



The recalcitrant judge

It is doubtful if sending Justice Karnan to jail is the most judicious way of restraining him

It is singularly unfortunate that the Supreme Court's efforts to discipline Justice C.S. Karnan of the Calcutta High Court has had to end in a six-month prison term for contempt of court. With the recalcitrant judge making it a habit to bring the institution into ridicule by his aberrant behaviour, the court probably had few options but to act in defence of its reputation by holding him guilty of contempt of court – a finding that is unexceptionable. He had not only flung irresponsible charges of corruption against several judges, but also sought to make political capital out of his Dalit identity. He had repeatedly sought to pass purported judicial orders in his own cause. His arrest will undoubtedly mark an abysmally low moment in the country's judicial history. Therefore, it remains a pertinent question whether the court could not have waited for his imminent retirement so that the country is spared the unseemly event of a high court judge being arrested while in office. It was only last week that the court itself doubted whether Justice Karnan was of sound mental health. After all, it is highly unusual for a judge to charge other Supreme Court judges with committing 'atrocities' against him and threatening to prosecute them – an act that could only do harm unto him. As expected, Justice Karnan declined to subject himself to a medical examination by a team of mental health professionals as directed by the court.

Having gone so far as to question his mental soundness, it would have been pragmatic to let things be until his retirement, due in a month. After all, Justice Karnan, having been denied judicial work, posed no threat to the administration of justice. At the same time, it was increasingly clear that nothing was really going to chasten him or prevent him from challenging the Supreme Court's authority. It is doubtful whether sending him to jail will achieve anything other than possibly encouraging him to play martyr and portray himself as a victim in his 'war' against judicial corruption. That the only punishment that the highest court could come up with against a sitting high court judge was imprisonment speaks volumes about the total absence of any disciplinary mechanism short of impeachment to deal with contumacious conduct by a member of the higher judiciary. It is a pity that a case of proven misbehaviour did not attract the attention of the political class, which alone can initiate impeachment. The court's gag order on the media from reporting Justice Karnan's purported orders and comments only adds to the sense of unease about the whole episode. The lesson here is that while the collegium system had been unable to stop someone of his nature entering judicial office, maintaining internal discipline in the judiciary is an equally vexing issue.

Chasing peace

The latest de-escalation bid for Syria is the most realistic agreement yet

The so-called de-escalation agreement reached among Russia, Turkey and Iran last week in Astana is the latest in a series of attempts to bring the six-year-old Syrian civil war to an end. Previous ceasefire plans have either failed to take off or collapsed soon after, given the continued hostility between the regime of Bashar al-Assad and rebels. Still, the latest agreement is significant for a number of reasons. First of all, any attempt to cease violence is welcome given the destruction the war has wreaked in Syria. More than two million people are estimated to be living in rebel-held territories (barring areas controlled by the Islamic State) in terrible humanitarian conditions and under constant fear of aerial bombing. For them, an end to the Russian-Assad regime strikes is a great relief. Second, the agreement involves the three main external players in the civil war. Russia and Iran are the key backers of the regime, while Turkey supports some rebel groups. Under the agreement, Syria and Russia will stop bombing rebel-held areas, divided into four zones in Idlib, Homs, Damascus suburbs, and southern Deraa and Quneitra towns, to de-escalate tensions. The regime will also allow "unhindered" humanitarian supplies to rebel-held areas and provide public services. In return, the rebels should stop fighting government forces. Third, this appears to be a more focussed, phased attempt to end violence. The agreement was reached barely weeks before a two-track political process was to begin. In June, the government and rebel representatives will meet for negotiations in Geneva, while the Russia-led talks of external actors will continue in Kazakhstan in July. If the de-escalation plan holds, it will be a big boost for the political process.

But implementing the agreement itself will be a major challenge given the complex nature of the civil war. For the deal to hold, Russia and Iran will first have to rein in the Assad regime. In the past it has shown little interest in a political solution. Foreign Minister Walid Muallem's comment that the regime would not allow UN monitoring of the implementation of de-escalation is not in the spirit of the agreement. A bigger challenge for all actors involved is how to tackle the threats from al-Qaeda-linked groups. The Astana agreement is clear on that – Russia and Syria will continue to attack them. In Idlib, the Qaeda-linked Tahrir al-Sham is the main anti-regime militia. In Homs and the Damascus suburbs, they have joined hands with other groups. So if the government continues to attack them, it could drag more rebel groups into the fight, risking an end to the ceasefire. Ideally, the regime should exercise restraint and the non-jihadist rebels distance themselves from Qaeda-linked organisations, while allowing Russia, Turkey and Iran to play the role of facilitators. To take the political process forward, everyone has to act more responsibly, keeping in mind the humanitarian situation.

