

## **RAMLILA GROUND – WHAT NEXT?**

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“ The sound of revelry has ended, The captain and the kings depart”. So it is at the Ramlila Ground in Delhi, with the crowds supporting Anna Hazare having gone home, Anna Hazare himself having returned to his village and the main leaders of India Against Corruption having gone back to their normal business. Meanwhile Parliament is seized of the Lokpal Bill and the process for its enactment has been set in motion. The question remains whether all this will put an end to corruption or will it all end in a whimper.

In the field of public health there are three distinct but interlinked segments. The first relates to sanitation, public hygiene and preventive medicine, immunisation against disease, prophylactic measures and the provision of pure water for drinking and proper disposal of sewage and collection of solid waste. The second rung in the health ladder is early diagnosis of disease and curative and remedial medication, including surgical intervention where necessary. If hospitals are well run, medical assistance is affordable, diagnostic facilities reach out to the ordinary, even the indigent, citizen and there is timely recourse to medical aid, control over disease and curing of patients would become the normal feature of a country’s life.

The third rung of the medical ladder is postmortem examination in order to find out the cause of death, with a view to and taking preventive measures so that other people are not affected by the disease. The postmortem examination, unfortunately, is ex post facto to death, which means that it may benefit other citizens but it is of no benefit at all to the person who has died. This does not mean that the postmortem examination is not an important part of the medical structure, but it does not mean that to the extent that preventive and curative medicine is available the need for postmortem examination will be minimised.

In a way governance is also like the medical system. The main objective of government is to ensure that the welfare of the people is maximised, they are duly empowered, are treated as equal before law and are guaranteed both justice, including social and economic justice, and equality of opportunity so that every citizen has a place in the Indian sun. Good government means that there is a system of democratically enacted laws, rules and regulations, there is impartiality and honesty in their implementation and the fruits of government are efficiently delivered to all citizens, regardless of caste, creed, class or place of residence. Dishonesty hits at each one of these norms of good government, which means that every act of corruption deprives a citizen of his constitutional rights, his legislated empowerment, equality of opportunity and equality before law. Every act of corruption showers favour on those not entitled to them and deprives other citizens of their legitimate rights. Every act of corruption eats into the vitals of the nation because it transfers public funds to private pockets, benefits the corrupt and causes harm to decent, law abiding citizens. Cumulatively corruption can destroy an entire nation, as was the case in Kuomintang China. China did not have a democracy and, therefore, it is only through a revolution that China could be saved. India is a democracy with an extremely strong, flexible Constitution and it is through democracy that India must be saved or can be saved.

Ramlila Ground now awaits its next round of activity which, God willing, will be the Dusserah festival. The issue which now arises is whether the agitation so recently witnessed will in fact effectively restore honesty to India and integrity to its government Anna Hazare and his people have

presented the Jan Lokpal Bill as the Holy Grail, or the one mantra which will bring honesty to India. In the entire agitation there is no reference to good government and the means by which we can ensure good governance. I accept the deterrent effect of punishment in order to prevent crime, but as a former administrator I also know that effective, responsive, open, people oriented government is what actually prevents corruption and, therefore, the commitment of crimes. My experience is that preventive measures defuse many unruly situations and prevent riots much more so than police action after a riot has erupted.

How does good government prevent corruption? First and foremost by looking at rules and regulations and all areas of interface between the citizens and government, if all irritants which enable a government servant to harass a citizen are removed, if delay as a means of denying service to a citizen, thus forcing him to pay a bribe, is eliminated by laying down strict timetables and schedules and then enforcing them, by ensuring accountability of all government servants, we can both reduce corruption and deliver governance to people. If the system has an inbuilt interlocking accountability in which every government servant's duties are prescribed and his immediate superior held accountable for any misdemeanour of his subordinate, we can call errant government servants to account, punish them and punish their superiors for lack of supervision.

Another way in which good government can be ensured is to remove all discretionary powers from every level of government. Everything would have to be mandated by rules, regulations, standing orders or guidelines which are readily accessible by citizens. No one, not even the Prime Minister, should have any discretionary powers to act outside this mandate. Now every citizen would know where he stands vis-à-vis government. It is possible that this may build too much rigidity into the system, but for the present we need it. Once the system has stabilised and there is evidence of good government, we can provide for a redressal machinery which could look at cases where the operation of rules has been unduly harsh, to the extent of depriving a citizen of his rights. If the machinery is open and works under public scrutiny and its orders are spoken, reasoned and rational, those cases of individual hardship which come to notice can be remedied.

More than anything else good government demands that the three pillars of the State, the Executive, Legislature and Judiciary begin to function actively and effectively within their own spheres. At present the Executive is almost nonfunctional except in areas where bribes are given and taken. The Legislature is doing everything but legislate because of the hankering of its members for executive functions, to the detriment of their legislative functions. The judiciary is being forced into an interventionist mode because the Executive and Legislature have gone off the track. This has created an imbalance in the system and, therefore, the restoration of the balance is vital to good government. The Lokpal in the form suggested by Anna Hazare will not end corruption, but may transmutate into an authoritarian body standing outside the constitutional structure, behaving whimsically, paralysing government and ultimately becoming more corrupt than the institutions which it is required to supervise. The only way this can be prevented is by ensuring good government and strengthening the checks and balances, which the Constitution mandates, but which have decayed over time through abuse. The Lokpal can be a part of this balance, but not a substitute for it.

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