
UNIT 1 NATURE OF THE STATE

Structure

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1.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Understand the concept and the nature of the State
- Discuss the different perspectives on the State
- Analyse the changing viewpoints on ‘Bringing the State Back In’ debate; and
- Examine the role of the State in the globalisation context.

1.1 INTRODUCTION

‘State’ is a complex concept connoting wide range of parameters that attempt to define it. But, somehow, there is no consensus on any definition of the State. The theorists have not been unanimous about the State’s nature, structure, functions and behaviour. Though the term ‘State’ found an inclusion in the political vocabulary around as late as the 16th century, there have been oblique references to the very idea of ‘State’ all through the evolution of human civilization. Be it ‘codified laws’, ‘shared norms’, ‘kinship’, ‘chiefdom’, ‘political system’, ‘sovereign authority’ or ‘divine monarch’; these terms have hinted at some or the other form of governance which came to be gradually defined as the ‘State’. The definition of the State has premised itself on ‘divine’, ‘ethical’, and ‘legal’ notions in the course of its evolution. Many scholars feel that it is impossible to theorise any phenomenon, such as family, culture, law, religion, and ecology without a reference to the State. The State impacts on the lives of individuals in a way no other institution can do.

This Unit will examine the concept of the State and different perspectives from which to analyse the State as an evolving phenomenon. It will highlight the contemporary Neo-liberal perspective of the State against the backdrop of globalisation besides touching upon the Liberal, Marxist and other pertinent viewpoints. As this is the first Unit of this Course, it will try to build a theoretical background for the subsequent

Units where the discussions will centre around the ‘relationship’ of the State with public administration, market, civil society and other non-state actors as well as the allied issues and challenges.

1.2 DEFINING THE STATE

The State has been considered as a problematic institution. The theorists are unable to decide when States first arose or what States actually are. The trajectory of the State involves a long and chequered journey ‘from’ tribal communities-city communities-city states of Greece and Rome-feudal societies – Absolutist Sovereign States ‘to’ Fascist States-Communist States and Welfare States. Some define the State in terms of morality, while others see it as an instrument of exploitation. Some regard it simply as an aspect of society, still others as a synonym for government. The State has even been viewed as a unique and separate association, which stands apart from social institutions. There are also metaphysical and quasi-religious interpretations of the State. Some point toward the legitimacy of the State, while some to the character of power it enjoys. Yet, we must define the State in order to grapple with its so-called ‘problematique’. If politics is all about who gets what, when and how, then the State becomes the executive agency for the same. In simplistic terms, the State could be defined in terms of its most basic features of territoriality, population, government and sovereignty. For a better comprehension, all these elements need to be analysed in the present context of globalisation. We will discuss these later in this Section.

The State may be defined as a system of relationship which defines the territory and membership of a community, regulates its internal affairs, conducts relations with other States and provides it with identity and cohesion. It consists of institutions and processes which are extremely various and complex, presiding over different spheres of the community, which distribute different social goods according to different principles (Jorden, 1985). On the other hand, States may also be viewed more macroscopically as configuration of organisations and actions that influence the meaning and methods of policies for all groups and classes in society. The State to the Statists is prescient, omnipotent, and even arbitrary as in this perspective, the society is seen as non-resistant, inactive and submissive (See: Chandhoke, 1995).

Among the many questions which provoke debate on the State, avers Bob Jessop (1990), are: Is the State itself best defined by its legal form, its coercive capacities, its institutional composition and boundaries, its internal operations and modes of calculation, its declared aims, its functions for the broader society of its sovereign place in the international system. Is it a thing, a subject, a social relation or simply a construct, which helps to orientate political action? Is statelessness a variable and if no, what are its central dimensions? What is the relationship between State and civil society, the public and private, State power and micro-power relations? Can the State be studied on its own; should it be studied as part of the political system, or can it only be understood and if so, what are its sources and limits? Jessop feels that any general definition of the State would need to refer to the State discourse as well as State institution. Not all forms of macro-political organisations can be termed as State like nor can the State simply be equated with governments, law, bureaucracy, a coercive apparatus or another political institution.

