

BEYOND THE LEGAL COUNSEL'S PREDICAMENT

**The 'vulture' remark is only a distillation of cultivated impatience
with structures of accountability**

Rather unfairly, Solicitor-General of India Tushar Mehta has been hauled over the coals for his recent performance — or, 'outburst' as legal correspondents chose to call it — when the Supreme Court had, on May 26, decided to take suo motu note of the migrants' pitiable plight in the wake of the nation-wide lockdown. Tushar Mehta is a combative lawyer; he is not a jurist who needs to summon gravitas or scholarship; he is not a Fali Nariman nor is he a Soli Sorabjee. Nonetheless, he has earned the reputation of a skilful adversary who does not flinch back from a scrap in the court room. He does his professional best for his client.

A political appointee :

And, his client is none other than the Modi regime. It is necessary to remind ourselves that a Solicitor-General is a political appointee; which means that whereas Article 76 of the Constitution of India places the Attorney-General of India decidedly on an elevated perch, the Solicitor-General gets to play a nickel-and-dime role. He becomes very much a part of the ruling establishment's inner clique, and cannot escape being sucked into the regime's daily fights and fancies. He cannot have a role or personality outside the preferences and predispositions of the government of the day. Solicitor-General Mehta's critics are perhaps not being fair to him when they accuse him of being disagreeably aggressive or needlessly arrogant; after all, he is only reflecting his client's temperament, his impulses and inclinations to the best of his ability. He is simply an instrument, a sharp and sometimes blunt instrument.

Many have indignantly found Mr. Mehta's invocation of 'vulture' metaphor as particularly unacceptable and offensive slur on the entire journalistic fraternity. It did perhaps border on blasphemy because it was uttered in the nation's highest judicial forum. Mr. Mehta has subsequently tried to clarify [in an interview with The Times of India of June 1, 2020] that his 'vulture' imprecation was not directed at journalists; he is entitled to a benefit of the doubt. And though it can be no consolation, it is sobering to recall that equally invidious insults and innuendoes have been hurled at the media by the ruling establishment. Mr. Mehta's aspersion pales in comparison to Gen. (retd) V.K. Singh's 'presstitute' disparagement. Yet, again, it is not the personal inclination of a law officer or a cabinet minister that should detain us for too long; rather, it is the collective sentiment of the regime he represents that needs to be scrutinised by every democratic soul.

Let there be no mistake. A cultivated mindset is at work. It seeks legitimacy for itself from the paraphernalia of an elective democracy but uses the democratic mandate to chisel away at the core of democratic arrangement. It is simply loathe to give answers or explanations of any kind to anyone.

Blunted institutions :

It is hardly a secret that these last six years, the Modi regime has quietly but diligently and systematically made dysfunctional — without dismantling — all the established institutions designed to prevent abuse of authority. Offices such as the Central Vigilance Commission, the Lokpal, the Central Information Commission, the National Human Rights Commission, India, the Election Commission of India, etc. have been rendered less than paper tigers. With considerable finesse and with admirable street-smartness, the regime has seen to it that no Vinod Rai would be allowed to strike out on his/her own.

The Modi crowd believes, sincerely and righteously, in the correctness of its chosen path; it mesmerises itself with the notions of integrity and commitment of its personnel and leaders and their infinite wisdom. It resents democratic opposition. Not surprisingly, such a regime sees no need to lend an ear to the 'vultures' in the media or the non-governmental organisations.

The migrant issue :

In its determined preference to strike continuously a pose of decisiveness and bold leadership, the incumbent regime not only failed to anticipate the consequences of its sudden, abrupt and panicky lockdown decision; it also refused to see the millions of half-starved citizens trekking back to the safety and security of their villages. It was perhaps with a clear conscience that the Solicitor General could tell the top court that the government had the migrant issue well under its competent hands.

Here is a law officer who had secured from the apex court a kind of carte blanche for his client to carry on with its confused nostrums. Perhaps the Court had felt that given the enormity of the COVID-19 challenge, the government was entitled to make its mistakes and blunders as also to its insensitivity and cynicism. Thanks to persuasive arguments from the Solicitor-General, the Hon'ble judges probably felt that it was not their business to take note of immense hardship inflicted on millions of our own citizens. Mr. Mehta had secured for his client a free hand to carry on with its hit and trial experimentations.

