

WHO

Sanjiv Khanna,
surprise
promotion

After spending over 13 years as a Delhi High Court judge, Justice Sanjiv Khanna has joined a select group of distinguished people to practise at the Supreme Court. Justice Khanna, son of the late Justice D.R. Khanna, termed his elevation as "a big surprise" in his farewell speech at the High Court. He believes that judges should be "keepers of law" and should not create laws.

Why the controversy?

A controversy erupted when the Supreme Court Collegium, comprising its top five judges, decided to drop its December 12, 2018 proposal to recommend Delhi High Court Chief Justice Rajendra Menon and Rajasthan High Court Chief Justice Pradeep Nandrajog, and instead elevate Karnataka High Court Chief Justice Dinesh Maheshwari and Justice Khanna as judges of the court. The Bar Council of India termed the decision "unjust and improper," since Justice Maheshwari and Justice Khanna stood at serial number 21 and 33 respec-

tively in the combined seniority of High Court judges. "The decision of 10th January, 2019, will lead to humiliation and demoralization of such judges and also of several other deserving senior judges and Chief Justices of High Courts," the BCI said, asking the Collegium to recall its decision. The retired Delhi High Court judge, Kailash Gambhir, too wrote to President Ram Nath Kovind, saying the Collegium's decision cast aspersions on the "intellect, merit and integrity" of the 32 senior judges, including many Chief Justices of the High Courts. Justice Khanna, 58, was sworn in on January 18. He is on course to becoming the Chief Justice of India after the retirement of Justice D.Y. Chandrachud in November 2024. If this happens, he will helm the post till he reaches 65, the retirement age of Supreme Court judges.

His landmark cases?

During his tenure at the Delhi High Court, Justice Khanna

authored or co-authored over 3,100 verdicts.

Though known for his acumen in taxation law, Justice Khanna passed several decisions which were of public interest. He was heading a Bench that was monitoring the installation of CCTV cameras

in the National Capital Region. The Bench directed the city police to abide by the timeline set by it for installing the cameras in police stations. The Bench has also been pushing for filling vacant posts in the forensic science laboratories (FSLs) to ensure quick clearance of backlog of samples for testing, especially in criminal cases. Last March, Justice Khanna headed a Bench that quashed a notification issued by the President, disqualifying 20 Aam Aadmi Party MLAs for holding office of profit as Parliamentary Secretaries. The Bench held that the opinion tendered by the Election Commission of India to the President to disqualify the legislators was "vitiated and bad in law" as it had failed to hear out the MLAs. The verdict led to the reinstatement of all 20 MLAs. Justice Khanna is among the judges who have declared assets on their own while he was a judge of the High Court. Currently, 29 of the 38 Delhi High Court judges have declared their assets on their



ILLUSTRATION: J.A. PREMKUMAR

own on the official website.

What are his credentials?

Justice Khanna was born on May 14, 1960, and completed his schooling in Delhi. After graduation, he studied law at Delhi University and was enrolled as an advocate with the Bar Council of Delhi in 1983. As an advocate, he handled several cases of medical negligence under the Consumer Protection Act and company law cases. On June 24, 2005, he was elevated as an Additional Judge of the Delhi High Court and became a permanent judge on February 20, 2006. In his farewell speech, Justice Khanna recalled that his appointment as an Additional Judge was delayed several times, but said he had "no regrets." He also underscored three issues plaguing the judiciary: delays in the disposal of cases; high cost of litigation; and the "impression" among the public that to win cases falsehood is needed.

SOIBAM ROCKY SINGH

WHAT

The lowdown
on zearalenone
in cereals

WHAT IS IT? Zearalenone is a fungal toxin infesting cereals such as wheat, maize and barley. It attacks crops while they are growing, but can also develop when cereals are stored without being dried fully. While numerous studies document this toxin in cereals across the world, no data existed for India until now. This month, a *Journal of Food Science* study detected zearalenone in wheat, rice, corn and oats from markets in Uttar Pradesh. The study, by researchers from Lucknow's Indian Institute of Toxicology Research (IITR), found the substance in 70 of the 117 samples tested. The Food Safety and Standards Authority of India does not impose maximum limits for zearalenone, though the European Union (EU) does. Twenty-four of the U.P. samples exceeded the EU regulatory limits of 100-200 mcg/kg of cereals. Based on this, the authors say India should set limits on zearalenone in cereals. "It is definitely a worry," Mukul Das, a food tox-

icologist at the IITR and an author of the study, told *The Hindu*.

