

Interactive Session with Mr. M. Damodaran

Question: My question emerges from a very powerful experience that I recently encountered. On a visit to two villages, which are considered to be model villages, I got a chance to see the way the Panchayati Raj institutions actually work and their governance processes were such a fantastic fusion of both public and private participation, from whatever you have said today it seems like that's an experience that ought to be replicated and brought to the fore through all our governance mechanisms and if we can borrow from that small example and bring those processes to say Mumbai and to the State and then to the country, may be a lot of what you said would be examined.

Mr. Damodaran's response: I think as always Mr. Haribakhthi you have answered your question. Because you have found answers over the last few years to several questions that I had and clearly attempting a role reversal at this point of time is neither necessary nor justified. But that said, it is entirely likely that you saw two or three that functioned well. May be with your usual luck you chanced on them. There are those that don't work well either. The second is that the powers are so limited, that in those areas that they have powers they work very well. But the same people when they move to higher levels , today's village leader becoming tomorrow's district leader and day-after-tomorrow's state level leader, in some sense undergoes a transformation , there is a disconnect

from the real world, except in the case of very few people. The problems are different, the challenges are different and therefore the responses are also necessarily different. And given the tasks, the challenges that are addressed, replication of solutions will be difficult, but replication of the positive attitudes that you saw towards common problem solving, clearly something that can be done. We can't prescribe for this, we should hope that somehow that experience moves up.

Question: India being one of the largest democracy; our government and democracy as such, we win the war but loose at the negotiating table. The return of 90,000 soldiers, the return of territory upto Lahore, are we not suffering? The question may not be connected directly, but as a democracy whether we have failed on account of this?

Mr. Damodaran's response: I don't want to respond to the specifics of the question, but let me say this that why a democracy scores over other forms of government is that it is a consultative process which addresses all shades of opinion and then arrives at a situation or a solution that is more sustainable and does not lead to a disruptive kind of a role-back if there is a change in the government. That is what happens in a dictatorship or in a set up where a few people exercise all the powers. A consultative process is necessarily time taking, it doesn't address everyone's concerns entirely, but as Bentham (Jeremy

Bentham) said if that leads to the greatest good of the greatest number, as seen by that greatest number, I think we must respect that however unhappy at an individual level some of us might be with those decisions.

Question: Thank you for a lovely talk on structures of democracy. I would like your comments on what I feel is the real essence of democracy, which is empowered citizens, it is particularly relevant today with the controversy surrounding the Right to Information (RTI) Act. and the efforts to apparently role it back. I would like your thoughts on the citizen's role.

Mr. Damodaran's response: If you will allow me the liberty of making what is not a politically a correct statement, the RTI Act, we will discover it soon enough as we travel move forward, is like a curette's egg, its good in parts, its bad in parts. It certainly provides for empowerment. We did in our own organization an analysis of the requests that had come in under the RTI Act. The kind of requests that have come in, most of them, not all of them, we find, will lead to not public good certainly, lead to a lot of good time being committed to collecting, putting together and dispatching information which might serve a researcher, no one else, and we also found a large number of applications coming from the same person, so it is not as if this particular enactment which was meant to empower the common citizen, meant to enable the common citizen to understand how the processes are working, is anybody holding up the

process, is decision making bona fide, things of that kind, I wish those things had to come out in response to some of the issues raised. I hope that the future will prove me wrong, but our experience in the organization to which I belong this point of time indicates that most, I won't say all, of the references we have received under the RTI Act are not consistent with the lofty objectives which that enactment sought to attain. That said you are absolutely right, because you only gave this only as an example, empowerment is certainly important, we had some time ago something called a Citizens Charter, people don't even talk about it now, about seven, eight years ago there was talk about a Citizens Charter being introduced in the public sector institutions, ideal time-lines having to be drawn up if you went to a bank branch, how much time should you ordinarily get a demand draft in or get some other service done, it was to be put up there, etc, charter marks were supposed to be given, this is a system that was imported from Britain, these days one doesn't hear anyone talking about it. The problem with empowerment is, the methods of empowerment must be continuously followed-up, must be sustainable and those that empower must be persons that believe in empowerment. If you are doing it for form sake, if you are having a bunch of people who are intermediating between the decision makers and the citizens, but not buying into this concept of empowerment, clearly obstacles of the kind that you are reading about today, the controversy that you mentioned will come. But let me also take a minute to tell you the other side. The specific issue that's now agitating people is whether notings on files should be shared or