A tragedy could easily be foretold. A regime which has chosen to deprive itself of genuine sources of information finds itself left high and dry when human misery on an unprecedented scale grips vast swathes of our citizens. Because the regime has developed a considered contempt for the free and independent media, it simply refused to see the images of millions and millions of hapless citizens migrating back to their villages. Confronted with an unexpected crisis of unknown dimensions, the regime righteously resented anyone who pointed out the limits of its sloganised approach to governance.

When the Court acted :

Then, much to the regime's consternation, suddenly the Supreme Court had allowed itself to be goaded to seek answers from the government for its bureaucratic insensitivity, for its political arrogance, for its policy confusion and its administrative clumsiness. It was this volte-face that probably produced the Solicitor General's famous outburst. It is possible to suggest that Mr. Mehta's anger was directed not so much against the vultures among the journalists as it was an expression of impatience with the highest court.

Unspoken resentment was that the Supreme Court was seeking an explanation from the government after lending its ear to those who have no knowledge of the 'ground situation'. But the government would not share information about the 'ground' with anyone. The other day, three professional associations of epidemiologists, public health practitioners and social medicine experts have called out the clumsy and confused decision-making practised by the Leader-driven power structure. Millions have paid a heavy price for the regime's arrogance and incompetence.

Yet, the government would not countenance any discussion of its mistakes and missteps. Over the years the regime has used a heavy-handed approach to put its critics in their place. It has brought to bear overwhelming resources, power, prestige and skills to fix its critics, however small or scattered. Neither a Sudha Bhardwaj nor a Gautam Navlakha nor the Pinjra Tod activists in northeast Delhi will be allowed to mobilise dissent and disagreement against the regime.

It is this groupthink of intolerance and impatience that was on display in the Supreme Court on May 26. Unlike in the vastly popular Hindi TV-serial, Taarak Mehta Ka Ooltah Chashmah, Solicitor-General Mehta can be very much said to be using a custom-made pair of spectacles, prescribed by the regime's in-house optometrists.

Meanings of Difficult Words :

- ❖ **predicament** (noun) – problematic situation, difficulty, quandary.
- ❖ **vulture** (noun) – a large bird which eats the flesh of dead animal/person.
- ❖ **distillation** (noun) – extraction (of most important features/parts of something).
- ❖ **cultivated** (adjective) – well informed, discerning, selective.
- ❖ **impatience** (noun) – restlessness, frustration, annoyance, intolerance.
- ❖ **accountability** (noun) – responsibility, liability, answerability.
- ❖ **the Solicitor-General** (noun) – the second-highest rank for a law officer of the government.
- ❖ **haul someone over the coals** (phrase) – criticize, censure, admonish, reprimand, rebuke.
- ❖ **outburst** (noun) – eruption, outflow/ release, outbreak, flare up (of something like emotion).
- ❖ **correspondent** (noun) – news reporter, journalist.
- ❖ **take note** (phrase) – pay attention, take into consideration, watch.
- ❖ **suo motu** (phrase) – Latin term means “on its own motion”. it is used where a government agency acts on its own knowledge.
- ❖ **pitiable** (adjective) – painful, distressing, disturbing, heart-rending.
- ❖ **plight** (noun) – difficult situation, trouble/difficulty, quandary.
- ❖ **in the wake of** (phrase) – as a result of, in the aftermath of, as a consequence of.
- ❖ **lockdown** (noun) – an emergency protocol implemented by the authorities that prevents people from leaving from a place; An extended state of confinement/encirclement/isolation of a person by the authority.
- ❖ **combative** (adjective) – aggressive, quarrelsome, argumentative, confrontational, belligerent.
- ❖ **jurist** (noun) – an expert in law.
- ❖ **summon** (verb) – muster, gather, collect, rally, mobilize.
- ❖ **gravitas** (noun) – dignity, decorum, grandeur/ gravity, seriousness.
- ❖ **nonetheless** (adverb) – notwithstanding, nevertheless, in spite of that/however.
- ❖ **reputation** (noun) – status, position, stature.
- ❖ **adversary** (noun) – rival, enemy, nemesis/ opponent, competitor.
- ❖ **flinch** (verb) – shy away, recoil, shrink, pull back.
- ❖ **scrap** (noun) – (a minor) quarrel, argument, fight, disagreement, difference of opinion.
- ❖ **appointee** (noun) – one who is appointed to a job/position; representative, delegate, office holder.
- ❖ **none other than** (phrase) – used when you want to present that someone or something is surprising.
- ❖ **Attorney-General** (noun) – The chief legal advisor/officer of a nation (state).
- ❖ **whereas** (conjunction) – in comparison with the fact that.
- ❖ **decidedly** (adverb) – distinctly, clearly, obviously, noticeably, undeniably, undoubtedly.
- ❖ **elevated** (adjective) – higher, greater (than normal level).
- ❖ **perch** (noun) – precarious position, uncertain position, risky position (perch-sitting on tip/edge of something).
- ❖ **play a part/role** (phrase) – contribute to, be instrumental in, be a factor in.
- ❖ **nickle and dime** (phrase) – small value, of little/petty/cheap thing, minuscule thing.
- ❖ **the establishment** (noun) – the powers that be, the authorities, the ruling class, the regime.
- ❖ **clique** (noun) – circle, set, group.
- ❖ **suck into** (verb) – implicate in, involve in, draw into.

