



Jailing a judge

Justice Karnan's imprisonment should have been avoided to keep the judiciary's dignity

The imprisonment of Justice C.S. Karnan, who recently retired as a judge of the Calcutta High Court, for contempt is the culmination of a series of unfortunate and unpleasant developments. It was a step that was best avoided in the interest of maintaining the dignity of the judiciary. It is indeed true that Justice Karnan's offences in making wild and totally unsubstantiated allegations against a number of fellow judges, and his tactics of intimidation against Chief Justices who tried over the years to discipline him, were shocking and completely unacceptable. However, a Supreme Court that allowed him to enter the hallowed portals of the higher judiciary would have done better had it adopted a more pragmatic approach. Mr. Karnan was due to retire and it would have been sufficient if he was allowed to do so under a dark cloud of dishonour, after spending his last days in office stripped of judicial work. It is an extraordinarily low moment for the institution that a man who the Supreme Court felt needed his mental health evaluated should be sentenced for contempt of court, arrested and sent to jail. As for alternatives to imprisonment, recommending his impeachment to Parliament was a possibility the Supreme Court may have also done well to consider. There is no defence of Justice Karnan's disdainful refusal to answer the contempt charge or going into hiding to avoid arrest for nearly seven weeks – actions that only served to reinforce his waywardness and disregard for the law.

It is also time for some introspection within the judiciary on the manner in which judges are chosen. That someone as ill-suited to judicial office as Justice Karnan entered the superior judiciary exposes the inadequacies of the collegium system. The absence of a mechanism to discipline recalcitrant judges is another glaring lacuna in the existing system. With the Constitution prescribing impeachment by Parliament, a long-winded and cumbersome process, as the sole means to remove a judge, Chief Justices of the High Courts are at their wits' end when it comes to dealing with refractory judges who are not amenable to any discipline or capable of self-restraint. Non-allotment of judicial work and transfer to another High Court are measures available for the purpose, but in Mr. Karnan's case these hardly had any chastening effect. Instead, he continued to make the self-serving claim that he was being victimised because he was a Dalit. He now has the option of moving the court to seek suspension of his sentence or appealing to the President for its remission. No one would really grudge Mr. Karnan an opportunity to secure his liberty, but one can only hope that in future he does not use his time in prison to play to the gallery and portray himself as a martyr in the cause of fighting corruption in the judiciary.

Kumble's farewell

His graceful exit as coach shows the mirror to the superstar culture of Indian cricket

A ghastly fissure ripped through Indian cricket as Anil Kumble quit as the national team's head coach on Tuesday. Kumble's exit had seemed inevitable once the Board of Control for Cricket in India called for fresh applications for the post of head coach just as the Men in Blue flew to England for the now-concluded ICC Champions Trophy. Until that moment on May 25, skipper Kohli and coach Kumble had seemed to be a perfect match. The duo oversaw five Test series victories against opponents as diverse as the West Indies and Australia, besides winning one-day internationals and Twenty20s. The lone blip was the loss to Pakistan in the Champions Trophy final this Sunday. Speculation that something was amiss got stronger when leaks surfaced about the alleged rift between Kohli and Kumble, a rumour that was initially denied by the captain but has become a fact following the coach's farewell statement, in which he wrote: "It was apparent that the partnership was untenable." That Kumble resigned despite the Cricket Advisory Committee comprising Sachin Tendulkar, Sourav Ganguly and V.V.S. Laxman endorsing his extension is a reflection of his inherent dignity. He clearly did not want to be drawn into an unpleasant battle with Kohli. It also followed the pattern of his earlier departures, be it his injury-induced Test retirement in 2008 or his resignation as chairman of the National Cricket Academy in 2011. Those decisions were swift, the reasons were delivered with surgical precision, and he left with grace.

