

The Myth of Privacy and the Fragility of Freedom

The Needle's Eye



CHAITANYA KALBAG

Half of our bureaucrats list Google or Yahoo email addresses and use them for the most confidential of correspondence. We are one giant sieve

"You don't have to be a 'sting journalist' to spy on somebody. Camera photographs and video are now ubiquitous. We never know who is recording what we are saying. Every e-mail we send is 'discoverable' and we should be prepared to see anything we wrote splashed across a blog or a chatroom."

The audacious hacking of 100 terabytes of data from Sony Pictures Entertainment by a group calling itself Guardians of Peace starkly underlined these words from the Tarkunde Memorial Lecture titled 'The Abridgement of Personal Liberty' that I delivered more than seven years ago. The hackers have leaked confidential documents, financial and salary information, movie scripts and other highly compromising information in a torrent since the cyber-attack came to light on November 24. The damage is huge and devastating; the hackers have now threatened 9/11 style attacks on movie theaters that screen 'The Interview', a comedy about a fictional attempt to assassinate North Korean leader Kim Jong-un that is scheduled to open on Christmas Day. Four Sony movies yet to be released were released to file-sharing hubs. Also leaked were highly inappropriate and embarrassing email exchanges between two senior Sony executives that trad-

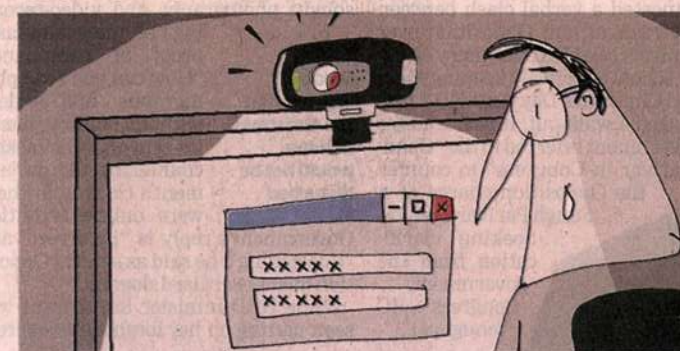
ed racially insensitive jokes about President Barack Obama.

Cyber-terrorism is an ever-present danger in India, but our defences are very far from being robust. The risks are incalculable: a report issued by the McKinsey Global Institute on Tuesday says that 12 technologies its researchers identified that will digitize work and re-fashion energy and healthcare will potentially add \$550 million to \$1 trillion in value to India's economy by 2025. This potential cornucopia will be jeopardised by the increasingly sophisticated and sinister modus operandi of cyber terrorists. The Indian Computer Emergency Response Team, part of the Ministry of Information Technology (whose website is deity.gov.in just in case you are looking for divine intervention) has proven largely ineffective in building our defences. Don't forget that we are a nuclear-armed nation with not-so-friendly neighbours. The National Informatics Centre, which oversees the government's vast computer networks, is shockingly vulnerable a quarter-century after it was set up. Little wonder that half of our bureaucrats list Google or Yahoo email addresses and use them for the most confidential of correspondence. We are one giant sieve. The Sony hacking has shown up

the weakness of institutional and personal information. Alongside these horrors is the fragility of human rights across the world. This past week the US Senate Intelligence Committee report on the CIA's detention and interrogation techniques after the 9/11 attacks has ignited a huge debate on the legitimacy of torture and inhu-

Long Way to Go

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ANIRBAN BORA

man treatment used by governments on grounds of national security. Former US vice president Dick Cheney stubbornly defends "enhanced interrogation", and CIA Director John Brennan was also unapologetic in an unprecedented press conference held in the lobby of the spy agency's headquarters. In my 2007 speech I described how the United States, the new global policeman, had perfected the concept of "extraordinary rendition", kidnapping terrorist suspects from any country and spiriting them to secret locations where they were tortured. New words like waterboarding have become part of our lexicon. When governments are forced to publish embarrassing documents, large portions are blacked

out or redacted. Different accounts of horror visited upon foreign citizens are conflated into one numbing narrative.

But why single out the US? At least its politicians and opinion makers are openly and vociferously arguing about whether torture yields intelligence that actually pre-empt or prevents future violence. Across the world, torture is a favoured tool wielded by authorities to keep both lawbreakers as well as dissidents at bay. In Indian police stations third-degree beatings and torture of even the most petty of criminals is routine. The Asian Centre for Human Rights estimated that 14,231 people died in custody in the decade to 2011. The National Human Rights Commission reported 109 custodial deaths in 2012, the last year for which figures are available. We read about terrorist attacks in Kashmir and Maoist ambushes in Chhatisgarh, but what about the routine, everyday torture that our guardians practice on the more hapless among us?

I suspect that we are going to see an increase in the empowerment of the men and women tasked with protecting us against crime, terrorism, and mayhem more sinister. We have sufficient laws on the books to tackle threats to our security, but that has not prevented our rulers from bring-

ing in new legislation that only toughens arbitrary and sweeping powers that can snatch an individual's freedom, and even life. The Bharatiya Janata Party has made confusing noises about the Armed Forces Special Powers Act in Jammu and Kashmir; now saying it opposes its repeal and now saying would not have been necessary if the party had ruled the state. Supporters of the AFSPA point to the conviction last month of five army personnel to life imprisonment for the deaths of three Kashmiris in a fake encounter in Machil in 2010 as proof that the law does not confer unlimited power on our soldiers in areas deemed to be disturbed or rebellious. But we know that is not entirely true, and that for every Machil there are several unsolved exhibitions of impunity, for instance the Pathribal killings of five civilians who were allegedly responsible for the 2000 Chittisinghpura massacre of 35 Sikhs.

It is sad but true that India is not an exemplar in the human rights department. We have a lot of work to do: it is only when a nation's citizens are truly free to pursue their destinies – and that very much includes economic freedom – that we will become a great nation.

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@ChaitanyaKalbag on Twitter