

**BOOK REVIEW- RAM JETHMALANI, MAVERICK UNCHANGED,
UNREPENTANT (RAINLIGHT RUPA PUBLICATIONS, 2014)**

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Ram Jethmalani, one of the best criminal lawyer, a well known politician beyond excellence in India and world-known international legal authority. He is known to be a strong-willed personality in the political circuit with a strong and influential opinion about everything. India need for a change to be a better and uncorrupted and crime free India and to restore its past glory as we are horrendous by the sick political leaders who are more responsible for what has happened to the country. In the book Maverick Unchanged, Unrepentant the author's insights into the state of Indian politics today, expressed with accurateness lying bare the cover-ups and deception which have come to plague India's body politic. Thus, Maverick Unchanged, Unrepentant is a searing critique of the disease inherent in government with explosive Jethmalani's arguments. The book discussed some of the burning issues like black money in foreign countries, governance, corruption, religion, Kashmir, China and Pakistan, fundamentalism and the rise of terror and the author has also tried to give his powerful opinion on these issues which cannot be set aside.

The book has great enlightening value as it unleashes the darkest political, religious and cultural issues of our country along with the unapologetically bold and unabashedly honest views voiced by the author himself by raising many burning issues in India through his very powerful and strong arguments over it. The book was published by Rupa Publications as 2nd edition in the year 2014.

The Cambridge dictionary defines maverick as "a person who thinks and acts in an independent way... behaving differently from the usual or expected way", which by itself is unexceptionable. Therefore, the publishers have given the title of the book as Maverick Unchanged, Unrepentant, a sequel to a similar volume of collected essays and articles, Conscience of a Maverick.

The word is often used disparagingly, particularly in political circles, where independence is not a value especially in the game of politics in India. Jethmalani would challenge this belief as per him maverick is not only beautiful, it can be successful too, as his list of political achievements indicates - long stints in the Rajya Sabha, two ministerships (though admittedly his conscience foreshortened his term) and clout inside political parties (though again refusal to toe the then party line on Modi led to his expulsion from the BJP, which subsequently swung round to his position).

Moreover, India being representational democracies, people are represented through parties which develop their own self-sustaining institutional features which can negatively

impact the relationship with those whom they are meant to represent. Though, when casting a vote for a candidate every five years, the voter is not simultaneously endorsing all aspects of the legislator's parliamentary and constituency behaviour thereafter. It is careful mavericks, as Jethmalani reminds, having the courage to defy the conformity and pressures of daily politics, to reject the conformism of the politically correct and take principled and independent stands. Undoubtedly the every elected Independent does not earn the sobriquet of a maverick, nor does party-membership exclude it. The defining characteristic is independence, if not originality. What is remarkable about nonagenarian Jethmalani is that, at an age when lesser mortals seek security and peace, he is still out in the arena, courting controversy.

The book under discussion is a collection of articles and essays on topics which range from law to foreign policy to the idea of democracy and national politics including the columns written for newspapers and others longer studies. Jethmalani's understanding of constitutional law, leads to gravitas of such collection and provides the underpinning for his views on the political process. His crusades against corruption and black money serve as a reminder how the public has got inured both to the venality of the ruling class and the exponential increase in the sums involved.

As Jethmalani emphasises, India's is a "constitutional democracy" defined in the Preamble to the Constitution as a Democratic Republic. "In a mere democracy, the majority of the elected representatives constitute the sovereign. In a republic, the power of the majority to lay down policies and promulgate laws is subject to severe restrictions, and these restrictions are the parameters of the sovereignty of the individual citizen," i.e., they enshrine the citizen's inalienable fundamental rights. "The judges must stand on the side of the honest citizens and share their anxieties, concerns and sufferings." In all, his pro bono litigation (80% of his workload as he disclosed at the book launch), that is exactly what Jethmalani sets out to accomplish. Naturally, democracy cannot be dynastic, a self-contradiction, nor should it be travestied by what he calls "democratic perversity" (roughly equivalent to the letter of the law trumping its spirit).

Jethmalani was witness to Anna Hazare's second fast against corruption: he calls it, courtesy Richard Falk, India's Grotian Moment, meaning thereby a radical shift in the Indian paradigm, in relations between Parliament and the people. The ripple effects of that Moment are still playing out, controversially at times, but the date of publication of this book forestalls comment on subsequent developments.

There are some interesting musings on secularism and Hindutva. At one point Jethmalani avers, "Indian secularism mandates a life guided by reason and logic but inspired by love and compassion" (p.p. xii-xiii) or quoting Rajaji, secularism rightly understood is "a firm doctrine in Hinduism, to support non-discrimination and equal respect for all pious people" (i.e., adherents of any religion). The definition could usefully be broadened to include respect for "non-pious", a-religious, conscientious people. Again, Jethmalani states that whereas "Hindutva is the core of the Indian Constitution", what is projected by the BJP for its electoral purposes is a "counterfeit Hindutva". He endorses the Supreme Court

verdict that "Hindutva... cannot be equated with... religious Hindu fundamentalism". However, the jury is still out on these ambiguous and contested concepts.

In his comments on terrorism, particularly the Mumbai 26 November 2008 incident, apart from the well-known failures of the intelligence agencies, he does not hesitate to name names when pointing to the corruption nexus between the police and politicians, which provided the enabling context. On Bhopal again he exposes the dubious role of the politicians, and the siphoning off of compensation monies intended for the victims into the pockets of the establishment. He touches on the Bofors scandal, which refuses to go away and the vast sums of money stashed abroad by Indians whose names the Indian government refuses to take from willing foreign governments.

With regard to foreign policy issues again the maverick has taken issue with the politically correct attitudes of the day, starting with his assessment of Nehru, who as his own Foreign Minister was responsible for policies towards China, the Cold War and the Middle East, which remained congealed for decades. Jethmalani has consistently challenged all three, from opposing bhai-bhaism with China to rejecting the constraints of the East-West global perspective.

He staunchly advocated the establishing of diplomatic relations with Israel, and describes his house as having served almost as Israel's unofficial embassy until normalisation of ties between India and Israel, even after which official relations have remained tentative and cool despite an underground swell of trade and exchanges of military, agricultural and industrial technologies. The NDA government also, despite the fact that several of its constituents had backed the case for normalisation, throughout its tenure, at least in public, remained extremely cautious. Sometime in 2003, i.e., 11 years after normalisation, the Sanskrit-Hebrew Society, of which the late Professor M.L. Sondhi was the convenor, decided to confer the Society's Peace Award on Israel's Isi Liebler, a man who took an active interest in Israel's relations with China and India (also famous for his role in arranging for the exodus of Jews from Soviet Russia). All arrangements were in place for the ceremony to take place under the aegis of Minister Sahib Singh Verma at his residence, when with two days to go, Sahib Singh somewhat shamefacedly withdrew his offer of hospitality, no doubt on pressure from "above". The Lieblers were already emplaned for India, and Sondhi turned to the indomitable Ram Jethmalani, who immediately agreed to substitute at his house, and with a goodly number of press reporters and other attendees, more than saved the day.

Reading Ram Jethmalani is a pleasure. He does not mince words. He does not try at obfuscation. He says what is in his heart and one believes his heart and mind work in tandem. The title of his book says it all. This is a maverick unchanged and unrepentant. But then there is hardly any issue that calls for change. He also wrote to stir debate and have the humility to retract his views when bested in such debates and as per the author if that makes him a maverick, he confesses he relishes the epithet and in the meantime he proudly remains *'Unchanged and Unrepentant'*.