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A Karnataka high court judge's public disagreement with the Chief Justice of India K.G. Balakrishnan over making judicial assets public only shows how widespread is concern within and without the judiciary. The controversy has its origin in a 1997 Supreme Court resolution that all judges would declare their assets to the chief justice. A recent Right to Information application that sought those details was opposed on the grounds that the 1997 resolution was non-binding. In the public and parliamentary furore that followed, the government attempted to pass legislation on the issue. But the introduction of the Judges (Declaration of Assets and Liabilities) Bill was stalled in Rajya Sabha by MPs for its provision that the details would not be made public.

That judges be judged by the same standards as other public figures seems obvious enough. MPs, after all, have every detail of their properties scrutinised in public forums. Their argument against judges being held to a different standard is understandable. In fact, former Chief Justice J.S. Verma has asked the current CJI to publicise his (Justice Verma's) own assets on the court website, in the hope that "most of the judges in the high courts and Supreme Court would act likewise and bring quietus to this unsavoury controversy." He fears that the independence of the judiciary will be compromised by asking for a law instead of the judiciary self-correcting itself. The former chief justice's statement that "most of us prefer voluntary correct behaviour instead of outside imposition" indicates a way of rescuing the issue from becoming a tussle between the judiciary and the legislature.

Judges of India's higher judiciary are protected like few others. They self-select their own, and impeaching a judge is so difficult that in Independent India's history not one has been sacked. They also enjoy phenomenal credibility. It is therefore all the more important that they be seen to conform to the strictest standards of transparency. The standard which is currently being asked of them is not exactly extraordinary; it is merely what is asked of other public figures.