TWELTH

SHRI B. V. NARAYANA REDDY

MEMORIAL LECTURE

INFORMATION, DEMOCRACY AND ETHICS

by

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DEMOCRACY, INFORMATION AND ETHICS

It is a privilege to have been invited to deliver the 12th memorial lecture on democracy, information and ethics in the memory of Shri B. V. Narayan Reddy. These series of lectures have given all of us an opportunity to bring back into focus the importance of ethics in various aspects of public life. Shri Narayan Reddy was not a politician or a social worker or a member of the administration in the manner we classify people today. But he concerned himself with the standards society set for itself and did his best to make a difference. He believed in the unlimited role of the citizen in public life. It is most appropriate therefore that we gather here as a group of citizens to examine our role as political beings in democratic India.

INVOLVEMENT AND CHANGE

I begin today with a small anecdote. It relates to a scenario so familiar and common that it is almost trite. The setting is an upper class (for comfort we can call it middle class) Indian "drawing room". A group of sensitive people are discussing the state of affairs in the country, and the conversation is centred around bemoaning corruption, inefficiency, and the downward slide in public ethics. Just let your

imagination take you undeterred to the last dinner or get together you were at. In the middle of half stated thoughts and arguments which begin but do not ever get resolved a friend politely but firmly, stated something that all of us must have felt many times. Tired of hearing the same stories of complaints, and theories of what was wrong, there was a determined resolve not to listen to any more negative comments unless there was an accompanying attempt to right the wrong.

But it is not only the elite drawing rooms that voice these concerns. Discussions in chai dukans, train or bus journeys take place on innumerable occasions, talking of the disappearance of the good from public life. The discussion ends always with despair. But the question still gets raised, and therefore hope remains. As the friend had stated, we have an individual and collective duty to search for alternatives, and most importantly we must, in our different ways act to change.

Since Professor Amulya Reddy has been responsible for getting me here I owe it to him to make an assurance that I plan today, to talk about a small ray of hope, which we have seen . To share with all of you the the possibilities we have seen of a brighter future. I have been privileged to be part of a collective effort which has through the sheer determination of a set of very ordinary citizens shaken the helplessness, despair, and apparent apathy that seems to have enveloped us. It is the story of a small struggle, with what I believe are great implications. After so many years of history of

the human race, no ideas are new or unique. At the same time, it is also true that all experiences are both new and unique. I work with a small activist organisation of poor peasants and workers based in central Rajasthan. It is based on the experiences of this organisation- the Mazdoor Kisan Shakti Sangathan over the last decade that I take the courage to speak today on something as ambitious in scope as "Democracy, Information, and Ethics ."I would like to thank you for giving me an opportunity to speak on a topic that I feel has immense relevance to all our lives.

ETHICS IN OUR LIVES

One of the features of the struggle for the Right to Information is, that it has facilitated the narrowing of the gap between precept and practice in our public and private lives. It has provided a framework where all of us are encouraged to participate more overtly in politics and governing ourselves. It has shown us that in this vast Democracy what we do, can, and does matter. I hope I will be able to convey to all of you some of the positive energy that this struggle and the ensuing campaign have generated.

The people gathered here are often described as the mainstream in this country- the powerful and the well connected who exercise great influence on opinion and policy. It is a matter of debate as to what and whom the mainstream really consists of. Nevertheless, it is true that there is a great divide in perceptions at the two ends of this pyramid. At the top, there seems to be a balance sheet obsession.

We want report cards of our achievements, and failures. What is the best and worst of what we have done? Where are we doing well today? While this a largely media driven obsession to create cult figures and well packaged stories, it gives us some pointers to what we consider our areas of failure, but more importantly, it also indicates where opinion is manipulated to point our noses towards the supposed areas of strength.

While extremely relevant and important, I am not going back today, over the statistics of the human development report, and other similar report cards which show India heading the list in figures of illiteracy, infant mortality, gender discrimination, corruption, child labour... The list is endless and we have heard it all so many times before. I will also not delve too much into the areas of corruption and inefficiency that constantly bother us, that we can complain about endlessly, and in which we are already experts. I would like to focus for a moment instead on our self -defined areas of achievement.

OUR INDICATORS OF SUCCESS

For ourselves, we have swallowed the indicators of success from the West without a thought- more cars, cellphones, bigger salaries, houses in the city, farm houses outside, and holiday homes for the annual break. Nothing succeeds like success and success today is money. Work hard to earn more. And as the tension mounts spend money, expend yourself and find ways to relax. Parties with the free flow of alchohol, discos with the use of drugs.

We have put so much pressure on our children that they must carry more books from a younger age, go to school in the day time, and for tuition after school. Get more marks than all the neighbours, and din it into them that their value as a human being will be measured by the marks-sheet they bring home. Yet another balance sheet.

After fifty years of independence, what are the achievements of which we are told we must take pride in as a nation? We have suddenly become very beautiful people. We don't just have the most beautiful women in the world but, we are told that at least one of our women is the most beautiful in the whole big wide universe. Our men are strong- as they should be. We can keep them for months in freezing temperatures protecting territory where no other life chooses to live. There are strong, and we are told evil Pakistanis on the other side, so we must urge our men to face the wrath of the enemy, of nature, and promise them that no resource will be spared from our bankrupt budgets to keep them fighting. We are very strong in our resolve, so we will burst five nuclear devices, and Pakistan will explode six. Yet another score card that can threaten life itself, but it does not bother the leadership of both nations whose sole purpose is to hang on to power for a few days longer.