A difference of opinion between two strong individuals causing a discord is not new to Indian cricket. There is a precedent in the spat between Ganguly and Greg Chappell, but there are differences between that tussle and what transpired between Kohli and Kumble. The Ganguly-Chappell feud became obvious during India's tour of Zimbabwe in September 2005. Subsequently, Ganguly lost his captaincy and place in the team, eventually returned to the team, and Chappell finally resigned in April 2007 following India's disastrous World Cup in the West Indies. Chappell had a longer stint despite a rebellion in the ranks, and had his say for a large part of that time. For Kumble, the period of uncertainty lasted just four weeks after the BCCI sought applications for the post. The latest development also highlights the superstar culture undermining Indian cricket, a point earlier made by the former member of the Committee of Administrators, Ramachandra Guha. If Kohli can be a prima donna and demand pliable coaches, it will set a wrong example. The BCCI should ensure that a coach with the right credentials is picked and given a contract that lasts till the 2019 World Cup in England. Kumble got a raw one-year deal. It is a position that demands an extended tenure on the strength of results, not one that can be curtailed by bad blood.

A moment for realism

The case for India-U.S. partnership has been always strong, but the romanticism accompanying it is on test



VARGHESE K. GEORGE

When Prime Minister Narendra Modi and President Donald Trump shake hands and perhaps embrace each other next week, the mandatory encomiums about India and U.S. being the world's largest and oldest democracies, respectively, would have a sombre undertone to them. Both these democracies are passing through testing times.

Two nations in churning

Powerful political forces are trying to re-litigate principles that have held for decades in India, and have evolved over centuries in America. This ongoing re-litigation involves, at the functional level, some fundamental questions about citizenship, individual and collective rights, particularly religious rights, the terms of engagement between the state and citizens, the balance of power between various branches of the government, the role of the media, etc. At the conceptual level, what is being debated is the question of national identity itself. As recurring incidents show in both countries, this process is oftentimes violent, and not based on a commonly agreed set of facts. And facts are being invented and misrepresented, including in cases where historical records and scientific evidence do not leave any such scope. This internal debate on democracy is also testing the resilience of institutional checks and balances, the bedrock of both democracies. While both India and the U.S. are pondering over the values that define them as nations, talking of shared values – the bond



between the two countries – may sound incongruous.

The other shared bond is of interests. America is deeply divided on what its national interests are. It is unable to decide who are its friends and who are its enemies. Indian commentators have over the years admired America for its single-minded pursuit of its strategic culture, its ability and willingness to use military power to change the course of world politics. But the Trump movement is based on a public repudiation of this strategic culture. The President has repeatedly called out the country's war planners and strategic thinkers. It is not that he is offering any alternative thinking; in fact, his actions are contradicting his own stated positions on so many fronts. He believes that championing a new era of military build-up is essential for making America great again, though he has called American interventions in recent decades "stupid". It is unlikely that America's strategic behaviour would change dramatically, but the fact remains that it now has a President who believes that what America has been pursuing all this while is not its national interest.

Resisting Chinese expansionism

has been a shared interest between India and the U.S. in recent years, and the rising defence cooperation between the two countries is testimony to that. But the American attitude to China, and the way it sees India in that equation, is more nuanced than the linear notion prevalent in India. In the order of American threat perceptions, China appears to be quite low at the moment, with Russia climbing to the top as a conventional threat – yet another point on which the security establishment and the President are not on the same page. Islamism and the potential for nuclear adventurism by North Korea or Iran come much higher on the list than China.

Not a military threat

China is not a military threat to the American mainland unlike Russia, which has the capability even if not the intent. Economic ties are no guarantee against conflict, strategic commentators have argued citing pre-World War trade links among European countries. But U.S.-China economic links are of a different nature qualitatively. American companies fume about unfair state interventions and IPR (intellectual property rights) losses

in China, but the Chinese market and manufacturing processes are essential for their global operations. For the American state, China, as a threat, comes in the category of 'important, but not urgent'. Moreover, China is a valuable partner dealing with some more urgent questions. During the Obama years, they were climate change and North Korea. Under Mr. Trump, the single-minded focus is on dealing with North Korea. Mr. Trump also hopes for Chinese cooperation in his plans for the America economy. His administration has taken a benign view of Beijing's Belt and Road Initiative while American companies are trying to get as much business out of it as possible.

