

GOVERNANCE AND CITIZENSHIP

R. Venkataramani*

Stanley Mosk, a former Judge of the Supreme Court of California while speaking at the McGeorge School of Law in the year 1978 commenced his address thus :-

"I am not certain, I envy young men and women who are about to become lawyers these days. The reputation of the legal profession is at a low ebb. You can always tell who is unpopular by noting those who become the butt of attacks from demagogic politicians, and these days politicians find they can hit the jackpot on the applause meter when they publicly flail away at lawyers. Rebuttal from the State Bar falls on deaf ears. Indeed, on a Richter scale of one to ten, lawyers rate at about a two, approximately the same as Rumanian tennis players and Canadian hunters of baby seals, perhaps a notch or two above used car salesmen and the endless stream of Watergate defendants who tell all - or almost all - for a fee, to become known as the Crook of the Month Club."

I better speak differently. I really want to envy all my young friends here who are in the serious pursuit of the study of law and for all the wonderful opportunities you have in learning law differently from what many of us did in our own times. With the wonderful opportunities come delicate but heavy responsibilities.

To greet all my young friends here on a fine October forenoon with a prospect of travelling together in a heady subject concerning governance and citizenship may sound less inviting. We are keenly receptive to and the mind readily catches upon matters and ideas narrated through anecdotes, fables and stories. I wish to share with you and convey to you this seemingly abstract and distant subject of governance and citizenship by some current chronicles, as well as ancient stories.

Political writer Dalton Russel, titled his 2008 publication "The good citizen: How a younger generation is reshaping American politics". The reviewer of the book makes the following observations:

Thinkers of all types and political leanings - scholars, television pundits, writers - tell us that today's youth are politically lazy and indifferent: they do not vote, and they appear to be more interested in the release of the newest ipod than in being the kind of citizens that made up previous generations in this country's history. "Young people today are putting America's democracy at risk" is the message we hear.

Dalton however, insists that we must stop focusing only on negative changes and see that, in fact, our public and our politics are changing, and many of these changes are producing positive outcomes. Additionally, in a welcome turn, Dalton breaks with much of the America-at-risk literature by including a significant, if small, comparative section, looking at what is happening in regards to the political process in other advanced, industrial democracies.

He begins by asking: "What does it mean to be a good citizen in America today?" This is a smart adjustment, as it remedies the logic of concluding that if citizens are behaving differently than they did fifty years ago, our society must be in peril. Dalton lets us in on his conclusions up front: he claims that what has changed are the norms of citizenship.

He argues that where obligation, loyalty, deference to authority, and a "subject" mentality were the defining characteristics of a "good citizen" throughout the first half of the twentieth century - a norm Dalton calls "duty based citizenship" - from the 1960s onward a new set of traits increasingly constituted citizenship norms. The new norms, those of "engaged citizenship", promote a more direct approach to government affairs, increased tolerance, and concern for the well being of others, not only in the US, but globally.

I wish to explain this very optimistic statement.

Before I endeavor to do that, I must make some preliminary statements. Our institutions of higher learning have opened up to a wide range of cross-sections of the community towards pursuit of knowledge, social transformation and both women and men of humble origins asserting

to equality and positions of social influence. Competing with other branches of knowledge, the study of law has begun to legitimately lay claim to new debates and discourses, virtually concerning all and every aspect of life. While the doors to higher learning are opening up, questions of individual fulfillment and well-being, the relevance of pursuing the study and practice of law as well as certain other branches of knowledge have also come under serious critique. For many, the future is an uncertain proposition. We as a nation endeavoring to enrich and enhance our democracy is in the process of effecting a unique assimilation and integration of our native knowledge systems, faiths, culture, and contemporary developments in promoting, organizing and developing science and technology towards ensuring civilized social orders.

