



To the final lap

With six phases of elections over, parties are primed for post-poll alliance building

With Sunday's sixth phase of polling, voters in 483 of the 543 Lok Sabha constituencies have voted. The electoral process has been a mirror to both India's failings and its promise as the world's biggest democracy. A reasonably good voter turnout did nothing to dull the effects of a nasty campaign by leaders of most parties, but especially of the Bharatiya Janata Party. All of Delhi and Haryana, and parts of Uttar Pradesh, Madhya Pradesh, Bihar, West Bengal and Jharkhand voted in the sixth phase, a total of 59 constituencies. Turnout varied from place to place, but the sharp decline in Delhi, to 60.50%, from 2014's 65.07% was notable. Widespread violence, including the death of a BJP activist, and the State government's highhanded action against a BJP activist for a social media post ahead of the polling vitiated the atmosphere in West Bengal. An attack on the BJP candidate in Ghatal constituency was unfortunate and condemnable. Meanwhile, the oversight by the Election Commission of India has left a lot to be desired in terms of being demonstrably impartial and swift, through the first six phases. In the last phase of polling on May 19, the remaining 59 constituencies will vote. There is no word on when Vellore, where the election was cancelled because of excessive use of money by the candidate of the DMK, will vote.

There is no let-up in the unusual ferocity among political adversaries that has characterised the campaign in the 17th general election, but political leaders have started preparing for the post-poll scenario. Telangana Chief Minister K. Chandrashekar Rao, whose Telangana Rashtra Samithi is expected to do well, has reached out to leaders in other States. On Monday, he met DMK chief M.K. Stalin in Chennai as part of efforts to put together a Federal Front of parties dissatisfied with both the BJP and the Congress. On the other hand, Andhra Pradesh Chief Minister N. Chandrababu Naidu has been eager to move towards early coordination of regional parties within an anti-BJP formation that would include the Congress. These moves are evidently premature, and West Bengal Chief Minister Mamata Banerjee has rightly suggested that they must await the final results. The fierce response by Bahujan Samaj Party chief Mayawati to Prime Minister Narendra Modi's suggestion that she withdraw support to the Congress government in Rajasthan has been the clearest indication of her preference in the post-poll scenario. Meanwhile, Congress president Rahul Gandhi has continued to publicly express his admiration for Ms. Mayawati, keeping the possibility of an understanding with her wide open. He had earlier tried to strike a pre-poll alliance with the BSP, but it did not materialise. Prime Minister Modi, while continuing to campaign against alliances, in principle calling them unstable, has over the weekend claimed to know "the art of running coalitions". The calculations are clearly out, but the calculations will have to wait.

Last-ball finish

The 12th IPL season ended on the note its thrills and controversies had promised

An enthralling Indian Premier League season produced a gripping last-ball finish in Hyderabad, with Mumbai Indians securing an unprecedented fourth crown. Sunday's tense, seesawing final ended in heartbreak for Chennai Super Kings and ecstasy for Rohit Sharma's side. This was a clash between the League's two most successful teams, and there was little to separate them in the end. All four of Mumbai's titles have arrived in the last seven seasons, and key to that continued success has been the retention of a strong core of players. Lasith Malinga remains a force to reckon with even at 35, as he proved with his nerveless final over. Jasprit Bumrah, who finished with 19 wickets and an incredible economy rate of 6.63 for the season, is the finest death-over bowler in the world today. Hardik Pandya and Kieron Pollard again made a difference with their lower-order striking. Among Mumbai's newer faces, the leg-spinner Rahul Chahar, who had played only three IPL matches ahead of this season, performed a vital role. CSK should derive encouragement from the manner in which it fought for the trophy, with an ageing squad that clearly had a number of gaps. The batting was a concern throughout, and if not for the efforts of bowlers Deepak Chahar, Imran Tahir, and Ravindra Jadeja, and the astute leadership of M.S. Dhoni, the team may not even have qualified for the playoffs.

The IPL's 12th edition had its share of thrills and controversies. A spirited, young Delhi Capitals side entertained, as did Kolkata Knight Riders' Andre Russell with his ferocious hitting. There were two hat-tricks and six centuries. Australia's David Warner, who with Steve Smith was returning to high-profile cricket since the ban for ball-tampering, was in devastating form, topping the charts with 692 runs. Tahir's 26 wickets, the most for a spinner in one season, made him the leading wicket-taker of the tournament. R. Ashwin's act of 'mankading' Jos Buttler sparked some unnecessary moralising while there were a number of contentious umpiring calls; even the normally composed Dhoni stormed on to the field to protest one decision. It was feared that with the World Cup around the corner, the IPL would be a watered-down affair. English and Australian stars did fly home early to join their national teams, but love for the IPL remained undiminished in India. The country's focus will now shift to the World Cup, with Dhoni, Rohit, Bumrah, Jadeja and Pandya having just a few weeks to recover from the IPL exertions. With England, Australia, Bangladesh, Pakistan and West Indies having begun their preparations already, India will hope its players can quickly switch to the one-day mode.

