

TRANSCRIPT

"THE UNINTENDED CONSEQUENCES OF RIGHT TO INFORMATION"

A Conversation With Prashant Sharma

Moderator: Subarna Mathes

ANNOUNCER:

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SUBARNA MATHES:

Thanks to all of you for-- for-- I know we have two competing brown bags today, so thanks to all of you for-- for joining us. I was just recently thinking that-- it might be because of the shared framework around post-2015 that we're doing, or because of UNGA last week, UN General Assembly-- or the fact that things (UNINTEL PHRASE) school governance are really beginning to kick off with a bunch of new staffers-- within the program-- myself included, it feels like there's a lot happening around transparency, accountability-- and participation issues-- both inside and outside the Foundation.

So-- so really think that this is a timely conversation. Quite a bit going on of course with-- open government partnership, with work that we're all doing, with work that we're also doing to support making all voices count around closing the citizen feedback loop.

So, you know, targeting both-- looking at transparency and accountability issues, both from the-- the government, the public sector perspective, but also the citizen's perspective. And so-- this interface, this conversation that we'll have-- with Prashant today I think will be-- just taking that forward-- and clarifying some of those questions that we're teasing out through the other work that we're doing.

So, we're also sort of across the field at a time when there's a constantly growing body

of work-- in the transparency, accountability, and governance field-- and in evidence based that can help us better understand what works, how, in what context. And I think against this backdrop, we're really fortunate to have-- OSF Fellow Prashant-- Sharma contributing to this body of literature-- by looking at transparency and accountability, vis-à-vis-- a somewhat-- distinct beast or animal, whatever you wanna call it, the pub-- public/private partnership-- and one that we know is increasingly involved in-- in work that is still seen as predominantly-- sort of the domain of the public sector, and that is social service prosi-- provision.

So, we're looking forward for staying in touch with Pra-- Prashant around the-- the research-- (COUGHING) that he'll be-- endeavoring to do over the next year. I know that today's chat focuses a bit more sort of on the-- not just looking at transparency, accountability, and governance through-- the lens of public/private partnerships, but taking it a step sort of back, and looking at the intervention of right to information laws-- particularly in the case of India.

So, I know you'll lead us in a discussion of RTI and its impact-- around sort of-- transparency and accountability and governance outcomes-- but also around the-- the sort of unintended outcomes that this generates, and-- and what does that mean for the work that (COUGHING) we do.

A lot also in the field going on with respect to this-- work-- in a complimentary fashion with work being done by of course-- folks within the foundation, but also Jonathan Fox (PH) doing a bit of research around social accountability, what that looks for in this space. Basically complicating the assumption that transparency automatically leads to a-- accountability, and that it's sort of an end-- in an end to itself-- onto itself.

So, I know that the brown bag invitation noted that context doesn't just matter but also very specifically impacts-- how these (NOISE) interventions play out in reality. So, I don't wanna spend more time setting up the discussion. I know we wanna get to the-- get to Prashant, and also get to-- the-- the questions and the discussion-- post. So, would love to hand it over to Prashant--

PRASHANT SHARMA:

Thank you--

SUBARNA MATHES:

--and I know your bio is attached.

PRASHANT SHARMA:

Yeah—

SUBARNA MATHES:

Everyone can take a look, but-- but very-- very excited to have you be part of this conversation (COUGHING) (UNINTEL) forward.

PRASHANT SHARMA:

Thank you. Thank you (UNINTEL) much, (UNINTEL) I have nothing more to say. (LAUGHTER) But-- it's really wonderful to be here. It's great-- it's quite a bit of interest around this. And I think par-- it-- it's quite-- I mean, if-- if some of you in the field may have-- noticed (UNINTEL) about I think-- two weeks ago, something, Paraguay became the 100th country in the world to-- have a freedom-of-information law.

Now of course that means that there's-- there's clearly-- 100 countries to have-- this particular kind of thing, and all of this has happened really in the last two decades of s-- or so. After 1990, there were only about eight countries in the world which had any kind of freedom-of-information law, and suddenly in the last two decades, this thing has-- you know, just skyrocketed. So, it's quite an interesting phenomenon. I still feel it's terribly under-researched-- considering the kind of scale at which it's going on-- it's happening.

But-- at the same time, it's-- it's-- it's-- so to my mind, I mean, it's-- it's interesting, why is it-- of course there's a larger global politics around it, of course. Why is it all happening around this time, and suddenly there's a global interest? But what cannot be denied, that-- that there is a lot of global interest in this area of transparency, accountability, one of the manifestations of which being (NOISE) right-to-information or freedom-of-information or access-to-information laws, whatever is the preferred form of describing it.

So given that, I mean-- a lot of my own work has been focused of course on the Indian thing. And-- and in-- in many ways, it's also interesting that one of the-- that-- that India c-- is considered to be one of the leaders globally, in terms of access to information, both in terms of-- the-- the content of its legislation-- just con-- consider it to be very, very progressive-- within the world of freedom-of-information laws. And also in terms of implementation, particularly at the federal government level, which has been fairly good-- given the resources-- the (UNINTEL) condition of the state.

And also, most importantly, extremely popular. So, for exam-- I'm-- I'm sure-- when in-- in-- in India, of course, numbers is always (LAUGH) the big thing. So-- but by some estimates, I think there were something like three or four million access-to-information requests-- in the-- in th-- in 2013.

So, there are all these huge numbers, and there's a-- of course the state seems to be responding fairly well in so on, so forth. Now, of course all of this is very exciting, and in many cases, of-- there have been documented instances of-- of this exposure of

a lot of corruption. So-- so in that sense, the whole purpose, the larger political purpose of, you know, why should there be access-to-information law, why should there be more openness in government? Basically to curb corruption, of course, and to also-- (UNINTEL) accountability of the state to its citizens.

And also in terms of-- at the more political level, have the-- the whole notion of the principal agent. Th-- that-- that relationship being resolved a bit more in-- towards-- in the direction of the citizens, themselves. So, that's been quite-- it's been very exciting.

There has been a lot of excitement around it. And-- and of course, like I said, many large-scale-- corruption-- sort of instances of corruption (UNINTEL)-- corruption have come out-- come into-- come to light as a result. (UNINTEL PHRASE) as a direct result, apart from many other things, and-- and an activist code and so and so forth, to the-- to-- to light.

So, it's been doing many things for what it's supposed to-- you know, what we are rightly excited about. I mean, the potential of this particular-- this kind of legislation, this kind of framework, to actually hold the state to account in a more daily basis, not just the five-year elections and not just the whole other, larger, you know, political frameworks in which we normally see accountability playing itself out.

But there's also (UNINTEL) recently-- Indian case, I can say this for sure, and I believe-- I think we could extend this-- to not just other countries, not other non-OECD (?) countries, but I think generally across the board, o-- pretty much across whatever these 100 countries are, where there's some sort of freedom-of-information laws, which is the general discourse around (UNINTEL) seems to play itself out-- it's doing some good things. Of course it's doing things which (UNINTEL) really passionate about, anti-corruption and so on, so forth.