The challenges are immense and we do not have a modal, available in a copy book fashion that can be replicated with a few twists here and few turns there. It appears to me that just as India is engaged with her own "experiments in truth" and creating a fulfilling social order, every community and groups of people elsewhere are engaged in their own way in the quest for a fulfilling social order where individual autonomy informed by a deep sense of responsibility would be zealously promoted as the foundational value.

Isaiah Berlin, a renowned historian of ideas and a champion of liberty, writing about the history of European thought concerning the building of an ideal world, still chose to title his book, *"The Crooked Timber of Humanity"* and quoted Immanuel Kant :-

"Out of timber so crooked as that from which man is made nothing entirely straight can be built."

Whatever might have persuaded Kant to say this, there are other profound statements which place great strength and expectations from the wise potential of human beings and in the belief that the crookedness of the timber of humanity if any, is not so overarching as to dwarf or decimate the genius of human species in uplifting itself. The only reason for referring to the *"Crooked Timber"* quote is to draw parallels to contemporary forms of cynicism and grave doubts in the context of prevailing socio-political realities.

John Hick one of the distinguished philosopher of religion in his recent book, 'The Fifth Dimension', catches a grim picture reminiscent of the holocaust :-

"This is a new and revised edition of The Fifth Dimension of five years ago. During these five years the world has become more dangerous. The catastrophic 9/11 destruction by hijacked planes of the twin towers in New York in 2001; the slower but even more destructive war in Iraq, leaving a spreading legacy of deeply felt resentment; the seemingly endless round of mutual revenge attacks between Israel and the Palestinians The proliferation of nuclear weapons extending from the USA, UK, Russia and Israel potentially to North Korea, India, Pakistan and possibly elsewhere; the alarming development of relatively easy to use chemical and biological weapons of mass destruction; the continuing thinning of the ozone layer and developing global warming, caused largely by the massive over-consumption of the world's non-renewable resources by the rich nations; the continuing gap between the wealthy northern and the poor southern hemispheres, leaving millions in deep poverty, many suffering from AIDS and other preventable diseases... all this, and more, is making our world an increasingly dangerous place to inhabit."

John Hicks, however explores the fifth dimension of human nature, namely, the spiritual dimension and offers hope.

The crooked timber of humanity is only part of the story. We have tried to explain the nature of the bad and crookedness in human nature through religion, and philosophy, and have made significant and valiant attempts in taming the seemingly darker side of humans. The very fact that evolution chose finer and aesthetic elements to enrich human existence (which made Milton and Mozart and Ved Vyasa and Kalidasa etc.) and fused into our consciousness the desire or the yearning to look for explanations about our existence and the universe around us, is assurance enough for peaceful and orderly changes of us and around us. Steven Pinker, in his, "The Better Angels of our nature- The decline of violence in history and its causes", asserts convincingly that violence has

unquestionably declined in the maintenance of social order and in dealing with individual liberty and autonomy, says that the decline of violence may be the more significant and least appreciated development in the history of our species. Let us see what he has got to say further:-

"Human nature, as evolution left it, is not up to the challenge of getting us into the blessedly peaceful cell in the upper left corner of the matrix. Motives like greed, fear, dominance, and lust keep drawing us toward aggression. And through a major work-around, the threat of tit-for-tat vengeance has the potential to bring about cooperation if the game is repeated, in practice it is mis-calibrated by self-serving biases and often results in cycles of feuding rather than stable deterrence.

But human nature also contains motives to climb into the peaceful cell, such as sympathy and self-control. It includes channels of communication such as language. And it is equipped with an open ended system of combinatorial reasoning. When the system is refined in the crucible of debate, and its products are accumulated through literacy and other forms of cultural memory, it can think up ways of changing the pay off structure and make the peaceful cell increasingly attractive."

