

Attack on CJI: What the shoe shows us

The courtroom assault reveals a moral crisis, with caste and waning civic values setting the backdrop

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In a courthouse typically understood as a fortress of legal reason and moral integrity, a lawyer hurled a shoe at the Chief Justice of India B R Gavai, in an apparent "defence" of Sanatan Dharma. This episode symbolises a moral schism: what is its bearing for India's moral values and the abiding hierarchies of caste and power?

It is proper in a democratic society for the judiciary to be critiqued. It is, however, the expression of contempt directed at the CJI, the constitutional head of the judiciary, that signifies more than disagreement: they reveal an erosion of civic restraint. That Justice Gavai is a Dalit gives it important symbolic as well as sociological heft that cannot be wished away. In May, his appointment as CJI was celebrated as a defining moment in India's constitutional history. The derogatory remarks directed at him in connection with his ruling which triggered the lawyer's action, however, bring back an abiding discomfort: that equality in India is accepted in theory while opposed in practice.

In a caste society, authority is rarely impersonal. Respect attaches to individuals who conform to social rank rather than to offices established by law. The attack on Justice Gavai is not an isolated breach of courtroom decorum but a manifestation of cultural unease, a refusal, conscious or otherwise, to accept that the highest judicial seat could be occupied by one whom the traditional order has long treated as subordinate.

This is not to say that the act was purposefully casteist. It could well have been motivated by political or sectarian interests. Yet, the social structure that allows such an act to be conceivable remains bound by caste rationality. As sociologist Gopal Guru points out, humiliation is more than mere insult, it is the refusal to recognise another as equal in moral and cognitive terms. When such refusal occurs in the realm of justice, it signals a disconcerting connection between societal bigotry and institutional weakness.

The judiciary, rightfully, responded with dignified restraint. Chief Justice Gavai decided not to initiate contempt proceedings, and the Bar Council suspended the errant individual promptly. This demonstration of self-control shows a degree of institutional evolution, but it also raises an ethical

dilemma: does excessive civility give licence to individuals who mistake reticence for weakness? More importantly, the episode underlines deeper concerns around the erosion of civility in public life. In arenas as diverse as politics, journalism, and even courts of law, aggression passes as a badge of sincerity. The erosion of respect, hitherto treated as a civic virtue, is a huge moral deficit in the republic.

BR Ambedkar also recommended that whether democracy was to endure in India would depend on constitutional morality and the regular regard for equality and human dignity, that would characterise relations in society. The courthouse incident reveals a conflict between constitutional and caste moralities. Both still consider submission and rank as being more important than mutual regard.

Power of restraint

A moral system that legitimates violence in the name of "custom" or "faith" is fundamentally at odds with the constitutional culture that values reason and argument. If such erosion of institutional integrity is seen among members of the legal community who are, by principle, bound by law and reason, it becomes clear that constitutional morality is yet to take deep-rootedness among the educated citizens.

The gesture of a shoe-throw, a sign of global humiliation, becomes more meaningful when directed at a Chief Justice who is a Dalit. This move inadvertently repeats the symbolic violence that was historically carried out by the caste society. While constitutional protection exists for being equal before the law, reality sees it in tenuous terms. Constitutional institutions must be protected in their integrity not only by punishment but through joint moral repugnance. Legal communities, media, and politicians must realise that the undermining of constitutional offices puts the democratic project at risk.

Justice Gavai's restraint stands in stark contrast to the vulgarity of his critic. His decorum was more in defence of constitutional values. The judicial crisis in the case is reflective of a larger moral crisis fuelled by caste pride, populism, and frayed civic obligation. Defending judicial independence in such a time necessitates more than consciousness; it necessitates a renaissance of moral premises. India, as Ambedkar would suggest, needs to rejuvenate both the constitutional architecture of democracy and the very substance of equality for its own survival.

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