But very often, the discourse seems to suggest that yes, of course there's-- look-- "We told you so. Now that we have the RTI (?), we now know that the state is corrupt, (NOISE) it's inefficient, it's venal, it's arbitrary-- and it is wasteful and so on and so forth," which is good. I mean, of course that's a very important outcome of this.

But at the same time, invariably the discourse seems to end. When I say discourse, of course I mean public media, (UNINTEL PHRASE) the general articles-- the general writing which is in the public domain. Also, to a larger extent, within academic literature, as well. So there is that-- there-- there is this great excitement around the potential with-- with evidence and so on, so forth, but it tends to stop there.

It doesn't sort of go on to say that, you know, "Yes, of course the state is-- (NOISE) corrupt and venal and-- and-- and-- and-- or can be, and-- have-- huge limitations and-- and-- and so on, so forth," but that sort of, in a very enlightened (?) manner, feeds into the-- another discourse, which is at least (UNINTEL PHRASE) becoming very popular of the whole thing of privatization, minimizing government, having a-- very lean, mean state.

The state sort of-- retreating from its traditional functions, and whether it's through models like outsourcing, whether it's through models like-- other-- and-- you know,

public/private partnerships, which we s-- we-- we-- which we could speak about a little bit more later. So there is this whole thing that is the-- the larger discourse around the whole economic liberalization and, you know, markets versus the state. And it is a versus (?) thing, particularly right now. It's not necessarily-- partnership, although the rhetoric is beginning to change a bit.

The whole-- the-- the energy in some ways-- the more-- it's almost-- it's a counterintuitive thing. The more we prove through elements of transparency and accountability that the state is corrupt, the more we also strengthen the general-- other discourse, which says, "Yes, of course we always said the state is tr-- inefficient and corrupt." Therefore, we must privatize. Therefore, we must outsource. Therefore, we must get other entities which are non-state in nature to perform those kind of pub-- traditional public functions, whether it's education, health, electricity, water supply, sanitation, all of these things.

There's more and more-- a much greater-- push and a greater-- drive towards that. And this sort of-- this goes sort of to almost speak in-- not necessarily consciously, but speak in tandem with each other, almost complimenting each other. Now this is of course-- I mean, there's nothing inherently good or bad at any of these things, of course.

But the question is when these things are happening, as these shifts are taking place, we are putting in-- we have put in place greater, more stringent mechanisms for the state-- to be obliged to be more accountable and transparent, yes. Whether it's freedom of information laws, whether it's greater-- (COUGHING) proactive dissemination of information, how it works, what doesn't-- what it does and doesn't do and so and so forth. (COUGHING)

But at the same time, the same kind of standards to accountability which we now consider to be the norm when it comes to public authorities and state-owned enter-- state entities, the same en-- the same kind of norms are not being (UNINTEL) the same time transferred onto these other kind of entities, which are performing services of a public nature.

So-- one way to see it is just as a coincidence. Another way to see it is possibly as a-- as a conspiracy. I-- I-- I'm probably not going to-- (UNINTEL)-- take a position on that at this moment, but it seems rather convenient that just as the-- that we have this whole-- whole sort of-- you know, rush and-- thing of everybody getting onto the freedom of information bandwagon, as it were, just at the state-- at the same time when the state is also retreating from its traditional functions.

So, what is going on here? Is it a larger political project? Is it-- sort of being designed? What kind of forces are at work? Why is this happening? And are there ways in which-- one could possibly extend the kinds of norms and standards which we like to now extend to the state, and which the state has de-- you know, if we look at any of these (COUGHING) larger global entities (UNINTEL PHRASE) partnership-- (COUGHING) there's a lot of excitement around that.

There's-- there's of course the RTI rating indexes, and there's all kind of other activity

there, but all of them are focused on the state. There's nothing which really speaks about private or hybrid entities. So, how is it that they're sort of-- is it-- I mean, is-- are we looking at a case of, you know-- you know, locking the stable doors when the horse is bolted? Are we getting all excited, or in India-- there's a nice phrase, which is--

(FOREIGN LANGUAGE NOT TRANSCRIBED)

PRASHANT SHARMA:

Which is, you know-- I mean, okay, so there's a-- there's a-- there's-- you know, you-- well, it's difficult to translate. (LAUGHTER) Maybe you (UNINTEL PHRASE) help me and--

FEMALE VOICE:

Not on that one. (LAUGHTER)

PRASHANT SHARMA:

So-- so it's-- it's a-- it's-- it's (COUGHING)-- so it's-- it's-- for me, it's-- just a peculiar s-- peculiar thing. It's something which needs greater investigation. And while I think it's important to be excited about freedom of information, right to information, access to information, accountability, (NOISE) transparency, and all of these things, but-- I mean, we have to-- what-- the ideas that (UNINTEL) critical and extremely important, particularly (UNINTEL)-- in-- in the context of the whole-- when we talk about enriching and-- and essentially deepening democracy, these ideas are critical to it, of course.

But at the same time, where does-- is it-- if the s-- if-- if the-- if the nature of the state itself is changing-- you know, the things that it's doing and the things that it's expected to do, if that's undergoing a radical shift, then perhaps these ideas and this lens also needs to be broadened (COUGHING) to incorporate other kinds of entities which are performing traditionally what could be considered as state functions or public functions or delivering public goods and services, and incorporate that.

Now th-- what those forms would take-- and are there some forms already which exist? I'm not so sure, typ-- because typically, hybrid entities or private entities see the relationship with-- as-- it's a-- more of a client or a consumer relationship.

But-- with the state, it's a-- it's a political relationship. The state citizen-- it's a citizenship-- issue, really, at-- at stake here, and-- which is at the heart of it. So-- so from that perspective, I find that-- I mean, we-- anybody and everybody-- I think-- I mean-- who's sort of working on some of these issues, we need to start broadening and saying, "Okay, in what forms?" I doubt if it's going to be realistically possibly in

the next 15-- ten-- ten, five-- ten, 15 years, to actually start having the same kind of obligations or norms, extended to private or hybrid entities.

But there are surely ways which could be explored, whereby similar kinds of obligations could be extended. It could be legal in nature (?). There could be a greater public interest around it, (UNINTEL) be greater demands. We don't know. I mean, at this point, I don't know too many examples which actually do this well or successfully.

So, that's sort of-- broadly-- I mean, the South African law is a very progressive one, which of course-- their (?)-- access-to-information law there, which does suggest that-- that-- that-- any-- all entities which-- which-- well, a-- citizen can essentially access information from-- when there is a question of any rights of the citizen involved, from any kind of entity.