HOW DID IT
COME ABOUT?

Fungal toxins are commonly found in food, and can be a public health concern, says Vasanthi Siriguri, a researcher at Hyderabad's National Institute of Nutrition, who was not involved in the study. India regulates the levels of some of these, including aflatoxin, deoxynivalenol, ergot and patulin. The first three infest cereals, while patulin is found in apples. Each of these toxins has been associated with disease outbreaks. For example, in 1974, a hepatitis outbreak in Rajasthan and Gujarat, which made 398 people sick and killed 106, was linked to aflatoxin in wheat. Meanwhile, chronic aflatoxin consumption has been shown to cause liver cancer. Given this, the International Agency for Research on Cancer (IARC) classifies aflatoxin as a Group 1 carcinogen, meaning there is enough

evidence for its carcinogenicity. In zearalenone's case, there is no strong evidence of toxicity in humans so far, though several research groups are investigating, says Dr. Siriguri. As a result, the IARC classifies it as a Group 3 carcinogen, which means evidence is not sufficient for an evaluation yet.

WHY DOES IT
MATTER?

Zearalenone behaves like oestrogen, the female sex hormone, and could cause endocrine disturbances in humans. Its nasty effects in animals, such as pigs, are documented. When fed with mouldy corn, pigs develop inflamed vaginas, infertility and other symptoms. This is why countries like Brazil regulate zearalenone levels in animal feed. In humans, the data are fuzziest. It is probably dangerous to humans too, but to be certain, we need to know how much humans consume, how it is metabolised, and how exposure is correlated with disease. Some experiments

suggest its ill-effects: in one, when oestrogen-sensitive breast cancer cells were exposed to the chemical in a lab, they proliferated. In 2014, a Tunisian case-control study found a correlation between a zearalenone metabolite in urine and breast-cancer risk in women. But other studies did not find similar links. In the *Journal of Food Science* study, Dr. Das and colleagues also looked at National Sample Survey Office data on Indian diets to calculate how much zea-



ralenone people could be consuming. They found that average daily consumption through wheat and rice was 0.27 and 0.3 mcg/kg of body weight – higher than the EU limit of 0.25 mcg/kg. In highly contaminated samples, exposure could be as high as 16.9 times the EU limit.

WHAT NEXT? Dr. Siriguri says more data are needed from cereals in other States, and from other storage conditions, before India decides to set limits. Since zearalenone favours cool climates, such contamination could be limited to a few States. Also, strong epidemiological data linking human zearalenone levels with diseases such as breast cancer are important. The paper is an excellent starting point, since nothing was known about the chemical in India so far. It is time to build upon it.

PRIYANKA PULLA

WHY

Britain is at
risk of crashing
out of EU

What happened?

■ At 11 p.m., in 61 days, Britain is set to leave the European Union and could do so without a deal, effectively rendering all laws governing its interaction with the union (on trade, travel, pretty much anything) no longer applicable. Disruption to medical and food supplies and travel aside, this would – even by the government's own analysis – be economically disastrous for Britain, with a growth loss of up to 10.7% over a 15-year period. However, with no solution in

sight and parliamentarians only in agreement on what they don't want rather than what they should do, leaving with no deal is now the default scenario and a very real possibility.

Is May responsible?

■ Innumerable factors have contributed to this precarious situation. There has been Theresa May's intransigence and unwillingness to explore any idea beyond those she set out last year, involving a common rule book and free trade zone with the EU, through an end to the free movement of people that is a central tenet of the EU. While "hard" Brexiters have contributed to her resolve – she does not want to be the Conservative Prime Minister responsible for a massive split in her party – much of the stubbornness comes from within her, and in particular from her obsession with curbing immigration. She spent six years as Home Secretary – before taking over as Prime Minister in 2016 – and was the architect of the

"hostile environment" that has come under much scrutiny in the past year over the wrongful treatment of Commonwealth migrants who arrived in Britain up to the early 1970s. She has been adamant Britain must cut net migration to the tens of thousands from the 100s of thousands and has therefore made ending free movement with the EU a red line for her, rendering solutions such as custom union membership demanded by other politicians a non-starter.