Now playing in Karnataka

While Siddaramaiah has embraced the constituency of Devaraj Urs, the BJP borrows from Ramakrishna Hegde



VALERIAN RODRIGUES

The Siddaramaiah regime in Karnataka is pushing towards a political polarisation of social constituencies which, while subjecting a well-tryed-out strategy in the State to test, is likely to have wider ramifications for the future direction of the Congress party elsewhere.

The outline of this political strategy was initially laid down by the late Devaraj Urs as Chief Minister of the State (1972-77), and its success even made him challenge Indira Gandhi at the near end of his political career and befriended Chaudhary Charan Singh during the closing days of Janata Party rule (1977-1979) at the Centre. Urs bypassed the existing revenue bureaucracy and set up a collective of officials and elected local leaders at the tehsil level all across the State to confer land entitlement on the direct cultivator, estimate surplus land, and adjudicate claims for homestead land by landless labour; and set up the credit and marketing infrastructure for the peasantry.

He also directed an inventory and classification of backward classes and extended to them reservation in employment, higher education and other social sector policies. He took initiative for the organisation of relatively marginal backward castes, and decisively shifted political recruitment to offices and positions to backward classes and minorities undercutting the prevailing dominance of upper castes, mainly Lingayats, Vokkaligas and Brahmins. The outcome was an electorally formidable platform of the lower agrarian strata, the backward classes, the minorities and a section of Dalits and Adivasis.

Political contestation in cities did not enjoy the same weight in the 1970s as it does today, and was taken care of by mainstream Congress politics. After Urs, many leaders in the State have invoked his



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legacy but had little of his adroitness to mount a distinct conception of social justice in practice. The political constituency that Urs nurtured remained adrift. Chief Minister Siddaramaiah has come to embrace it enthusiastically.

Complex agenda

Mr. Siddaramaiah was nurtured in a school of politics that did not assign centrality to state initiatives, to industry and the city, at least, as much as the Congress did till the early 1990s. His politics revolved around agrarian concerns with an assemblage of fragments of thoughts of Gandhi, Ram Manohar Lohia, and folklore. For long he worked with the non-Congress formation in Karnataka led by Ramakrishna Hegde and H.D. Deve Gowda, who were the backbone of the Janata formations in the State. But he was also the strident champion of backward classes and thought that there cannot be a level playing field for them without a regime of preferential policies. His partisanship with backward classes eventually made him part ways with Mr. Deve Gowda, whose social base of support was among the peasantry of the dominant castes, particularly Vokkaligas. When Mr. Siddaramaiah joined the Congress in 2005, its claim to represent the backward classes was reinforced alongside Dalits and minorities.

Mr. Siddaramaiah has also been one of the astute managers of the finances of the State, and has

already presented 12 Budgets. A close scrutiny of these Budgets highlights that he has tended to focus resources on irrigation, roads and communication, and power. Industry in Karnataka has taken note of such disposition in spite of his mouthfuls of statements on social justice.

The Congress in power in Karnataka under Mr. Siddaramaiah's leadership has pursued a complex social justice agenda, very different from the one mounted by Urs that focused on redistribution and access. It identifies certain key disadvantages of vulnerable social strata, such as the lower rungs of peasantry, below poverty line (BPL) families, the shelterless, schoolchildren, pregnant women and nursing mothers, Scheduled Castes and Scheduled Tribes, transgenders, backward regions etc. and extends some support to overcome their disadvantage. Similarly the different authorities and corporations under the State reach out to a set of grievances and aspirations of religious and linguistic minorities, sustaining a stratum of elite among them.

The regime has also reached out proactively in support of Kannada, folk traditions, and local icons. Mr. Siddaramaiah himself is an astute speaker of rustic and idiomatic Kannada with an excellent sense of irony and humour. Such disposition and policy measures have enormously increased the presence of vulnerable groups in the public domain that often finds ex-

pression in highly variegated but localised social assertions and movements. The social justice policy initiatives have also nurtured a huge clientele who have stakes in this patronage. Besides, it has articulated cleavages among Dalit communities, the north and south divide in the State, the indigenous philistines and the globalisers etc. Overall, the regime has invoked a stronger Karnataka identity without overtly splashing it across.

The BJP calculus

The Bharatiya Janata Party (BJP) opposition has pondered to the Hindutva agenda to unite one of the most socially heterogeneous States in India while making the Lingayats, a dominant and numerous community, its social anchor. B.S. Yeddyurappa, the leader of this formation, a Lingayat himself, has tried to highlight the grievances of the upper strata of peasantry to reinforce his base of social justice.