- ❖ **fancy** (noun) – (casual & unconsidered) wish, want, desire.
- ❖ **predisposition** (noun) – inclination, tendency, propensity.
- ❖ **critic** (noun) – commentator, observer; fault-finder, censurer.
- ❖ **perhaps** (adverb) – maybe, possibly.
- ❖ **accuse of** (verb) – condemn for, criticize for, blame for.
- ❖ **aggressive** (adjective) – hostile, argumentative, combative.
- ❖ **reflect** (verb) – indicate, show, reveal, exhibit.
- ❖ **temperament** (noun) – disposition, nature, character.
- ❖ **impulse** (noun) – (strong & sudden) urge/instinct, compulsion, need.
- ❖ **instrument** (noun) – pawn, puppet.
- ❖ **blunt** (adjective) – straightforward, forthright, plain-spoken, candid, unequivocal.
- ❖ **indignantly** (adverb) – angrily, unhappily, aggrievedly.
- ❖ **invocation** (noun) – citation, mention, calling on.
- ❖ **metaphor** (noun) – figure of speech, figurative expression, comparison.
- ❖ **slur** (noun) – insult, misrepresentation, allegation/insinuation.
- ❖ **fraternity** (noun) – profession; association, organization, society.
- ❖ **border on** (phrasal verb) – come close to, be comparable to, be tantamount to.
- ❖ **blasphemy** (noun) – the action or behaviour of someone which is not respectful of religious practice; irreligious, ungodly, unholy action/behaviour.
- ❖ **utter** (verb) – voice, express, deliver, say.
- ❖ **subsequently** (adverb) – afterwards, later on, eventually.
- ❖ **imprecation** (noun) – curse, swear word, anathema.
- ❖ **the benefit of the doubt** (phrase) – to believe someone even if you have doubts on what that person says.
- ❖ **consolation** (noun) – comfort, solace.
- ❖ **sobering** (adjective) – serious/sensible, thoughtful; logical/realistic, pragmatic.
- ❖ **invidious** (adjective) – unpleasant, awkward; unfair, unjust.
- ❖ **innuendo** (noun) – insinuation, indirect remark, slur, allusion (indirect comment), aspersion.
- ❖ **hurl** (verb) – utter/express (abuse) vehemently.
- ❖ **aspersion** (noun) – condemnation, criticism; disparagement, defamation; character assassination, libel.
- ❖ **pale** (adjective) – seem less significant or important, seem less serious.
- ❖ **pale in comparison to** (phrase) – to seem less important or serious when compared with something else.
- ❖ **presstitute** (noun) – a person/media who provide biased news for money.
- ❖ **detain** (verb) – restrain, hold, take in (for questioning).
- ❖ **collective** (adjective) – combined, united/joint, cooperative (by all people as a group).
- ❖ **scrutinise** (verb) – examine carefully, inspect; investigate.
- ❖ **at work** (phrase) – in action.
- ❖ **seek** (verb) – try, attempt, work towards.
- ❖ **legitimacy** (noun) – reasonableness, justification, validity.
- ❖ **paraphernalia** (noun) – equipment, tools, materials, accessories.
- ❖ **chisel away** (verb) – cut, carve at something gradually into a shape/form.
- ❖ **loathe** (verb) – hate, detest, dislike greatly.
- ❖ **blunt** (verb) – weaken, decrease, lessen.
- ❖ **diligently** (adverb) – carefully, attentively, thoroughly.
- ❖ **systematically** (adverb) – methodically.
- ❖ **dysfunctional** (adjective) – not functioning/ working normally or properly; troubled, unsettled, flawed.
- ❖ **dismantle** (verb) – demolish, knock down, destroy.
- ❖ **design** (verb) – originate, create, plan, formulate, think up.
- ❖ **render** (verb) – make, cause to be, cause to become.
- ❖ **paper tiger** (noun) – ineffectual person/ thing even if that looks frightening.
- ❖ **finesse** (noun) – tactfulness, delicacy, diplomacy.
- ❖ **admirable** (adjective) – commendable, praiseworthy, creditable, exemplary.

