

COMPETITIVE IMPROPRIETY: ON RANJAN GOGOI'S RAJYA SABHA NOMINATION

Retired judges should not accept a Parliament seat lest it be seen as a political reward

The President's nomination of former Chief Justice of India, Ranjan Gogoi, as a Rajya Sabha member so soon after his retirement will be seen as a crass example of a regime rewarding a member of the judiciary for meeting its expectations during his tenure. It will be futile to argue that it is a well-deserved recognition for an eminent jurist. The gap of four months between his retirement and nomination, and the fact that a series of decisions in his court were in seeming conformity with the present government's expectations militate against such a justification. The second argument, that there have been instances of retired Chief Justices being nominated to the Upper House or appointed Governors, does not cut ice either, as it is nothing more than a dubious claim to the same level of impropriety. In fact, references to the late CJI Ranganath Mishra and Justice Baharul Islam as valid precedents reflect quite poorly on the executive, and amount to competitive impropriety. There continues to be a perception that these were lapses in propriety. Justice Mishra's commission of inquiry absolved the Congress from any organisational responsibility for the 1984 anti-Sikh riots. Justice Islam exonerated a Congress Chief Minister of wrong-doing in a financial scandal in Bihar. The party had helped Justice Islam move both ways between Parliament and the judiciary. He quit the Upper House in 1972 to take office as a High Court judge. In 1983, he quit as a Supreme Court judge to contest an election.

Mr. Gogoi's appointment cannot be seen, as he has sought to project, as a way of ensuring cohesion between the judiciary and the legislature. He no longer represents the judiciary, and his contribution will be limited to the expertise and knowledge he can bring to debates in Parliament. Any attempt to create 'cohesion' between the two wings would necessarily encroach on the judiciary's role as a restraining force on the executive and legislature. He should have rejected the offer, considering not only the nature of the judgments that Benches headed by him had delivered in the Ayodhya dispute and Rafale investigation, and the administrative decisions he had made in prioritising some cases above matters such as the validity of electoral bonds and Kashmir's altered status. These will be coloured, in retrospect. Also, he ought to have followed the example of his former colleagues who had declared that they would not accept any post-retirement work from the government. And one cannot forget that his tenure was clouded by an employee's complaint of sexual harassment, which acquired greater credibility after she was reinstated following his exoneration by a committee of judges. As for the government, making such an offer to a just-retired CJI is not mere brazenness. It indicates an alarming intention to undermine judicial authority so that the elected executive is seen as all-powerful.

Meanings of difficult words:

- ❖ **competitive** (adjective) – aggressive, contentious, combative.
- ❖ **impropriety** (noun) – misconduct, wrongdoing, dishonesty, illegitimacy.
- ❖ **lest** (conjunction) – in case, just in case, in order to avoid.
- ❖ **crass** (adjective) – outright, blatant, glaring; insensitive/mindless.
- ❖ **futile** (adjective) – useless, senseless, pointless.
- ❖ **well-deserved** (adjective) – fully earned/justified something.
- ❖ **recognition** (noun) – appreciation, gratitude, acclaim/credit.
- ❖ **jurist** (noun) – an expert in law.