The State indeed is a contentious concept in political theory, observes Neera Chandhoke (*op.cit.*), as any inquiry into the State is value laden. Political theorists have been preoccupied with conceptualising a State, which could be capable of realising conditions favourable to human nature, but no definition ever has been able to capture the State in its entirety. It is extremely difficult to define the ‘State’. David Easton has spoken about the futility of conceptualisation of the State, as in his view, it just leads to needless debates and a kind of ‘conceptual morass’. In fact, Easton has claimed that scientific political theory requires clarity and therefore it is better to

abstain from using the term ‘State’ altogether. In 1981, however, he did change his stance and commented that many of our thoughts that had been polished off a quarter of century ago, have now risen from the grave to haunt us once again (Cited from (Cf) Hoffman, 1995).

Nicos Poulantzas has described the State as an ‘indecipherable mystery’. John Hoffman (*ibid.*) maintains that although Poulantzas argues that the State seeks to maintain the cohesion of a class-divided society, he does not tell us what the State actually is. The definition of the State as ‘institutionalised political power’ is circular since what is ‘political’ is never identified independently of the State. Poulantzas refers to the State as ‘a material condensation of a relationship between classes, but insists that it is not reducible to these relationships’.

Nietzsche has described the State as the “Coldest of all cold monsters”; the institution which tells lies in all the languages of good and evil (Cf Hoffman, *ibid.*). In the words of John Urry (1981), the State could be classified as a ‘parasite’ serving the interests of the influential, it could be described as a ‘mystification’ for only apparently representing general interests of economic base responding to and developing forces of production. The State is an ‘ideal collective capitalist’ standing alongside capital and sustaining its pattern of accumulation.

Some scholars like Nozick go on to contest the very need of the State. Nozick says that the fundamental question of political philosophy, one that precedes questions about how the State should be organised, is whether there should be any State at all. Why not have Anarchy? It has been observed that since the Anarchist theory, if tenable, undercuts the whole subject of political philosophy; it is appropriate to begin political philosophy with an examination of its major theoretical alternative. According to Nozick, in an Anarchy, pressed by spontaneous groupings, mutual protection associations, division of labour, market pressures, economies of scale and rational self-interest, there arises something very much resembling a minimal State (Karlson, 2002). We will read more on Nozick’s views in Unit 5 of this Course.

In the words of Christopher W. Morris (1998, *emphasis added*), the State is characterised in terms of a number of interrelated features namely:

- Continuity in Space and Time: The State is a set of political organisations whose institutions endure over time
- Transcendence: The State’s institutions do not constitute it; they are its agents
- Political Organisation: These are institutions through which the State acts
- Authority: The sovereign is the ultimate source of political authority in its territory
- Allegiance: Citizens owe allegiance to the State and the State has a strong loyalty towards them.

Primarily, as we mentioned earlier, the State can be understood through an analyses of its basic features of territory, population, sovereignty, and government. This means that a State exists in a geographically identifiable territory within which there exists a population, many of whom could be classed as citizens. The modern State overawes all other powers within a given territory through its institutions of bureaucracy, judiciary and military. Within the given territory, the State claims hegemony over all other groups and associations through its sovereign government. The State, thus, could be defined in terms of its monopoly of control over means of violence, territoriality, and sovereignty, constitutionality, impersonal power, public bureaucracy, authority, legitimacy and citizenship (Pierson, 1996). A detailed discussion on ‘territoriality’ and ‘sovereignty’ as major features of the State in the backdrop of globalisation will form a part of Unit 3 of this Course.

David Held *et al.* (1983) opine that in modern Western political thought, the idea of the State is often linked to the notion of an impersonal and privileged legal or Constitutional order with the capability of administering and controlling a given *territory*. This notion found its earliest expression in ancient Rome but it did not become a major object of concern until the early development of European State system from 16th century onwards. We will be reading more on the evolution of the State again in Unit 3.