There is something seriously wrong with our own indicators for success. For charting our course individually and collectively. For determining our duties as members of a larger community, and what is in danger is our ability to determine what is right and wrong.

How then do a people come to any kind of conclusion of what is right or wrong for themselves?

It goes without saying that the ethical norms of a democratic society should be determined through continuous debate and discussion. If we are concerned about the falling moral standards, rampant corruption, the arbitrary exercise of power, the failure of public officials and representatives to discharge their duties, we all first need to get involved in understanding what our own duties are. The very first duty is to be active participants in evolving and enforcing ethical standards for ourselves individually and collectively: of determining the ethical standards of our democratic polity. Ethics itself being the scientific basis for determining the right and wrong in governance, cannot be left to the whims and fancies of the ruling elite. There is a need first of all for developing a popular consciousness of the importance of ethics in all aspects of our lives- from private to public and for realising that it is part of a continuum. The cliché that Indians keep sparklingly clean homes inside and throw all the muck just outside the house, is unfortunately true. And now the muck is threatening to engulf us. It is time we realised that the public and private are inherently connected. We also need to understand that as citizens in a democracy it is our responsibility to be involved with politics. If we abdicate our responsibility, we will be victims of a peculiar perversion: we will be held responsible for the acts of people we despise the most. We have already

heard it countless times, that Indians deserve the politicians they get- after all they are voted to power. The mistake was infact made much earlier, when we failed to set non-negotiable standards for public life. When we failed to make the critical and conscious link between Democracy with Ethics. While looking at Democratic reform, we need to look much more at this critical link, and our own understanding of ethics.

EVOLVING A RATIONAL BASIS FOR RIGHT AND WRONG

Ethics is a word loaded with points of view; point counter point.Yet universally accepted where its initial principles are concerned. A Greek word. A concept which has been imported? Not indigenous to this country? Are we, Indians, not an ethical people? Do we use a logic so elastic, that it can stretch either way and all around? Have we, in defying the legitimate limits of logic in spiritual reasoning, rationalised and legitimised immoral and amoral positions in personal, political and social life?

From smelling of musty stacks and dry words in classrooms, ethics has now in a 40 years journey, translated itself into tools of living. This is a journey I want to share with you. A journey in which politics and democracy, economics and private aspirations, social justice and individual morality have been looked at and questioned by collectives of various sorts. And I thread them through only by virtue of having been a member of every collective. In the

statements of 'I' are the hidden 'us'. Therefore, strengthening and empowering the issues we examined.

Ethics in my undergraduate days, was a subject which was very important, but not relevant to daily existence- or so it seemed then. Ethics, was life at its most serious and smelled of stacks in the library. Books that were important to read, but "boring." Books one postponed reading to the next day, always. It did not seem relevant to catching buses and coping with middle aged eve teasers. What was wrong or right was what was taught at home. Unwritten lines that were never crossed . Transgressing these lines meant the opposite of well being and love. It was wrong . As one grew one learned that there were points of view which one could argue about and differ with, but there were priniciples and values which were axiomatic truth. Questioning those, was akin to questioning the shape of the earth..

I was a year and a half old when Gandhiji died. Even if I lay claim to a memory overlaid by readings, and even if it is just imagination the sadness of that day will haunt me all my life. Food was not cooked in most houses in New Delhi, perhaps the whole country that day. Perhaps it was my hunger. Perhaps it was the sadness of my parents, and our neighbours. Maybe, I saw my childhood security threatened for the first time by a feeling of anguish, which even the protectors of my security could not protect. May be it was all this. But it was much more, built upon by

every childhood year till one's teens and early adulthood. It was the threat to goodness, to fair play, to compassion. With the death of Gandhiji, it now seems clear that one of the strongest voices for debating, determining, and maintaining ethical standards in both personal and public life was put out.

COMPROMISE AND RATIONALISATION

Why are there areas of grey in our moral positions?

Morality and ethics should not only be associated with religious or spiritual well being. It is a necessity to monitor and help work out living styles which help society to grow organically. It is therefore no longer possible in India today to talk of mutually exclusive postures- individually, collectively, politically, economically, socially or in religious terms. .

The areas of grey arise out of an ingenious method we have of dividing and fragmenting our lives into mutually exclusive spheres- professional work as a nuclear physicist who comes home to adhere to Rahu Kalam! Or the Communist who spouts atheism in the party, and participates whole heartedly in the puja at home. Not cross referencing to see whether one set of values impinges or threatens the basics of the other. A peculiar rationalisation which allows fraud to be compensated by donations from such illegal accumulation of wealth to charity and religion, absolving us of crimes committed in accruing that wealth. A subtle system of duplicity worked out with finesse, with theories and patterns of personal and social interplay.

SEEKING ANSWERS

Harish Chandra, the "Pradhan" of Silora Block said to me in Panwa, an arid, waterless village one day in 1983 :

" Is desh mein sab ke khoon mein rishwat behta hai. Aap jaise pavitra mahila hamare beech mein kya kar rahi hain?" As I answered, Harish Chandra and I started a debate amongst the village elite whether honesty had died and whether, as he was suggesting we should just accept dishonesty in public life as inevitable, and get on with the business of governance. Can a corrupt person with authority define the issue for debate and then set the norms and also draw up a list of speakers? If we want honesty to fade away, it is easily done. But is it only a matter of " *chai*" shop debates? Heated arguments in crowded buses and trains. Where the aspirant middle class eating the cake, wants its moksha, or perhaps even more of the cake and starts a debate. Must the poor, who have always been at the receiving end, despair of ever being able to make an impact and put across their strength of understanding? Is it always going to remain a crass power game?