An eye-opening rap on politics

Why the 'Chaiwala' and 'Chowkidar' myth-making cannot capture the political ferment on the margins



SHIV VISVANATHAN

Politics today is not merely a ritual of decision-making but a dynamics of myth-making. Myths provide the rationale, the ecological perspectives, the tacit frameworks and the symbols within which politics is located. Today one of the great myths and icons of politics is Prime Minister Narendra Modi. The media and the ideological apparatus are focussed on creating new myths around him, while in turn Mr. Modi is re-mythologising politics around proverbs, slogans and fragments of history.

The outsider

He has presented himself as the outsider, the man who stormed Lutyens' Delhi. As an attempt to present himself to the common man as a fellow common man, he has created fictions of himself as "Chaiwala" and "Chowkidar". These two everyday archetypes have worked efficiently for him, banalising his demagoguery and populism. These fictions create for him a groundswell of sympathy, a framework where the Prime Minister is immediately perceived "as one of us".

The communication industry has tried to go one up by devoting TV channels to him, and Vivek Oberoi produced a film, a biopic, which is doggedly waiting for clearance. However there is a snag here. While politics and the politics of democracy create one set of myths, Bollywood is another great myth-maker. In fact, Bollywood has captured the myths, the contradictions of modernity in a spate

of stellar films, from *Deewaar*, *Sholay*, *Mother India* to *Seeta aur Geeta*. Many of the basic tensions between law and family, integrity and loyalty, town and country, foreign and indigenous have been articulated by Bollywood. Bollywood is not only the first great creator of the modern Indian myth but also the finest tuning fork and testing ground for myth.

'Gully Boy' challenge

Given this, one is tempted to ask how Bollywood would respond to Mr. Modi's myth-making in politics. Do the archetypes of chowkidar and chaiwala stand the test of Bollywood? Viewed through the lens of a popular film such as *Gully Boy*, the answer is a definite no. One has to confront why *Gully Boy* is one of the most creative and effortless answers to Mr. Modi's understanding of poverty and the urban margins. It talks of freedom beyond the shakha-imposed panopticons of today, ready to dream even beyond state and market, yet sensitive to the neoliberal dream.

Gully Boy is a story of life, survival and creativity in a slum. It focuses on a set of Muslim families. Yet what is insightful is that while these people are rooted in community, the characters do not stereotype identity. When the hero is asked where he comes from, he replies it could be any of the seven Muslim slums around there. He is conscious of the slum and the limits of poverty. Yet he never gets bogged down in his minoritarian identity or his poverty. The slum in *Gully Boy*, unlike in Mr. Modi's politics, is not over-sociologised. For all its roots in minoritarianism and poverty, the slum is a cosmopolitan creation, open to the world while rooted in the locality. In fact, if one watches closely, its language of politics is remote from

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Mr. Modi's. He repeats the rhetoric of equality and communalism. However, the slum recognises inequality but articulates a language of dignity, of a sense of individuality without being individualistic. The slum is a society where you do not deny what you are, but refuse to be confined or restricted by it.

There is an un-sentimentality about life, which looks pain in the eye, but does not believe in the lottery of luck. The slum citizen wants an open-rule game. They are also on the lookout for perceptions beyond caste and class. When the hero asks his friend where he met his girlfriend, a foreigner, the man answers, "We found each other by looking into each other's eyes. Outside they do it differently, here when we see, we only see caste and class." The message of the slum is clear. Love and life need a freedom beyond the confines of status. *Gully Boy* recognises inequality but spends more time talking about the phenomenology of distance, between two people juxtaposed to each other, but continents apart in mindsets.

Different dialect

The most brilliant and intriguing part of *Gully Boy* is that it is a film that centres around rap, and the radicalism of rap. Rap is a poor man's song and poetry, capturing

a protean sense of the body and an inventive sense of language. The lyrics are built around everyday issues of inequality, poverty, race and the individual's attempt to transcend them. The lyrics in the film become little classics of sociology, parables of the struggles of everyday life. Every performance becomes, in that sense, a choreography of sociology, especially of slum life. This is understandable as rap traces its origins to the housing projects of New York City.

Rap captures the sense of being, the new ontology of slum life. The traditional stereotypes, the conventional language of the first half an hour gets reworked through rap. The film faces up to the violence of patriarchy, the effete nature of fathers who bully their sons and wives but feel powerless against the outside world. The hero's father beats him for dreaming about music. He adds that the slum is not a place for dreams and aspirations. One survives by keeping one's face down and sticking to the ground. The older generation worn down by life becomes a wet blanket to the dreams of the new. But it is this sociology of differing generations that makes the slum as a sociological fragment fascinating. The older generations blend poverty and patriarchy to create the authoritarianism of the slum. Rap provides the language of protest and agency, adding to the new cosmopolitanism of the slum. It emphasises desire, not mere aspiration, freedom and not the civics of success, and is able to clothe it all in irony and humour. It is the new costume ball of sociology for a slum, capturing both the dreams and the rage within.

