

Unpacking Dark Patterns & User Manipulation

 newindianexpress.com/opinions/2024/Jan/16/dark-patterns-how-design-tricks-manipulate-users

Opinions

Dark patterns: How design tricks manipulate users

From misleading prompts to sneaky traps, dark patterns are the puppet masters of the online experience—coaxing, cajoling, and sometimes even coercing users into unintended actions.



Picture credits: UNSPLASH

Nikhil Naren

In the vast landscape of the internet, where convenience and user engagement reign supreme, a shadowy realm lurks beneath the surface—dark patterns. These patterns are a digital maze designed to subtly manipulate internet users. From misleading prompts to sneaky traps, dark patterns are the puppet masters of the online experience—coaxing, cajoling, and sometimes even coercing users into unintended actions.

Coined in 2010 by Harry Brignull, the term 'dark patterns' refers to several methods used to misguide users into giving their money, time or personal information without their informed consent. While this phenomenon is not exclusive to the internet, the digital arena has made it more frequent. This presented a massive problem to consumers earlier when there were little to no laws on privacy. As Brignull says, "It's a bit like invisible health effects from breathing in fumes or getting a radiation dose: At the time, you might not realise it, but it has a hidden impact on you."

Privacy is merely one aspect of dark patterns wherein applications fraudulently retrieve personal information from users without their approval. This can be done in numerous ways like purpose overreach, lack of or painstaking procedure of withdrawal of consent, sharing of data with third parties and other offences regulated in most countries by specific personal data laws. However, tactics, such as bait and switch and basket sneaking are somewhat tricky to identify, making it even more harmful and hence pressing the need for a dedicated set of rules governing such malpractices.

The US state of California as well as the European Union and Australia have statutes which address the flawed notions of consent and attempt to prevent internet services from misusing the absence of public knowledge on data privacy and its regulation. The US's Federal Trade Commission (FTC) has acted promptly against companies for privacy violations using dark patterns. In the case of *FTC vs Amazon*, the commission accused Amazon of deliberately deceiving millions of customers by employing a manipulative and deceptive user interface designed to covertly enrol them in Amazon Prime subscriptions. Amazon also knowingly created a complex cancellation process for Prime members due to their potential negative impact on the company's financial interests.

India has had a law protecting consumer rights for quite some time. However, recently the parliamentary deliberations led to the release of guidelines on the prevention of dark patterns. Section 18 of the Consumer Protection Act 2019 gives the Central Authority the power to prevent unfair trade practices as well as ensure no misleading or false advertisements of goods and services are or published. In exercising this power, the Central Consumer Protection Authority released guidelines on the takedown of dark pattern usage by advertisers and sellers. Specifically, it highlighted 13 dark patterns which are now banned. Hence, an e-commerce platform can now be sued in Indian territory if its earlier practice of 'forced action' (under Section 4 of specified dark patterns) continues.

The gazette notification could have far-reaching consequences for numerous e-commerce platforms. Until now, what was considered to be innovative advertising can now be why a company has to face lawsuits. Amendments to user interface models are not only recommended but mandated. One crucial takeaway is the need to clearly indicate what type of content is an advertisement.

Transparency is the bedrock of trust in the online world, where each and everyone is a stranger and businesses can bolster this trust by being forthright about their promotional content. Another fundamental aspect is the transparent disclosure of costs or fees associated with products or services. Consumers appreciate clarity regarding financial matters, and businesses can set a positive tone by openly communicating any potential expenses. Businesses should ensure there exists a clear-cut and defined process for users to unsubscribe from subscriptions or withdraw the consent they had earlier given. This not only respects the autonomy of the consumer but also reflects a commitment to customer satisfaction.

Often, the payment process in e-commerce platforms is exceptionally swift and does not usually demand much effort from users, saving us a wealth of time. However, under the garb of speedy transactions, we may miss out on the breakup of charges. Since the number is so minuscule, it hardly catches our attention and comes in the form of a pre-ticked box, which several companies have adopted. The preselection of options, especially concerning privacy rights, forms a crucial element of ethical business practices. Users should be free to make choices without being nudged in a particular direction and thus businesses should avoid feeding themselves money.