Answers to these questions came slowly over the years. Questions more complicated got formulated. But the basic question of how best to determine what is right and wrong for ourselves and for society still remains, and life and work is now a search for answers, some of which bring hope. Gandhiji, who had evolved a simple and straightforward talisman for every difficult question,

reportedly said that he knew he was doing something right when he wanted to shout about the act from the rooftops. And he knew that there was something wrong with what he had done when he wanted to keep it hidden from others. The right to Information campaign has also shown us that us that bringing things into public gaze and scrutiny is the best way of ensuring they are ethically sound. There is a conviction that as individuals we may falter, but when we are given a chance to be responsible members of a collective, we are our best conscience keepers. This has been further reinforced by the conviction and courage of the hundreds of ordinary people whom I have met, and been inspired by in the course of various struggles. The conviction that there can not be a world that lives only on hate and destruction . That evil can not be a continuing state. That the primary desire of almost all of us is to lead "honest" lives and we would sacrifice a lot to be able to do so. Even more important has been my realisation that honesty need not necessarily be a narrow concept restricted to financial exchange, but can encompass far wider concepts like honesty of thought, and what is right or wrong. If there is a platform, matters on which there may be fundamental disagreement of opinion can be sorted out so that gross injustice is avoided. In the back and forth of the public debate, those very principles that my parents had explained to us, start becoming the central focus. Such platforms I have realised are true Democracy at work, and the debate is the basis for its ethical standards.

THE CONTEXT OF DEMOCRACY IN INDIA

How has Democracy functioned and been understood in this country so far?

The struggle for independence resulted in one singular and major achievement, and that was at least the notional acceptance that Sovereign power rests with the people. The Westminster model was adopted more than adapted. The democratic notion that people will rule themselves or through their representatives had to contend with two sets of contrary forces which already had a stranglehold on the fabric of society and Governance. The first was the colonial bureaucracy, which only changed its name but continued to function as a platform of extraction, control, and a means to rule the people. The other was the feudal social order, where caste control had been carefully left untouched by the British, and still formed the basis for the most abominable form of the hierarchical ordering of society. As Dr. Ambedkar pointed out, as we gave ourselves our Constitution, we were creating a most contradictory situation: equality before the law for all citizens, with the continued existence of a social hierarchy determined by birth and ordained for life. It is therefore a most remarkable achievement that democracy has survived in India over the last fifty years.

HAS DEMOCRACY FAILED?

While there is much media hype that India is the world's largest functioning democracy, there are a

growing number of influential people who have developed a completely cynical attitude towards it. Let us look at two of the arguments that I feel need deeper analysis and attention. The first quite simply and flatly states that democracy has failed as a system of governance, and is not suited to Indian conditions. The other view is that Democracy in India will inevitably be corrupt, and we may as well come to terms with such anomalies. Since both these views seem to state that it is impossible to have a healthy and functionir.g democracy in this country, we need to face their arguments and answer questions they may have raised. Our answers will show the symbiotic relationship between democracy and ethics. It will also illustrate the critical link of the right to information in fostering such a relationship.

According to the first argument, India never was and is still not ready for democracy. Illiteracy levels are too high; corruption is deep rooted and rampant. Indians are a lazy, inefficient and indisciplined people. The people have been given too much freedom. India needs rulers who crack the whip and get things done. Military rule, a short dose of dictatorship, and a set of rulers who can take us back to the glorious days of the *Ramayan* and *Mahabharat* so that the benevolent monarch and *"Ram Rajya"* can return.

Fortunately, this view is held by very few. It nevertheless needs to be taken seriously because it is promoted by certain influential, powerful and active people who are lying in wait for an opportunity to grab power. They genuinely believe

they have all the answers and can almost single handedly show the way. Since they have supreme confidence in their own capabilities, they have very little respect for any form of opposition. They even feel that they have God on their side. As a result, they believe that they need not be democratic, and are convinced that by nature, they are more ethical than anyone else . It is very important to correct this warped definition of ethics. Ethical principles must evolve from a widespread and rigorous debate and must inevitably result in a concensus. These principles must be continuously open to suggestion, and the test of open criticism. That is why ethics requires democratic debate just as much as democracy requires ethics.

The belief that the vast majority doesn't know what is good for itself or the country, is by definition an elitist doctrine. Its advocates feel that democratic debate only confuses most issues. They claim that the elite are refined in thought, theory, and if given a chance, are best placed to sort out the wrongs. It also explains the propensity of even the so called liberal thinkers amongst the elite, to be willing to surrender their critical faculties and give a chance to those who claim to have all the answers.

DEMOCRACY AND THE POOR

It is often said that the poor don't need esoteric things like freedom and democracy- they need food. While it is obviously true that everyone needs food and the basics for survival, they appreciate the need for a platform where they can protest about the lack

of food. In fact it is the poor who really know and understand the critical importance of even the crude form of democracy we practice. They realise that even their once in five year vote gives them more political power than they have had for hundreds - or perhaps even thousands of years. They are the ones who have fought for every freedom enshrined in the Constitution, and taken to the streets to fight against the repeated threats to democratic rights. They realise that while the elite may have a voice under any system, it is democracy that has allowed them the little space they have had to even express their distress.

Ordinary citizens were the backbone of the independence struggle. They emphatically rejected the emergency. They supported JPs "total revolution" movement. And it is the poor who have been the basis for every struggle the left in India can take credit for. It is they who speak with numbers and who have been willing to risk even their own fragile existence for change. More often than not, they are right. That is why, despite the astonishment repeatedly aired by outside observers, it has not surprised us that the radical postulates of the Right to Information movement in Rajasthan have been formulated and worked out by a group of poor, largely illiterate rural Rajasthani workers.