Rap as dream is a potent alternative to the Rashtriya Swayamsevak Sangh, where dreams have to be collective and march in a shak-

ha. Rap is a battle against jingostan, seeking a cosmopolitanism of friendship and openness. Rap is a dream of freedom, a celebration of language, an invention which sees the slum as a drama of possibilities.

In indigenising rap as language and dialect of the slum, director Zoya Akhtar creates a new piece of political sociology which goes beyond current isms and their faded dreams of liberation. Singing rap is dreaming society afresh and in that sense the film is deeply liberating. In emphasising the power and creativity of art, it shows how great literature and the politics of freedom emerge from great suffering. All one has to do is to listen to the depth of the hunger in you. Without mentioning Mr. Modi or referring to any other ism, *Gully Boy* becomes a dream of alternative possibilities, of dreams beyond the dated aspiration of Chaiwala and Chowkidar. Instead of sticking to the sycophantic mindset of the two, it shows that the margins of India are exploding with creativity beyond the confines of the bureaucratic and the governmental. The city acquires a new poetics without being less grimy or less violent. There is a new creativity, a dream of freedom which goes beyond shakha, the Chaiwala and the Chowkidar, where the city is a form of freedom and the right to be free includes the right to dream beyond status and slum. *Gully Boy* is Bollywood's fable that Mr. Modi has not got India right, that his India is not musical or free enough. In *Gully Boy*, dreams, language and body overleap the Modi world to dream a different India, differently.

Shiv Visvanathan is an academic associated with the Compost Heap, a group in pursuit of alternative ideas and imagination

Redactive pricing audit and the CAG's duties

Parliament is constitutionally privileged to know under what conditions a procurement was decided on



K.P. SHASHIDHARAN

The Supreme Court's observations in connection with the Rafale fighter aircraft deal by citing the Comptroller and Auditor General of India's (CAG's) report on redactive pricing, and subsequent media reports and the controversy over "stolen files" brought back into the spotlight the role of the supreme audit institution of India.

Many questions arise before the stakeholders: What is redactive pricing? Does the constitutional mandate provide redactive pricing to be included in the CAG's audit reports submitted to the President to be placed before Parliament? Do any supreme audit institutions (SAIs) such as the National Audit Office, the Government Accountability Office or Commonwealth countries follow redactive pricing in audit reports?

Redaction is the selection or omission of 'obscuring or removing sensitive information' from a document prior to publication. The CAG is mandated to audit all receipts and expenditures of the three-tier governments in India and report to the legislature judiciously, independently, objectively in compliance with applicable

laws, rules and regulations, without fear and favour. He conducts financial compliance and performance audits and submits his reports to the legislature to help people's representatives in enforcing legislative oversight and public accountability of the executive. Legislative committees such as the Public Accounts Committee and Committee on Public Undertakings examine the CAG's selected reports.

Not transparent

In the preface of the audit report, the CAG stated that redactive pricing was unprecedented but had to be accepted due to the Ministry's insistence citing security concerns. Consequently, the full commercial details were withheld and the figures on the procurement deal were blackened. It was unprecedented that an audit report submitted by the CAG to the President under Article 151 of the Constitution suppressed relevant information. Whether the Ministry's insistence citing security concerns could have been accepted by the CAG can be examined only by the Supreme Court in the light of the constitutional provisions on the CAG's duties and parliamentary privileges and prerogatives.

Redactive pricing is nowhere used in SAI audit reports. It does not seem to have been used in a government audit by any SAI of any country. Redactive pricing in the 'Performance Audit Report of the Comptroller and Auditor Gen-

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eral of India on Capital Acquisition in Indian Air Force (Union Government - Defence Services, Air Force, Report No. 3 of 2019) suppresses more than it reveals. For example, in the Rafale deal, Parliament, its committees, the media and other stakeholders of the CAG's reports cannot obtain complete, accurate and reliable information due to redactive pricing. The reduction in the original requirement, to 36 aircraft, a waiver of the earlier decision to involve Hindustan Aeronautics Limited, observations of the Indian Negotiating Team, cost escalation due to inclusion of bank guarantee and performance guarantee were not compared properly to arrive at the audit conclusion.

Pivotal to procurement

Pricing is the quintessence of any procurement decision. Along with quality and quantitative specifications, comparative merits and demerits are ascertained, and the pricing of comparable products are compared in decision-making. Pricing is an integral part of the procurement decision-making

process of any equipment, product, goods or service. A strategic competitive advantage of a product, how best it should be procured, how many at a time are to be purchased and at what price and under what conditions, terms, instalments, along with after-service conditions, discounts, commissions and other conditions are evaluated to arrive at a purchase decision. Therefore, price integrity and comparative competitiveness are at the heart of any procurement decision.