- ❖ **seeming** (adjective) – apparent, alleged, claimed, purported.
- ❖ **conformity** (noun) – agreement with, accordance with, compliance with, obedience to.
- ❖ **militate** (verb) – work against, resist, hinder/oppose.
- ❖ **cut no ice** (phrase) – to have no influence on someone; to fail to convince someone.
- ❖ **dubious** (adjective) – suspicious, questionable, doubtful.
- ❖ **precedent** (noun) – model, exemplar, example, pattern; previous example/instance, prior instance.
- ❖ **reflect on** (verb) – disgrace, discredit, put in a bad light, give a bad name to.
- ❖ **the executive** (noun) – the executive is a branch of government which enforces the law as written by the legislature and interpreted by the judiciary.
- ❖ **amount to** (verb) – be regarded as, be equivalent/equal to, be tantamount to.
- ❖ **perception** (noun) – understanding, discernment, recognition/realization; interpretation.
- ❖ **lapse** (noun) – failure, mistake, blunder/oversight.
- ❖ **propriety** (noun) – conformity, morality, correctness/good manners.
- ❖ **absolve** (verb) – exonerate, discharge, acquit, release, relieve.
- ❖ **exonerate** (verb) – free/clear from a criminal charge, acquit, declare innocent.
- ❖ **wrong-doing** (noun) – misconduct, misdeed, lawlessness, malpractice.
- ❖ **scandal** (noun) – impropriety, misconduct, wrongdoing.
- ❖ **sought** past and past participle of **seek** (verb) – try, attempt, aim.
- ❖ **project** (verb) – convey, put across, communicate, present (a view).
- ❖ **cohesion** (noun) – connection, linkage, bond.
- ❖ **expertise** (noun) – skill, mastery, prowess.
- ❖ **encroach on** (verb) – influence, have an effect on, impose oneself.
- ❖ **restraining force** (noun) – force that work against the change, creating resistance.
- ❖ **electoral bond** (noun) – an electoral bond is designed to be a bearer instrument like a Promissory Note – in effect, it will be similar to a bank note that is payable to the bearer on demand and free of interest. It can be purchased by any citizen of India or a body incorporated in India. it allows limitless, secret donations to political parties, including (and especially) by corporations.
- ❖ **colour** (verb) – influence, affect, distort (in a negative way).
- ❖ **in retrospect** (phrase) – looking back, on reflection, in/with hindsight.
- ❖ **ought to** (modal verb) – must, should.
- ❖ **cloud** (verb) – mess up, spoil, ruin, vitiate.
- ❖ **harassment** (noun) – persecution, persistent annoyance, coercion/intimidation.
- ❖ **credibility** (noun) – trustworthiness, reliability, integrity.
- ❖ **reinstate** (verb) – bring back, restore, return to position.
- ❖ **exoneration** (noun) – vindication, acquittal, discharge.
- ❖ **brazenness** (noun) – boldness, shamelessness, immodesty, lack of decency.
- ❖ **alarming** (adjective) – worrying, disturbing, shocking/distressing.
- ❖ **undermine** (verb) – reduce, diminish, impede, hinder.
- ❖ **all-powerful** (adjective) – having power/influence/control on everything completely; dictatorial, totalitarian, autocratic.

DEMOCRATIC HEFT: ON JOE BIDEN'S SURGE

Biden's seeming electability needs message of socio-economic equality voiced by Sanders

Well into the middle of the U.S. Democratic primaries, the party's prospective nomination is tipping in favour of former Vice-President Joe Biden, and Vermont Senator Bernie Sanders is fast

falling behind. Barring the possibility of dramatic victories in the 27 remaining States that are holding primaries and caucuses between now and June 23, the odds of Mr. Sanders staging a comeback in terms of the 1,991 delegates required to secure the nomination are increasingly insurmountable. At the present juncture, Mr. Biden has at least 1,147 of the 2,176 delegates declared; Mr. Sanders has won at least 861. Others out of the race include Massachusetts Senator Elizabeth Warren, former New York City Mayor Michael Bloomberg, and Mayor of South Bend, Indiana, Pete Buttigieg. Mr. Sanders, the self-declared “democratic socialist” candidate and outsider to the party mainstream, stood apart from the pack early on, with solid performances in Iowa, New Hampshire and Nevada. Analysts surmised that his message of economic equality and improving American middle class welfare were resonating strongly. Yet it was Mr. Biden, with his political pedigree of serving in the Obama administration and long service as a U.S. Senator from Delaware, who snatched the momentum on March 3, Super Tuesday, when 14 States went to the polls for the nomination.

A key consideration in assessing the Democratic nomination is how much does electability matter as opposed to ideological coherence, given the nature of the party’s formidable opponent, President Trump? In a sense it is Mr. Sanders’ policies that purport to take the Democratic Party’s fight for the betterment of the middle class’s welfare to its logical conclusion: toward the government providing a safety net to those who do not organically bubble to the top in the U.S.’s ruggedly individualistic model of capitalism. However, does the U.S.’s fiscal politics allow this expansionary approach, given the deficit size, and the mood for smaller government that is focused on bringing jobs back to the U.S.? Further, on the electability count, Mr. Biden has already emerged as a foil to Mr. Trump owing to the latter’s shenanigans with Ukraine last year, and which led to his being impeached. However, despite the broad support that Mr. Biden now commands, his party may stand a decent chance of besting Mr. Trump in November only if it blends Mr. Biden’s apparent electability with the powerful message of socio-economic equality underpinning Mr. Sanders’s campaign. This hope, that Mr. Biden could build a bridge to the policy agenda of his Democratic rival, could bring all those youth and minority voters who backed Mr. Sanders over two campaigns into the tent and out to the hustings on election day.