It is they who have for the first time defined the right to information not only as part of the freedom of expression but also as part of the right to livelihood and survival.

DICTATORSHIPS AND OTHER EASY SOLUTIONS

It is strange that military dictatorship and the existence of Islamic law in Pakistan should be used as a justification for having our own version of it. It is, after all our democratic institutions and their traditions that clearly define the difference between the two systems and tilt the balance in our favour. The legal legitimacy and sanctity to make our own political, cultural, social, and religious choices is critical to our democratic existence. Even those who air the argument of learning from our adversaries acknowledge that the Pakistani State can not be an ideal to look up to. Yet the arguments put forth in favour of our exploding the nuclear bombs boil down to the need for us to join the international gang of thugs. That is why we need to be on guard and think every argument through. It is easy to rationalise morally wrong positions as being a part of "realpolitik". Subsequently, it becomes even easier to manipulate and create a blatantly false scenario of so called public opinion to justify and even support such a move. It is here that information can play a critical role, in once again linking democratic debate with ethics.

A desire for easy solutions where others will sort out our problems for us, is one reason for the political mess we are in. Our democratic participation has been limited to approximately half of us casting our vote. More often than not, even this vote is not a positive affirmation, but a vote for the lesser of the two or three, or many evils. We

verbally bemoan the choicelessness of our choice, but those who end up with more seats keep touting the vote as a people's verdict in their favour. Those who face rejection understand that they only have to wait till the people are fed up with the ones just voted in. And this cycle continues to feed the growing cynicism with the whole democratic process.

The danger is that one day a set of people will misinterpret or misrepresent a verdict in their favour, as a sanction to rule without consultation. Imagine, for instance a situation where a working majority for the BJP led coalition being interpreted as a vote for their version of *Ram Rajya*. The decision to be an overtly nuclear weapons State fundamentally affects the lives and sense of well being and security of every citizen. Such a decision should only have been taken after extensive public debate over its pros and cons. And yet a tiny coterie of men took a decision that will affect and threaten the lives of even future generations. And now there is talk of altering the basic nature of the Constitution. Will we have to keep living under the fear of the revival of the Babri Masjid issue? Is this the Ram Rajya the people of India want? The BJP, or for that matter any other party must realise that democracy only sanctions them to implement the will of the people. And all of us as citizens must come to the understanding that we have to work hard to make democracy work. After fifty years of abdicating our responsibilities, and leaving things to our so called representatives, the time has come to explore the more complex, and more responsible alternatives.

We need to be vigilant to protect our Democratic rights. However, It is not enough to merely ensure the survival of democracy. There will always be an inherent threat to Democracy unless we can make it work better.

THE CANCERS IN OUR DEMOCRACY

The second argument that threatens Democracy does not reject it outright. It helps develop such a cynical attitude to it that it ensures its eventual demise. What the Pradhan of Silora said to me in 1983 seems to be accepted more and more by people all over the country. It is a view that Democracy in India will inevitably be corrupt. The postulate is that in a country like India, it is pointless trying to fight things that already are or have become a part of the basic fabric of society. What are these cancers that have inhabited our body politic?

Caste divisions have become voting blocks. As a result, the caste of the candidate is a pre-determining factor for a ticket; no matter which party. The bureaucracy is dominated by caste lobbies. Governance and administration is affected by caste concerns.

Corruption begins during the election process itself. Honesty, can even be a disqualifying factor, and no election can be fought without the extensive use of money. The bureaucracy and elected representatives get together to share the spoils of a five year term. The bureaucracy however, being the permanent

Government, has worked out systems of fraud and corruption that have become systemic. One Government replaces another, but corruption lives on.

The bureaucracy is a systemic structure and its sole purpose is to implement the laws of the land, and the policies of the elected government. But the power of a corrupt bureaucracy in a corrupt political structure is phenomenal. Acting both as guide and implementor for the powers that be, the bureaucracy whips the cream off, and since it manipulates the records on the basis of which evidence is built, it sees to it that they are seldom implicated .

Superimposed on all these is the complete lack of systems of accountability of the Government to its citizens. In a democracy, the people are supposed to be sovereign. But we have no systems to enforce this sovereignity. The bureaucracy has colonial systems of accountability to their superiors, and the elected representatives have no need to go back to the people till the next election. As a result they invariably represent only themselves. The manipulations of decisions, corruption, and the arbitrary exercise of power continue, and the frustration of the citizenery grows.

The cynics have found their own solution. They come from a more influential strata of society, and they have learnt how to work the system to their own advantage. They use every form of manipulation, and in fact say that ethics has no role

to play in an Indian Democracy. They encourage everyone to engage in some level of corruption, which they present like a business proposition.

It is necessary to examine this preposterous position in some detail because it has taken root in our political psyche. It is not a position that rejects Democracy as a system of Governance in India, but it asks us to accept what is put forth as the inevitable costs. It seeks in essence to divorce democracy from ethics because it holds that in India at least the two don't go together. It is a position which I believe is responsible for the apparent apathy we see all around us. And it is even more responsible for the co-option and perversion of Democratic institutions. Caste groups, corrupt formations, power groups, business interests, the bureaucracy, and even criminals, have got together to manipulate and control democratic institutions to such an extent; that even the honest citizen feels that the only way to operate it effectively is to plug into some part of this manipulation. What should be an open debate about values and policy is converted to a cynical power game.