Max Weber, who is generally known for his ‘ideal’ construction of bureaucracy, actually gave a systematic theory of State too. He attributed specific characteristics such as territoriality, violence and legitimacy to describe States. For him, bureaucratic form of organisation was the defining element of modern State. He tried to create an ideal type of State that was essentially a Bureaucratic State. In fact, his analyses give an insight into the relationship between the State and administration. Weber’s analysis, as has been observed, assumes the existence of a strong, autonomous and formally rational State, whose form varies from nation to nation. The functions of this State would be performed through an accountable bureaucracy, but the reality of democratic control of bureaucracies is always problematic. For whole societies, only the market can provide an adequate mechanism for their rational coordination. However, both bureaucracy and markets merely express the power structure of society, a structure with no moral justification but one which formal rationality clothes with legitimacy (Low, 1991).

David Held (1989) points out that Max Weber drew extensively from Marxist writings *albeit* critically. Weber believed that it was simply misleading to conflate problems concerning the nature of administration in itself with problems concerning the control of the State apparatus. The modern State, unlike its predecessors has a capability of monopolising the legitimate use of violence within a given territory. The State maintains compliance within a given territory. Its web of agencies and institutions find their ultimate sanction in the claim to the monopoly of coercion. This coercion is legitimised by a belief in the justifiability or legality of this monopoly.

Political order, David Held (*ibid.*) observes, is not achieved through common value systems or general respect for authority of the State or *legitimacy* or by complex web of interdependencies between political, economic, and social institutions and activities, which divide power centres and which create multiple pressures to comply. The specificity of the State lies in the fact that the State, by codifying the dominant power relations in society, gives to these power relations fixity and thereby to society its stability. As a set of specific political branches, the State bestows legitimacy upon a set of hegemonic social relations, because it recognises them and codifies them through legal acts. The State possesses the capacity to select, categorise, crystallise and arrange power in the formal codes and institutions.

Both Claus Offe and Jurgen Habermas analyse State in terms of legitimisation. Writers like Habermas have held the view that in the conflict between the true nature of the State and the ideology, the State as the caretaker of society would sooner or later create a crisis of legitimacy of the State itself. As per Jurgen Habermas, increased State activity in economic and other social relations is one of the major characteristics of contemporary capitalism. In the interests of avoiding economic crises, government and the State shoulder an increasing share of the costs of production. But the State’s decisions are not based merely on economic considerations. Thus, the Capitalist State must act to support the accumulation process and at the same time act, if it is to protect its image, as fair and just to conceal what it is doing. If mass loyalty (compliance to laws, rules, etc) is threatened, tendency towards a legitimisation crisis is established (Cf Held, *et al, op.cit.*).

The legitimacy of the government depends on how they exercise the power of the State and what ends do they promote. The question of legitimacy is connected with the nature of ‘Soft’ States (See: Gunnar Myrdal, *Asian Drama: An Inquiry into Poverty of Nations*, 1968) that are unwilling to coerce people in order to implement declared policy goals such as collecting taxes, punishing evaders etc. and also the ‘Hard States’, which coerce the people to comply with the policy directives e.g. military dictatorship. In reality, every State is a mix of the two extremes. The State’s claim to monopolise legitimate force, as has been observed, is one with its claim to the sweeping authority and such a claim is not credible. It is a claim that no force may justifiably be employed by someone if it is not accepted or authorised by the State (Morris, 1998). However, specific ends and rules regulate the monopoly of force. The idea of legitimacy is important with regard to the government as the State seeks its own legitimisation in terms of common interests of a community. The modern State, as per Poulantzas, engages more in ideological and symbolic legitimisation. For instance, flag hoisting on independence day, republic day parade in countries like India are exercises in ‘symbolism’.