not. Given the defensive nature of the bureaucracy, the kind of questioning that it is subject to, both informed and uninformed questioning, the kind of perils of decision making if I may put it that way, the average bureaucrat hereafter will write notes not with a view to facilitating decision making but as the first draft of his defense case should he be pulled up for something wrong and that possibly a price that the system might pay, as they say the way to hell is paved with good intentions, the intentions are entirely honourable, but will it lead to a paralysis of decision making, will it lead to people saying - I can move this in one of three ways, I can raise a doubt on policy move it up to my superior, raise a doubt on detail move it to my subordinate, raise a doubt on turf move it side-ways. If none of these three things work as we used to do in the past, make photocopies and send it all around. You will find things of that kind happening because people will say that every word that I write is tomorrow going to be printed in the newspapers, day-after-tomorrow somebody is going to ask what did you mean when you said this and considering that most of us work in English which is not our mother tongue, we might have intended to say something, ended up saying something else and someone will then with the benefit of hindsight call us to account for that. Would we do that, much the better thing is, I think a distinguished civil servant has an article in yesterday's or today's Indian Express in the context of the RTI, a retired civil servant from Maharashtra who wrote that. He said that two ways now in which civil servants will react, if he sends it

up he will write "for orders", if he is sending it down he will write "immediate".
That's all the contribution that you are going to see.

Question: All believe that democracy is the participation of the people in the processes of power, but we also imagine that electing and selecting certain people to represent us serves the purpose of participation in the processes of power, with the result that the four organized powers that control the people of the world, the organized religious power, the organized state power, the organized economic power, and the organized media, cultural, educational power, do not act in the interest of the people. Please tell us with your erudition and experience how the people of the world can move the net changes in the processes in order to get these representatives to function for the benefit of the people.

Mr. Damodaran's response: I am glad this question has come from an advocate because there is an issue that has been troubling me for a long time and which I thought in response to your question I will mention it. Do we have a representative system at all in this country? Is a first-past-the-post system a representative system? Is something that has been troubling me. If fifty percent of an electorate votes and if the fifty percent of the votes that are cast are shared by three or four candidates in nearly equal measure, arithmetic tells me that somebody who gets fourteen or fifteen per cent, which is one out of less

than six votes in the total constituency will then call himself or herself as our representative. And that person who, either by omission or by a deliberate act has not been voted by eighty-five per cent, will then claim to speak for that hundred per cent. I think these are some of the issues that the Constitution review committee I thought should have addressed. There was a distinguished politician from Maharashtra who raised the contentious issue, should we directly elect a President? I thought that didn't discussed and debated as much as it needed to get discussed and debated. Should the country directly elect its chief executive? The same way I think if you have a representative government, no matter what power got that person there and if it is somebody who can speak for fifty-one persons out of hundred representing that entire universe, not fifty-one out of those that voted, not these, present and voting as they say in law, not that but a larger universe, if that representative used whatever legitimate power he or she needed to get where he or she got, I wouldn't grudge that person. Speaking on my behalf or remaining silent on my behalf, sometimes that too happens. When there are major issues some people remain silent also. I must share this with you, because it is important when we talk in terms of who needs to represent us. This is a story my late father told me about the time he was student in the University of Madras and was a voter in the graduates' constituency. Two very distinguished men were candidates in that election. I am not taking names; privately I can share those names. One of them was a person who frequently who went abroad, held several distinguished international

assignments and things that kind. The other was a very erudite speaker and scholar called Sathyamurthi, I will not take the name of the first man. They were sharing a common platform and the first person gave a very long speech. The theme of which was that the man you elect must have tact and courage. When he sat down to a round of applause, Sathyamurthi went to the mike and arguably in one of the briefest but most effective responses said my learned friend has said that the man you elect must have tact and courage. That is why when there was a problem here in Madras he went to Geneva tactfully and when the problem got solved he returned courageously and that's all I would like to say. I think, you know, more of us must vote, more of us must ask how representative our system is, may be if that happened some of the issues could get addressed.

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