Similarly, language plays a critical role in user interactions, and businesses should use respectful communication that avoids shaming consumers for exercising their rights. For instance, by suggesting an option that says, “No, I would like to travel uninsured”, platforms trick users into believing that it is an unsafe option and produce guilt that could easily be called coercive. This also includes double negatives or trick questions that may confuse consumers and deteriorate the overall user experience. A positive and intuitive interaction fosters customer satisfaction, loyalty, and positive word-of-mouth. Substantiating all claims made is also essential in maintaining credibility. Businesses should ensure that their statements are backed by evidence, avoiding using unverified information. This not only upholds ethical standards but also contributes to establishing a trustworthy brand image.

(Views are personal)

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[There are shades of Nuremberg at Ayodhya](#)

Some monuments exist as records of ill times, some are undergoing a process of slow, permitted deterioration and some remain celebrated. Some are still being built.



An image of a 1934 Nazi Party rally in Nuremberg, GermanyPicture credits: Wikimedia commons

Kajal Basu

Every strongman needs to mark his time upon history and a monument to his everlasting relevance. Francisco Franco has his Valle de los Caídos (the Valley of the Fallen) just outside Madrid, where his remains are buried. Kim Il-Sung has his enormous Ryugyong Hotel in Pyongyang, incomplete for 36 years despite a funding of \$750 million. Josip Broz Tito had his hedonistic, ostrich-filled island of Brioni in the Adriatic.

Saddam Hussein sought to rebuild Babylon in Hillah, south of Baghdad, with yellow bricks with his name inscribed on them. Stalin's memory is encased in the Seven Sisters in Moscow. Mao Zedong gave the name to the Great Hall of the People, situated near the iconic Tiananmen Square. And Hitler has his Zeppelin Field in Nuremberg, from the grandstand of which he delivered his demagoguery.

Some of these monuments exist as records of ill times, some are undergoing a process of slow, permitted deterioration and some remain celebrated. Some are still being built.

The vast Nazi party rally grounds in Nuremberg, had no purpose other than to commemorate Hitler. Up to 1 million Germans trooped in—initially muscled but later, as the indoctrination intensified, of their own volition—to attend each of the six National Socialist party congresses

held there.

The History of Bavaria website explains the purpose. “The Nazi party rallies served solely for the internal and external self-representation of the Nazi state. They had no programmatic task whatsoever. The staging of ‘national community’ and ‘leader myth’ was intended to demonstrate the unity of the nation... Politics should not be discussed or understood here, but rather ‘experienced’. The staging became the important political message.”

Nuremberg was meant to be a “temple city of the movement”, as its designer Albert Speer put it. “Perpetuity and monumentality”, said the website of the Museums of the City of Nuremberg, were the “architectural principles of the National Socialist state and party”.

If you’re wondering where I’m going with this, let me refer you to the phrase “temple city of the movement”. And how the metaphor of Nuremberg fits the city of Ayodhya, and how the Ram mandir refers the mind back to Nuremberg. Just as flambeaux were brought ceremonially lit to the Nuremberg rallies from all over Deutschland, the Ram Mandir has become the repository of gifts—some of them devotionally outlandish—from votive holdfasts located far from Ayodhya.

Among them: from Nepal, 3,000 gifts ranging from cash, clothing, fruits and candies to gold and silver; from Lucknow, a round-faced global clock able to simultaneously display the time in nine countries; a Ram Lalla with a bow and arrow made of gold from Patna; from Vadodara, a 1,100-kg brass-and-copper lamp standing 9 ft tall and capable of holding 850 kg of ghee; a pair of gold *padukas* weighing 9 kg from Hyderabad; from Nagpur, 7,000 kg of halwa; the world’s largest lock-and-key weighing 400 kg and 10 ft tall, from Aligarh; a bell weighing 2,100 kg made of *ashtadhatu* (an alloy of eight metals) from Etah; puja items of pure silver from Chennai; from Surat, a silver Ram temple necklace weighing 2 kg and embedded with 5,000 American diamonds; a 4’7” *nagaru*, a hemispherical drum, wrapped in gold foil from Dariyapur; and from Ahmedabad, a 3,610 kg, 108-ft incense stick nearly half the height of the Qutb Minar.

That one man, PM Modi, has galvanised an indescribably diverse Hindu community to outpour collectively just goes to show the demonstrability of the machinational playbook he is working from as well as the readiness of many Hindus today to be moulded.

Nuremberg was designed to be a “community of the people” (Volksgemeinschaft). At Ayodhya, the people (aam janta) will together answer to one leader—whom, as in Germany nearly a century ago, they are already in thrall of.

