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An Open letter to:
The Honorable Justice Chelameswar,
Supreme Court of India.

Dear Sir,

RE: Events of Jan 12th 2018

It is with a sense of tremendous respect for you and your service to a nation that I write this letter of gratitude today.

All too often, we as a human race fail to fully recognize and appreciate the significance of an individual's contribution at the time of that contribution, only to be left with a sense of guilt that we did not offer adequate support and gratitude when history finally recognizes the true impact of that individual. Whether it was Mohandas Gandhi, John Kennedy, Robert Kennedy, Martin Luther King or the many others who have sacrificed much so that the commoner may live a better life, the human race has had little to offer in return other than to murder them. We have proven time and time again, that as a human society we fail to acknowledge the selfless efforts of others. Worse still, we allow our fellow humans to do harm on such individuals.

Indeed there can be no greater recognition for a public servant than one from a commoner whom the public servant has voluntarily chosen to serve. **Honorable Sir, I am such a commoner and I express my deepest gratitude for your service.**

I am an Indian by birth, but I left India at the age of six. My knowledge of the Indian nation is fairly dated and recent events in my personal life have made me realize that today's India is a far cry from the Indian dream of 1947.

The events I refer to above are documented [here](http://www.alearnonline.com/wp-content/uploads/2017/12/KoyiladyMunicipality_1_2.pdf) (http://www.alearnonline.com/wp-content/uploads/2017/12/KoyiladyMunicipality_1_2.pdf). While I don't expect you to find the time to read that document in its entirety, I hope you will indulge in the conclusion on **page 27** and accept my sincere gratitude for your (and Justice Nariman's) ruling on the unconstitutionality of Section 66A of the IT Act of 2000 that I allude to on **Page 38**. **Honorable Sir, conscientious public servants like yourself are**

very rare in human history, but you make a substantial difference in the life of a commoner. Indeed you have carried out your duty in an exemplary fashion, worthy of emulation.

I acknowledge the following comments you have made recently in public...

“Liberty can never be secured unless there is an impartial judiciary in the society. Therefore there is a need for a judiciary... Just imagine a society where there is no judicial system, where the rights and obligations of the citizens depend purely at the mercy of the legislature or the executive government - I don't think it will be a very pleasant society.”

These words eloquently, yet plainly, sum up the motivations of the founding fathers of the modern system of governance dating back to the Magna Carta in 1215. Yet sadly, the unprecedented events of Jan 12th 2018 have proven conclusively what commoners in India have known and experienced for a while - That an impartial judiciary is nonexistent even at the apex court in India. That a substantial population of Indian judges in very elite roles are not deserving of their title. That judicial appointment is highly political. **Honorable Sir, we no longer live in a very pleasant society, but I thank you for finding the courage to expose this truth!**

The fact that you have shown the courage to ask the people of a nation to intervene is significant not just because it is unprecedented, but because you have exemplified the valor required to save a nation from its own mala-fide. History will tell if the nation will heed the responsible alarm you have sounded, and make this moment prove consequential. Irrespective of the outcome, **Honorable Sir, know that you along with your three colleagues, have done your duty and for that you have the sincere gratitude of this commoner!**

Ultimately the survival of Democracy in any society rests in the belief that a majority will exercise their intellect and analyze the available options with an appreciation for the greater good. Sadly and unfortunately, seven decades after Gandhi's claim that the Indian people are capable of self-government, we have come to question if indeed India meets the prerequisites for Democracy. **Honorable Sir, your actions have provided the nation an opportunity to introspect, but for change to truly take root, the majority of well-meaning citizens will have to act in unison.** Silence is no longer an option if change is the path we wish to take.

I take great comfort in those leaders who have used the opportunity you have provided to voice the concerns of the commoner. Perhaps the most eloquent among them was the following...

“Today what has happened was inevitable. It should have happened long back. For almost two decades all kinds of wrong has been going on in the Supreme Court and it has been shoved under the carpet. Nobody wants to discuss it - much less openly. Senior lawyers have not talked about it. Good judges have known about it - they have not talked about it. The media has been silent. Everybody has benefited and the beneficiaries wanted this system to continue. Those beneficiaries will naturally attack these four great judges who have come out and publicly

expressed their anguish as to what really is the state of affairs in the Supreme Court. So let's understand one thing - What I believe is not important, the facts are important. And the facts demonstrate that since Chief justice Mishra came to be appointed as chief Justice, he has been selectively and singularly assigning important politically sensitive matters to certain judges and certain judges alone. It is a disgrace on the part of the Supreme Court that this should have happened. It is a greater disgrace that those judges that these matters have been assigned to have accepted and acted on those matters. They should have politely refused to accept those matters and said please Chief Justice, mark these matters to appropriate benches. So there is something viciously wrong in the functioning of the Supreme Court. Judge Loya's case is the culmination" –Dushyant Dave .

Individuals like these are deserving of the highest honor of a nation. Instead what we witness is a concerted effort to stifle and ridicule such people by the corrupt leadership. I hope we will at least do what we can to provide security for the physical well-being of these individuals and their families. If history is any guide, we will be wise to do so.

Honorable Sir, your actions sent shockwaves across the entire world. You demanded that the people of the nation intervene in this matter and that the survival of Democracy was at stake. And yet the People's representative, the Prime Minister did not utter a word in response. The Attorney General of the nation tried to pretend that it never happened. **What a shame! How can anyone refer to these individuals as "leaders"?** Perhaps we have no one to blame but ourselves – the electorate! And yet when those like Justice Katju say exactly that, we ridicule him.

Honorable Sir, the Supreme Court of India as an institution and India as a nation will become substantially poorer on the 22nd of June 2018, but well-meaning citizens around the world will pay tribute to your service. This commoner will be among them. I will forever remember you not only for the valor you displayed in your quest to save a nation, but also for the remarkable rulings that will serve as noteworthy precedent cases for generations to come.

With the greatest of gratitude for your service to a nation!

Cheers & God bless!

Susheel Gopalan