deny medical access to its residents. Interestingly, inter-State migration and quarantine are under the Union List, while the prevention of infectious diseases moving from one State to another is under the Concurrent List. This can only mean that while States have the power to impose border restrictions, the responsibility to prevent a breakdown of inter-State relations over such disputes is on the Centre.

Meanings of Difficult Words:

- ❖ **row** (noun) - quarrel, squabble, fight, dispute.
- ❖ **pose** (verb) - raise, ask, put (a question/matter for consideration).
- ❖ **pandemic** (noun) – the worldwide spread of a new disease; The illness spreads around the world and typically affects a large number of people across a wide area.
- ❖ **grievance** (noun) – complaint, criticism, objection/protest.
- ❖ **COVID-19** (noun) – coronavirus disease 2019.
- ❖ **confer with** (verb) – talk, consult, converse, discuss things, exchange views.
- ❖ **formulate** (verb) - draw up, create/prepare, work out.
- ❖ **amicable** (adjective) – friendly, good-natured, cooperative, neighbourly/brotherly.

- ❖ **round the corner** (phrase) – about to happen; coming soon; close by, close at hand.
 - ❖ **rely on** (phrasal verb) – depend on; resort to, bank on.
 - ❖ **inter-** (prefix) – between.
 - ❖ **endosulfan** (noun) - a highly toxic insecticide/pesticide.
 - ❖ **endosulfan poisoning** (noun) - a pesticide used for more than 20 years by the Plantation Corporation of Kerala (PCK) since 1978. The purpose was simple: To get high yield from cashew plantations spread over thousands of acres of fertile land across coastal district, Kasargod (Kerala). The result: Thousands of victims suffering from various illnesses, including cancer, asthma, mental retardation, allergy, early onset of menstruation or delayed sexual maturity and impotency among others. Almost all children born during the 'endosulfan period' are suffering from one or other disability.
 - ❖ **apprehension** (noun) – concern, worry, anxiety.
 - ❖ **no exception** (phrase) – as usual, the same as, to be similar.
 - ❖ **take the view** (phrase) - to have an opinion.
 - ❖ **aid** (noun) – help, assistance, support.
 - ❖ **amount to** (verb) – be regarded as, be equivalent/equal to, be tantamount to.
 - ❖ **liberty** (noun) – freedom, independence.
 - ❖ **address** (verb) – tackle, deal with, attend to, try to sort out.
 - ❖ **jurisdictional** (adjective) - relating to the official authority/power to make legal decisions about something.
 - ❖ **irony** (noun) – paradox, incongruity, peculiarity.
 - ❖ **point of view** (phrase) - perspective, viewpoint, standpoint, opinion.
 - ❖ **promulgate** (verb) – put into effect, enact, implement.
 - ❖ **arm** (verb) - provide, furnish, issue, equip.
 - ❖ **empower** (verb) – authorize, allow, entitle, permit.
 - ❖ **moot** (adjective) – debatable, disputable, arguable; disputed, controversial.
 - ❖ **shut down** (phrasal verb) – close, discontinue, cease operation, stop.
 - ❖ **quarantine** (noun) – a process of separating out people, animals and things (such as plants) from others for a period of time in order to control/restrict the spread of a contagious disease; Quarantine is imposed to separate and restrict the movement of persons, who may have been exposed to infectious disease, but not yet known to be ill.
 - ❖ **infectious** (adjective) – contagious, communicable, transmittable, spreading.
 - ❖ **concurrent** (adjective) - relating to the list which includes the power to be considered by both the union and state government (as given in the Seventh Schedule to the Constitution of India).
 - ❖ **breakdown** (noun) – failure, collapse, foundering.
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MOCKERY OF JUSTICE: ON DANIEL PEARL MURDER CASE ACQUITTALS

Pakistan's commitment to punishing those involved in terror acts remains suspect

Thursday's ruling by the Sindh High Court that overturned the conviction of Omar Saeed Sheikh, and three others, of murdering American journalist Daniel Pearl, for lack of evidence is scandalous in its utter disregard for criminal jurisprudence. The court observed that no evidence had been brought before it by the prosecution to link any of the four — the others being Fahad Saleem, Syed Salman Saqib and Sheikh Muhammad Adil, whose convictions were similarly overturned — to the killing of Pearl. This is sophistry at its best and speaks eloquently of the systematic way the case

has been diluted from the beginning. Pearl, then South Asian Bureau Chief of The Wall Street Journal, was abducted in Karachi in January 2002, in an operation managed by Omar Sheikh, who had demonstrated links to, among others, Pakistani militant groups as well as to al-Qaeda. Pearl had been baited while investigating links between al-Qaeda and the British 'Shoe Bomber' Richard Reid, who tried, in mid-air on a flight, to light explosives in his shoes on December 21, 2001, just two months previously. Many ransom demands later, a video was handed over on February 21, 2002, wherein Pearl was shown being methodically beheaded with a knife. When the Americans began to squeeze Pakistan to go after the perpetrators, Omar Sheikh 'surrendered' to Ijaz Shah, a former Intelligence Chief, then Home Secretary of Punjab; he is now the country's Interior Minister. Even more curiously, it was after many days that Sheikh's arrest was shown.