There are other parallels, too. The Ram mandir, although only semi-finished, is being bedecked to be consecrated—but its incompleteness is undetectable from the photographs released in the Indian media. This is reminiscent of the propaganda pictures of Nuremberg

released publicly, which never ever hinted at the fact that it was one gargantuan construction site (the workings of which came to a precipitous, incomplete halt when Germany went to war in 1939).

Many seers, including the four shankaracharyas, are complaining that cutting the ribbon of an unfinished house of worship is a defiance of tradition and an invitation to disaster and have refused to attend. For the first time, a thick line has been drawn, perhaps unintendedly, between political Hindutva and religious Hinduism, but few expect these objections to pass unanswered by duress. This echoes the murmuration of disenchantment from some Nazi quarters that preceded the first Nuremberg rally in 1933, which were first disdained and then strong-armed into silence and finally co-opted.

Meanwhile, both luminaries' actions are a study in the manipulation of faith's praxis. Having decided to lead the consecration, Modi built up tempo and cachet by releasing photos of himself schmoozing with holy cows at his residence and absorbedly singing *bhajans* at a temple. In *The Language of the Third Reich*, Victor Klemperer, a German Jewish philologist, wrote perplexedly of the quasi-religious ardency with which many Germans treated Hitler, and which Hitler actively cultivated.

Both political godmen, the same fit cut from the same cloth. The temple is Modi's Nuremberg, a chance at the eternalisation of his name.

(Views are personal)

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Why forecasters read the wind wrong in 2023

The basic theories underlining predictive modelling are in constant flux. Economics is infatuated with unattainable assumptions. Analysts confuse risk with uncertainty



Image used for illustrative purposes only.(Express illustration | Soumyadip Sinha)

Satyajit Das

Most forecasters failed to correctly read the tea leaves or coffee grounds for 2023. A global recession did not occur and interest rates did not fall. The interesting question is why they keep getting it wrong.

First, the economic tools are weak. Emanuel Derman, a physicist turned financier, lamented that most economists had never really seen a successful model and could not differentiate between good and bad ones. The basic theories of growth, inflation, fiscal or monetary policy, currency values or debt—all essential to predictive modelling—are vague and in constant flux. US Federal Reserve Chairman Jerome Powell graciously admitted in 2022: “We understand better how little we understand.”

Reductionist in nature, economic models focus on a few measurable variables because of limited data availability. Statistics and mathematics are deployed to give the appearance of rigour and science. Casual correlation masquerades as causality in the absence of tractable hypotheses. Assumptions such as rational, utility-maximising actors are frequently not satisfied in the real world. Economics is infatuated with the ideal of unattainable equilibriums.

Unlike hard physical measurements, economic and financial data, if available, is suspect, sometimes arbitrary choices between competing methodologies. Timeliness is problematic as are subsequent data revisions as more detailed information becomes available. Former

Chinese premier Li Keqiang once referred to official Chinese statistical releases as “man-made” and “for reference only”. Unfortunately, the Middle Kingdom is not the only place where this holds true.

The intersection with politics means government, central bank or regulatory decisions affect outcomes. Unfortunately, the ability of economists to anticipate major geopolitical events is poor. Few foresaw the Ukraine and Gaza conflicts and or their trajectory, even after they started.

Economists seem oblivious to basic data dynamics. In authoritarian systems, underlings must ensure that statistics meet forecasts to avoid punishment or ensure career progress, even if this means falsifying data. Bad news must always be the fault of external forces or actually good news. Even irrefutable measures of poverty levels can be manipulated by changed thresholds.

Complex feedback loops are ignored. Economic models and forecasts are integral to the formation of expectations and actual real world behaviour. Predictions may shape policy which, in turn, influences results. If the estimated outcomes were wrong in the first place, then incorrect action taken pursuant to these affects results. For example, improved modelling can encourage banks and investors to assume greater exposures, changing systemic risk.

American economist Frank Knight defined uncertainty as the absence of quantifiable knowledge about an event. It denotes fundamental ignorance or the boundary of knowledge making certain outcomes entirely unpredictable. Risk, a subset of uncertainty, is quantifiable or measurable. Analysts mistake uncertainty for risk and vice versa.