But that becomes an-- an implementation nightmare, so obviously it has not really played itself out well. It's very progressive in its thinking and its-- and its politics. But there are practical things, like-- I mean, you-- for example, could we consider specific clauses which say that any entity which performs any kind of public services must be within s-- the (UNINTEL) of such laws.

Could we-- could we introduce a clause which says then any entity where the governance structure incorporates governant-- government ap-- appointees as a part of that, they must therefore be part of such thing? So there are ways of which finding (UNINTEL)-- of course, the law part of it's just one small part of it.

But the idea generally is that-- how can we ensure or try and make sure that-- just because-- even as the nature of the state changes, how do we ensure that our focus around accountability and transparency and our energies incorporates these other kind of entities? And essentially, it's holding power to account.

And power may lie with the state, or used to lie definitely in the Indian context-- 20 years ago, very much with the state, but the location of power is shifting, and has shifted a lot more towards-- towards other entities. Towards the market, towards private entity, and so on, so forth. So, wherever there's a question of public interest (UNINTEL) to what-- in what forms and ways can we hold power to account rather than government to account, because government may not be the only (CLEARING THROAT) location of power-- the exclusive location of power anymore. So, that's sort of the broad-- framework, and-- I think it'd be-- perhaps-- this is-- you think it's good-- time to have-- open it up for our discussion? Because I-- I'd much rather have a discussion than hold court (?).

FEMALE VOICE:

Sure--

PRASHANT SHARMA:

So--

FEMALE VOICE:

--maybe we could hand it over to Subarna, if there's any initial--
(OVERTALK)

FEMALE VOICE:

--questions you wanted to pose--

SUBARNA MATHES:

I mean, the-- the only-- the-- the-- thank you, Prashant. The only sort of one-- sort of question I was thinking about when-- sort of reading through just very initially the-- (NOISE) some materials, was what the-- what you think, or some initial thoughts even the group might have around what the role ha-- a civil society might have, vis-à-vis this sort of changing context in which transparency (UNINTEL PHRASE) plays out. And so if there are any thoughts that-- that-- that you have around that, I thought it might be interesting to think about?

PRASHANT SHARMA:

Well, I mean, to-- th-- the first instance, I think just to think about this question is already very important.

SUBARNA MATHES:

Yeah--

PRASHANT SHARMA:

I don't think there's a lot of energy--
(OVERTALK)

PRASHANT SHARMA:

--either intellectual or through programmatic work, which foc-- or-- or is, you know,

directed in this area, of-- of-- of questioning the role of other entities, from an accountability perspective. There is a lot of work and there's a lot of interest, and research work as well, around entities such as public/private partnerships, but most of it is coming either from the economics fields, discipline, or from the law of discipline-- (UNINTEL) the economists (?) are e-- essentially-- very interested in ideas of efficiencies, the really good value for money, where to return on investment, and so on, so forth, which is of course-- sure, (UNINTEL) it's-- it's-- it's-- it's valid.

It's a valid question to have. The-- the lawyers are mostly interested in how is the risk-- distribution organized. What kind of arrangements, legal contractual arrangements are there? What is more interesting? What-- how does it work with the larger legal framework? So, there's all this contractual arrangements is where I think a lot of legal energy is coming from.

But from the political perspective, there's very little-- question which is going on around it, from again, I repeat, the accountability perspective. There's a lot of stuff around political economy, in the sense-- yes, the state is privatizing, and should that be-- is that a good thing?

Now, that question is important. But the point is it is happening, and when we talk fro-- about things in these kind of-- these processes from an accountability and a transparency lens, that energy is not there. I mean, there's a lot of interest, but there's not any of the focused work, or most of the time, most of the energies of-- civil society, organizations, or-- entities are essentially-- it's-- the mindset is that it's the state.

It's-- if you just have a conversation, it's always thought of as transparency of the state, accountability of the state. And I think that shift in thinking is essentially. It-- it's not just the state. It's about accountability of-- wherever-- whatever kind of entity it may be, which is affecting the lives of people of (?) vast skills-- vast skills.

And that thinking-- I think that switch, until that switch-- or at least an in-- greater interest-- sort of-- you know, widening of that thing, of the lens or the perspective, I think that is essential. And-- yeah, maybe-- I mean, OSF (?) is probably a great place to, you know-- a good (UNINTEL PHRASE) we start talking about some of these things-- in a more con-- in a more structure-- in a more-- focused manner.

SUBARNA MATHES:

And I--

PRASHANT SHARMA:

That's what I would say.

SUBARNA MATHES:

And I wonder if that's something where I know there's a natural sort of work that the public health program does around sort of-- engaging, particularly around sort of-- end user but (?) service provision at the health-- you know, on health services? A-- very-- sort of an easy to-- to-- understand and easy because your-- your impacts-- the impacts are so great on the person, the individual, the family itself-- that that's-- for me, an easy way to think about how do we sort of get civil society and-- and citizens-- even to think about these and engage in these discussions. But wanted to open it up for-- for others to have questions? Comments?

GLADYS:

I-- I had a--
(OVERTALK)

GLADYS:

Yeah, thank you. I--

SUBARNA MATHES:

Can you introduce yourself?

GLADYS:

Yes--

SUBARNA MATHES:

Quick--

GLADYS:

--my name is Gladys (PH). I work for the Youth Exchange (PH). I was thinking a little bit on the conspiracy-- side of things. (LAUGHTER) And--

PRASHANT SHARMA:

Great.

GLADYS:

Yeah, wondering whether the-- what the funding landscape-- in India looks like? What organizations that are doing this sort of work-- and whether you found any correlations between-- the discourse that you described and sort of the agenda that's being exposed by-- by funders?

PRASHANT SHARMA:

I mean, in terms of funding-- I mean, it's not as-- I won't say that-- first and foremost, there is a-- there's-- I don't know of any organization which actually working on the transparency and accountability question within the context of public/private partnership. I don't know of it, so I don't think there is any-- any (UNINTEL), which I think is part of the problem.

The whole (?) in civil society and geo-sector (?) and everything, in any case, I think is right now probably undergoing some sort of a great (COUGHING) change and journey and transition with the new government. So, I think there is-- I think new-- lines are being drawn. New modes of engagement are being created. I-- (UNINTEL) I won't say it's better or worse at this point. Is (?) it that it's going to be very different than it used to be in the last ten years. That is for sure, because in the last ten years, th-- the previous government, (UNINTEL) civil society, leaders were very closely embedded within government-- within government (NOISE) at a very high political level.

So, there was that. There was definitely that. But now I think that's going to undergo a change. (BACKGROUND VOICE) The forms in-- I mean, the larger structures might remain somewhat similar, but the forms I think-- the modes (?), forms of engagement, what the role of-- these entities is imagined as, I think that is going to have to change.