Reining in Pakistan

India has complained of American lack of sympathy for its concerns in its policy towards Pakistan. There has been increasing appreciation among Washington's strategic thinkers and policymakers of Pakistan's duplicity in the conflict in Afghanistan. That Pakistan exports terror to its neighbouring countries has now been stated in multiple government documents and Congressional hearings. However, successive U.S. administrations have viewed India's attempts to influence America's Pakistan policy with scepticism. While India wants the U.S. to rein in Pakistan's sponsorship of terrorism, it does not want American opinion on Kashmir – a position that American policymakers consider contradictory. While Americans increasingly appreciate the fact that India has been a victim of Pakistani aggression, they also believe New Delhi could be more appreciative and supportive of American efforts to stabilise the region. Stabilising Pakistan and seeking a political deal with the Taliban have been part of that approach.

Previous administrations would be more guarded in expressing such concerns with India, which may not be case with Mr. Trump. Already, by offering to negotiate between India and Pakistan, the U.S. Ambassador to the UN, Nikki Haley, has stirred up a hornet's nest in India.

While it will take continuous engagement for India and the U.S. to explore their shared interests in Asia-Pacific and Af-Pak, any misalignment between the U.S. State Department and the Pentagon is no good news for India. Mr. Trump has cut the budget for the former while committing more money to defence, and the White House has declared that the new administration believes in hard power, not soft. The Pentagon sees each bilateral relationship from a military planning perspective while the State Department places it in a broader strategic calculation. Consequently, the U.S. Department of Defense has been a champion of enhancing cooperation with India, and its initiatives often do not pass muster with the Department of State. For instance, the Pentagon supports the sale of Guardian drones to India, while the State Department has raised the red flag that the technology has been given only to South Korea, a treaty ally of the U.S., so far in the region. Resolution of such intra-government disputes can only be achieved by a strong-willed political leadership committed to ties with India.

The India-U.S. partnership has inherent reasons to survive. But the romanticism that characterised the hype of well-meaning advocates of a stronger partnership needs to be tempered with a dose of realism. The heady romance is taking a pause, but the companionship will endure, loveless as it could be.

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The high cost of ageing

Evidence shows that health systems must be recast to accommodate the needs of chronic disease prevention

VEENA S. KULKARNI, VANI S. KULKARNI & RAGHAV GAJHA

The National Health Policy (NHP), 2017, is long on banalities and short on specifics. In a somewhat glaring omission, little has been said about the rapid rise in the share of the old – i.e. 60 years or more – and associated morbidities, especially sharply rising non-communicable diseases (NCDs) and disabilities. In the context of declining family support and severely limited old-age income security, catastrophic consequences for destitute afflicted with these conditions can't be ruled out. Besides, continuing neglect and failure to anticipate these demographic and epidemiological shifts – from infectious diseases to NCDs – may result in enormously costlier policy challenges. An estimate provided for the 2014 World Economic Forum suggests that NCDs may cost as much as \$4.3 trillion in productivity losses and health-care expenditure between 2012 and 2030, twice India's annual GDP.

Detailed projections of the old in India by the United Nations Population Division (UN 2011) show that India's population, ages 60 and older, will climb from 8% in 2010 to 19% in 2050. By mid-century, their number is expected to be 323 million.

Population dynamics and a rapidly changing age structure reflect the combined impact of increasing life expectancy and declining fertility. Life expectancy at birth in In-

dia climbed from 37 years in 1950 to 65 years in 2011, stemming from declines in infant mortality and survival at older ages due to public health improvements. The key question is whether longer lives have translated into healthier lives. Our evidence raises serious doubts.