- ❖ **street-smartness** (noun) – self-awareness, self-experience, knowledge gained oneself (to deal with the difficulty).
- ❖ **strike out** (phrasal verb) – be unsuccessful, fail.
- ❖ **on one's own** (phrase) – alone, all alone, by oneself, all by oneself.
- ❖ **righteously** (adverb) – justifiably, legitimately, defensibly.
- ❖ **mesmerise** (adjective) – captivate, fascinate, hypnotize/spellbind.
- ❖ **notion** (noun) – idea, belief, concept.
- ❖ **integrity** (noun) – righteousness, morality, probity.
- ❖ **personnel** (noun) – staff, employees, workforce.
- ❖ **wisdom** (noun) – knowledge, understanding, insight, judgement.
- ❖ **resent** (verb) – feel aggrieved about, feel bitter about, be annoyed about, dislike.
- ❖ **lend an ear** (phrase) – listen attentively.
- ❖ **strike a pose** (phrase) – to put your body in a certain position so that you will look impressive.
- ❖ **decisiveness** (noun) – the ability to make decisions quickly & successfully.
- ❖ **incumbent** (adjective) – current, existing, present (in power).
- ❖ **anticipate** (verb) – expect, foresee, predict.
- ❖ **consequence** (noun) – outcome, ramification, repercussion.
- ❖ **abrupt** (adjective) – sudden, immediate, unexpected.
- ❖ **half-starved** (adjective) – very badly fed; very poorly nourished.
- ❖ **trek back** (verb) – walk back; on a long journey on foot.
- ❖ **conscience** (noun) – moral sense, inner voice; values/principles.
- ❖ **carte blanche** (noun) – French phrase literally means “blank or white card/sheet/paper”; it refers to complete freedom/full permission to act as someone wants.
- ❖ **competent** (adjective) – capable, skilful, knowledgeable.
- ❖ **carry on** (phrasal verb) – continue, proceed, progress, keep going, get going.
- ❖ **nostrum** (noun) – scheme, formula, remedy (for social improvement/reform).
- ❖ **enormity** (noun) – hugeness, immensity, magnitude.
- ❖ **entitle** (verb) – allow, empower, authorize.
- ❖ **insensitivity** (noun) – lack of awareness, lack of concern, not caring about others' feelings.
- ❖ **cynicism** (noun) – disbelief, pessimism, doubtfulness.
- ❖ **persuasive** (adjective) – convincing, compelling, effective/powerful.
- ❖ **probably** (adverb) – most likely, in all likelihood, all things considered, perhaps.
- ❖ **immense** (adjective) – huge, extremely large.
- ❖ **hardship** (noun) – distress, trouble, misfortune, suffering.
- ❖ **inflict on** (verb) – cause, force, thrust, burden someone with.
- ❖ **a free hand** (phrase) – freedom, licence, latitude, leeway.
- ❖ **hit and trial** (phrase) – it relates to the outcome of the action undertaken (if the action achieves its objective, it is a hit/success, on the other hand, if it fails that it is at least tried out).
- ❖ **foretell** (verb) – predict, foresee, anticipate.
- ❖ **deprive of** (verb) – dispossess, strip of, deny, prevent from having.
- ❖ **misery** (noun) – pain, grief, anguish, agony, distress, torment, suffering.
- ❖ **unprecedented** (adjective) – not done or experienced before.
- ❖ **grip** (verb) – afflict, affect, beset.
- ❖ **swathe** (noun) – a wide area (of something).
- ❖ **hapless** (adjective) – unfortunate, unlucky, ill-fated.
- ❖ **confront** (verb) – deal with, tackle, address, face up to.
- ❖ **dimension** (noun) – aspect, feature, side, element.
- ❖ **point out** (phrasal verb) – identify, mention, recognize, draw attention to.
- ❖ **consternation** (noun) – a sudden and unexpected feeling of worry/anxiety that causes confusion; dismay, surprise, shock.