About the conspiracy part, I mean, you see, what (UNINTEL)-- what I also (UNINTEL) in my-- in my-- in my book, which is coming out in fact next week-- and that was-- came out of my-- my doctoral dissertation, that it's not so much a question of-- of-- of-- and I could see this for India, and I think it would be partly true for many other-- countries which-- which enacted these transparency laws, in any case, is that-- is that this whole rise, I mean, of-- of access to information and transparency in the last 20 years is also part of a much larger shift in the geopolitics.

The end of the Cold War-- I mean, prior to the-- that was an essential element in the whole-- story. Why was it that transparency and accountability was not such a big deal, prior to 1990 and any of the (UNINTEL PHRASE) international governance institutions? Why was the World Bank not interested in the state before 1991?

Why wasn't-- why weren't we talking about the role of the state? Because there was a cold war. I mean, you-- why wasn't the conditionality of (UNINTEL) before 1991? Because there was a cold war. If you were (?) in too many condi-- conditionality, we

go off to the other side.

So, there was that sort of thing. I mean, this is a very simplified (LAUGH)-- but there is a larger-- (UNINTEL) forces at work, in some ways. Once the Cold War ends, I mean, there is the whole thing of good governance becomes-- very important idea. Why-- it happens at that time. It doesn't happen before. It-- the whole thing of-- you know, accountability, democratization, what's (UNINTEL) being called "the third wheel (?) of democratization" takes place. One of the ways to prove you're more democratic is to also have an-- you know, a-- the-- the-- a-- more-- in-- (UNINTEL PHRASE) access to information.

That becomes, you know, a very nice-- little-- thing, to say, "Look, it-- we just enacted this kind of a law. We-- we're now-- we're well (UNINTEL PHRASE) democratic-- (NOISE) democratization," particularly in the former Soviet Republics. And that's why the numbers spike, so where you start seeing how-- you start seeing the pattern, when you start seeing who's enacting transparency laws around what time.

So, there is this global thing. And that's also around the time-- and again, the re-- recalibration or rethinking of what the markets should do, vis-à-vis the state, that starts taking place around the same time. Coincidentally, or not-- maybe not so coincidentally in the Indian context, 1991 is the-- is the (UNINTEL)-- you know, is the time when economic-- the economic liberalization project starts taking off.

There are other reasons which are more-- complicated and more specific to India, which I won't want to go into right now. Why this-- this idea became-- but th-- became sort of popular at this particular time. But-- but the reason (?) that th-- this is around the time when every-- the-- the larger global imagination of what the state can and cannot do starts changing.

And that is also around the same time, globally, where-- access to information and transparency become really-- and accountability become these big things. So-- and there is a correlation, and I think-- as one of my respondents had once put it, I thought, "So what is it? You know, why does it happen at this same time?" And-- and-- he didn't put it like this, but my (UNINTEL PHRASE) was it, "It's climate change." (LAUGH) And of course climate change being the sense th-- the time was right. It was a climate in that sense.

It was the timing was right. Things were coming together in a certain way, in terms of larger global forces at work, which-- came together and showed that this idea became-- an idea which did not necessarily also-- in a very fundament-- mental way, disturb status quo. I-- and-- and-- and in terms of where power lies and so on, so forth, it wasn't shaking that up to a great extent.

And where it was there (?), it would be defanged in a certain way. So, you would have the law, but you'd have a very-- you know, sad kind of a law, let's say. (UNINTEL PHRASE) or th-- or the pr-- the other processes would not allow it to flower or-- or-- or grow in the same manner, become popular in the same manner, or be used in the same manner. So, I think there's-- there is these larger (?) forces at work. And I think those are forces to be recognized.

So, whether somebody's sitting, you know, in the-- on th-- what might be the-- the second-tallest building in New York, across (UNINTEL PHRASE) confabulated (?) my people and-- and come up with a little conspiracy-- it's not probably quite like that. But forces and energies are-- do come together, do push-- that's, again, coming back to the same thing, that-- the efficiency principle.

All of these ideas-- these ideas are-- they-- they work together. They overlap. They-- they-- they support each other at one level. They do not at another level, and I think we have to be careful about what-- what-- for us, what are the ideas that are the important-- and continue to-- push for those ideas, regardless of who the actors-- are. Because the actors do change, and-- and-- and-- and the forms those actors take-- do-- does also-- also does change. So, I think-- does that sort of--

FEMALE VOICE:

Uh-huh (AFFIRM)--

PRASHANT SHARMA:

--answer your question? (LAUGH)

FEMALE VOICE:

Yeah.

SUBARNA MATHES:

I think Sanjay (PH) and then Renee (PH), or-- (NOISE)

MALE VOICE:

So, 18 months ago when there was a lot of-- discussion about the local (UNINTEL) and-- and basically an ombudsman's office-- to look at issues of corruption, there was a lot of discussion at that time also about corporate-- corruption.

And it flowed from the Wadia (PH) tapes, where it was sort of (NOISE) gleaned that corporate individuals were approaching journalists to influence public policy, and just paying for this privilege, et cetera. So, there was a lot of discussion about corporate-- corruption at that time.

I'm just curious whether-- since that 18-month-- sort of the time between now and then, has there been more of a conversation in India about these issues? Because you mentioned in your initial portion that-- it-- it hasn't really-- at least with PPPs (?), translated-- I'm just wondering whether that conversation essentially died-- at that

time, or shortly thereafter? Or if there's been a continued exploration of how do you hold corporates accountable for the corruption they may engage in?

PRASHANT SHARMA:

Well, I don't think it's died. It definitely I think has had a dip, but it's g-- because-- but I-- I still feel that the main energy remains-- corruption is alw-- on-- in the larger public ima-- imagination, it remains-- within the domain of the state.

The state is the esse-- the-- the-- the focus of-- I mean, that's where corruption exists. That's where corruption lies, and that's-- must be focused on. And I think-- and to a large extent, also, because-- because that's how it's reported. At the same time, I-- the same time, I think the consciousness is changing, and I think people generally, particularly in India, I think are becoming more and more-- impatient. I think the impatience is-- is very palpable. Not just the state, in terms of the political-- or rather the executive, but also the impatience with that (UNINTEL) option, the judiciary.

So, other entities which were generally considered to be not within the radar or in the public radar in the sense of imagination of s-- or sites of corruption or spaces of corruption, that's coming in (?). And definitely now the corporates, as well as, particularly around these large infrastructure-- especially our (?) natural resource extraction.

So, the whole thing around coal-gate (PH). I mean, the whole coal-mining thing. I mean, for those of you who don't know, it's-- it's interesting. I-- have a look at it on your-- in your-- on your (UNINTEL PHRASE), so google it or something.

But-- s-- and-- and the-- the complicity, or in the-- in the 4G (?)-- the telecomm spectrum (?) scams and so on, so forth. I think-- so the fact that corporates are involved, I think that's-- generally speaking, people of course know that essentially big money comes from corporates, yes. That's where-- but the responsibility, where the responsibility for fixing it lies, that still, I think currently-- imagined-- it lies in the state, and with (UNINTEL) the state which must do something about it. I would say-- - but-- bu-- the-- to what extent corporates must be held directly accountable, yes, that-- that should be-- but if the state didn't allow it to happen, it wouldn't happen.