I go back in point of time. It is customary to quote or cite Plato and Aristotle. No discussion of western thought, political science and philosophy is complete without reference to them. 'The Republic' of Plato, like the Bhagavat Gita is a grand attempt at exploration of the entire spectrum of life, the individual her morality, the structure of a community and the virtues and vices of Rulers. Republic is Plato's painstaking attempt to define in non-abstract terms how the attainment of happiness or, "living the good life" as the Greeks would have said. In other words, how can an individual fulfill himself? and from this point of view, 'Republic' is apparently not a manifesto of political Philosophy. As Robin Waterfield translating Plato says, "he invites us, as we read, to use features of the community he constructs as a map or key for understanding our own psyches" we understand that an individual is complex and consists of a range of needs nor all of which are concerned with mere existence. In the domain of

individual's interactions in fulfillment or satisfaction of, the unlimited supply of mental wants and desires, we threaten one another's integrity. It is this conflict area which poses the eternal challenge to the genius of the human mind. What are the mechanisms, principles and precepts that we can possibly create and practice to deal with this intense conflict areas? I venture to say that the concept of citizenship is the ability to comprehend the duality of individual verses the community and the potential to search for means to dissolve this duality. It appears to me that Robin Waterfield is thus closer to this understanding when he says, "Plato's purpose in Republic, then, is to provide a kind of unified field theory, in which all the elements which make human life good are tied together in a version of eternal unity, orderliness and stability. Plato's objective is to paint a compelling picture."

Writing soon thereafter, in 350 BC in his equally instructive treatise, "politics" Aristotle observed, "He who would inquire into the essence and attributes of various kinds of governments must first of all determine What is a state? But a state is composite, like any other whole made up of many parts, these are the citizens who compose it. It is evident, therefore, that we must begin by asking. Who is the citizen, and what is the meaning of the term?"

Aristotle spoke like a typical lawyer fascinated by the urge to define. A Scientist defines the terms of her work and enquires into newer definitions of the universe whether the DNA or "Higgins Boson". A lawyer also defines but perhaps in a different way not for the purposes of assertion of unqualified truths but for statement of purposes, tools and instrumentalities. A lawyer, by this definition, defines the processes. What did Aristotle say further about citizen in a democracy? "He who has the power to take part in the deliberative or judicial administration of any State is said by us to be citizens of that State, and speaking generally, a State is a body of citizens sufficing for the purpose of life "

"Whether the virtue of a good man and a good citizen is the same or not. But before entering on this discussions, we must certainly first obtain some general notion of the virtue of the citizen. Like a sailor, the citizen is a member of a community. Now sailors have different functions, for one of them is rower, another a pilot and a third look-out man, a fourth

to them all. For they have all of them have a common object, which is safety in navigation. Similarly, one citizen differs from another, but the salvation of the community is the common business of them all. This community is the constitution; the virtue of the citizen must therefore be relative to the constitution of which he is a member."

There is a serious problem in suggesting "the salvation of the community is the common business of them all". It sounds almost like the dissolution of the individual and the worship of dictatorships, with Stalin and Mao or other lesser heroes, preaching on the virtues of the community as the ends and the means. But perhaps, Aristotle had something else in mind. He probably talks about the community as the framework within which an individual is born and lives and the framework which constantly transforms itself. I understand that it is this very hard to define the subtle and real relationship between the individual and the community that constitutes the meaning of citizenship.

My narration would be incomplete if we do not look at non-western pictures. Two great systems of thought and practice of life, the Indian and the Chinese deserve to be noticed. In a very stimulating study of systems of thought the psychologist Richard E. Nisbett in his book "The geography of thought" says, "My research has led me to the conviction that two utterly different approaches to the world have maintained themselves for thousands of years. These approaches include profoundly different social relations, views about the nature of the world, and characteristic thought processes. Each of these orientations — the Western and the Eastern— is a self-reinforcing, homeostatic system. The social practices promote the world views, the world views dictate the appropriate thought processes, and the thought processes both justify the world views and support the social practices. Understanding these homeostatic systems has implications for grasping the fundamental nature of the mind for beliefs about how we ought ideally to reason, and for appropriate educational strategies for different peoples."