Evidence from IHDS survey

Our analysis, based on the India Human Development Survey (IHDS) 2015, the only nation-wide panel survey covering the period 2005-2012, throws new light on these issues. A major advantage of the panel survey is that the same individuals are tracked over a period of seven years.

The prevalence of high blood pressure among the old almost doubled over the period 2005-12; that of heart disease rose 1.7 times; the prevalence of cancer rose 1.2 times; that of diabetes more than doubled, as also that of asthma; other NCDs rose more rapidly (i.e. by two and a half times).

A related question is whether multi-morbidity (i.e. co-occurrence of two or more NCDs) also rose over this period. Often multi-morbidities occur non-randomly or systematically. The prevalence of high blood pressure and heart disease rose more than twice while that of high blood pressure and diabetes nearly doubled.

Wealth quartiles were constructed to examine whether prevalence of NCDs varied across them and over time. The burden of NCDs



shifted from the most affluent to the least affluent over this period. In both the first (least wealthy) and fourth (wealthiest) quartiles, the prevalence rose sharply in most cases but in all the rises were faster among the least wealthy. The ratio of high blood pressure in the first quartile relative to the fourth rose from 0.36 in 2005 to 0.40 in 2012; that of heart disease rose from 0.31 to 0.38; that of diabetes from 0.23 to 0.34; and that of blood pressure and heart disease rose from 0.11 to 0.58. As NCDs are associated with a large majority of deaths among the old – about 93% of the total deaths among 70 years or more in 2013 – they are now more vulnerable to mortality risk. In fact, the least wealthy have become more susceptible to this risk.

By age 60, the major burdens of disability and death arise from age-related losses in hearing, seeing or moving, and NCDs (WHO, 2015). Thus co-occurrence of disability

and NCDs poses a higher risk of mortality.

Assessing disability

Disability is the umbrella term for impairments, activity limitations and participation restrictions. An assessment of functioning in activities of daily living (ADLs) is one method widely used to assess disability in older persons. Disability is usually measured by a set of items on self-reported limitations with severity of disability ranked by the number of positively answered items. Disabilities in ADL show dependence of an individual on others, with need for assistance in daily life.

In select disabilities, there is a sharp rise with age and over time. Difficulty in walking was 1.7 times greater in the age group 70-plus years relative to 60-69 years in 2012. Over the period 2005-2012, overall prevalence rose 6.1 times. Difficulty in using toilet facilities was 2.3 times higher among the older group (70-plus years). Overall prevalence was five times higher in 2012. Difficulty in dressing was about 2.5 times higher in the older group. Overall prevalence jumped about five times between 2005-12. Hearing difficulty was just under twice as high among the older group in 2012, while the overall prevalence rose 4.7 times over this period.

To assess severity of disabilities, these are classified into counts of 1-4 and greater than 4. The proportion of old women was larger than

that of males in both groups and years. At the aggregate level too, disabilities grew in both groups, especially in the group greater than 4. Thus both prevalence and severity of disabilities rose during 2005-2012.

As observed earlier, it is the co-occurrence of NCDs and disabilities that is more likely to be fatal. We find that in most cases there was an increase. Heart disease and disabilities (1-4) rose 1.3 times. Blood pressure and disabilities in this range rose 1.2 times, as also diabetes and disabilities. Blood pressure and heart disease and disabilities increased 1.4 times.

In brief, that the curse of old age has become worse is undeniable. Along with expansion of old age pension and health insurance, and public spending on programmes targeted to the health care of the old, careful attention must be given to reorient health systems to accommodate the needs of chronic disease prevention and control by enhancing the skills of health-care providers and equipping health-care facilities to provide services related to health promotion, risk detection, and risk reduction.

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LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

Positive messaging

Prime Minister Narendra Modi has understood our feelings accurately and captured our imagination with his eloquent appeals to our nationalism, patriotism and sense of identity. A succession of scams stymied governance in the United Progressive Alliance's 10-year rule and it is idle to expect Mr. Modi to pull a rabbit out of his hat and find an answer to every problem in his government's three-year rule. Mr. Modi's administration is scam-free and seems well poised to deliver on its promise of 'acche din' in the remainder of its term or next.