What about repercussions?

■ There's also a sizeable contingent of the Conservative parliamentary party that is not convinced crashing out is such a big deal. The likes of Boris Johnson regularly point to the supposed "evidence" like the preparedness of the Mayor of Calais (the French port) to insist scare tactics are being deployed, and polling shows there's enough support for their perspective within the wider party membership. In a recent poll, 57% of the Conservative Party

members said they would choose a no-deal exit if offered a choice between that, Ms. May's original withdrawal deal and remaining in the EU. Many of them don't want Ms. May to take no-deal off the table, with one prominent commentator suggesting that to do would be like walking into a car showroom and insisting one would not walk out without buying a car.

What happened in Parliament?

■ Others bear their share of responsibility too, not least Parliament which, when it allowed her to trigger Article 50 to leave the EU, didn't put any constraint on the nature of the deal she could negotiate it. That's left Ms. May and her team free to play a game of chicken: essentially threatening it either her way or a no-deal at all. Labour and other Opposition parties are persistently seeking a commitment from her to take no-deal off the table, but the move comes rather too late to be effective. That's partly because its looking in-

creasingly questionable whether the EU would be willing to offer Britain an extension (effectively delaying Brexit) that might be necessary to avert a no-deal. The EU's chief negotiator on Brexit, Michel Barnier, this week warned that simply opposing no-deal in the House of Commons would not stop it from happening unless a majority agreed on an alternative agreement. The next significant moment comes on Tuesday when MPs will vote on Ms. May's 'Plan B' which she outlined after her withdrawal deal failed to get through Parliament earlier this month. Amendments have been tabled but hopes that one calling for a second referendum could succeed have evaporated. Labour continues to refuse to back a second referendum, insisting a general election is the way ahead. So even though a majority of parliamentarians may agree that a no-deal Brexit is a terrible idea, it may not be enough to stop it from happening.

VIDYA RAM

WHEN

21,
January 2019

Tip of the iceberg: Climate change is causing Greenland's massive icesheets to melt much faster than previously thought. According to research published on Monday in the Proceedings of the National Academy of Sciences, the ice loss in 2012 – more than 400 billion tonnes – reached nearly four times the rate in 2003. Michael Bevis, the study's lead author and a professor of geodynamics at Ohio State University, said, "The only thing we can do is adapt and mitigate further global warming – it's too late for there to be no effect," adding "we are watching the icesheet hit a tipping point." A CNN report said the findings could have dire implications for the planet's low lying islands and coastal cities. The world is "losing the race" against climate change, United Nations chief Antonio Guterres warned in a speech at Davos, demanding bolder action from governments to arrest catastrophic warming. Picture shows an iceberg floating in a fjord near the town of Tasilaq, Greenland. ■ REUTERS



WHERE

Sanitation
deaths continue
in Delhi

A 37-year-old sanitation worker, hired by a private contractor, Krishan, lost his life on January 20 after he entered a drain in North Delhi's Wazirabad area, attempting to unclog it with his bare hands, and without any safety gear. While the Delhi police registered a case against the contractor and Chief Minister Arvind Kejriwal promised the deceased worker's family ₹10 lakh and a

job, the incident has left people asking – why are workers still being forced to clean drains and sewers manually?

What does the law say?

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, notified on September 18, 2013, terms manual scavenging a "dehumanising practice" and aims to end the practice and the use of insanitary latrines. The Act states that "no person, local authority or agency" can construct an insanitary latrine and directly or indirectly employ a manual scavenger. It prohibits any person, local authority or agency from employing anyone for "hazardous cleaning of a sewer or septic tank," the maximum punishment for which has been set at a two-year jail term and ₹2 lakh in fine. Besides the Act, the Delhi government came up with the Delhi Water Board Septage Management Regulations, 2018, to regulate the handling of sewage and make it safer for workers.

Have the laws been implemented? Under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, the State governments are supposed to have a State-level monitoring committee as well as district-level vigilance committees. Though it is supposed to meet once in six months, the Delhi State Monitoring Committee, headed by the Chief Minister, held its first meeting ever on September 24, 2018.