Meanings of difficult words:

- ❖ **heft** (noun) – influence, ability; weight/strength.
- ❖ **surge** (noun) – rise or growth.
- ❖ **seeming** (adjective) - apparent, ostensible, pretended/presumed.
- ❖ **electability** (noun) - the capability of a candidate to be elected.
- ❖ **primary** (noun) – (in the US) an election in which member of the same political party run against each other for the chance to be in a larger and more important election, especially presidential election.
- ❖ **prospective** (adjective) – potential, possible, aspiring.
- ❖ **tip** (verb) - touch lightly; tap, nudge lightly.
- ❖ **fall behind** (phrasal verb) – lag behind, trail behind, fall back, fail to keep up with.
- ❖ **barring** (preposition) – except for, with the exception of, apart from, other than, excluding.
- ❖ **caucus** (noun) – (in the US) a party-organized gathering of members to discuss their presidential preference elect local party leadership and discuss issues that make up the party’s platform. A closed meeting of supporters or members of a specific political party or movement. It is also defined as hours-long voting meeting run by a political party.
- ❖ **odds** (noun) – (difficult/tough) probability, chances, conditions.
- ❖ **stage a comeback** (phrase) - achieve a success after failure.

- ❖ **insurmountable** (adjective) - incapable to be overcome/defeat; hopeless, impossible.
- ❖ **juncture** (noun)- point in time, time/moment, stage.
- ❖ **democratic socialist** (noun) – a person who believes in the idea of that democratic socialist both the economy and society should be run democratically—to meet public needs, not to make profits for a few. (democratic socialism is a call for the democratically-elected (government) to use the public sector to promote greater equality and opportunity).
- ❖ **outsider** (noun) – non-member, newcomer, stranger.
- ❖ **mainstream** (noun) – something (certain beliefs/ideas/activities) which are accepted or recognized by most people as a normal or typical.
- ❖ **stand out from the pack** (phrase) – to be different from other people; distinct, noticeable, unique.
- ❖ **early on** (phrase) - at an initial stage (during the process).
- ❖ **surmise** (verb) – assume, conjecture, suppose.
- ❖ **resonate** (verb) – resound, reverberate; evoke some feelings/emotions.
- ❖ **pedigree** (noun) – background, provenance, history, origin.
- ❖ **snatch** (verb) – grab, capture, take hold of; steal by grabbing something suddenly.
- ❖ **ideological** (adjective) – relating to a system of ideas.
- ❖ **coherence** (noun) – consistency, orderliness, unity.
- ❖ **formidable** (adjective) – capable, strong, powerful, mighty
- ❖ **purport** (verb) - claim, seem, profess.
- ❖ **safety net** (noun) – something which gives protection against misfortune or difficulty.
- ❖ **organically** (adverb) – in a natural way.
- ❖ **bubble** (verb) – become more intense; be furious be enraged.
- ❖ **ruggedly** (adverb) - strongly, robustly, powerfully (built).
- ❖ **individualistic** (adjective) – unconventional unorthodox, independent, liberated.
- ❖ **capitalism** (noun) – an economic stem based on the private ownership; private enterprise, private ownership.
- ❖ **fiscal** (adjective) – financial monetary, budgetary.
- ❖ **expansionary** (adjective) – armed to result in political expansion.
- ❖ **deficit** (noun) – shortfall deficiency, shortage.
- ❖ **count** (noun) - a point (f discussion or consideration).
- ❖ **foil** (noun) – contrast with another (person’s) character.
- ❖ **owing to** (phrase) – because of, as a result of, on a account of.
- ❖ **shenanigans** (plural noun) – double-dealing, dishonesty, cheating/mischief.
- ❖ **impeach** (verb) – charge or a accuse/indict (a public official) with a crime done while in office.
- ❖ **command** (verb) - receive, be given, get/gain, obtain.
- ❖ **san a chance** (phrase) – have a chance of doing (winning) something. “stand no chance” means having no chance to win.
- ❖ **best** (verb) - defeat, outdo, prevail over, conquer.
- ❖ **underpin** (verb) – support, strengthen, fortify, buttress.
- ❖ **build a bridge** (phrase) - to establish a relationship; to foster understanding (with someone having difference of opinion).
- ❖ **hustings** (noun) – election platform/campaign.