Richard Nisbett notices that the Chinese orientation towards life was shaped by the blend of Taoism, Confucianism and Buddhism. In such a world view the individual works not for self-benefit but for the entire family and indeed the concept of self-advancement as opposed to family advancement is alien to their thought (whatever happens in China

may not be the same story). The old thinking is illustrated by an ancient Chinese story about an old farmer whose only horse ran away. Knowing that the horse was the mainstay of his livelihood, his neighbors came to commiserate with him. "Who knows what's bad or good?" said the old man, refusing their sympathy. And indeed, a few days later his horse returned, bringing with it a wild horse. The old man's friends came to congratulate him. Rejecting their congratulations, the old man said, "Who knows that's bad or good?" And, as it happened, a few days later when the old man's son was attempting to ride the wild horse, he was thrown from it and his leg was broken. The friends came to express their sadness about the son's misfortune. "Who knows what's bad or good?" said the old man. A few weeks passed, and the army came to the village to conscript all the able-bodied men to fight a war against the neighboring province, but the old man's son was not fit to serve and was spared.

Thus the individual or his autonomy is not seen as the only necessary pursuit and this significantly coincides with the sailor illustration of Aristotle.

We then have Kautilya's Arthashastra which is said to be the science of politics and concerning the art of government in its widest sense. A very close look of the Kautilya treatise shows how ultimately the Raja dharma is founded on logakshema or the welfare of then people. The fine blend of citizenship and governance can be seen. The sequence would be incomplete if we do not catch a very important dimension of how the concept of Dharma pervaded the principles of governance while the capacity of the Kings to legislate irrespective of sastric authority not only existed but also was practiced, Duncan Derrett, the well-known commentator on Hindu Law made the pertinent observation. "The political authority has in fact supplemented and contradicted the *dharmasastra* where it seemed necessary in the public interest. The academic effort of bringing legislation into alignment with the *sastra* was contemplated by Medhatithi amongst others. But the method chosen, as we shall see, was to argue that the *sastra* contemplated only such legislation as its own silences rendered necessary, and there only provided that Vedic authority and valid custom knew nothing to the contrary."

The great Tamil poet Thiruvalluvar devoted a whole chapter of his famous Thirukkural to governance based on dharma and citizenship

nurtured by dharmic values. I prefer to use the word Dharma instead of morality, as the former expression has wider connotations. However, the issue as to individual autonomy and the role of the State in protecting and promoting such autonomy as a value in itself, was not found to be necessary because when both the individual and the State pursue their ends by reason of Dharma, no conflict exists. Question may be asked, is this, a matter of universal truth? This question is a question which has bothered people throughout the ages, regardless of the differences in perceptions and world views.

The attempts to answer human predicament concerning the innate conflict, between governance and citizenship have passed through two models. The model which believed on complete external regulation of all human conduct has placed superior wisdom in the capacity of the State to govern. A liberated segment of people will have all the knowledge and authority to discover, determine and prescribe all codes of human conduct. This model based on a linear and progressive view of history favoured divesting people of private properties and possessions and truly their autonomy. George Orwell captured this theme in his famous book "1984". Economic wealth, it is thought will be best produced by state regulated and State dictated, but seemingly cooperative human activity. Human autonomy and highest form of citizenship founded on such economy, would ultimately blossom and humanity has to wait till the blossoming occurs.

The flaws and strains of such a model, as practiced in Communist regimes is now a matter of history.

The other model with all its variants, places governments at the bottom of the ladder and grants unlimited value to individual freedom and autonomy, though Karl Popper famously stated that freedom and tolerance in an open society should not be thought of as unlimited. Arguing against the first model he places his opposition to a centrally planned State economy, in the following words :-

"Even if it were true that a centrally planned state economy is superior to that of the free market, I should oppose the centrally planned economy. I should oppose it because of the likelihood that it would increase the power of the state to the point of tyranny. It is not the inefficiency

of communism against which we should fight but its inhumanity and its inherent hostility to liberty. We should not sell our freedom for a mess of pottage, or for the promise that we shall obtain the highest possible productivity and efficiency; not even if we could be sure that we can purchase efficiency at the price of liberty."