- ❖ **goad** (verb) – motivate, encourage, stimulate/urge.
- ❖ **bureaucratic** (adjective) – institutional, procedural, official/governmental.
- ❖ **clumsiness** (noun) – carelessness, awkwardness, tactlessness.
- ❖ **volte-face** (noun) – turnaround, reversal, about-face.
- ❖ **resentment** (noun) – bitterness, indignation, enmity, hatred/hate.
- ❖ **ground** (noun) – reason, factor, basis.
- ❖ **epidemiologist** (noun) – an expert in the study of how disease spreads and can be controlled.
- ❖ **call out** (phrasal verb) – criticize someone for something (bad/incorrect) publicly and ask them to justify/explain it.
- ❖ **clumsy** (adjective) – awkward, uncoordinated, insensitive/thoughtless.
- ❖ **Leader-driven** (adjective) – controlled by leader.
- ❖ **pay the (heavy) price** (phrase) – experience (a very) bad/unpleasant result of something that you have done.
- ❖ **incompetence** (noun) – inability, incapability, ineptitude, lack of skill/ability.
- ❖ **countenance** (verb) – tolerate, permit, agree, admit (as acceptable).
- ❖ **misstep** (noun) – mistake, blunder, false step.
- ❖ **heavy-handed** (adjective) – insensitive, oppressive, overbearing, high-handed, harsh.
- ❖ **put someone in their place** (phrase) – humiliate, deflate, crush, humble, lower.
- ❖ **overwhelming** (adjective) – massive/huge, formidable, absolute, very strong.
- ❖ **bring something to bear** (phrase) – apply, exert, use, employ, utilize.
- ❖ **scattered** (adjective) – disbanded, separated, disintegrated.
- ❖ **mobilise** (verb) – stimulate, galvanize, encourage, urge.
- ❖ **dissent** (noun) – disagreement, disapproval, opposition.
- ❖ **groupthink** (noun) – thinking as a group (to make decisions).
- ❖ **intolerance** (noun) – prejudice, bias, bigotry/partisanship, discrimination.
- ❖ **on display** (phrase) – noticeable, visible, recognizable, in (public) view.
- ❖ **vastly** (adverb) – extremely, immensely, exceedingly, hugely/largely.
- ❖ **custom-made** (adjective) – appropriate to, in keeping with, befitting.
- ❖ **pair of spectacles** (phrase) – eyeglasses; a pair of lenses set in a frame worn in order to correct deficiencies in eyesight.
- ❖ **prescribe** (verb) – stipulate, lay down, order, specify.
- ❖ **optometrist** (noun) – an eye doctor; ophthalmic opticians (who takes care of primary health care for the eye).