Second, forecasts betray behavioural biases identified by Daniel Kahneman and Amos Tversky. There is ‘induction’—formulation of general rules without sufficient information. ‘Availability’ means conclusions rely on the information obtainable, rather than that needed. Forecasts are subject to ‘contamination’ that is based on irrelevant but superficially connected data. Economists are prone to overconfidence in ‘calibration’, underestimating the statistical confidence levels and error terms around each data input.

There is ‘confirmation’—using models or seeking out data that confirms a preconceived hypothesis, while ignoring evidence to the contrary—and ‘affect heuristic’, allowing preconceived value judgements to impede our conclusions. ‘Hindsight’ encourages unhelpful reliance on history. Another problem is the Dunning-Kruger effect, a cognitive predisposition in which people with limited competence overestimate their abilities.

Third, the prevalent incentive structures are influential. Economists provide forecasts not because they know, but because they are asked to by clients or employers. The payoff structure is unusual. Forecasting’s key performance indicator is relative rather than absolute.

This means an economist's forecasts tend to cluster around a point with few if any outliers. As John Kenneth Galbraith held: "It is far, far safer to be wrong with the majority than to be right alone."

Fourth, forecasting reflects its target audience. Recipients are interested in using the information for financial gain, primarily through investments and business or policy decisions which benefit from the predictions.

But the real (macro- and micro-economic factors) and financial (asset prices) economy no longer exhibit any strong relationship. Mundane indicia, like earnings, dividends or growth, do not correlate to values. Forecasts, even if accurate, cannot be used necessarily to make money. Returns necessitate taking real risk based on actual uncertainty, and without uncertainty there is no risk.

There is an essential forecasting paradox. If someone knows the course of future events, then would they provide you with this knowledge for a modest outlay or for free. Besides, for every expert opinion there is an equal and opposite one that can be found.

These shortcomings mean that economists rarely meet the professional standards that John Maynard Keynes specified as "humble, competent people, on the level with dentists". Their forecasts too are of dubious utility. This poses a different question—why do we read or listen to predictions which we know are deeply flawed?

There are some possible explanations. Financial institutions employ economists to cloak their activities in a modicum of seriousness. They are a form of marketing. Many economists who spend time on air as media talking heads are advertising their employers—a kind of product placement.

Investors, businesses and governments employ economists as they do management consultants—as scapegoats for when things go awry. They cannot be held responsible if they acted on the best advice. Of course, occasionally the forecasts might prove correct in which case the person can claim the credit. Alternatively, it might be for the entertainment or similar value.

The enthusiasm for forecasts speaks to the modern search for certainty and predictably. But physicist Wolfgang Pauli was probably correct in his view that the best we can hope to achieve is simply to misunderstand at a deeper level.

Satyajit Das, Former banker and author; his latest book is *Fortune's Fool: Australia's Choices*

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Another view of the temple run: A for assimilation

The decades-long Ayodhya movement has been an attempt to unify castes and decolonise minds. Congress seems to have realised it is wise to stay silent



Image used for illustrative purposes only. (Express illustration | sourav roy)

Vinay Sahasrabuddhe

In 1992, when the Babri structure was demolished, a Marathi journalist who witnessed the act of the karsevaks assembled in Ayodhya had made a profound observation about the huge crowd. He described, “I am witnessing a sea of humanity. No matter what language they speak, what caste they belong to, what region they represent—the only unifying identity they all unmistakably share is that of being Hindus.”

True, the electrifying impact of the Ayodhya movement has been the historic unification of Hindus, motivating them to rise above caste and community considerations. Understandably, that was the core objective behind the mobilisation. After the Meenakshipuram conversions of 1981, the Ayodhya movement passed through many phases including Ram *sheela puja* and the rath yatra led by L K Advani. Remember, all this happened after the Shah Bano episode, when secularism was made to stand on its legs. But unlike in the past, Rajiv Gandhi’s decision on the Shah Bano case in abject surrender before Muslim obscurantists,

met with severe criticism even from those who had never supported the BJP or the RSS. The Shah Bano decision proved to be an example of such blatant hypocrisy that Arif Mohammad Khan preferred to resign than to remain in the cabinet.