In one of his letters to Isaiah Berlin he reflected as follows:-

"My second point is your picture of positive freedom. It is a marvelous elaboration of the idea of being one's own master. But is there not a very different and very simple idea of positive freedom which may be complementary to negative freedom, and which does not need to clash with it? I mean, very simply, the idea to spend one's own life as well as one can; experimenting, trying to realize in one own way, and with full respect to others (and their different valuations) what one values most? And may not the search for truth - sapere aude - be part of a positive idea of self-liberation" ('sapere aude' means 'dare to be wise')

It is instructive to go ahead with some of Karl Popper's formulations, namely, "that the idea of a free and open society involves the demand that the state should exist for the sake of the human individual - for the sake of its free citizens and their free social life - that is, for the sake of the free society - and not the other way round. This implies the demand that we should make it the function of the state to serve and to protect the free society of its citizens."

It is in the context of the above statement that the idea of a free and open society creates of necessity a most difficult political problem in its realization, that the importance of asking the right questions lie. He is right in holding that, "the question 'who should rule' is asking the wrong question." But then what are the right questions to be asked?

From John Rawls to Amartya Sen, there has been an emphasis on either talking about institutions as one of the key dimensions of moving away from concentration of power and moving closer to the sanctity of human autonomy and liberty or underlining the importance of addressing questions of enhancing justice, reasoned engagement as against disengaged

toleration and dealing with processes of enhancement of the capabilities of people. It is indeed true that institutions are instruments of diffusion of power and democracy is said to be that instrumentality or process by which institutions, like the endangered cells of the human body which suffer an injury, so organize and reorganize themselves to continue to create and maintain conditions of liberty and freedom. We need to grasp emerging ideas of governance and citizenship from these perspectives. Look at what happens when an injured portion of our body is all set to regenerate itself:-

"Imagine you were unlucky enough to get a paper cut the response that this incision triggers is complex, organized and profound. It's comparable to the human reaction to a large-scale catastrophe such as a flood or an earthquake. As in those disasters, the first phase is an emergency response.

Everything that occurs in and around your cut happens as a beautiful orchestration of individual living cells. At the precise moment the sharp edge of the paper slices through the outermost surface of your skin, cells embedded throughout your flesh called nociceptors spark into action.

After an hour, the majority of the cells attending the paper cut are called neutrophils. These carry detectors on their membranes that pick up the chemical emergency signals pulsing out from the ground zero, and move in the direct of the strongest of them. On arrival, neutrophils act as specialist cleaners, enveloping bacteria and hovering up debris and detritus, before killing themselves when their task is complete.

Over the next twenty-four hours, another regiment of cells files into the site and each matures into the giant Pac-Man of the immune system, the 'macrophage' (literally 'big eater' in Greek). These chomp up the neutrophils carcasses and any other potentially damaging remains they find.

Crucially, the cut itself isn't simply stuck back together; otherwise we would lose the sensitivity that was there before the injury. Nor is it simply a case of plugging the gap with

new skin cells, otherwise we would be lumpy and malformed. Our bodies strive to make repairs as invisible as possible, and to restore the body to its pre-injury state. It will need to be patched up with new flesh, which is a complex collaboration of cells. And that means the birth of tissue."
(Creation: The origin of life; Adam Rutherford)

If the wonderful cell of a human body can achieve this miraculous regeneration, what stops the evolved human mind from realizing greater goals, though valuational plurality (See: The idea of Justice, Amartya Sen).