After the meeting, Social Welfare Minister Rajendra Pal Gautam, who is also a member of the committee, admitted in a statement that manual scavenging had not stopped, as evident from the death of five workers cleaning a tank last September at Moti Nagar. He added that the implementation of the Act had not been effective. While the government issued orders to district magistrates and other officers to ramp up the implementation of the law, including the identification and rehabilitation of manual scavengers, people are still be-

ing made to enter drains and septic tanks to clean.

While issuing notice to the Delhi government in the Wazirabad case, the National Human Rights Commission on January 21 pulled up the authorities. "Despite legal provisions as well as the Supreme Court guidelines safeguarding the interest of sewerage cleaners, precious lives have been lost owing to the apparent lack of supervision and lackadaisical attitude of the authorities," the NHRC observed.

What is the government doing?

According to Delhi government officials, private contractors or residents' welfare associations continue to hire labourers to clean drains and septic tanks as they find it cheaper and more convenient than renting machines, which are not readily available. In the Wazirabad case, the police said the contractors had hired Krishan and other workers for ₹400 a day each.

Speaking to *The Hindu* this week, Mr.

Gautam said mechanical cleaning of drains would help end the use of manual scavengers to a great extent. The Delhi Jal Board was in the process of procuring 200 sewer cleaning machines by March, he said.

But, he added, he was still worried about septic tanks and drains in Delhi's slums and unauthorised colonies, where the narrow lanes would prevent the vehicles from entering.

He pointed out that the government was looking for technological solutions to the problem, besides planning to train manual scavengers to get other jobs.

A team of experts from the Indian Institute of Technology-Delhi, the Netaji Subhas Institute of Technology and the Delhi Technological University, as well as officers of the three municipal corporations of Delhi and the Delhi Jal Board, were expected to meet this month to discuss the solutions, he said.

DAMINI NATH

The fickleness of political headgear and the persistence of memory

Today, digitally tweaked propaganda can also be un-tweaked pretty quickly



PASSING BITE

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In his great novel, *The Book of Laughter and Forgetting*, Milan Kundera lays out the theme quite early: “The struggle of man against power is the struggle of memory against forgetting”. This line comes right after the brilliant first image with which the book opens. After the Soviet takeover of Czechoslovakia following the Second World War, a puppet Communist government is installed in Prague. In February 1948, the leader of this government, Klement Gottwald, addresses a crowd from the balcony of a palace. It is snowing and Gottwald is bareheaded. Among the comrade-sidekicks standing next to Gottwald is a man called Clementis who takes off his fur cap and solicitously sets it on his leader’s head. The Communist Party propaganda department puts out thousands of copies of a photograph showing Gottwald in a fur cap addressing the crowd,

his comrades standing around him. Four years later, Clementis falls out of favour; he is arrested on trumped-up charges of treason and hanged. The propaganda department immediately airbrushes Clementis out of the official history and out of all the photographs as well. In the photograph from 1948, there is a gap next to Gottwald where you can see the palace wall. As Kundera pithily puts it: “All that remains of Clementis is the cap on Gottwald’s head”.

Erasures and retrievals

Every time I see a line-up of politicians standing on a stage at a political rally, hands linked, arms aloft, or standing solemnly in strict pecking order watching a Republic Day march-past, I wonder which ones and how many of them will be airbrushed out of history. I also wonder who will wield the airbrush – whether it will be one of the other characters standing on the stage or some Machiavellian operator standing out of sight in the wings. When, I often wonder, will one of the *chamchas* reach out, take the plumed *pagri* off the main sahib’s head and install it on his own scalp? And who after that? Sometimes in my mind the *pagris* play a game of musical heads, or perhaps it’s politi-



SANDEEP SAXENA

cians’ heads playing a game of musical *pagris*, but the questions always remain: how long will this bag of hubris remain the chief? When and how will she or he be forced by history to depart? The next question, obviously, is how will this person be remembered, forgotten and remembered again?

The flip side of the struggle of memory against power and its selective erasures is the fact that history is written, far more often than not, by the victors; the party that wins gets to capture and destroy not only the physical set-ups of the vanquished but also their stories

and memories. Physical structures, once they are gone are gone, whether it is the statues at Bamiyan, the pillars of Palmyra or the Hall of Nations at the Pragati Maidan in Delhi. However, in terms of narratives and memory, the interesting thing is that the instruments and processes of erasure and retrieval have changed radically and unimaginably since Kundera wrote that brilliant book in 1979.