Another feature that is linked with the concept of the State is *sovereignty*, both internal as well as external. Many feel that different types of State can be differentiated according to the locus of sovereignty-be it monarchy, aristocracy or democracy. Sovereignty is that power which is used to remove conflict. It is the defining characteristic of the State (See: David Held, 1989, *op.cit.*). Sovereignty for Rousseau is inalienable and indivisible but is vested in the body politic. He differentiated the sovereignty of people from that of governments. Sovereignty is held in abeyance when the government is in power with legislature being supreme. In fact, early Liberals such as Hobbes, Locke and Rousseau have extensively written on the nature of the sovereign, that is bound and the nature of sovereignty that could be unlimited. In order to further comprehend the sovereign nature of the State, we will discuss their views in some detail later in our next Section.

From the 16th century, States in Europe came to take for granted that their survival depended on absolute control over a bounded, territorial space. Sovereignty was imagined as the unifying ‘soul’ inscribed on the landscape and population within the State’s territory, which was protected and extended by a centralised military and economy under the control of the absolutist sovereign, whether Crown or Parliament (Opello and Rosow, 1999). Unit 3 will deal with the nature of feudal and absolutist States in detail. As the modern State came to be more highly developed, the problematic of instituting sovereignty shifted. Sovereignty came to be seen as residing in the population of a territory and not in the ruler. This popular sovereignty positioned the sovereign as protector of a separate private sphere consisting of the market economy and sphere of private conscience. In terms of popular sovereignty, the State was conceived as a creation of pre-existent people either as its useful property or as its expression.

Several writers like Jean Bodin in the 16th century and Thomas Hobbes in the 17th century have argued that the sovereignty of the State had no limit in principle and no need for justification outside itself. The State was not confined to administering traditional laws but could create new laws. Hobbes sets clear limits to the operation of the principle of sovereignty, stating that there are many areas with which the State should not be concerned. This question of the limits of the new sovereign power was taken up by Locke, Montesquieu and Kant. What was emphasised was that the State was only one association amongst many to which individuals belong in a civil society and that it did not have an exclusive claim over them. Gradually, certain things like freedom and happiness became indispensable to individual autonomy and governments were withheld from infringing them (Gamble, 1981).

Sovereign Statehood thus depends on territoriality, fixed locations and supreme authority over land and space. But the pivotal role of the State in globalising capitalism has at the same time threatened this very characteristic of sovereignty. If we look at the developments in the post-1970 period, it becomes clear that the traditional meaning of sovereignty vis-à-vis territoriality has undergone a change. Since the 1970s, the International Monetary Fund (IMF), the World Bank and the World Trade Organisation (WTO), have enforced more authoritative measures on the monetary and fiscal policies of less developed member countries. The structural adjustment programme has forced these countries into reforms and deepened their dependency on globalising corporations (Farazmand, 2002).

David Held *et al.* (*op.cit.*) observe that it is more cogent to view political communities sociologically as overlapping networks of interaction rather than geographically as bounded territorial totalities. The difficulties of coming to a judgment about the modern State are compounded when one examines it in relation to the system of Nation State and the interconnections of the world economy. It has been pointed out that the notion of Nation State that emerged with the struggle against feudal and despotic monarchies is fast disappearing. The process of globalisation has brought with it new issues and challenges for the notion of sovereignty. Globalisation is an ideology coming from the centre of the system that asserts: (i) There is today an international community that is independent of Nation States, and ii) The Nation States, have lost the autonomy to define their national policies, having no alternative but to follow the rules and constraints imposed naturally by global markets (Bresser-Pereira and Carlos, 2003). Unit 3 of this Course will further discuss this aspect.

Some scholars believe that there is a real crisis of Nation State. Sudipta Kaviraj (1995) in the context of India, observes that there could be a crisis of Nation State. The central contradiction of the history of Indian National State seems to be between the logic of economic development and logic of political identities. Economic change through centralising State and the homogenising market, powerful bureaucracy, massive managerial and professional middle class understands the advantages of large entities like the commodities and labour market. But the very processes produce exclusion, resentment and hostility in those who cannot partake the benefits of these processes. It marks a crisis in the life of the Indian Nation State. But, as pointed out by John Dunn (1995), all power is relational. If there is any crisis of Nation State, then it stems from various threats to human security rather than anything else.