The BJP thinks that it will be able to enlist the support of the service castes among backward castes, a section of Dalits aggrieved with the working of preferential measures, and the urban middle classes at the hustings. However, there is a nagging feeling within it that this is not adequate to seize an electoral victory. A few leaders of the party have tried to form a backward caste brigade within its fold, but the party leadership is divided on the issue.

In the 1980s Ramakrishna Hegde set up a truck between the Lingayats and Vokkaligas against the alliance that Urs had nurtured. But it was far too caught in the rivalry among dominant castes for power and eventually gave place to alternative alliances under the leadership of a dominant caste. The recent entry of S.M. Krishna, an Vokkaliga, into the BJP was an attempt to resurrect the alliance that Hegde fathered. However, there is little that Mr. Krishna can bring to the BJP given the fact that Mr. Deve Gowda commandeers the Vokkaliga bastion more than anyone else.

Given this configuration of political equations, the balance at

present is definitely tilted towards Mr. Siddaramaiah. Further, an alliance between Mr. Deve Gowda's Janata Dal (Secular) and the Congress in Karnataka, which is not unimaginable, would make them electorally formidable.

The persisting divides

However, what is too late for Mr. Siddaramaiah, as he is soon going to complete four years in power, is the little enablement that his initiatives have afforded to his political constituency at large. While he has succeeded in according a presence to backward classes, minorities, Dalits and other disadvantaged social groups, there is little that he has done by way of enabling these sections by redistributing assets and affording access. Even if he was not a position to shift resources decisively in favour of these sections like Urs did, he could have done much to put Karnataka medium schools, that his clientele have to invariably resort to, on a par with the rest. Primary health care in Karnataka, as elsewhere in the country, is abysmal. The State is perennially prone to drought and the water table in large parts has sunk alarmingly low.

While the State was known for institutional corruption, some of the social sector policies of the government have given it a further filip. Much of the economy is concentrated in Bengaluru and the southern part of the State and very little has been done to close the yawning gulf between North Karnataka and the rest of the State in this regard. While Muslims are still with the Siddaramaiah regime, a community divide in the State persists and the presence of Muslims in the mainstream economy is pitifully low. While the internal rivalry within the State Congress probably inhibited the Chief Minister from putting his best foot forward for long, political choices cannot always await opportune moments.

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Duplication isn't synergy

Indian science needs hard work and a critically large base of experts, not more management

GAUTAM R. DESIRAJU

SPARK (Sustainable Progress through Application of Research and Knowledge) is a proposed initiative to synergise science activity in India. A new, more efficient way of managing science is surely welcome, but one needs to put in a lot of thought before taking any action.

The existing systems of science governance in this country are robust with departments reporting to ministers who in turn report to the Union Cabinet. There is no lack of sound advisory bodies and committees within these departments. As for overarching bodies, we already have the Scientific Advisory Committee to the Prime Minister and the Principal Scientific Adviser to the Government of India. Why are there two such similar bodies? Have any of their recommendations resulted in concrete actions? In the end, they have remained toothless. Do we need a third such body?

The science departments are too different from one another to

come under the purview of one "overarching" body like SPARK. The Department of Science and Technology and Department of Biotechnology are purely funding and outreach organisations. The Council of Scientific & Industrial Research (CSIR) has a special and tricky mandate which involves interaction with industry.

The Department of Atomic Energy, Defence Research and Development Organisation, Department of Space and others are into mission-mode projects. There is hardly a government department or ministry that science does not touch.

Reality of Indian science

The goals of SPARK seem to be most closely attuned with NITI Aayog, and it might well be effective only within this parent organisation, taking inputs from various quarters such as industries, the ministries themselves and NGOs to make proposals, some of which could move forward to become major initiatives. What one needs



is a management technique that effectively identifies scientific challenges and links the resulting breakthroughs with national problems.

However, the issue is not that we need a new system of science management. The bald fact is that we do not have so much to manage. The report of top science administrators that recommended the setting up of this independent authority is correct in that "the stature of Indian science is a shadow of what it used to be" but this is not because of "misguided interventions".

It is because there is a lack of scientific expertise across all levels.

We have failed in our educational system to harness the enormous latent talent in our country and build a solid foundation of science.

Science does not end with the Indian Institutes of Technology, Indian Institutes of Science Education and Research and other elite institutions. I disagree with the report's contention that "there is a huge support system", and "global goodwill" which is "positive". We have none of these.