It was on this setting that the political narrative of the late 1990s saw the emergence of many new terms featuring prominently in the media as well as academia. Minority-ism, minority appeasement and vote bank politics were a few from the oft-repeated new lexicon. They became popular as people saw a point in the BJP-RSS's attack on pseudo-secularism—a euphemism for the hypocrisy of almost the entire non-BJP establishment. What made L K Advani's statement—"Justice to all, appeasement of none"—catch the imagination of voters was the Congress's unabashed disregard for some key guiding principles of the Constitution. The Congress party's refusal to abrogate Article 370 or introduce a Common Civil Code providing for a ban on triple talaq were clearly aimed at protecting the Muslim vote bank, a fact that convinced Hindus of the party's continued politics of minority appeasement.

No wonder the BJP was able to mobilise all who were, firstly, disenchanted with the Congress's politics and, secondly, had started realising that no matter what social group they belonged to the ethos they all shared was essentially Hindu.

During the last 30 years, the landscape and grammar of politics in India has changed drastically. Remember acronyms such as AJGAR for Ahirs, Jats, Gujars, Adivasis and Rajputs? Or MY alliance, meaning Muslims and Yadavs? Today, the use of such acronyms has become rare, perhaps because they are fast losing relevance. Gone are the days of open casteist appeals such as "*Tilak, taraju aur talwar, inko maro jute chaar* (Hit the tilak, balance and sword with shoes)", a broad-daylight call to attack Brahmins, Banias and Kshatriyas. True, the Jats in Haryana, Marathas in Maharashtra or Adivasis in Chhattisgarh continue to be politically assertive. But now, the assertion of their caste identity is not happening at the cost of their Hindu identity.

The women's quota bill, once obstructed by the Samajwadi Party and its allies for the want of a quota within the quota, today faced no national opposition. After the recent assembly elections' verdict, the talk of "*Jitni abadi, utna haq* (Rights according to population)" seems to have died down. Once, staunch advocates of faith-based quota—the Congress and the Left parties—are today apparently silent on the issue. Unsurprisingly, PM Modi's candid observation that he recognises only four castes—the poor, youth, women and farmers—is finding resonance, especially among the young.

A few months earlier, the declaration of the results of the caste census in Bihar was seen as a game-changer; almost no political party chose to oppose the idea. However, the fact remains that a caste census eventually holds mirror to the numerically small and big caste groups, most of whom refuse to believe that they are numerically not so very strong. While a

caste census is an idea supported by all, a consensus on the outcome of the census is hard to achieve. Obviously then, limitations to this so-called 'game-changer idea' have come to the fore.

All this is pushing vote bank politics to the backburner. Notwithstanding the Congress leadership declining invitation to attend the Ayodhya consecration ceremony, the first-family siblings seem to have realised that visiting temples doesn't make them any less secular. Not just that, in the 2018 Madhya Pradesh assembly elections, the Congress had announced the development of a Ram Path Van Gaman, the road taken by Ram while in *vanvas*, as mentioned in the *Ramayan*. Unlike in the past when the then Prime Minister Narasimha Rao had talked of rebuilding the Babri mosque, the Congress seems to have realised that it is wise to remain silent.

Hindutva opponents must understand that assertion of Hindu-ness is an integral part of project decolonisation. And remember, the idea of decolonisation is enormous. True, it is hard to achieve, but it is truer that it is impossible to oppose. Just two-three decades earlier, one would not have imagined that the New Delhi Municipal Corporation could seamlessly alter the name of Aurangzeb Road and make it APJ Abdul Kalam Road without any brouhaha. The same proved to be true when Aurangabad and Osmanabad in Maharashtra recently became Chhatrapati Sambhaji Nagar and Dharashiv. The Congress-secularists combine must realise that, all said and done, Indians cannot identify themselves with the aggressors and oppressors of the medieval era.

All this suggests a new realisation of the emergence of an assertive and assimilating Hindu. A society that certainly refrains from needless aggression, but now also refuses to tolerate the unprovoked aggression of others. A new Hindu that refuses to be taken for granted. And remember, this new Hindu will celebrate the consecration joyfully, but certainly would not provoke adherents of other belief systems. The new Hindu mood is, "We will not provoke anyone; if someone wantonly provokes us, we will not spare them."

(Views are personal)

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WTO legitimacy at stake in Abu Dhabi meeting

WTO members are facing the daunting task of making the multilateral trading system respond to the needs of the contemporary world, especially those of the developing countries.