The CAG is mandated to get into the nitty-gritty of procurement terms, procedures, comparative advantages and disadvantages without fear and favour to form an objective, independent and judicious audit opinion. An audit is expected to analyse the facts and comparative pricing charts to highlight the financial propriety and prudence of the procurement decision. The institution is constitutionally mandated and empowered to do its duties covering all essential factors about the procurement, customised end-to-end pricing assessments, legal requirements, escrow accounting, terms and conditions and arbitration clauses in compliance with legal and other regulations.

The executive procurement decision is expected to be completely analysed in the CAG's audit to pinpoint inaccuracies, non-compliance of essential procurement procedures, conditions and pricing errors which may have a nega-

tive financial impact and cause potential damage to the country's interests.

Complex audit

Given the dynamics of international competition in competitive products and pricing in today's modern market scenario, pricing, delivery and post-delivery service and other conditions are essentially covered in an SAI audit. It is a complex audit, demanding exceptional insight, expertise, knowledge and skills. In case the CAG's office lacks expertise to conduct a performance audit, expertise can be sought from the pool of resources or credible organisations to be coopted in the audit team.

Pricing decisions must be subjected to detailed analysis, without resorting to redactive pricing. Parliament is constitutionally privileged to know what the executive had done and how and under what conditions a procurement was decided. The CAG's audit is expected to highlight value for money in purchase decisions.

A performance audit is done to establish whether the procurement activity was executed keeping in mind economy, efficiency, effectiveness, ethics and equity. Only a thorough pricing audit can bring out the credibility and integrity of a purchase decision, thereby achieving an SAI's constitutionally mandated responsibilities.

K.P. Shashidharan is a former DG, CAG Office. The views expressed are personal

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.

On the warpath

The Donald Trump administration's unprecedented withdrawal from multilateral institutions and agreements that have been built through strenuous negotiations and dialogue is destabilising the world order (Editorial, "Deal in danger", May 13.) The effects are impacting today's interconnected world, ever more porous to international political and economic developments. In the case of Iran, Mr. Trump's actions are antithetical to the expected behaviour of a statesman. This would boost the demands for an alternative to the dollar-based economic and trade mechanisms which is free from American excesses. In the quest to satisfy his

domestic base, Mr. Trump is compromising the American position in the global order. In a scenario where U.S. dominance is being challenged by rising powers such as China, it would be prudent for the Trump administration to think and then act.

PAUL JOM,
New Delhi

Data transparency

The situation that has arisen as a result of non-government non-financial companies in the services sector not being traceable is what we can call the result of 'data pollution' (Editorial page, "Of shells, companies and GDP", May 13). Data are the new currency in today's world, and we have a right to demand that the government's intent must

be legitimate and transparent while making use of the new MCA-21 database in GDP calculation.

AVIK SETHI,
Zirakpur, Mohali, Punjab

Balakot comment

The Prime Minister's remarks in a television interview on the Indian Air Force using clouds as a cover to enter Pakistan airspace for the attack on Balakot is a gaffe, politically and otherwise ("Modi flouted EC curbs on Balakot: CPI(M)", May 13). Further, such statements undermine the credibility and high standing of the IAF. It shouldn't be forgotten that the world is closely watching India's statements on the strikes. While there is still a lack of clarity about India's

version, such statements could prove even more detrimental to our claims.

VIDHYA B. RAGUNATH,
Thanjavur

■ Anyone can make mistakes, including the Prime Minister. But there is no credible reason why he is being hounded. Have we forgotten the more incredulous statements made by other politicians? A few years ago, a prominent leader came up with "political physics" by likening empowerment of the marginalised sections to planetary "escape velocities".

V. SUBRAMANIAM,
Bengaluru

At Uppal and after

It is often the last ball in one-day matches or limited overs matches that decides

the outcome in cricket. No one can forget Javed Miandad's six off the last ball during the Sharjah Austral-Asia Cup final in 1986. Unfortunately, it did not work out this way, on Sunday at Hyderabad, for the Chennai Super Kings (CSK). Back in Chennai, many were left sadly disappointed watching the sloppy finish. The only spark as far as CSK was concerned was the superb batting by Shane Watson, who hit sixes in the Sandeep Sharma over that made it possible for the team

CORRECTIONS & CLARIFICATIONS:

The headline of the front-page report on Vedanta (May 13, 2019) did not accurately reflect the details in the text. It should be recast to read: "Vedanta gets nod to conduct impact assessment for 274 hydrocarbon wells."