We are now firmly entrenched in an age of constitutionalism. Each sovereign state swears to rule itself by constitutional arrangements. No constitutional arrangement is complete without emphasis on fundamental freedoms and human autonomy. The function of a democracy is best answered by the extent to which and the manner in which the State and governance practices fundamental freedoms. One can as well end the dialogue here. But given the human condition, and the roads which are yet to be laid towards taming two formidable aspects of human nature, namely, violence and intolerance, and the propensity to exclude others from sharing the benefits of the commonly generated wealth of the community, several extra miles need to be travelled.

Professor Michael J. Sandel, in his challenging book on "what money can't buy, the moral limits of markets", asks us to be alive to the dangers of market values on almost every aspect of our lives, namely, education, medicine and health care, government, and even family life. As a poser to Karl Popper, we can ask the question, as to whether being a market society is in any way of a higher order in terms of human well-being, fulfillment and egalitarian values, as opposed to a new avatar of planned economy, where creativity and freedom of expression of one's capabilities can co-exist, with sharing and avoidance of a wasteful and unbridled market.

The Constitution does matter. It matters because it makes two things possible, namely, both governance and citizenship. The highest value of citizenship is the capacity to be free as an individual and the willingness to be responsible as a shared member of the community. It is the natural

individual existence. It is these rich endowments which grant us the profound opportunities to be creative, and to be able to create conditions for freedom from want and pain. The highest value of governance is the ability to value freedom and blend it with freedom for all where all those negative indicia of an unequal society would have been replaced by more humane scales of measurement of the human worth.

In contemporary times, in the human rights dialogue three key words have been in good circulation, namely, protect, regard and respect. When governance protects, regards, and respects the values of autonomy and freedom, and when citizens protect regard and respect such value as inherent in all living creatures, then we would have had the common highway to be jointly travelled by Governance and Citizens.

It is interesting to note that, James M. Buchanan titled one of his volumes- "The calculus of consent, the logical foundations of constitutional democracy". We thus find the political process as a form of exchange between governance and citizenship and in that form of exchange where constitutional choices constitute that orderly process of consent, the need for sacrificing liberties and freedoms of some are avoided and the human mind in general understands and proceeds to concede, accommodate and exchanges the products of its freedom and autonomy. I consider that this ability and inclination to concede, accommodate and exchange, constitutes in the ultimate analysis, the essence of citizenship and good can only be an emphasis supplied.

All this may seem to be well intentioned theorizing. It may be true to some extent. The constitutional order, itself demands from all of us, the courage and conviction to stand up and defy the constitutional orders, when they fail; to protest the illegitimate, constitutional choices which visit the less fortunate of our brethren with pain, loss and lack of humanity; to stand up and raise our voices against the aberrations of an open society, or the ever waiting attempts to close the gates on an open society. When citizenship fully prevails upon governance, the dichotomy between a governance which is hostile and a citizenship which is tame, disappears. In a manner of speaking, some of these values are finely reflected in Part IV-A of the Constitution, namely, Fundamental Duties. I venture to say that the domain of fundamental duties is not to be confined to the much attacked morality realm. The seemingly false

and freedoms, have to be necessarily dissolved and so we have an open society, the call of respecting and regarding governance, individuals with their freedoms merged in shades of responsibilities, producing institutions which act as mutual limitations, all in the end to ensure once again, what we noticed as the highest order of citizenship.

What I argue here is not without parallel. America is witness to the Rights v. Responsibilities debate and an intense one in recent times. There are always people who advocate and present middle paths. Profs. James Fleming and Linda. C. McClain of Boston University School of Law offer the following in their book "Ordered Liberty".