The Sindh government has extended Sheikh's detention and the provincial prosecutor has said that the High Court ruling will be appealed in the Supreme Court. But these moves could be aimed at blunting growing international opprobrium, including at the FATF, the global money laundering and terrorist financing watchdog, that has already put Pakistan on its 'grey list', and where India has said it will bring this matter for discussion. It is likely that once the pressure eases, Sheikh and his cohorts will be let off as has happened with others before them. Pakistan's record of leniency on this has been as consistent as it has been alarming. In 2015, Zakiur Rehman Lakhvi, who supervised the 26/11 Mumbai attacks, was released from detention, and remains free. Just last month, Pakistan's Economic Affairs Minister Hammad Azhar revealed that Jaish-e-Mohammed chief Masood Azhar had conveniently gone "missing" along with his family. Masood Azhar, Omar Sheikh, and Mushtaq Ahmed Zargar had been released in exchange for hostages of Flight IC 814 in December 1999 into Taliban/ISI custody in Kandahar. Pakistan needs to be persuaded to move beyond tokenism and demonstrate a much higher order of commitment to deal with such terrorists than it has hitherto shown.

Meanings of Difficult Words:

- ❖ **mockery** (noun) – insulting/absurd imitation of something; a false representation of something; travesty, farce, poor imitation, poor substitute.
- ❖ **acquittal** (noun) – declaration of innocence, clearing/discharge/release, exoneration, absolution.
- ❖ **suspect** (adjective) - suspicious, dubious, untrustworthy, questionable.
- ❖ **overturn** (verb) – reverse, overrule, nullify/cancel.
- ❖ **conviction** (noun) – sentence, judgement, declaration/pronouncement of guilt.
- ❖ **lack of** (noun) – absence, dearth, unavailability.
- ❖ **scandalous** (adjective) – discreditable, disreputable, dishonourable, improper; disgraceful, shocking, outrageous.
- ❖ **utter** (adjective) – complete, total, consummate/out and out, absolute.
- ❖ **disregard** (noun) – indifference, neglect, lack of attention.
- ❖ **jurisprudence** (noun) – body of laws/rules; legal system.
- ❖ **prosecution** (noun) – legal action/trial, legal proceeding, litigation.
- ❖ **sophistry** (noun) – trickery, deception, dishonesty, cheating; clever (but false) argument.
- ❖ **at one's best** (phrase) – on top form, in great shape; peak, prime.
- ❖ **eloquently** (adverb) – expressively, revealingly, significantly, indicatively.
- ❖ **systematic** (adjective) – organized, planned, methodical.
- ❖ **dilute** (verb) – diminish, reduce, decrease, weaken, make weaker.

- ❖ **abduct** (verb) – kidnap, hold hostage, hijack.
- ❖ **militant** (adjective) – extremist, radical, fanatical, sectarian/partisan.
- ❖ **bait** (verb) - annoy, irritate, harass.
- ❖ **light** (verb) - ignite, set on fire, set burning.
- ❖ **explosives** (noun) - bomb, incendiary device.
- ❖ **ransom** (noun) - release, freedom, setting free (of someone taken/held hostage in exchange of a large amount of payment demanded).
- ❖ **wherein** (adverb) – in which.
- ❖ **behead** (verb) – cut off the head of, decapitate.
- ❖ **squeeze** (verb) – pressurize, pressure, force.
- ❖ **go after** (phrasal verb) – to try to catch or stop someone; peruse, chase, hunt down.
- ❖ **perpetrator** (noun) – someone who does immoral, harmful and illegal activity; offender, criminal, wrongdoer/evil-doer, culprit.
- ❖ **curiously** (adverb) – strangely, unusually, surprisingly.
- ❖ **detention** (noun) – confinement/incarceration, captivity, custody.
- ❖ **provincial** (adjective) – regional, sectoral, zonal.
- ❖ **prosecutor** (noun) – a lawyer who presents the government’s case against someone accused of a crime.
- ❖ **blunt** (verb) – reduce, decrease, tone down.
- ❖ **opprobrium** (noun) – condemnation, harsh criticism, censure, castigation.
- ❖ **money laundering** (noun) – a secret act of moving illegally acquired funds into legal bank accounts or investments.
- ❖ **watchdog** (noun) – inspector/supervisor, observer, ombudsman.
- ❖ **grey/watch list** (noun) – a list of countries on observation due to their “strategic deficiencies” in countering terror-financing and money laundering. The countries put on grey/watch list by the Financial Action Task Force (FATF) will be subjected to direct monitoring and intense scrutiny by the International Co-operation Review Group (ICRG) on terror financing.
- ❖ **ease** (verb) - reduce, lessen, decrease.
- ❖ **cohort** (noun) – group; a group of people; companion.
- ❖ **let off** (phrasal verb) - excuse, pardon, forgive, discharge, release.
- ❖ **leniency** (noun) - mercy, clemency, forgiveness/forbearance.
- ❖ **alarming** (adjective) – worrying, disturbing, shocking/distressing.
- ❖ **hostage** (noun) – captive, prisoner, detainee; a person under custody of someone as security for performance against a demand/pledge.
- ❖ **persuade** (verb) – convince, influence, press someone into, make certain.
- ❖ **tokenism** (noun) – the practice or policy of making symbolic efforts to impress (minority) people and the people to think that the organisation is dealing with problems fairly but actually it is not.
- ❖ **higher-order** (noun/adjective) - high level; rational, well reasoned.
- ❖ **hitherto** (adverb) – previously, earlier, so far/thus far, until now.