Caste, gender, and the contentious question of reservations is a case in point. Democracy should, in at least 50 years have helped us get rid of the primary support caste groupings seem to provide. If the inequalities in our society had been squarely tackled, we would not have found Dalit groups having to look for political support only amongst their own caste formations. The questions raised by Dr. Ambedkar before independence should have

forced us to address and remove the exploitation inherent in our society in a more uncompromising manner. And when we have failed, we despair at how all identities in our society have become caste based. We turn cynical once again, look for ways to play one card against the other, and decide that politics will always be a dirty game.

THE NEED FOR PROACTIVE INVOLVEMENT

In many ways this critique of Indian Democracy at work is as dangerous as an outright rejection of democracy. To accept it would mean a continuous downward slide in our morals, and when things get unbearable we would welcome any kind of change- even if it meant the end of democracy. Well meaning citizens have got used to not getting involved with actions that may demand time, or being adversarial cause a reaction; leaving others to act, and restricting their participation to criticism and vicarious activism. While criticism plays an essential part in democratic functioning, basic issues need to be re-examined. Where can we as citizens start excersizing control? How do we begin to ask the right questions?. How can we ensure that answers are provided? Where can we create a forum for accountability and redressal? How can we remove the veneer from the decisions being taken so that they are exposed for what they are? It is in the light of these concerns, that Right to Information and transparency assume significance. It is possible through this process to expose the hypocrisy of the acts of misgovernance.

In a democracy soveregnity rests with the people, and if we cannot control the representatives, we as citizens need to find ways of directly participating in decision making and implementation. We have adopted a model of democratic functioning which surrenders the citizens power to the representative. In post independent India we have been happy to get on with our own lives and leave Governance to the politicians and the bureaucracy. We have abdicated our responsibility, and now find ourselves even alienated from the debates over legislation and policy making.

We need to get directly involved in the business of governance. We need to find the tools that will give us control, and build campaigns that will lead to the formation of democratic institutions which are more suited to our conditions, and rooted in our realities. Institutions which will consciously attempt to undermine the power of both feudal structures and the colonial bureaucracy. Such campaigns will require all of us as citizens to build the links between democracy and ethics so that we have a democratic structure where there is a more meaningful sense of the rule of law; equality of all citizens; a faith in justice; and a social sanction for a polity which tries to ensure greater equity and social justice. These are some of the elements of an ethical democracy.

THE INFORMATION LINK

As a first step to narrow the gap that has grown between ethics and democracy, we will need to

encourage, foster and generate platforms for democratic debate. We require an open exchange of views based on fact rather than disinformation and media manipulation. Injustice must be countered by the revelation of how this injustice has taken place. With facts and figures . Its story in black and white. We must draw all sections of society into these debates and get people involved in the act of demanding and implementing change. Citizens must ask questions, demand answers, suggest changes, oppose where necessary, build where possible, and at the very least become informed participants in the decisions that are going to affect their lives. And when facing an impasse that will inevitably appear during this process, it is information that will play a vital role in clearing the confusion.

True democratic debate needs open access to information and informed opinion. Inevitably, as we try to break the power centres which have come to be, we will have to break through the walls which have facilitated years of arbitrary decision making, and acts of corruption in the safe haven of secrecy. In our activist role, one of the first steps will be to demand the right to information.

LEARNING FROM ONGOING EFFORTS

Away from the focus on so called mainstream political processes there have been a growing number of campaigns and movements for peoples involvement in various spheres of decision making. The peoples planning Campaign in Kerala. The movement for tribal self rule. The formation of budget

analysis groups. The detailed analysis of power sector policy and reforms by a citizens group in Karnataka. The energetic and devastating critique of the current model of development made in the struggles of the Narmada Bachao Andolan. The genuine model of sustainable development that groups like the fishermans forum represent. A myriad of efforts of people to find political space through even the very limited Panchayati Raj amendment, and numerous other efforts in this country where peoples organisations and citizens groups have not only critiqued unethical and fallacious policies, but offered alternatives. Even more significant has been the creative use all the groups have made of the democratic spaces outside the electoral process. It is a self evident critique of the established political parties that they have failed where such small groups have succeeded in creating the nucleus of a genuine political alternative. It has shown that ethical issues when raised by even a small group of committed people can positively and fundamentally affect the democratic discourse. It is in this context that I now want to share with you in detail the story of the right to information movement in Rajasthan and a seemingly insignificant demand for information has ended up as a debate on democracy, information, and ethics. This debate has opened new possibilities in participatory democracy. It will also give me a chance to describe how the right to information campaign has linked grass root level democracy with ethics.

THE RIGHT TO INFORMATION STRUGGLE IN RAJASTHAN

The Mazdoor Kisan Shakti Sangathan (MKSS) is an organisation of small peasants and wage labourers. From the initial years in the early 90's where issues and struggles were a part of the initial concerns for economic empowerment and political power, the attempt to assert and demand were met with denials from the State and the bureaucracy with stereotyped and unsympathetic arguments. There was apparent logic couched in the language of the bureaucrat. Replete with references and cross references to rules, regulations and by laws. At the same time, the same State and bureaucracy was promoting and, or condoning unlawful acts, injustice and inequality with seemingly appropriate reference to the rule of law. It became necessary to strip off this veneer of apparent justice, to expose the violation of the tenets of governance through misdeed and manipulation and expose the greed that leads to corruption and the arbitrary exercise of power.