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturba Buildings, 859 & 860 Anna Salai, Chennai 600 002, India. All communication must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com

Private, public and political morality

When people choose a political life, they must follow an ethic distinct from private morality



RAJEEV BHARGAVA

Though related, political, public and private morality are not identical. They may come from the same source, but are distinct. This point has been noted in the Western tradition since at least Machiavelli. But its lineage in India is ancient.

Ethics in three domains

Take, for example, Asoka who spoke of *Dhamma* (ethics) in three distinct domains. First, interpersonal morality. Each of us has special obligations to our children, spouse, parents, teachers and relatives. We have a duty towards those under our special care, including the aged, 'servants', animals and, occasionally, strangers. Asoka distinguished this private ethic from what might be called inter-group morality in public life. Crucial here is harmony between different religious-philosophical groups generated by the exercise of *sayamam* (self-restraint). He particularly emphasised the importance of *vacaguti* — controlling one's tongue to be critical of other groups only if there is good reason to, only on appropriate occasions and always moderately; also, to praise one's own group, only when there is good reason to, only on appropriate occasions and always moderately. Neither hate speech nor speech glorifying oneself was acceptable as part of public morality — a point very relevant in our times.

Asoka then distinguished private and public morality from power-related political morality specifying what rulers and the ruled owe one another. Subjects owe obedience to their king. But the ruler too owed something to his subjects: to ensure *janahita*, the good of all (including all living species), and *janasukham*, happiness not only in this life but also in the afterlife. To achieve this, rulers and their officials must display *damdasamata* and *viyohalasamata* (impartiality in meting out punishment and in politico-legal acts more generally). This sums up the core of Asoka's political morality: a commitment to justice, to impartiality.

What then is the difference between private/public morality and



SHANKER CHAKRAVARTY

political morality? While in one's personal life, in our dealings with those with whom we have close daily encounters such as our family, friends or 'servants', we can't help but be partial, and while in the larger public domain, where we face people with different religio-philosophical sensibilities, we can't entirely escape some degree of partiality to our own world view, the political domain requires the impartial or just use of power for the good of all.

Family, civil society and state

Two thousand years later, the German philosopher Friedrich Hegel made similar points, although in a different way and in an entirely different context. He distinguished three spheres of human life: family, civil society and the state. The family, Hegel claimed, was the smallest community in which its members do not even distinguish themselves from one another. Their identities are fused. A family is bound by emotional ties, by mutual love and affection. Members take pride in each other's achievements and feel a strong sense of shame at the other's wrongdoing. Morality here is guided by unarticulated feelings.

The family is different from another sphere of life that Hegel designated civil society but should more appropriately be called 'market society'. Here, each person acts as an individual with a sharply defined sense of her own interests which are distinct from, compete and may even clash with the interests of others. No one is tied to the other by bonds of love or affection. Since there is no community but only an aggregate of individual interests, there is no commonly held ethic either. Competitive

life is governed by coercive legal rules to regulate the pursuit of self-interest. At best, each individual devises her own personal, subjective moral maxims.

Finally, Hegel spoke of a third domain where people once again see themselves as members of a large political community, as citizens of a state. Citizens in a political community must be bound together neither by feelings nor by self-interest but by a commitment to common values discovered by public reason — values such as political freedom, solidarity, shared traditions and cultural heritage. Morality in this domain requires that we overcome our loyalty to blood relations, not pursue only our private interests, and commit instead to using power grounded in shared principles. Love and hate are largely imposters in this domain where consensus is forged by the use of public reason. Its democratic version requires that, guided by values of openness, equal respect and justice, we deliberate and help each other arrive at impartial laws and public policies, acceptable in principle to everyone in the polity.

Furthermore, those who wield political power must realise that what they do has enduring consequences affecting the lives of an incalculably large number of people. This brings with it enormous public responsibility which derives in no small part from the fact that they have at least temporary legitimacy to use force against ordinary citizens. They have, at their disposal, an apparatus of violence simply unavailable to heads of families or members of civil society. Powerful politicians, therefore, must show great care and sensitivity to the appropriate use of

force and violence.

Private and political morality

One important implication of the difference between private and political morality is this: it is sometimes believed that moral scrupulousness in one's private life automatically guarantees high moral stature in political life. This simply does not follow. Those wielding public power may refuse to enrich themselves, their family or friends, and resist from obtaining sexual favours. But such 'cleanliness' need not entail scrupulous political morality. What use is personal incorruptibility if the politician is partial to or discriminates against one particular community, abandons public reason, smashes dissent to concentrate power in his own hands, makes arbitrary use of force, and lives in the illusion that he is greater than all the institutions that surround him? What if he begins to believe that he alone possesses the truth or knows the good of the entire community? And precisely because of the moral restrictions he has placed on his personal life, feels released from any restriction on the use of power in the political arena? In short, a person who is profoundly moral in his private life may brazenly violate all norms of political morality — undermine justice and public reason. Conversely, it is entirely possible that a person who has morally slipped in his private life (cheated on one's spouse, enriched himself) respects the integrity of public institutions, is acutely sensitive to the moral costs of violence, shows a deep commitment to justice, and upholds reason-based democratic norms.