Former US President Donald Trump(Photo | AFP)

Biswajit Dhar

Trade ministers of the World Trade Organization (WTO) countries will meet for their 13th ministerial conference (MC13) in Abu Dhabi next month at a time when the multilateral trading system is losing an existential battle. This 'ruled-based organisation' was mandated to ensure orderly conduct of global trade through a set of rules that were mostly negotiated before 1990, when the organisation had less than 100 members. Over the past four and a half decades, the needs and aspirations of the members in the realm trade have changed beyond recognition as the global economy had undergone significant changes. Several of these changes were triggered by the downturns that altered the economic orientation of major economies, turning them more internally oriented. In the run-up to MC13, WTO members are facing the daunting task of making the multilateral trading system respond to the needs of the contemporary world, especially those of the developing countries.

Given these changing global dynamics, multilateral trade rules, which economists consider as the best option for conducting trade, need to be constantly reviewed and updated. Equally important is the need to ensure that the agreed rules are enforced effectively for maintaining the credibility of the institution. The founders of the WTO had foreseen this imperative by putting in place a robust dispute settlement body (DSB), by far the best among all multilateral organisations. As the adage goes, WTO's DSB has "teeth that can bite", thus keeping the members honest to their commitments. Unfortunately, both arms of the WTO, the negotiating arm that would have helped update the rules, and the DSB have become dysfunctional.

At the end of the fourth ministerial conference held in Doha in 2001, trade ministers had agreed to comprehensively review the agreements finalised during the Uruguay Round, leading to the formation of the WTO. The Doha Development Agenda reflected the demands of developing countries that the Uruguay Round needed to be rebalanced to reflect their needs. But after more 15 years, the Doha agenda was abandoned, and the negotiating arm of the WTO was taken over by the dominant economies who formed "clubs of the willing" to initiate discussions on new issues that suited their interests.

An organisation that is mandated to undertake negotiations only when there is consensus among the members for so is now witnessing engagements between a subset of its members on issues such as electronic commerce and investment facilitation. South Africa and India, two economies that are not among the participants, have repeatedly pointed out that these processes are violating the core principles of multilateralism.

The Trump administration dealt a death blow to the DSB by refusing to appoint new members to the appellate body that hears appeals against the decisions of the dispute settlement panels. The appellate body is the most critical part of the DSB since its rulings on disputes between members are final and binding. The erring members have to amend their laws and policies to bring them in conformity with the WTO rules. Now that the appellate body is non-existent, members can indulge in flagrant violations of WTO disciplines. The multilateral trade rules are, thus, dead in the water.

It is a travesty that WTO members are not reflecting on these systemic problems plaguing the WTO. As of now, members are engaging in issue-based discussions that include two subjects vitally important for India—adoption of subsidies discipline for the fisheries sector, and review of the disciplines on agriculture.

Fishery subsidies' disciplines are aimed at prohibiting "certain forms of fisheries subsidies that contribute to overcapacity and overfishing, and eliminates subsidies that contribute to illegal, unreported and unregulated fishing", thus promoting sustainable fishing. Though laudable, these disciplines must ensure that the governments retain their policy space to support the livelihoods of small fisherfolk in developing countries including India.

The review of the agreement on agriculture (AoA) includes a component that is critically important to India. Since the beginning of the previous decade, WTO members have been discussing the issue of public stockholding for food security purposes, the basis of India's public distribution system. For India, the significance of this issue increased manifold after the then government decided to implement the National Food Security Act (NFSA) to provide subsidised foodgrains to two-thirds of the country's population.

However, implementation of the NFSA is covered by the subsidies' disciplines of the AoA, which stipulates that WTO members must limit their value of subsidies provided to crops and for inputs to 10 percent of the value of their agricultural production. According to the AoA, subsidies for individual commodities are differences between their current administered prices, or market price support, and the international prices prevailing during 1986-88 (called "fixed external reference price"), while input subsidies are budgetary outlays. Though this formula defies all economic logic, subsidies for most crops provided by India remained below the 10 percent threshold as did the overall level of subsidies.

This situation changed after the NFSA was introduced, as AoA requires WTO members to include the differences between prices at which foodgrains for PDS are acquired and their external reference prices as subsidies. This meant that India's total subsidies would be above the 10 percent threshold, thus preventing the government from implementing the NFSA. India has consistently argued that the subsidies' discipline must be amended by either updating the external reference price and/or allowing countries to account for inflation while calculating their subsidies. However, India's arguments have not been accepted yet.

This challenge faced by India is among the plethora of legitimacy deficits that the WTO faces at this juncture. MC13 must take a decision to address this glaring weakness of the institution.

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