For instance, at the time Kundera was writing his novel, the actual tool of the airbrush had been around for nearly a century, invented in America in the lat-

ter part of the 19th century and refined and used over the decades for the skillful doctoring of all sorts of images from aerial reconnaissance photos to pictures of Playboy models. Photographs intercepted at source were one thing, moving pictures yet another, but if it was text and photos in news reports that you wanted to bury or alter, then you had a far more difficult, almost impossible task – there was no way you could track down every copy of a paper or a journal and destroy or alter it. All you could do was narrow down the area in which the pesky, undesirable article with its inconvenient photos could be seen or distributed. Equally, if you were on the other side, wanting to disseminate a banned image or text, then you were confined to the means of physical copying and distribution. This, for instance, led to the great body of samizdat – underground magazines and books that began to seep out of Communist-controlled central and eastern Europe in the 1960s. Through these the world came to know about the realities behind the Iron Curtain regimes and the dissent that was active against those rulers.

The suction of history’s flypast

Today, of course, it is far easier to re-

move or distort something in a digital photo at the click of a mouse or e-pen. Today it doesn’t take that much skill to splice together extraneous sounds on to a bit of news footage and send an innocent university student into a sedition court case. A false rumour that would have taken months to spread in 1979, thus defeating the purpose of the spreading, can now be blasted out in seconds via social media across vast swathes of demography.

At the same time, what is tweaked digitally can also be un-tweaked pretty quickly – a working man squatting on the floor in his shirt and shorts can have the visage of a politician removed from his shoulders and his own face restored to him. Space-age buses and trains can be rescued from pictures of non-existent smart cities in India and returned to Taiwan and South Korea from where they were stolen.

And in the converse of what happened to Clementis, a man like Jawaharlal Nehru can emerge through several layers of the cement and paint of lies and grin at the figures occupying the dais, his sharp eyes noting the floor shifting under their feet and their headgear being sucked off by the jets of history flying past.

The municipal model is broken

We need to urgently rethink the way our cities are run



ON THE OTHER HAND

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Tourists visiting Delhi don’t visit Ghazipur. They have no reason to. Ghazipur’s ‘attractions’ consist of abattoirs, dairy farms, a wholesale fruit and vegetable yard, and a flower market – and Delhi’s largest landfill, currently occupying 29 acres. The rubbish mountain is just eight metres shorter than another famous Delhi attraction, the Qutub Minar. It was declared “oversaturated” in 2002 but 17 years later, 2,500 tonnes of solid waste continue to be dumped there every day.



K. MURALI KUMAR

struction and road dust.

Cut to Mumbai. The city’s bus services, arguably India’s finest, are just limping back to normalcy after a crippling strike by workers of the Brihanmumbai Electric Supply and Transport (BEST) over low wages and increasingly long duty hours. The estimated loss due to the strike was more than ₹20 crore.

A state of crisis

One could go on, but the short point is this: India’s exploding megacities are in a state of crisis. Officially, about a third of India’s population is urban but most contemporary estimates put the figure at closer to half. But the combined expenditure of all urban local bodies in India, according to NITI Aayog, is just 1% of the GDP. Worse, these city administrations generate only 44% of their finances from their own revenue sources like property taxes and user charges. The bulk of municipal expenditure (over 60%) goes towards paying wages and salaries.

Lord Ripon first specified the roles, responsibilities, and financial powers of local bodies in 1882, but it was the 74th Constitution Amendment of 1992 that specifically created a three-tier system of self-government in India, assigning 18 critical functions, including health care and education, to civic bodies.

All of them have failed to deliver. A crippling shortage of money is only part of the reason. Even where money is available, they have been unable to absorb it and execute plans. For in-

stance, the Atal Mission for Rejuvenation and Urban Transformation (AMRUT) funds infrastructure projects, but with one year left for the programme to meet its target, it has completed just 20% of the projects utilising only 3% of the allocated funds. Since AMRUT was launched in 2015, Bihar and Assam have not managed to finish even a single project!

A wretched experience

India’s system of civic administration, with a permanent bureaucracy and a changing set of political representatives, is broken. Politically, civic representation is merely seen as a stepping stone to the real stuff. And the municipal administration is subordinate to the State and Central public services. The system is riddled with corruption, the functioning is opaque, and there is virtually no public scrutiny or accountability.

