

Elections no guarantee against tyranny: CJI

‘Pandemic might yet be a curtain raiser to larger crises’

KRISHNADAS RAJAGOPAL
NEW DELHI

Chief Justice of India N.V. Ramana on Wednesday said the mere right of the public to change the “ruler” once every few years by itself need not be a guarantee against “tyranny”.

“In the 17 general elections held so far, the people have changed the ruling party or combination of parties eight times, which accounts for nearly 50% of number of general elections. In spite of large-scale inequalities, illiteracy, backwardness, poverty and alleged ignorance, the people of Independent India have proved themselves to be intelligent and up to the task. The masses have performed their duties reasonably well. Now, it is the turn of those who are manning the key organs of the State to ponder if they are living up to the Constitutional mandate,” Chief Justice Ramana said.

The Chief Justice referred to the colonial period when



Chief Justice N.V. Ramana

law was used as a “tool of political repression”. “I think any law backed by a sovereign must be tempered by certain ideals or tenets of justice,” the CJI said. He was speaking at the 17th Justice P.D. Desai Memorial Lecture.

Chief Justice Ramana said it was time to pause and ask to what extent the rule of law was used to protect ordinary lives during the pandemic.

“I do not intend to provide an evaluation of the same. Both my office and my

temperament prevent me from doing so. But I began to feel that this pandemic might yet be a mere curtain raiser to much larger crises in the decades to come. Surely, we must at least begin the process of analysing what we did right and where we went wrong,” the CJI said.

‘Total freedom needed’

The CJI said the judiciary requires “complete freedom” to apply checks on governmental power and action. “The judiciary cannot be controlled, directly or indirectly, by the legislature or the executive, or else the Rule of Law would become illusory,” the CJI underscored.

The CJI said it was imperative to start a discourse on the impact of social media trends on institutions. The Chief Justice said the amplified noise produced in social media was not “necessarily reflective of what is right and what majority believes in”.