"We propose an account of rights that (1) takes responsibilities as well as rights seriously, permitting government to encourage responsibility in the exercise of rights but not to compel what it holds is the responsible decision; (2) supports what we, following Michael Sandel, call a "formative project" of civil society and government promoting responsibility, inculcating civic virtue, fostering citizens' capacities for democratic and personal self-government, and securing ordered liberty and equal citizenship for all; (3) justifies rights of autonomy on the basis not of "empty" toleration, but of toleration as respect, together with the capacity for responsibility and the substantial moral goods furthered by securing such rights; and (4) protects basic liberties (such as freedom of association and rights of autonomy) stringently but not absolutely, through reasoned judgment concerning ordered liberty without precluding government from encouraging responsibility that takes rights seriously, avoids submerging the individual into the community, and appreciates the value of diversity in our morally pluralistic constitutional democracy. We defend our understanding of the relationships among rights, responsibilities, and virtues by applying it to several matters of current controversy: reproductive freedom, the proper roles and regulation of civil society and the family, education of children, clashes between first Amendment freedoms (of association and religion) and antidiscrimination law, and rights to intimate associations and same-sex marriage.

Our analysis of the rights-responsibilities dichotomy will emphasise that a leading source of the problems in this area is the failure to distinguish and relate two different conceptions of responsibility: responsibility as autonomy or self-government and responsibility as accountability to community.

I only wish to emphasize that our study and practice of law in so far as it stands removed from all these dimensions, is a worthless pursuit. There is no branch of the study of law, which in a manner of speaking can be seen in isolation from the above concerns. Take for instance, the conflict between intellectual property law and anti-trust or competition legislations. How do we really ensure creation without restraint, for after all creation without restraint is deeply connected to human freedom and is one's own yardstick or measure of self-fulfillment. But I suppose, the restraint part of creation is the ultimate challenge to governance, and a greater challenge to citizenship, namely, how do we create and how do we share?

I will give you two more stories about the highest standards of morality in forming governance. A vivid illustration of how morality informs the subjects' presentation of their disputes and the King's morality in resolving them is given in the story of a fanciful meeting between Alexander the Great, and the legendry King Katzya, ruler of fabulous land beyond the dark mountain :-

"The visiting Alexander bypassed Katzya's gold and silver but wished to see 'your customs, your behavior, and how you administer justice' the conqueror then watched King Katzya heard a case between the buyer and the seller of a field in which hidden treasure had been found. Each disclaimed the treasure, not having bargained for it in the sale. After hearing their briefs, the king found that one man had a son and other a daughter. He arranged then betrothal to one another and bestowed the trove on them. Alexander, laughing, was asked how he would have ruled on such a case in his own land.

I would have executed both of them and confiscated the treasure. So King Katzya set out a meal all of gold. When Alexander objected that he did not eat gold, the King exclaimed, with an imprecation : "Why then do you love it so?" He then asked whether the sun shone and the rain fell in Alexander's country and whether there were livestock there. On hearing that there were, he exclaimed, again with an imprecation, "Why then it is only by the desert of those cattle that you survive".

The famous Tamil classic called 'Shilappadikaram' authored by a Jain muni is a story of a woman seeking justice against the King who has wrongly taken the life of her husband for having committed theft of royal property. When the King discovered the truth, the poet says how then and there the King fell down from his throne and ended his life as the only way of discharging his duty as the protector of the kingdom. The story of yet another King, who wrongly imprisoned an innocent person, goes like this. The royal temple doors would not open in sympathy with the wailing wife of the innocent prisoner. The King, whose sword is ever victorious, heard that the heavy door of the temple would not open. He was dismayed, and called his ministers: 'Some injustice must have been done. Let me know if you have noticed some unconscious failure in the discharge of our duties toward the goddess who gives victory. The King soon thereafter set the prisoner free and told him, 'Your duty is to forgive us. My virtuous rule has not yet ended, although, through the fault of my servants, I have been led astray from the path of justice.' Just as legendary King Katzya did, the King sent a drummer on an elephant through the streets to proclaim his order: 'All prisoners shall be reprieved, all unpaid taxes remitted. Those who discover a treasure may enjoy their fortune in peace'.

Let me conclude with the hope and the wish that all of us can be great partners in reading the Constitution differently whereby as I said, the prospects for governance and citizenship merging seamlessly are ever kept in mind.