THE GENISIS OF THE DEMAND

The MKSS, like all peasant organisations had a major pre-ocupation with the minimum wage and its implementation. Two major agitations, and partial success in the payment of the minimum wage in the area did not lead to any great difference in power sharing. It was clear that it was only because the administration wanted 'peace', that it was willing to negotiate. There was no real sense of equality, and

a consistent refusal to acknowledge that any structure outside of governemnt could understand the reasons for the condition of poverty, and low wages, and could make suggestions on the systems of management the Government should have to get work done.

The many meetings in which this was debated, led to the beginnings of the movement we now call the Peoples Right to Information Campaign. Illiterate men and women in one of the more backward parts of Central Rajasthan sat and pondered over how this impasse could be met. No intellectual or university trained social activist found the answer. It was Mohanji, Narayan, Lal Singh, Chuni Singh, Sushila, and many others who steadfastly maintained that if the records did not see the light of day, no position we took could be vindicated by 'objective' data. The right to information therefore began with the right to earn a daily wage, to live with dignity, indeed a right to survive. It was an ethical question, linked to issues of economic survival. Corruption in public works also got addressed. For the poor it was fighting exploitation, while the rural middle class was fighting corruption in the development works of the village.

RECORDS AND FRAUD

When an enquiry on non-payment of minimum wages in Bhim Panchayat, revealed that payments had been made to a company called 'Bhairon Nath and Sons', suspicion arose. This company was stated to have its office at the Bhim bus stand and

purported to have supplied the Panchayat Samiti with 36 lakhs worth of cement and other raw materials for construction. on the basis of a demand from the MKSS, the SDO held an enquiry which revealed that no material had in fact been supplied.. The Administration had to admit that inspite of the accounts having been audited, a major fraud had gone undetected. A company had been formed with the active connivance of 3 persons working in the BDO's office and an officials wife. Cheques were made out and encashed while material was supplied only on paper.The Company had no income tax number, no sales tax number and no registration anywhere.

Around the same time an old woman came to the MKSS with a complaint of non payment of minimum wages on a work executed by the Panchayat. Her case led to the examination of records in the BDO's office in Raipur, and the subsequent distribution of the information relating to all the records of the Panchayat at a public hearing in a village called Kotkirana in Raipur Panchayat Samiti in Pali District. A decision had been taken to hold a series of public hearings after discussions in the MKSS had led to the conclusion that rather than complaining to an unsympathetic Government, information and records should be placed before the residents of the area for them to reach their own conclusions.

The first Public Hearing in Kotkirana on the 2nd of December 1994, created MKSS history; setting off a series of actions and reactions where the transparency of government development records,

redressal, accountability, and legal recognition of social audit became the nucleus of the issues ofstruggle which have now grown into a statewide and nationwide campaign.

THE MODE OF PUBLIC HEARINGS

It is difficult to recapture the excitement and the energy that the series of Public Hearings released in December, January 1994-95. The radical nature and the potential impact of the demands dawned soonest on the lowest level functionary, the Panchayat secretary or the gram sewak. The union went on strike to warn the State Government that any attempt to disclose information would lead to resistance from them. The pressure for transparency increased with every one of the five Public Hearings and the Chief Minister at that time went on record to say that he would grant the people the right to information, and that as demanded, photocopies of muster rolls and bills and vouchers would be made available to the people.

THE CHIEF MINISTERS ASSURANCE

The Chief Minister's assurance in the Assembly linked the demands for transparency and the question of corruption to the working of a democratic government. The Chief Minister made the statement in and out of the Assembly, but did not see the need to put it into practice. The MKSS and the just formed right to information campaign stated that it was completely unacceptable that an elected Chief Minister could make a statement in the Assembly

and then go back on it. The Chief Secretary and other bureaucrats did not see why Assembly assurances should be of any concern to comon citizens. Assurances are a dime a dozen and how many can be implemented anyway they asked? The links between politics in a democracy and the moral obligation to fulfil their responsibilities, to which the Government is bound went beyond financial credibility to democratic responsibilities and accountabiltiy. As the debate continued, it deepened into understanding the mechanisms of governance.

The year and a half of struggle was a period of great education for the members of the campaign to understand the links between information, democracy and ethics. The most exciting of the factors was that information rights linked the issue of morality to that of democratic functioning through the demand for information. It brought the abstract demand for a more ethical universe, and the immediate concern for accountability into the common man's reach through a simple tool- asking for the information concerning the expenditures incurred in the name of poverty alleviation and development.

THE FIRST DHARNA

The dharna held in Beawar in 1996 (April-May) and the mounting pressure on the State Governemnt to implement the Chief Ministers Assurance drew the citizens of Beawar into a public debate. The issue was understood and the campaign sowed its first seeds of popular approval and support. On the first

three days, the dharna drew large numbers of bewildered looking onlookers. They could not understand why a ragamuffin lot should come to ask for the Right to information and not food, shelter or housing. They were amused and we were called *'ghagra paltan'*,(skirt platoon) 'and *tatpunja'*.(twits). But as the import of the demand dawned on the people, the dharna became a platform for popular expression. 86,000 rupees came in as donations in small contributions. Villagers from over 150 villages contributed grain, in quantums of 1 to 2 kilos each. The villagers also contributed 3 to 4 days of their time at the dharna . The sweeper swept our sleeping and sitting area and donated 10 rupees every day; the vegetable vendors gave us free vegetables; the local merchants gave us free water; the little boy who worked part time gave 2 rupees a day; the flower sellers gave us donations; and the chai wallah gave us a standing subsidy on chai. In the dharna pandal Ambedkar Jayanti,and May day were celebrated jointly where all the Trade Unions and workers organisation stood in solidarity together. In this concentrated spurt of energy came the realisation that this could be the beginning of a major campaign for something more than even the right to information- a claim over governance itself. Nikhil Chakravarthy came with Kuldip Nayyar to the 6th day of the dharna. He gave hope and spelt out for us the deep significance of this small beginning. Prabhash Joshi came and defined it as a right to know, a right to live. And we defined it for ourselves as 'our money, our accounts-hamara paisa, hamara hisab."