The assumption that the emergence of global civil society and increasing levels of inter-state interactions have eroded sovereignty is not quite correct. Closer international cooperation among States is in itself, an exercise of State sovereignty. Concerted action does not necessarily weaken States; rather it can strengthen them by creating more stable international interactions. Moreover, globalisation without effective and robust multilateralism is bound to lead to crisis because markets are neither inherently stable nor equitable. Thus, Nation States clearly drive the entire framework for global interaction. In brief, globalisation does not reduce the role of the Nation State but redefines its functions (Bertucci and Alberti, 2003) In fact, globalisation makes Nation States more strategic. A purely market or a fully State coordinated economy has never existed in history (Bresser-Pereira and Carlos, *op.cit.*).

The growth of the State, points out Nils Karlson (*op.cit.*), is one of the most remarkable features of the 20th century. In all Western democracies, the State has become bigger and bigger, both in relative and absolute terms. Typically, these modern States, the so-called Welfare States are characterised by various types of distributional systems, regulations and high levels of public expenditure. In some of these countries, public sector expenditure amounts to over half of the Gross National Product and taxes sometimes take over half of the incomes generated in the society.

Even some of the individuals' most private spheres have become penetrated by the State. These societies have become more and more politicised.

We have to thus examine the nature of State in the present globalisation context. In the parlance of public administration (the executive arm of the State), the State would mean the organisations constituting the system of governmental institutions. Over here, public administration is conceived as the key output linkage of the State towards civil society (Pierre, 1995). The different perspectives to the study of the State could form the basis for analysing the State. The deluge of viewpoints on the State is, however, unable to capture the vast canvas of its nature and scope. The empirical evidence on the working of State apparatus nevertheless defies the influence of any single predominant perspective. Let us now discuss some of these viewpoints.

1.3 CHANGING PERSPECTIVES ON THE NATURE OF STATE

The idea of modern State, sovereign internally and externally, with supreme jurisdiction over its territorial space, was the subject matter of normative political theory till it was eclipsed by the rise of behaviouralism (See: Mukherjee and Ramaswamy, 1999). As per Neera Chandhoke (*op.cit.*), the aspirations of behaviourist political scientists held sway all through the early 19th century. They believed that politics should comply with the norms of an objective, value-free and accurate science. This resulted in the exclusion of all those concepts, which could not be accommodated. The major casualty was the concept of State. The social upheavals and the political unrest in the late 1960s in many capitalist countries, the disenchantment with the nationalist project in the Third World, dismay over the political excesses of the post-colonial era and the denunciation of the excesses of Stalinism brought the State back into political theory. Around the late 1960s, political theory resurrected the concept of the State and endowed it with a theoretical prominence and an empirical identity that it had not enjoyed since the early decades of the century.

The study of the State has been looked at from various perspectives that gauge it in terms of parameters of individualism, egalitarianism and universalism. In fact, the plethora of viewpoints to study the State conflates its defining features even further. Each perspective describes the State differently. So much so that convergence points are difficult to determine and a holistic picture of the contemporary State remains blurred. The three perspectives that have prominently defined the nature of State are: Liberal, Marxist and Neo-liberal. Units 4 and 5 of this Course discuss them in detail. Over here, we will simply gloss over the varied viewpoints.

1.3.1 Liberal Perspective

Different thinkers have described the evolution of State in their political theory through the lens of Liberal perspective. Their perspectives have been based on their analyses of the 'state of nature' that has depicted human beings in a different light, compelling them to look for a surveillance system in the form of an individual or group of individuals in order to protect their life, property and self-interest. All evolutionary theories of the State show that individuals have surrendered their privileges and powers in order to create a State like institution for their defence (protection of property and promotion of liberty) as well as for a smooth provision of goods and services.