Don't get me wrong. I am not suggesting that politicians are free to abandon private morality. But we often find comfort in the illusion that there is one simple, seamless morality, reflected equally in private and in public. In fact, most humans are complex moral agents. It would be wonderful if our private and political moralities were perfectly aligned and we achieved the highest moral standards in both. But in a non-ideal world we can only hope that when people choose to lead a life in politics, they will at least follow minimum norms of political morality even as they fail to be scrupulously moral in their private lives.

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The Madhava Menon model of legal education

For him law worked best when it worked for the society



SRIRAM PANCHU

Legal education in India can be classified into two categories: the years before and after the advent of N.R. Madhava Menon. Earlier, the study of law was often a default option, when you couldn't get admission to any other course or didn't know what course your life should take. The law degree was a three-year affair following an undergraduate degree. There were a few exceptional teachers and a few exceptional students; for the rest it was pretty much an active engagement with the "guide" books in the run-up to the examinations. Real learning started when you were apprenticed to a senior lawyer.

Menon (1935-2019) shook that up. Responding to an appeal from the Bar Council of India, which was gravely concerned with the steep decline in standards of the profession, Menon accepted the challenge and transformed himself from an academic to an institution-builder. With missionary zeal he established the country's first National Law School in Bangalore in 1987, with an independent university status. He oversaw the building of its campus. He drew in excellent faculty. He carefully designed a five-year law course as the first degree after school, thereby ensuring that only those who were seriously interested in the subject came in, and would emerge well equipped for what the profession needed.

The Menon model

And he succeeded brilliantly. The mix of motivated students and faculty overseen by a Vice Chancellor to whom dedication and discipline came naturally produced results which made the Bar, Bench, law firms and other users sit up and take notice. As his graduates entered the field, it was clear that law had joined the ranks of other professions where much could be expected from an entrant, and the entrant could expect commensurate responsibility, position and compensation. Inevitably this led to the creation of other national law schools which largely followed the Menon model, and whose heads were often Menon trainees.

That one achievement would have been enough to guarantee him a place in any honours listing, but Menon was far from done. Judges too, especially young recruits to the

service, needed training. The National Judicial Academy (NJA) was set up in Bhopal, and the Menon magic of institution-building created another sterling institution from scratch. It became de rigeur to have this on the resume of a judicial officer, and it was a mark of subject expertise to be invited to teach a course. In time this expanded to reach higher levels of the judiciary, especially in new areas of law. Many senior judges received their first exposure to public interest litigation and human rights and environmental issues at the NJA long before these became current coinage — indeed, Menon's endorsement of these outlier subjects was a key reason for sceptics to become adherents. Supreme Court judges also came to teach, learn and, on occasion, receive reprimand for an errant judgment, which took the occupant of the apex court back to his college backbencher days.

The best tribute

More was to come. At the request of the State government, he set up the West Bengal National University of Juridical Sciences, Calcutta, which sought to focus on academics and research. To some extent, this was to alleviate his concern that students from his

first and premier law school had shown a preference for law firms and corporates rather than joining the Bar or NGOs where a rights-based language was at play. For Menon, the law worked best when it worked for society's benefit. True enough, retirement and quieter times did not figure in his list of options. In his sunset years, he created and ran the M.K. Nambar Academy for Continuing Legal Education in Kerala as well as the Menon Institute of Legal Advocacy Training for developing grass-roots capacity to access and use the law for under-privileged sections.

Being the last word on the subject, he was, of course, the first choice when it came to being asked to serve on the Law Commission and other bodies and committees connected with legal education. All these tasks he accepted willingly and gave each one his best. At a personal level he constantly engaged with those working in fields close to his heart. They received his advice, encouragement and valued friendship. He will be missed and mourned by many, especially generations of his students. Perhaps one tribute that would please him would be an introspection if they passed the ultimate Menon test — of using the skills he gave them for the public good, wholly or at least in part.

Sriram Panchu is Senior Advocate, Madras High Court

SINGLE FILE

Living in the panopticon

It's the price we must pay to safely walk on the street, watch a movie in a theatre or shop in the bazaar

UDAY BALAKRISHNAN



China is often pilloried in the West for the deep surveillance of its people. Latest reports indicate that the Chinese state, harnessing artificial intelligence, will soon have enough information to rate all its citizens for good behaviour, making everything from buying a

train ticket to getting a credit card difficult, if not impossible, for those not conforming to rules of conduct set by the state.

It is naive to believe that mass surveillance is special to China or that it is a recent phenomenon. The extent to which the British had spied on Indian society and the systems they developed for that were brought out in detail by the late historian C.A. Bayly in his book, *Empire & Information — Intelligence Gathering and Social Communication in India, 1780-1870*. All countries monitor their citizens. The communist states did it through the 20th century. Anyone sifting through records of Stasi, former East Germany's security agency, would be astonished to note the extent to which the state spied on its citizens.