The dharna was supported by 400 organisations in writing, by all the major political parties, except BJP, all the trade unions and other social organisations. An eminent lawyer who supported the struggle, despaired of it ever getting what it set out to do. He asked us how we would ever succeed; 'you want a completely rotten system to expose its innards!' A passing vegetable seller was appalled at our temporarily abandoning the dripping pandal to seek shelter, and took an umbrella and stood there solidly through the 30 minute downpour. He promised money and people to man the dharna if need be, but begged- 'please do not get up till you get your demands'

This 40 day dharna, concluded with an assurance from the Government of Rajasthan that they would set up a committee to look into the the methods of implementing the Chief Minister's assurance. But the committee only sat when demonstrations were held outside the State Assembly and the report on implementing transparency when it did come out, was marked "secret "!

THE SECOND DHARNA

The next dharna held in 1997, for making the report transparent and implemeting the Chief Minister's assurance lasted 53 days, and was located outside the secretariat in Jaipur. This was preceded by dharnas in all the divisional headquarters and the campaign now took on an all Rajasthan character. The government outdid itself in its hypocrisies and undemocratic behaviour. The dharna again collected

1,25,000 rupees and got contributions in kind, and a board displayed the exact amounts received and spent and offered inspection and photocopies of all its accounts. In a spontaneous birth of a mascot of popular dissent and satire, The Ghotala Rath Yatra was born to supplement the songs and plays that evolved as part of the struggle. Advani entered Rajasthan to wipe out 'Bhai, bhuk and bhrishtachar' in a rath, and turned a deliberate deaf ear to the campaign. So the political satire of the Ghotala Rath Yatra was used to expose the hypocrisy with its neta, Rajvani celebrating the 50th year of scams, an endless list of remarkable achievements! It was a grand success and embarassed the State Government, not only in what it said but in the successful way it caught the imagination of the people and the press. The rath yatra was supported by the participation of other cultural groups, and the conversion of the fora of the dharna to debate on the nature of information and democratic principles, continued despite the apparent indifference of the State Government.

THE GAZETTE NOTIFICATION

After denying its practicability and, saying it was not possible to concede to the demands in meetings and press statements on the 7th and 11th of July, two days later the Government presented a gazette notification, purported to be 6 months old in a special press conference. They claimed that the demand for transparency of Panchayat records had been met long ago. This whole campaign was only staged for the mileage of an organisation and to

foster its political ambitions. The gazette "extraordinary" as the Hindu captioned it, proves beyond any doubt that there is something seriously wrong with the way our governments are run. Numbers of cars whiz this way and that. Senior civil servants walk in a run from here to there. They do not see the people, as they turn neither left nor right. But what happens inside the buildings they work in? It helps explain why transparency runs shivers down the spine of the permanent government!

THE FORMATION OF A NATIONAL CAMPAIGN AND THE DEMAND FOR LEGISLATION

During this period, the National Campaign for Peoples Right to Information was born and using the links with democracy, fundamental rights, an ethical civil society, and other citizens rights, the formulation of legal entitlements got underway.

. The Press Council improved on a draft prepared by the Lal Bahadur Shastri Academy of Administration, Mussoorie, and prepared the peoples draft of a bill on Right to Information and presented it to the Governemnt in September 1996. Characteristically, the then Central Government set up a committee under the Chairmanship of Shri H D Shourie to look into the draft bill. The Committee had two non official members, H D Shourie and Soli Sorabji.The rest were Secretaries to Government.

The Bill is yet to be tabled in Parliament, despite three successive governments having made promises in their manifestos to pass Right to

Information legislation.The current Government claims it will be tabled in February 2000.

The same Press Council biil sent to the State Governments has met with different treatment. The States of Tamil Nadu and Goa have passed Acts. The Goa Act is much closer to the original draft of the Press Council and more people orientated. The Madhya Pradesh Government presented their bill to the President for assent. Soli Sorabji now Attorney General advised the President not to sign on the assertion that it is a central subject and therefore not within the purview of the State Legislature.

In Rajasthan, the Congress Government formed at the end of 1998, requested the campaign to draw up a draft bill. The Campaign went to each divisional headquarter and spent two days in each place, discussing and amending the bill. A version of it now lies with the State Governments Law department, after having been passed by the Cabinet. The Bill only deals with State subjects and in the campaign's view it is therefore within the competence of the State Government to pass its own bill. The debate about the Attorney General's opinion continues.

In 1997 following the efforts of the Divisional Commissioner in Bilaspur, the Madhya Pradesh Government implemented the right through a series of orders, which are still in force, whereby people can access information related to over forty departments. As per the report of the Collector of Sarguja District, in the Public Distribution system for

instance, the mere comparison of the register with the ration card had helped save black marketing and allowed the administration to double the consumers' ration quota.