For the urban poor, who depend most on civic services, the experience is wretched. Municipal schools produce functional illiterates, the health services barely function, and “planned development” is hostage to the real estate lobby. As for quality of life, all you need to do is to take a deep breath in any of the cities to find out how poor it is. After all, India holds the world record for housing the maximum number of the most polluted cities in the world!

The municipal model is broken. India needs to radically rethink the model if its cities are not to become dystopian wastelands. Maybe doing away with guaranteed employment in municipal service, and having various civic service chiefs run directly for office, as is the case in the U.S., might be a start. It also needs to figure out a sustainable financial model for city governments – levying market-related charges for things like water, road usage and parking is a start. Above all, it needs a more aware citizenry, with a greater say in deciding how exactly its tax monies should be spent.

Marie Kondo’s bookshelf

Is it time to invert her mantra on what to keep and give away?



WORD COUNTS

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Now that Marie Kondo’s strange ways of organising our possessions have caught the public imagination again, thanks to the Netflix series, it’s heartening that there is finally outrage over her book-selection techniques. In her terrifyingly popular book, *The Life-Changing Magic of Tidying Up*, some years ago, she had sought to solve every book hoarder’s dilemma on what to keep and what to discard: dump all your books on the floor, consider each book, sense “whether or not it gives you a thrill of pleasure when you touch it”. If it does, keep it. If not, get rid of it.

Looking at our shelves

Some, like novelist Deborah Levy, see the bemused reaction to Kondo’s decluttering mantra as a validation of the powerful hold of the physical book in the digital age. And this reaction does not come from a feeling of possessiveness or acquisitiveness, of not wanting to lighten one’s bookshelves. In an article in *The Guardian*, Levy writes about how she has “emptied my shelves of many books I have carried around with me for decades”, but it is a deeper engagement with the books that has determined what she has owned and what she now does not.

But I wonder if our instinct to recoil from such decluttering recommendations is, in fact, not just about the books in our possession, and how we arrange them on shelves and stack them up on the floor. Has Kondo hit a deeper anxiety about holding on to the books we have read, and not necessarily possessed? And in doing so, has she actually done a favour by nudging us to think deeper about how to in-



VAJIB B. KRISHNAN

quire into our reading selves and figure out how much of what we have read informs who we are? It is impossible to hold a book in my hand, determine whether it gives me “a thrill of pleasure”, and then decide whether to keep it or not. It is easier to know when a book does spark this “thrill of pleasure”, but in that case do we keep or give? I am, for instance, forever looking for copies of Banana Yoshimoto’s *Kitchen*. It’s a novel that possessed me when I read it, and it still does in multiple joyful ways, but it is not one that I would necessarily list in my all-time favourites or influences. But each time I do find a copy, I give it away to bring another reader to the book, only to again hunt for another copy to keep, ever so fleetingly, on the shelf.

However, what about the books that we read or possess that alter our internal selves so much that we sometimes wish they had not, but know it is important to have been unsettled? Levy writes about Italian chemist Primo Levi’s *If This Is a Man*, his memoir of being transported and living in a Nazi concentration camp, on her bookshelf. It does not make her “happy”, but: “When I think about what it must have taken for Levi to relive his time in Auschwitz, to go back there every day as he revised and edited *If This Is a Man*, I understand that it was a great sacrifice, as well as a historical necessity.” I don’t have Levi’s *The Drowned and the Saved* on my bookshelf – I don’t even recall where my copy of the

book, bought second hand from the pavement bookshops at Delhi’s Connaught Place, went. But I remember the monsoon rain outside my office when I read it, the hush inside as our fortnightly magazine had just gone to press, how my colleague was re-reading Jack London’s *The Call of the Wild* at the other end of the copydesk, and how I had been forced to ask difficult questions about the human capacity for evil as well as goodness. I do have *If This Is a Man* in my possession – I haven’t read it yet, but to see it sitting there is to be reminded of *The Drowned and the Saved*. Should I actually hold it in my hand, as the feelings of joy or its absence, whatever they may entail, are about another book? Should I keep it or not?

The art of giving

In any case, if folks gave away books that brought them no “thrill of pleasure” – and let’s assume Kondo means that feeling to be more capacious to include not just shallow joy, but also various appraisals of being constructively reshaped or informed – how is it that we find such treasures in second-hand stalls? There is the filter of selection by the retailer, and possible compulsion of the seller on account of financial need, lack of storage space, etc. But surely there’s more to it than that. Hope resides between the pages that a second-hand book, a physical copy that benefited its previous owner, will always find yet more readers.