I think that's the general sense. But again, like I said, I think that's changing. So now, for example, with the last couple of judgments of the Supreme Court, which-- one of them which, in fact, annulled all the 281 coal blocks (?) which had been allocated since 1993, along with fines upon the corporates for (UNINTEL) kind of a thing, for indulging indirectly in that kind of-- process of coal block allocation, that's been quite big.

The fact that although despite the new government is supposed to be very close to corporate-- interests and so on, so forth-- at the same time-- Reliance (PH), which is of course the biggest corporate-- entity in India, the fact that they were fined (?) \$4 billion around the whole thing of not-- essentially fulfilling the contractual obligations to extract-- after we allocated this particular basin for oil and natural gas--

so there are these things which are there, which seem to suggest that not only the courts (?), but the government is also s-- at least wants to be seen to be-- to be working in the public interest, in terms of these large-scale-- shall we say "arrangements."

And it's-- but I think, again, that's the other thing. Th-- I think a lot of the energy's also shifting, both in terms of practice, as well as interest, from petty corruption to crime corruption. So, yes, of course a concern of, you know-- you know, the-- the-- the cop on the streets taking 100 rupees is one thing, but I think-- which is important, and people are wer-- concerned about it, and that is-- but I think at the political level, those-- the ways in which corruption took place are the ways-- or in that sense, I think we are emulating these parts of the world. (LAUGH)

This is where-- I mean, you know, grand corruption is very well organized. It's-- it's organize, whether it's here (NOISE) or in-- western Europe, where you won't find much petty corruption, but it operates at a scale which is so large that it's almost invisible-- becomes invisible. So, I think in that sense, we are-- moving along in that direction. Whether it's a good thing or a bad thing (NOISE) is another question. But it's just that-- that something which needs to be kept in mind.

MALE VOICE:

Prashant-- so I (UNINTEL) coming from perspective, both-- a practitioner (UNINTEL) involved in right to information, right to health (UNINTEL) especially working in India-- (UNINTEL) five to six years back. And also now having worked in (UNINTEL) for about four years, and supporting mostly what we call "social accountability mechanisms" around health service delivery, which is-- as I say, it's sort of like a extension of right to information to (UNINTEL) accountability of service delivery.

And as much as you say-- you did mention the public/private partnerships as being a contested space and a-- contested idea, I think also to take a judgment call on that, for us as public health program, we have maintained that health services is people's right, and it is the public domain and it is the public responsibility-- the state responsibility to be able to respond to those.

And if you look at various ways in which because of the-- social accountability, sort of gaining more political currency and more and more civil society getting organized, at least I can say from our own experience in certain states in India, that the civil society had to change because of which-- how it was engaging with the government. Only through the lens of accountability when it was mostly the confrontational mode of saying that state is failing to provide its services, which was-- then verified through the committee processes, it was easier for the state to then say, one, that "We do not have adequate (UNINTEL) as much as we would like to have," and that, "We are not able to deliver (UNINTEL). So why not we then privatize these services?"

And that has become a real danger, of-- (UNINTEL PHRASE) state (UNINTEL) sort of

using those arguments and the industry using those arguments to push for privatization, which you really sort of brought out (UNINTEL). So, one of the ways of which I would say practitioners have tried to engage with it but has not come out in the global literature that (?) we read about, which usually comes from the (UNINTEL) like ideas or any of these sort of big institutions (?), is the success is defined by-- okay, the funders say that the success is defined by the (UNINTEL) services increasing by 50 to 60%-- outpatient services.

But not looking at five to ten years of-- sort of like-- lens-- through the political lens of how it is sort of affecting the larger political and policy (UNINTEL PHRASE) that. So what they're also missing is that a lot of civil society (UNINTEL) social accountability issues within the broader struggle (?). So if I have to say it (?), right to healthcare is th-- sort of the broader concept under which the social accountability is rooted, and not social accountability for--

(OVERTALK)

MALE VOICE:

--itself. And that is one (NOISE) conversation that I think is sort of-- missing within the (UNINTEL) broader space, that we get engaged in. And what is also happening is as much as you s-- speak of petty corruption, (COUGHING) this sort of social accountability mechanisms (?)-- we have found it easier to hold the small people, like--

(OVERTALK)

MALE VOICE:

--worker working (UNINTEL PHRASE) level, or a doctor working at the primary healthcare level, to say (?) both for the corruption that they're doing, but at the same time, we'd not speak of systemic failures. Everything that is wrong within that particular (UNINTEL) point is then put onto the person (UNINTEL PHRASE), and never holding the higher authorities, which are-- like the state level or the national level, which are supposed to be doing both policies and implementing those policies in a systematic fashion.

So, I think that is sort of the gap that we are missing in this entire debate of social accountability and right to information. So, how do we then sort of look at those issues, moving forward, I think would be one important thing. But for me, I'm also sort of interested, from your point of view-- because we sit in a funder space and we have sort of a macro picture and not engaging day to day sort of-- how (UNINTEL PHRASE) out in the field, both of the public servants, who now a lot of people don't want to even join public service, as much as the state has been (COUGHING) (UNINTEL PHRASE), "I don't want to go and produce 18 (UNINTEL) every week and then get to hear, like, people screaming at me for no mistake of mine."

How much of yo-- of this, you think, is also being perpetuated by the (UNINTEL) the knowledge is constructed? Again, from the perspective of somebody s-- sitting, as you said, in the second tallest building in New York, or the researchers coming in from outside and sort of extracting information? And how much of it is also about a honest conversation and a more sort of a-- I would say more spaces for day-to-day practitioners to interact with the big funders and with the big program? How much of it is being missed, and how much of it can be promoted? So--

PRASHANT SHARMA:

Well, I-- it's-- it's a huge-- I mean, it's a huge question. You know, the politics of knowledge. We-- (LAUGH)-- we-- we could keep discussing that, and the politics of knowledge (UNINTEL), we could discuss that 'til the end of our days, really. (LAUGH) And still not be able to-- come to any conclusions.

It's absolutely right. I mean, most of the-- most of the knowledge production, the ideas, particularly-- informs that-- that-- is that particular set-- I mean, you see it's-- it-- it's-- it's not necessarily located physically anymore in these parts of the world. But it's a particular vocabulary, and it's a particular language, and it's a particular form of knowledge production which essentially exists across the globe, but within a certain narrow band of elites.

Now-- I mean, that is a fundamental-- problem. (UNINTEL PHRASE) in many ways are, in that broader sense, are-- in sync with each other. I mean-- it could be just in terms of being relevant. Essentially from a civil society perspective, it means continuing to be in the news, continuing to be relevant, continuing to speak the things (?) and be heard, saying things and being heard.