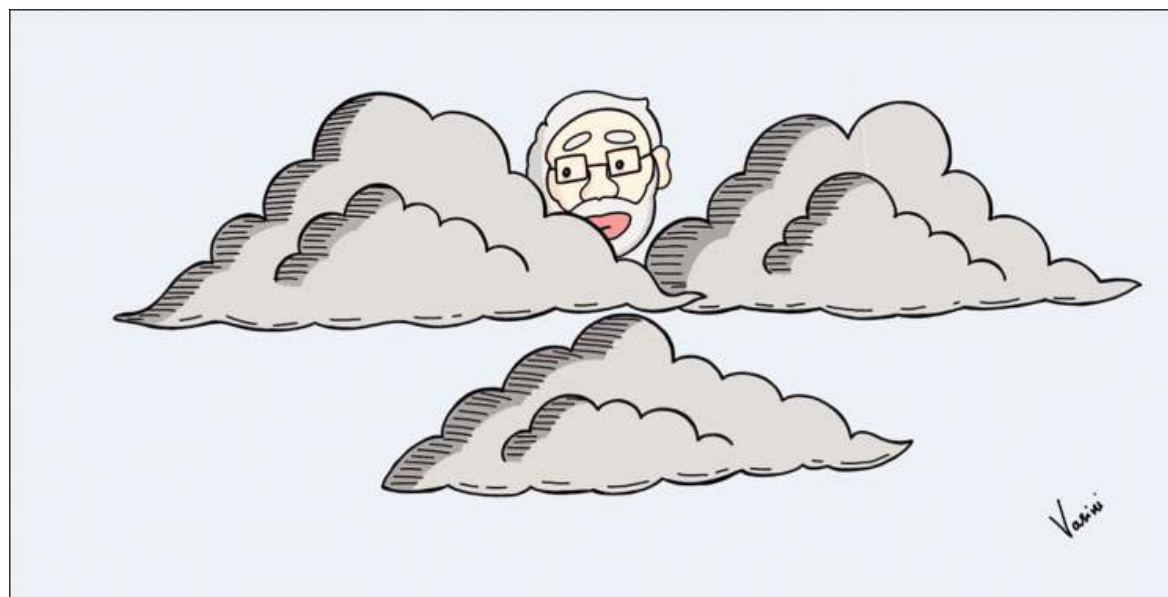
In the past, surveillance was selective and targeted. India's pre-Independence leaders were relentlessly followed by British intelligence. Little was missed of Subhas Chandra Bose's time in Germany or Mahatma Gandhi's in his ashrams. British agents filed detailed reports on Jawaharlal Nehru's journeys and meetings through Europe.

It is one thing for citizens to be monitored by the state, but it is quite another to be 'spied' upon by the likes of Google, Facebook, Amazon and apps loaded onto cheap Chinese smartphones. Recently I was surprised to read transcripts of every command I had given to my Alexa speaker over the last few years; I am still trying to erase them all.

As one of the largest consumers of data, India is a goldmine for data aggregators. It's the state's duty not to make it easy for aggregators to collect data with impunity. India too needs something as strong as the General Data Protection Regulation, which was adopted by the European Union in 2018, and a willingness to enforce it, to protect the privacy of its citizens.

In the wake of suicide attacks and bombings worldwide, mass surveillance has assumed a new urgency. Almost all countries are going China's way. Today we are all tracked 24x7 across places and devices. Unpleasant as it is, and even as all of us wish to be protected from overzealous governments, we need to get used to living in a global panopticon. It's the price we must pay to safely walk on the street, watch a movie in a theatre or shop in the bazaar.

The writer, a former civil servant, taught public policy and contemporary history at IISc, Bengaluru



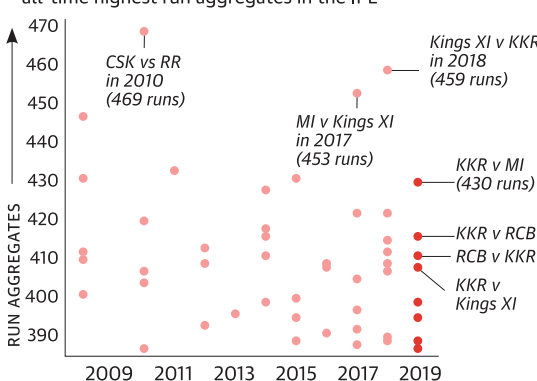
DATA POINT

IPL highlights

How the 2019 Indian Premier League compares with past editions of the T20 tournament. By Vignesh Radhakrishnan