However, if Mr. Modi is going to be long on rhetoric and short on delivery, the campaign could backfire like 'India Shining' ("The art of positive messaging", June 21).

KANGAYAM R. NARASIMHAN,
Chennai

While it is refreshing that the writer has counselled the Opposition to also try and be positive about India, he appears to be biased. He has omitted mentioning the positive deeds this government has achieved such as the anti-corruption drive, Swachh Bharat, reworking the LPG gas subsidy, inculcating discipline in the bureaucracy and fixing accountability. An unkind note is his trying to predict doom for the ruling dispensation. There should be an equitable presentation of merits and demerits.

S. KANNAN,
Karaiikudi, Tamil Nadu

The Karnan saga

The fact that Calcutta High Court judge Justice C.S. Karnan retired as a fugitive rather than retiring gracefully makes one sad. It is unfortunate that a person of the stature of Mr. Karnan could act in a manner

unbecoming of a judge. His arrest finally sends out a strong message to other judges that however aggrieved one may be, one must abide by the laws of the land to uphold the dignity of the judiciary at any cost. Anyone trying to dispense his/her brand of justice may have to face the consequences sooner rather than later as per the laws in force ("C.S. Karnan held near Coimbatore", June 21). K.R. SRINIVASAN,
Secunderabad

Kumble's exit

Finally, the grapevine in the social media turned out to be correct about Anil Kumble's exit as coach ("Sport" – "Apparent the partnership was untenable", June 21). Team India has had a long history of unacceptability of native coaches. John Wright brought in 'work ethic' but Kumble cannot! How odd! Tendulkar, in his book,

questioned the credentials of Kapil Dev as coach. Had Kumble soft-pedalled, one feels that he could have continued.

A.V. NARAYANAN,
Tiruchi

■ The only fault of Anil Kumble, a proven match-winner and a highly successful coach of the Indian team, may be that he tried to bring in much more professionalism, discipline and commitment to the team. If the captain's say is so decisive in the selection of coaches and team members, what and where is the need for and role of selectors? After all, captains too come and go. It is no surprise that Kumble, a man of dignity and scruples, called a spade a spade and decided to move on.

C.G. KURIAKOSE,
Kothamangalam, Kerala

■ Kumble's untimely resignation has once again

proved that our cash-rich cricket board is spineless and wants only a yes-man in every department. Thankfully, they haven't blamed the coach for the debacle at the Oval. This is neither the first instance nor

is it going to be the last for the board to humiliate cricketers who have served the country honourably.

N. MAHADEVAN,
Chennai

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CORRECTIONS & CLARIFICATIONS:

In the report headlined "Defence readiness under scanner" (June 21, 2017), Admiral Arun Prakash was erroneously referred to as Navy Chief. It should have been former Navy Chief.

The Hindu dated June 18, 2017, (Section 1) had an article headlined "We must subject the canon to criticism" which stated that the American Constitution has 7,762 words. In "Easy like Sunday Morning", the "Magazine" supplement quiz on the same day, the third question was about the country – United States of America – whose Constitution has 4,400 words. A reader had sought a clarification on the actual number of words in the American Constitution.

Berty Ashley, the quiz setter, clarified: "The Constitution of the United States of America in its original unaltered state as envisioned by the founding fathers had 4,543 words, including the signatures spreading over four sheets. ... The quiz question was taking into consideration the Constitution as it was written in its original form. (That's why in Question10, I have specified 101 amendments in the Indian Constitution)."

The University of Chicago Law Review, Vol. 81, No. 4, Fall 2014, said: "In its current form, the U.S. Constitution comprises 7,762 words contained in seven original articles and 27 amendments."

It is the policy of The Hindu to correct significant errors as soon as possible. The Readers' Editor's office can be contacted by Telephone: +91-44-2841297/28576300; E-mail: readerseditor@thehindu.co.in