Separated by a common language

Across India, our public discourse waddles between two extremes, as seen in Sabarimala



SERENDIPITIES

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Over the past few months, Kerala has seen more than its share of public protests: from outright violence to peaceful expressions of solidarity. People have mobilised to reawaken Hindu consciousness on the one end and to protect women’s rights on the other. From afar, seeing these protests, one might conclude that there exists an implacable and nearly unresolvable set of differences between the people on both sides. Yet watching these participants up close, what is striking is how remarkably identical they are in their everyday lives. Whether in their private commitments and public cynicisms, or their aesthetics and admirations, the two sides of this prolonged Sabarimala struggle are nearly indistinguishable from one another to an outsider. In a way, it is the “narcissism of small differ-

ences”, as Freud said, that animates the furries of their discontents.

Different vocabularies

There is, however, one critical dimension along which the two sides differ: language. Despite both sides speaking Malayalam, the vocabularies they deploy to describe the situation, and thus implicitly the moral cosmologies in which they situate themselves, are starkly different. Their words bring to full view a slow social rift that, arguably, has been decades in the making. The religiously inspired protesters make appeals to *aacharam* (ritual), *aithiyam* (legend), *pavitratha* (sanctity), *samrakshnam* (preservation), and *parampara* (tradition) – words which describe a world ordered by concepts whose legitimacy comes from them being transmitted from one generation to another. It is the time-testedness of specific practices that imbues their vocabulary with a righteousness.

In contrast, the public expressions of non-religiously inspired protests speak in terms of *niyamam* (law), *adhikaram* (rights), *purusshaadhipathyam* (patriarchy), *viplavam* (revolution), and *navodhanam* (reformation) – vocabularies



H. VIBHU

that have no use for an immemorial past or an inter-generational transmission chain, but rather are brim with the energies of the present and which promise to improve the future, through an application of reason. Where one side believes in the evocative prowess of stories from the past to sustain them through life, the other side relies on theories of social ordering to ostensibly improve their future. Both sides derive their ethical vocabularies from different models of how we ought to think about

the present: as a repository of the past or as a springboard for the future. They speak the same language, see the same world around them, but describe it differently.

Context matters

The schisms imposed by the usage of different sets of vocabularies within a same linguistic society is, however, not new in human or Indian history. George Bernard Shaw famously described America and Britain as two nations sep-

arated by a common language – on account of frequent misunderstandings and power politics playing between the two. Indian philosophers have known for long that even speaking the same vocabulary within the same language doesn’t preclude one from coming face to face with contradictions when we think about how language, meaning and context interact. Prastapada, a philosophical commentator from the 6th century, invented a “new semantic category” called *paribhashiki* to avoid contradictions between extant theories of meanings versus Nyaya philosophies.

Even the same word used in a different socio-historical context – particularly, when translated from one culture to another – reveals how wobbly any language-contingent ethical framework can be. In the great moral philosopher Alasdair MacIntyre’s classic, *A Short History of Ethics*, he talks about a word like ‘*agathos*’ which, in a Homeric world, referred to qualities one must possess to perform one’s role in a hierarchical society. So, a king who rules judiciously – even if through violence – is said to be blessed by ‘*agathos*’. This word is often translated as ‘good’ into English, even if what we mean by ‘good’

in English is a simple descriptor, while in the Greek context, the original blends “fact and appraisals”. A nuanced and context-sensitive word in Greek is rendered into a context independent, adjectival gloss in English.

Between two extremes

The consequence of such inorganic cross pollination is that fullness of meanings under which the original was deployed is at best an etiolated one in the receiving language.

This, of course, is not Kerala’s problem alone but a post-colonial one. Across India, our public discourse waddles between two extremes. We have neither the organised will to invest renewed introspective energies to understand the vocabularies we grant so much power over our mental lives solely on account of them being patrimonial legacies, nor do we have the willingness to recognise the borrowed nature of our progressive vocabularies that speak little to the self-descriptions of our fellow citizens. Thus, we let little understood words run our lives. We have entrusted these sounds with continent sized responsibilities to shoulder the urgencies we intuit but struggle to describe.