So it operates in very different manners, (UNINTEL) the vocabulary in that form-- it is a classic-- can the (UNINTEL) speak? Can the (UNINTEL) have a voice in any form? We don't-- I mean-- it's very clear, you know? It's very difficult. It always be mediators, and who would be do-- doing the mediating at the global level between funders and between-- big INGOs (?) and between-- intergovernmental organizations?

Yes, of course, I mean, there'll be some platforms, but most of the time it is-- it is-- it is sort of lip service, a lot of the time. And as to be-- a-- again, you know, it's not as if people don't understand or realize it. The-- one of the-- the-- the people in-- the West-- during my research work, when I was speaking to the person, he was one of the (UNINTEL PHRASE) workers of this particular entity which was lying (?)-- which had been pushing for the whole RTI, part of the whole movement (?) and everything.

And he said a very simple thing. You know-- we were having a long conversation about the politics and so on, so forth. And he said a very simple thing. He said, "Ah, Prashant, it's all a game of English (?)." Now when he-- when he says-- and of course he said this to me in Hindi--

(FOREIGN LANGUAGE NOT TRANSCRIBED)

PRASHANT SHARMA:

You know, that kind of a thing-- so it's not that-- s-- but it's not that people are-- you know, this whole thing, people (UNINTEL PHRASE) and all the rest of it, because obviously he knows how the system works, but he's also working it in the best way possible, given his skills. But at the same time, he is not going to be directing (UNINTEL) in these conversations, which happens at this level.

Now from a funder's perspective, I don't know. It's a challenge, how do you actually-- how do you actually let the-- how does one ensure that-- the ideas at the very least are not being generated here? The ideas can be discussed, but the generation of ideas must-- and be able to tap into the generation of ideas which is happening in a much more diffused, disorganized, and vernacular form, which are relevant and appropriate, but be able to tap into those ideas, tap into those thoughts without our own preconceived, narrow-band limitations of looking at the world. Not always even seeing as service translators or mediators, but seeing just literally as maybe just megaphones or something like that.

I don't know. It's a very complex thing, and it's-- it's one of the most difficult things to-- I-- I mean, if it was simple, it would've been done already. (LAUGHTER) But it's not, because things happen-- certain things happen only because forms, structures are designed in that fashion.

We can have a UNGN (?), we can have a tribal person coming in, having-- or giving a speech in the UNGN, but-- e-- everybody feels good about it. Sure, of course everybody feels good about it, including the person who's coming from there. And that will be a s-- big splash in the news for a little while. Some of those ideas will get percolated, will trickle down in some ways-- some forms. But the space of knowledge generation is essentially a-- very, very political space. And un-- the first thing is we have-- self-awareness is the first thing. (SIREN) The individual level, of course, as well as institutional. And then see what forms-- and it could be a (UNINTEL).

It could be-- it could work for a little while and may after that morph into something else. I think the problem with-- not the problem. One of the limitations we'll-- look at things institutionally is always we think about scaling up. Want to scale up. Maybe scaling up is not the solution.

Maybe something works only at that particular level. Let's just (?) support that and see where it goes. Just because an idea works in one particular context doesn't mean it has to work either at the-- mid-level or at the micro-- ma-- macro-level, or for that matter, the same idea-- and we always say (UNINTEL)-- yes, of course, it's-- lessons learned and all these things are important, not that they aren't of course. But at the back of the mind of the lesson learned is-- always continues to be how can we then take this idea and put it in somewhere else?

So, I think it's-- and again, because that becomes the value addition of our role, so we have to justify our role in it. We-- in the end, essentially, we are all middle men. So, if you're all middle men, then how are we going to justify our role-- what value

addition are we bringing?

So, if we are not willing to do tha-- if we are willing to at some point say, "Look, maybe there could be another definition of our role." What it could be, I-- I mean, that's to be-- I think to be discussed, thought about in different ways. But I-- yeah-- I-- it all-- it's not that it doesn't happen. I'm sure in (UNINTEL)-- whether it's in OSF, in other places, it happens when it happens. And it's not the main-- main way of be-- it's not essential to that way of being, of the institution. Usually, of most institutions, we work in this process of-- production, dissemination of knowledge in the larger developmental space.

MARC KRUPANSKI:

Hi. My name's Marc Krupanski. I'm with the Justice Initiative. And my question is-- is a tactical one, around use of right to information. (CLEARING THROAT) And (NOISE) the challenge around holding private power to account, when they're designed not to really be held publicly accountable beyond their stock brokers.

Of course, then you mention one of the ways they-- they are supposed to be held accountable is through the state, and the state's often complicit in this move from public to private. So-- my question is how effective have you seen-- right to information-- efforts-- targeted to the state, around contracts with private entities or oversight of private entities? Has that been an effective proxy to hold private power to account or not?

PRASHANT SHARMA:

Hardly any (?). Partly also because, I mean-- since it's a very specific (NOISE) question, the answer would be specific in the sense that in the Indian context, for example, there is-- there's-- there's a clause which says that two-- section 2F of th-- of the law, which essentially says that any citizen can actually get any information held by the government through any other legislation in force.

The government obviously holds a lot of infor-- information about private entities, whether it's through-- you know, whether it's through your revenue-- records and whether it's through your financial institutions. It's a regulatory s-- state, essentially. So-- technically, it could be done.

And there's two limitations. One is most people don't even know what that means and that there's an awareness issue. Fine, yes, of course. Let's say tomorrow everybody's aware of what (?) everybody's filing applications under that particular clause.

The problem is that in this-- th-- when you get into the whole system, then-- (UNINTEL) what-- what had happened in a few cases, where the public/private partnerships have been-- asked for some information, is that if you're (?) first refused, then you go through the appellate process. When you go through the appellate

process, eventually the final appellate authority, which is Central Information Commission, in fact decreed and (UNINTEL) deemed this is a public authority-- the Delhi (?) airport, for example.

For XYZ reason, it has this much amount of public money in it. Government appoint (UNINTEL) gives that whole rationale and says, "This is why this must be considered to be a public authority, and it must give out this information," which is rather innocent (UNINTEL) about this person who's-- who wanted to know if his-- go-- his house is going to-- if there's going to be a little bit of (UNINTEL) or land left for him to access the main road when this whole airport was being developed-- (UNINTEL) remodeled (?). Very innocent and nothing-- particularly political.

But they refused, even after that, and they went to court. So then-- the moment you go into the court-- now, (UNINTEL) court (UNINTEL), but at least-- then we go back to the whole larger s-- structural thing (?) of the justice system. So now-- right now, the matter lies in the high courts. It'll probably go in there for several years.

Probably go to the Supreme Court, because it becomes a pretty-- you know-- meanwhile, the individual who has filed this-- the-- the-- the application-- does not have the same kind of staying power as-- PPP (?) with, you know, few-- a few billion is small change in pocket change, (LAUGH) in-- below its belt.

