

SECOND OPINION

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Rules vs reality

One task the Government is self-professedly committed to is rationalisation of regulations. This is good, since Government regulations mean greater official interference in people's affairs, without actually making any positive contribution either to individual or collective welfare. Corruption is one fallout of too many rules governing people's lives. We in India possibly have more laws than any other nation. It is naive to believe regulatory injunctions will rid us of our socio-economic and cultural problems. Who can imagine a law banning ultrasonographies to determine the sex of unborn children would work? It can only mean more visits by Government officials to medical centres, and more bribes paid even by innocent doctors. Besides, a regulation is not the same as its enforcement.

In the case in point, doctors will go on telling prospective parents the sex of their unborn babies, without writing it down. The only thing that will change is that medical professionals and patients will become more corrupt and learn to conceal the fact better. None of this will stop sex determination tests. The upshot is to ponder why sex of a child is so important in our society. Till biases against the girl child exists, there will continue to be sex-selective abortions as well as infanticide. What do we propose to do about this?

The more regulations we have, the more we create an industry of making money out of illegal activity. The result: The unscrupulous get richer, either by instituting false cases to extort money or by charging more for the activity outlawed. Such distortions make it difficult for honest people to start businesses or conduct their trade.

Another law involves religious conversion. Should we have regulations to stop forced conversions (let us not forget the harassment from Hindu fanatics the converted face)? Or should the Government get out of the whole business of religion, as any secular dispensation should. Are ordinary laws related to persecution and use of force not be enough to deal with instances of conversions through intimidation? If people can be forced to convert, they can be forced to do other things as well. What is so special about conversions that specific cases need to be outlawed?

What needs to be looked at here too is the reason people are 'forced' to convert. It is because the law enforcement machinery does not provide protection to the vulnerable sections. If the latter could repose faith in the law enforcement machinery, could anyone actually harass them into changing their religion against their will?

The real reason people convert has nothing to do with faith at all. Lower castes are treated inhumanly by the upper castes. Society does not provide them honest means of earning their livelihood. No social infrastructure exists to guarantee them health care and education. These are the inducements missionaries offer. But can one just call them "inducements"? Do Hindu organisations that believe conversions should stop think people will agree to live and die miserably just because they want to protect the numbers of their flock? Why do they not create the social infrastructure to counter the very 'inducements' they decry? Why do they waste their time instead rioting and agitating for construction of temples?

Regulations paradoxically mean the authorities have failed to deliver the basics. Laws achieve little. Whatever social infrastructure we have become more bureaucratic. Rules made from ivory towers, without analysis of their unintended consequences, reflect a mismatch between reality and utopia. They also imply a lack of commitment to addressing the real socio-economic ills.

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