Liberalism developed as a distinctive form of ideology that accepted the State only in so far as it could be justified by a rational discourse appealing to universal standards of human nature and justice. Liberal thought supported the Rule of Law as it would protect citizens best from arbitrary rule and leave individuals free to pursue their own

private lives and accumulate wealth and property. The early Liberals, John Locke, Montesquieu, David Hume, Adam Smith, James Mill and Jeremy Bentham accepted democracy because it was the best way to protect individual liberty from growing power of the State. Liberals first believed that the right to vote and to hold office would be restricted to those individuals who owned a certain amount of property, but 19th century liberals such as John Stuart Mill and Alexis de Tocqueville expanded the definitions of equality, freedom and democracy (Opello and Rosow, *op.cit.*).

The New Classical Liberals such as Vilfredo Pareto, Max Weber, Emile Durkheim, Ludwig von Mises and F.A Hayek also advocated a drastic reduction in the role of the State to that of maintaining a free market in goods and labour. However, these thinkers, for instance, Pareto divested the market mechanisms of most of the moral advantages that the earlier Liberals had talked about. The utility of the market lay in its being a less corruptible and more neutral mechanism than democracy for revealing individual preferences and achieving the optimal degree of satisfaction (Billamy, 1993).

The Austrian School (von Mises and Hayek) insisted on the analytical priority of macro-economic theory and denied its validity questioning all governmental attempts to interfere in the economy. Max Weber's perspective on the State, about which we have read earlier on in this Unit, was in consonance with the Austrian School. The Liberals, towards the end of 20th century tried to combine the Liberal values of liberty and equality with a concern for social justice keeping in view the requirements of efficiency. John Rawls and Robert Nozick wrote on these lines. It is from this premise that the Neo-liberal or the New Right philosophy takes over (*ibid.*, *emphasis added*).

Talking of the early Liberals, it can be seen that thinkers like Thomas Hobbes were the first to comprehend the nature of public power as a permanent, sovereign, rightful and authorised representative to exercise powers. Hobbes saw human relationships as those of mutual suspicion and hostility and attributed this predicament to human nature. As a result, the individuals surrendered all their powers through a contract to a third party who was not a component of the contract, but nevertheless received all the powers that were surrendered. It created a 'Monist State' and a 'government' at the same time.

John Locke's state of nature was a state of perfect freedom and equality. But since, he did not rule out the possibility of disputes among individuals, a rational and limited agreement, which assured obedience for the preservation and enhancement of life, liberty and property was envisaged. In fact, it was the social character of property that enabled Locke to defend a minimal State with limited government and individual rights (See: Mukherjee and Ramaswamy, *op.cit.* and David Held *et al.*, *op.cit.*).

The state of nature in Jean Jacques Rousseau's writings comprised individuals guided by instincts of self-preservation and compassion. For Rousseau, vanity among human beings and difference in property and possessions led to conditions of inequality. Civil society degenerated into a state of war and a social contract ensued. He propagated participatory democracy instead of representative parliamentary government. Rousseau's conception of self-government has been among the most provocative, challenging at its core some of the critical assumptions of liberal democracy, especially the notion that democracy is the name for a particular kind of State, which can only be held accountable to citizens once in a while (See:Held *et al.*, *op.cit.*).

Jeremy Bentham believed in greatest happiness for greatest number of people. He regarded the notion of modern State as an ideal. State was a legal entity with individualism as its ethical basis. He stipulated happiness and not liberty as the end of the State and called for institutions that would support the legal system namely bureaucratisation of public service and legalisation as a continual process,

accommodating change and diversity. In fact, Utilitarianism is one of the most influential schools of modern Liberalism. (Mukherjee and Ramaswamy, *op.cit.*).