So-- so the-- the-- the-- we keep coming back to the same thing. I mean, essentially, it's-- (UNINTEL PHRASE) cycle, that-- what are the structures of justice delivery? What are the systems, and what-- and even that will be finally an interpretation, even-- let's say the matter goes to Supreme Court, and the Supreme Court, let's say, take a decision that-- "Look, no." Then the fight starts again, so to speak.

So, th-- yes, of course, then-- then-- then we come back to the larger structural thing. Okay, that means we need to make new laws so that the Supreme Court is therefore duty-bound to actually implement those laws you come back to, so these things are te-- wonderfully and terribly-- not (UNINTEL), you know-- interrelated.

But yes, there is a huge limitation. So far, I will say this: it's hardly been used, either-- in th-- not-- definitely not in the Indian context. And-- I don't know of too many celebrated cases-- in-- other parts of the world, either.

MALE VOICE:

Sir, on that last point-- when speaking about the provisions related to the RTI act, it's generally viewed as a success amongst practitioners, like those of us in the room, as a-- as a means to access information. Towards the sort of dying days of the UPA2 (?) government, there was a lot of conversation about amending the RTI act.

And-- you know, from what I gather, the reason why it wasn't was because Sonia Gandhi's advisory committee basically really pushed back against the idea that it should be amended. And so it never really happened. So rather than the expansion of RTI to sort of carve out additional space for greater transparency and accountability, it's-- it seemed at least at that period of time that there was an

attempt to encroach on whatever space had already been carved out, actually.

And I'm just wondering with the new government in place whether (NOISE) you've heard whether there will be tinkering of the RTI act, and if so, will it be regressive tinkering? Will it be progressive tinkering? Has there been any conversation about that?

PRASHANT SHARMA:

I mean, there are some fears, of course, which have been expressed. For example, right now, there's no chief information commissioner, who hasn't been hired, 'cause there's a technical problem that the chief information commissioner's appointed by a committee, and right now there's no leader-- which includes the leader of opposition. There is no leader of opposition. So, I mean-- so there is this thing under which we--
(OVERTALK)

PRASHANT SHARMA:

But-- sorry?

FEMALE VOICE:

Sorry, there's no opposition?

PRASHANT SHARMA:

Well, yes, because it's a--
(OVERTALK)

FEMALE VOICE:

No, I'm d-- I'm--
(OVERTALK)

PRASHANT SHARMA:

Yeah, yeah, sure. (LAUGH) Yeah--
(OVERTALK)

PRASHANT SHARMA:

--technically, there is no leader of opposition in the Parliament--
(OVERTALK)

PRASHANT SHARMA:

No, because there has to be a 10%-- they have to-- to--

FEMALE VOICE:

Oh, really?

PRASHANT SHARMA:

Yeah, in the-- by convention and by the past, the-- the second-largest par-- the party
whi-- the leader of opposition must hold-- that party must have at least 10% of seats
in the house.

(OFF-MIC CONVERSATION)

PRASHANT SHARMA:

And the second-largest party does not even have that. So-- so there is that-- there is
that technicality--

(OVERTALK)

PRASHANT SHARMA:

--which is still being-- you know, discussed and-- and-- and--

FEMALE VOICE:

Is that in your constitution?

PRASHANT SHARMA:

It's not in the constitution. This is more-- sort of more parliamentary procedure--
because the leader of our opposition is not necessarily a constitutional position, but
it's become a more conventional convention, where this-- and that person is--
regarding (?) certain privileges and certain-- and also through subsequent laws, a role

in the appointments of certain-- positions, constitutional positions, such as the chief of commission-- commissioner (?). So-- so it's-- it's a complicated thing, but--
(OVERTALK)

FEMALE VOICE:

--democratic? (LAUGHTER)

PRASHANT SHARMA:

So there's all these checks and bal-- but-- see, the point is amending-- this is what I am saying. I think in many ways, when we lim-- limit ourselves and we're standing (UNINTEL), only to the law itself-- and (UNINTEL) you know what we ha-- can have (?) the best, though? You (NOISE) don't have to amend the law to kill it.

You don't have to amend it. You just let-- you just-- go slow. You just go slow. If-- if the general message goes out, don't give out information, let it go into the appellate process, go out into the (UNINTEL)-- appellate-- if it goes into appellate process-- and meanwhile, it's a few years have passed. Most of the time people require information which is acquired fairly quickly-- immediately. Test the patience (UNINTEL PHRASE) several-- don't hide information commissioners (?), backlog (UNINTEL) for five years, six years, seven years.

So, amending the law I think is a very-- it's a very-- in fact, it's a very brash and a very (UNINTEL) tactic of actually doing something. And there are many more-- more-- clever ways of actually killing-- (UNINTEL) already, I mean, d-- because it's so popular, even with the (NOISE) fact that it's right now, so far in the last-- (UNINTEL) 2005, now it's 2014-- nine years or so-- been so popular, but this year, volume-- I mean, it's just always about volumes in our country.

It's always about volumes-- I mean, the-- even very, very well-functioning information commissions where there's-- where the-- where the (UNINTEL PHRASE) particularly information is being given, very, very small, miniscule percentage of comi-- percentage of num-- of cases coming to-- th-- to the appellate process.

But even there, I mean, it's swamped. I mean, you have backlogs right now of, you know, thousands and thousands of cases, because you have ten information commissioners. How many cases can they actually adjudicate in a single day? It's a lot. So it's-- I mean, so there are ways of doing-- like-- like I say-- so I think the new government-- it's no-- it's-- I don't know about what the new government's take on it, but what I'm saying is amending the law is going to be the necessary-- probably the least of it.

That's not necessarily the be-- you know-- may or may not happen. But there are other forms in which it c-- if-- if-- if it could be killed (?), (UNINTEL) quiet, so that's not-- and that's one I still of course, you know-- constantly talk about, you know,

other systemic things, and so on, so forth. And that's where we also need to look out beyond, I think, is the idea to have a great law which is implemented well with no backlogs-- is the idea to have greater accountability and transparency?

I think that's again something which we have to-- (UNINTEL) makes an interesting statement, which was (UNINTEL) today. Tremendously-- I don't know if you got that. So, he said the last governments (UNINTEL) all-- all they talked about, "We made this law, we made that law."

(OFF-MIC CONVERSATION)

PRASHANT SHARMA:

And I am talking about removing laws. Of course what he's referring to is outdated laws from the British times. You know, a law like-- you-- you can't (UNINTEL) your neighbor if your neighbor is (UNINTEL PHRASE). (LAUGHTER) I-- but one of these obscure things or some ridiculous obscure things. But he's talking about removing laws. So, he's-- but the way he presented it was he was saying, "Look, s-- so-- that, you know, it's not only"-- he was basically (NOISE) mocking the previous government, saying that all they considered to be their achievements was the fact (NOISE) that they put new laws in place, which of course they were talking about NRG A (?)-- and permanent guarantee (?), right to information-- the food security act, and-- and right to education, which is (UNINTEL) big legislations, which have-- which again, sort of (UNINTEL) space legislation, which have been-- enacted.