Anyway, India does not need global goodwill to succeed in science. It needs hard work, honest management and a critically large base of experts.

Soothing yet baffling expedients to solve the problems of Indian science might make for good copy in the short run but they are not going to yield real results. For example, SPARK is not even required to "closely work with industry and evolve public private partnerships". That is the mandate of CSIR.

Decisions on new initiatives like SPARK should not be taken within

government departments in Delhi following a proposal from one closed administrative group to another. A broad-based consultation with stakeholders is a must.

Even if SPARK is constituted, it needs financial independence; given the relationship between the Ministry of Finance and its Department of Expenditure on the one hand and the science departments on the other, this remains a moot point.

Large systems that work even moderately satisfactorily should not be tinkered with too much, for we may then have to face unintended consequences. Indian science is certainly not in a good state of health today. But what is wrong is not the structure of the system. The wrongs emanate from the many sins of omission and commission over the years by the individuals who have led the system.

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LETTERS TO THE EDITOR

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Not taking a 'right' turn

In a phase when right-wing forces are on the ascendancy in India, the United States and in certain European countries, the victory of Emmanuel Macron, a former socialist, in France comes as relief to the liberal forces which espouse values of tolerance and multiculturalism ("The Centre holds," editorial, May 9). The Fifth Republic, wobbling due to issues such as Islamophobia and unemployment, has opted for the centre when confronted with the far right.

ASHOK ALEX LUKE, Kottayam

Mr. Macron's victory has been hailed by many as a victory of French liberalism when in fact it is more a loss of neo-fascism ("A triumph for French liberalism," May 9). The people voted for Mr. Macron, yes, but they did so

more to stop Marine Le Pen than because they had any trust in him. In fact, the record abstention number – between 25% and 27% – shows that a significant portion of the electorate was dissatisfied with having to choose between a capitalist and a far-right candidate. Mr. Macron's win may not have stopped the march of the far right but merely delayed it. If he decides to go forward with the neoliberal policies that he and others of his ilk have proposed, it will lead to even more dissatisfaction among the working class, which may drift towards the right.

REMUS NORONHA, Kozhikode

The results of the widely watched French presidential election will soothe the wounds caused by Brexit and make the

European Union stronger. Keeping in with the global trend, the final race was between two anti-establishment political parties. The world will keenly watch how a young and inexperienced leader tackles issues like the refugee crisis and the terror threat.

PAUL JOM, Palakkad

L'affaire Karnan

The saga of Calcutta High Court Judge C.S. Karnan and his judicial pronouncements has gone too far ("Karnan orders 5-year RI for CJI, 7 other SC judges," May 9). By making an ego clash with Supreme Court judges look like an atrocity case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Justice Karnan has trivialised the battle for Dalit rights. Dalits continue

to face severe discrimination which requires a concrete redressal mechanism. By fighting their personal battles with the help of a law meant to protect the rights of the downtrodden, people in high constitutional posts undermine the credibility of the movement for rights. In a way, this episode is also comes across as a commentary on the ineffectiveness of collegium system, which allows promotion of people of questionable competence to such high posts.

VINITA SAXENA, New Delhi

Left behind

While claiming to oppose exclusionary politics of the political Right, those on the Left often adopt a binary world view ("Righting the Left," May 9). The condescension expressed by the Left towards those

not on the same wavelength reminds us of sermonising offered as part of organised religions. Also, there is a clear failure to recognise that in the present scenario, many traditional Left values are losing relevance. The Left now comes across as whining about every issue without giving practical and workable solutions. This appears to be naive and reactionary. Issues such as human rights, liberty and equality are no doubt fundamental to democracy but the ideological framework of the Left and its methodology both need evolution.

NAKSHATRA SINGH, New Delhi

AAP still relevant

The plot to finish off the Aam Aadmi Party (AAP) and Chief Minister Arvind Kejriwal is as sure as eggs in eggs ("Fired Delhi Minister

hires bribery charge at Kejriwal," May 8). The "bribe bombs" have been dropped with the intent to demoralise Mr. Kejriwal and ruin AAP's credibility. The AAP's trademark topi and broom are an eyesore to the BJP and the space it finds in the political sphere as an alternative is not to its liking. Blame Mr. Kejriwal for anything, but not for corruption; even his worst enemies would agree on his incorruptibility. It is true that the setbacks in Punjab and Goa Assembly elections have put the party in a downbeat mood. But the AAP has not ceased to represent value-based politics and still appeals to those who believe that politics shouldn't be fully detached from idealism.

G. DAVID MILTON, Maruthancode, Tamil Nadu

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