

## How Incompetent Is Our Government?

■ Dr. M. N. Buch

There is a sudden upsurge in the reporting of rape cases throughout India. Was India free of rape till fairly recently and has the crime become suddenly endemic? Are rape victims now more vocal about the crime and have they overcome their inhibition to report it? Is there a qualitative and quantitative difference between the past and the present? Are women more unsafe than before? In rural India in the north and central parts of the country child marriage is the norm because the parents feel that as a girl approaches puberty she is vulnerable to sexual assault and, therefore, in order to pass on responsibility they try and have the girl married off despite her not being of the legal age of marriage. The fact that this virtually amounts to legalised rape of a minor does not seem to concern most people. The question which arises, therefore, is whether transfer of statutory rape to legalised rape through marriage is something which civilised society can accept. Kerala does not have this phenomenon and, therefore, one is left wondering whether the northern mindset which leads to khap panchayats and the generally subordinate position of women in society is the real reason for the large number of rape cases now being reported. There is a clear indication that India is not a society which practises gender equality and that there is great deal of overt and covert discrimination. The woman now becomes inferior to men and, therefore, there is no respect for her.

If half the population of the country, that is women, is discriminated against and treated as objects rather than as human beings with real feelings can the country prosper? The Hindu desire for a male child has already skewed the sex ratio adversely to women. Gender discrimination, caste discrimination, regional discrimination all indicate that India is a highly exploitative society in which at different levels those who can dominate do so at the cost of the multitude. This is a matter which should cause great concern to our politicians, administrators, academicians and social thinkers. Unfortunately that is not happening and perhaps this is because we are facing a major crisis of governance.

When Sind was taken over by the British the leaders of the Hindu community petitioned Sir Charles Napier, the conqueror of Sind, that he had promised that all the communities in the province would be allowed to follow their own customs without let or hindrance. The ban on sati was an interference with local customs. Sir Charles Napier replied, "It is your custom to burn widows/ Go and collect wood for the funeral pyre. Our custom is to hang people who burn widows. I have instructed my carpenters to erect the gallows. Let each nation follow its own customs". The message was loud and clear. The British would not tolerate the practice of sati and were prepared to go to extremes to enforce their orders. Unfortunately for the last forty years or so no government in India, at the Centre and the States, has been bold enough to enforce the law and to do so ruthlessly. The net result is that there is a steady decline in respect for law, increase in crime, deterioration of law and order and general emboldening of people who flout the law. Those who should insist on law enforcement are in fact the ones who are either most scared of doing so or are a party to infringement of law.

Contrary to the widely held belief of our politicians that strictness in governance will make them unpopular, the fact is that people want strong but just law enforcement in which influence, position, money and muscle power do not count. India is less safe, less democratic,

less a just society than before precisely because there is failure of government. The Delhi rape case is an example of how weakness in government leads to a collapse of systems, a law and order machinery which does not do its duty and almost continuous attempt at passing on responsibility. Lack of governance manifests itself in other ways also. The first is the insensitivity and cowardice of the leadership which tries to duck facing problems instead of boldly coming forward, talking to people and taking right decisions. In Delhi, if on the very first day of protest against rape in a moving bus, senior leaders had boldly faced the crowd, heard the complaints of people and then taken action to strengthen security and to punish offences the situation would have been controlled immediately. Instead they hid behind police barricades, exercised no leadership, permitted escalating police action and allowed the situation to deteriorate from one of people petitioning government to that of people confronting government. The people were demanding justice and strong government, which is in consonance with the duty of any government. Instead of reassuring people government is busy dispersing them by use of force. If this is not negation of good government, what is?

I am not saying that crime will never occur. However, any government worth its salt will try and create an environment in which people hesitate to commit offences. Government has to create an environment of security and orderliness in which the police is proactive and the administration is sensitive to what people are saying, crime is investigated and prosecuted with vigour and criminals have a healthy fear of law. A government which cannot do even this can certainly not contribute to the prosperity of society at large or enhance the welfare of the people. Unfortunately, practically on every count government is exhibiting a degree of insensitivity, incompetence and highhandedness which raises doubts about the existence of government at all. The difference between anarchy and ordered society is a government which functions. Is that too much to expect from the present government in India? Besides the dharma of government to rule wisely and well, good government is politically beneficial because it is only people are satisfied with the role of magistracy and police in maintaining law and order that they will vote for the party in power.

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