But at some level, I think there is a-- there is a-- not so much there's a fact of there's politics of other kind, but I think the whole obsession around that-- the-- the-- the be all and end all of any kind of social movement is to enact a legislation, that's a very, very limited under-- limited way of approaching social change. Very limited. We are th-- one of the most over-legislated countries in the world, and look what does that mean.

I mean, you know-- it's good that-- not that it's not good. It's great that we have certain very, very progressive laws. Absolutely great. It's great that this particular-- the issue of access to medicine and so on, so forth-- some of the most progre-- and that's important, as-- particularly if we seek to be a regulatory (?) state rather than a welfare state. Fine, yes, of course it's important. But that can't be the end. There's much-- much larger processes and outcomes which we have to look at, (NOISE) where the law part is just-- is one piece of the puzzle.

MALE VOICE:

So can I follow up on that, Prashant? I mean, in the larger project of bringing accountability to private sector and hybrid entities-- is the-- what does yo-- what does your-- what does your gut tell you about where resources should be directed? Is it a-- is it more about a set of cultural assumptions about-- protections that the

private sector should be afforded, like-- the right to protect trade secrets? Or the right generally of enterprises that are not publicly held to keep information about their operations-- closed to the public?

Or does it have to do more with the set of assumptions about the private sector being more efficient than public sector-- public sector-- than the public sector? Is-- where are the points of attack? Where are the points of intervention? Is it-- is it a matter of undercutting and counteracting those cultural norms about rights that private sectors should supposedly hold?

Or-- because I think you're right-- and this is something we face in a number of different contexts. Often the laws on the books are very good, and give us all the tools to bring about transparency and accountability, but then there's a failure of implementation. And there's always some subset that says, "Well, it's a lack of political will."

There are others who will say, "Well, it's a fu-- we need one more provision, one more tweaking of the law, and then we'll achieve what is-- what we seek." I'm just wondering what your instinct tells you is-- I mean, it's very hard to bring about large-scale cultural shifts, but should-- should advocacy be directed at changing attitudes toward the rights of the pub-- that the private sector-- should enjoy, or is-- is that a kind of amorphous project that is-- unlikely to achieve very much success?

PRASHANT SHARMA:

I wish I had-- you know, clear answers to that. It's a very, very difficult question (LAUGH) which you ask, of course. I mean, broadly I would s-- I mean, it-- it-- in-- in tactical terms or in terms of-- in specific outcome terms, which are real and well-defined, one of the things I think th-- the c-- there is a certain sense of cultural f-- impunity. You need to have something where perhaps certain-- you know, when it's big-- examples or whatever, where the sup-- I mean, it has to be the justice system which makes an example, which has to say that-- "You know, you can be big, but you can't-- you can be whatever, but look, if you're going to transgress the laws"-- I don't think it's a question of ju-- I think the laws are very nice.

I mean, th-- there-- there are some very good laws which do-- do put certain restrictions on the private sector and the corporate entities, not that they're not there. But they are (UNINTEL)-- there is-- there's a whole politics around that. Fundamentally, first thing I think is (UNINTEL) cultural impunity has to be that you will-- you will have to-- you will be held accountable for your actions.

That must come from the justice system, first and foremost. Message goes out to a much larger message that nobody sort of-- you know, that kind of-- about (?)-- like these last few judgments, which th-- which I think (?) Supreme Court has come up with, which are very good, which give-- they send out a message.

The last ten years, the Supreme Court is sending out a lot of messages through its decisions on political actors, politicians, which continues now. So for example, a big

leading politician was also put behind bars-- chief minister of-- state of Tamil Nadu (PH), 60 million people. Extremely popular (?).

So there are these things, but now I think increasing, there are many more judgments, which are also then being reported by the media as well, which is sort of-- so I think that's good. Although there's another story of the corporatization of media, but that's another story. And-- the-- the-- the second thing is I think-- in the end, why-- and that is something I think which is actually-- in terms of real things, in terms of how these processes work eventually, which we have to get a handle on, is political finance.

Invariably, we have to-- that's where it keeps coming back to, the whole thing of how are political entities, political parties, political actors-- this whole thing of-- there's (?) campaign finance, of (UNINTEL)-- how do s-- those money flows take place and how can those money flows essentially either be-- held to account?

Because in the end, whether it's law-making or whether-- how the laws are operated or whether it's impunity or non-impunity in all of these things, is that-- is the how-- that relationship, that financial or that relationship which impacts everything, because that will have an impact on the politi-- that will have an impact on everything. Until that-- that's where the-- the-- I think the core or heart of the matter, in this kind of political system where there are certain democratic procedures in place-- at the very least.

And of course the third thing has to be at the level of-- of people, I would say. In the sense-- I mean, (UNINTEL) particular-- now there is a great expectation in the public, thing of im-- like I said, impatience rather, that certain behaviors, certain kind of thing is not going to be tolerated as it used to be. When (UNINTEL) that be extended to-- to big corporate leaders, as well, will-- where that kind of expect-- where that-- I mean, there needs to be some level of public-- I-- I won't say naming or shaming (?), but that (UNINTEL) public expectation has to be of a certain kind which cannot be ignored. And that's at a much more diffused level. I mean, that's-- that's at a more diffused level, I would say. But-- and the other two I would say are the more specific things, in terms of specific-- frameworks or specific act-- actions or activities which could be focused on, that-- but it's gonna be tough. (LAUGH) That's really it, I suppose.

SUBARNA MATHES:

Great. Well, I think-- does this sound like--

FEMALE VOICE:

Yeah--

SUBARNA MATHES:

--we've come to a-- any other questions, thoughts, comments? Well--

PRASHANT SHARMA:

We (UNINTEL) have a beer at the end of the--
(OVERTALK)

SUBARNA MATHES:

Yeah. (LAUGHTER)
(OVERTALK)

SUBARNA MATHES:

Well, thank you for-- for-- all of you for your questions, comments. And Prashant, I know that we're all eager to see what this next year brings. And--

PRASHANT SHARMA:

So am I.

SUBARNA MATHES:

--the work that you do, (LAUGHTER) and yeah, it'll be-- it'll be really interesting to see how this goes forward. But I think just-- a lot of-- I know-- interesting takeaways for all of-- all of us involved in the work.

PRASHANT SHARMA:

Thank you, (UNINTEL). And thank you for this wonderful opportunity (LAUGH) and-- and (UNINTEL).

MALE VOICE:

Thank you.

SUBARNA MATHES:

Thank you all. (APPLAUSE)

* * *END OF TRANSCRIPT* * *