THE IMPACT OF INFORMATION

Over the last five years, the Right to Information Campaign has grown dramatically in its scope and steadily in its geographical spread. In the MKSS area it has changed the political discourse, and has led to questions of accountability through a search for forums for social audit. In Rajasthan it has become an established issue all over the State and is likely to move beyond its use to control corruption to the even more basic issues of policy making and Governance. In other parts of the country, and at a national level, the issue continues to periodically fire the imagination of concerned citizens. The passing of National legislation on the Right to Information seems inevitable. However, as with so many other laws, it is only when it is used that it will really have an impact. Our experience has shown that it offers itself as a tool for even small citizens' groups or even committed individuals, but it requires sustained effort, before it will be implemented. Asking for information is only the first step in excersizing this right. This first step sets off a series of reactions, and it is only in following through that it can really become an effective tool in leading towards participatory Democracy. The demand for information however has a direct impact on Ethics, Accountability, and Democracy.

INFORMATION AND ETHICS

The demand for information can only come from a group which is willing to make its own position transparent and examine its own ethics continually. The impractical nature of the undergraduate lecture on ethics, and the inability to transfer it into practice, have to some extent been solved by the campaign. Because this is a campaign that has emerged in the context of the poor people's right to survive, it cannot at any point lose its symbiotic links with the practical and the moral. No abstract theorising can be done, nor can the moral question be shelved for later.

In the application of the right to know, the whole gamut of situations of injustice, undemocratic behaviour and the inequality in government action has become apparent. Whether it is the violence on women, the official grabbing of land for liquor factories, the appropriation of natural resources, or the misuse of funds meant for the poor. The activist burden it places on those who use it, prevent the setting in of cynicism and apathy. The first reaction to asking a question, is that you will be questioned yourself, and the process of action and reaction itself leads to an environment of Transparency.

INFORMATION AND ACCOUNTABILITY

The Campaign has consciously forced people to respond or react. Records have to be shown. If they are not, reasons will have to be stated, decisions will have to be explained, reasons offered. It has

forced the government to accept that it can and has made mistakes. Even negativity and the desire to keep confidentiality and secrets has to be stated. It has forced those involved to accept that information has to be shared. But it has gone beyond that to state that the collective responsibility of citizen and ruler alike does not stop with one act, even the vote. The role of public debate and the right to question, cuts, both at the roots of bureaucracies and feudalism. Forcing the sharing of information begins the process of shared decision making, and consequently the sharing of power. Grabbing State power through political parties will then only exist as a corollary to the continual accountability of the representatives and public servants to the sovereign members of the public.

Accountability is an important step in the process of governance. It forces the rulers to look at their acts in the context of the requirements of the laws of the land and the agenda of development and social justice. But the process of sharing information goes beyond all this into making the people and the rulers alike look at the information and become part of a responsible and ethical debate. This responsibility forces all of us to look into the logic of each one of our statements, and the need to take a democratic and fair decision forces us all to bring in the question of ethics. It has the potential to expose the self indulgence, apathy, overt cynicism and the despair some of us assume to cover up for the fact that we are also a part of the process of exploitation. It makes it difficult for the nuclear

physicist to talk of the particle and rahu kalam in the same breath without at least offering some logical explanation for it. Likewise, a so called liberal, cannot glorify war and the nuclear device, and then talk of environment and the presevation of tigers. It will also eventually help us use the same standards for ourselves and others so that we will not talk equally of 'the servant problem' and then of the need for dignity of living standards.

INFORMATION AND DEMOCRACY

If one examines the present scenario of the MKSS., what began as a transparency of bills, vouchers and muster rolls and the need for social audit, has got transformed in the context of the local panchayat elections into a much wider debate, on the nature of campaigning and the details of it. The questions are interesting and encouraging. Why no liquor and tea, no pay offs? Why even no jeeps? What kind of transparency, what resources?. How can one cope with getting voters to the polling site? Can one use a vehicle even if is one's own? If caught in a dilemma between winning/losing and a value/ principle, what do you choose? All this debated publicly and not in drawing-room situations. There are debates taking place on development policies, the manifesto of development and what it should contain, the so called "adjustments" made because of archaic financial rules, and the need for change, the nature and functioning of gram sabhas, the non-negotiables in the areas of public responsibility. The priority of ethics over convenience and expediency.

it is not that this is an election where the caste factor or corruption will be eliminated. But for the first time issues that were not considered a part of the election period, have been forced into the campaign because it is politically necessary to do so. There has been a small but visible impact on the local political "mainstream" at what is thought of as its most regressive moment. If nothing else, it augurs well for the times ahead when efforts at direct democracy will give citizens a chance to realise that their political power is not restricted to the vote, and that they can exercise their power even more effectively as citizens. In a recent experimental ward sabha held in a village called Baghmal, a man was complaining that he would not be allowed to speak because he was from a minority Dalit community. Dow Singh, one of the village elders, answered that a single voice, of the weakest person, would prevail if it spoke the truth and was opposing injustice. It is that kind of Democracy that the combination of information and ethics can promote.

CONCLUSION

I have come here today with the aim of forging partnerships and alliances in the task we have before us, of re-establishing uncompromising standards of ethics in public life. It may seem like a daunting task. I came here as I said before, with the inspiration drawn from ordinary workers in Rajasthan. You and I often give up our battles even before we begin, because we feel the odds are stacked against us. I would like to point out that we are far more privileged people with far greater

access to the centres of power than the pioneers of this battle in Rajasthan. They have created hope which is a marvellous thing. I have tried to bring a sense of it here, and if the message I have brought will encourage others here to act, I will take back to Rajasthan even more than I came with. I would like to end with another anecdote, this time of a concern articulated by Lal Singh, a colleague in the MKSS, to a group of civil servants during the one minute he was given to make his contribution.. In that one minute I feel he said it all... "The question for us is whether we will survive, if information is denied to us; the question you face is whether you will retain your power (kursi) if information is given; but the question that should concern us, is whether the country will exist at all, if information is denied to us."