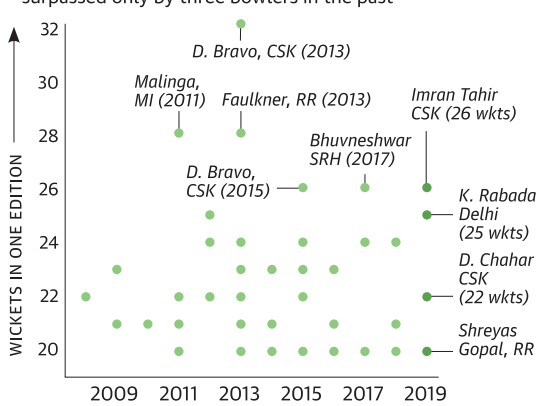
Most high-scoring games

The 2019 season recorded eight new entries in the list of 49 all-time highest run aggregates in the IPL



Best bowlers

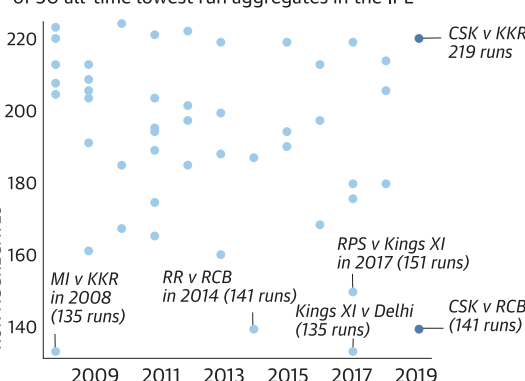
Imran Tahir's purple cap-winning 26 wicket haul was surpassed only by three bowlers in the past



Source: Cricinfo

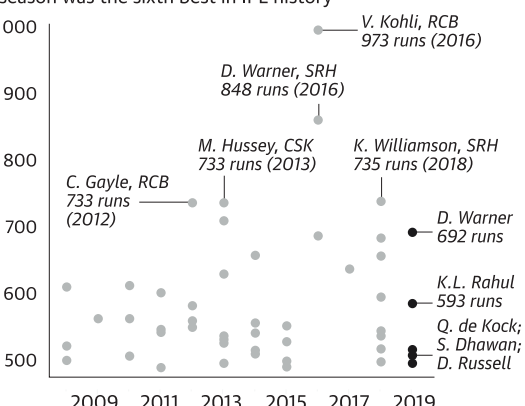
A few low scores

The 2019 season recorded only two new entries into the list of 50 all-time lowest run aggregates in the IPL



Best batsmen

Orange cap winner David Warner's total of 692 runs this season was the sixth best in IPL history



FROM THE HINDU ARCHIVES

FIFTY YEARS AGO MAY 14, 1969

Race riots in Kuala Lumpur

Unconfirmed reports early to-day [May 13] put the death toll in Kuala Lumpur at more than 50 dead and scores injured after sudden, savage racial clashes between Malays and Chinese tore the Malaysian capital apart. Prime Minister Tunku Abdul Rahman declared a State of Emergency over the City of Kuala Lumpur and police said a curfew has been placed over the whole State of Selangor surrounding Kuala Lumpur. The round-the-clock curfew spread to Penang island, nearby province Wellesley and half a dozen areas in Perak State from 1 a.m. The Tunku, seemingly near tears when he appeared on television, blamed opposition groups for the rampage and said he was grieved by what was happening. He suggested the setting up of multi-racial goodwill committees to try to restore order. A Police spokesman said he could not confirm reports that several Europeans were among those believed killed.

A HUNDRED YEARS AGO MAY 14, 1919.

War Pensions.

In the [House of] Commons [in London], the Labour Minister defending the payment of unemployment donation pointed out that there were a million recipients, including three hundred and fifty thousand members of the forces, 108,000 ex-munitioners and 100,000 cotton operatives, who were unemployed owing to the blockade. Abuses were inevitable, but he was confident that half the complaints lacked foundation. Any frauds which were discovered would be prosecuted relentlessly. Since the Armistice, three million out of four million demobilised soldiers and civilians had been absorbed in industry. This was a remarkable achievement, because it took years to get from warwork to peace work.

POLL CALL

Election Commissioners

Election Commissioners are members of the Election Commission (EC), the constitutional body tasked with ensuring the conduct of free and fair elections. They are usually retired civil servants, and are appointed by the President. The EC was helmed by a single Chief Election Commissioner (CEC) since the body was set up in 1950. In 1989, two more Election Commissioners were appointed but their tenure ended in 1990. Thereafter, in 1993, two Election Commissioners were again appointed. Since then the EC has been a three-member panel. The tenure of the CEC and Election Commissioners lasts six years, or up to the time they attain the age of 65, whichever is earlier. They receive the same pay as a judge of the Supreme Court. Their decisions are taken by a majority vote.

MORE ON THE WEB

This TN police constable makes time to teach Silambam to children

<http://bit.ly/SilambamVideo>