It will be appropriate to mention Hegel's views on State over here. For him, the State represented universal altruism (State was an ethical entity with no element of coercion and fear). He perceived the State as an end in itself. He did not distinguish between private and public spheres. Bureaucracy was the most important component of the Hegelian State. Hegel actually modernised the idea of the organic State to fit the atomised market society that had developed in the beginning of the 19th century. In the words of Hegel, extreme poverty was an inevitable concomitant of a system of production based on private property. Such a highly atomised and conflictual society could not be expected to hold together without a strong and institutionalised expression of structures that could carry out the functions of government. The State was thus woven into civil society (Cf Low, *op.cit.*).

Adam Smith, a staunch Liberal, is often cited as the authority for advocating *laissez-faire* and State minimalism. He thought of the State as performing pertinent functions of defence, protection from injustice, and erection of public works and institutions. But beyond that, the State had to be confined and restrained. Liberal thought sustains itself on this premise; even though the Liberals started off with *laissez-faire*, they moved on towards 'restrained State intervention' over time.

It was John Stuart Mill who deviated from the classical economic theory of *laissez-faire* and advocated 'optional' areas of State interference. He visualised the State as a moral institution concerned with promotion of virtue and excellence in an individual citizen. Emile Durkheim maintained that the satisfaction of the need to be associated with others demanded some form of corporative association, a kind of moral order that could subordinate individual interest to a wider general interest. He looked forward to the re-emergence of the corporations in modern society as non-territorial occupationally bounded institutions extracting discipline from their members.

As Liberal perspective will be discussed in detail in Unit 4 of this Course, let us briefly highlight the different strands in Liberal thought in this Section. Modern Pluralism that advocates that 'intermediate institutions' such as churches, universities and professional or economic organizations ought not to be regarded as dependent organisations upon the will of a sovereign authority, but should enjoy a degree of rightful autonomy. It is an important strand in Liberal thought. Pluralism has been a profound liberal democratic reaction against the greatness of the State and absoluteness of sovereignty. It believes the State to be only an association of society like many other associations. The Pluralist theory assumes that functional tasks are divided among a variety of specialised agencies, each of which attends to its own specific goal and adapts its behaviour to environmental changes or the policies of other organisations, public or private, which affect the efficient performance of its duties (Self, 1985).

Corporatism, as Peter Self (*ibid.*) puts it, is even more slippery concept than Pluralism. As another important strand in Liberalism, it lays stress on the social nature and the need for a systematic social order, rather than opportunities for competitive pursuit of individual freedom and happiness. Corporate States have sought to limit the number of representative organisations and granted those they officially recognised a kind of monopoly where policies are decided within representative organisations. Corporatism can also be defined as a distinctive combination of political representation and State intervention (Jessop, *op.cit.*). Corporatism shares with socialism a view of competition as wasteful. Corporatism chains all private firms to the discipline of a national plan. The Neo-corporatist theory is more in tune with capitalist societies. Neo-corporatist theory recognises the significance of the cleavage between capital labour, and the groups that form around

this cleavage. While the Pluralist theory tends to regard the State as neutral with respect to interest mediated, the Neo-corporatists suggest that there is more to the State's neutrality. The structural rules within which bargaining takes place exclude marginal groups and issues. The central theme of Neo-corporatist theory is the intermediation between core interests in civil society and those of the State (Low, *op.cit.*).

1.3.2 Marxist Perspective

In the view of the Marxist theory, about which we will read more in Unit 4 later, Paul Streeter (*op.cit.*) points out, that the government is the executive committee of the ruling class and always serves the economic interest of that class. The State acts in the interest of a ruling class. It is the function of the State to reconcile the differences of interest within the ruling class, so as to maintain its power and capitalist mode of production. David Held, *et al.* (*op.cit.*) maintain that Marxists conceive of the State as an extension of civil society reinforcing the social order for the enhancement of particular interest in capitalist society. The democracy can only be established with the destruction of social class and ultimately the abolition of State itself.

Marx originally treated the modern State as a parasite institution that played no essential role in the economy. The State and State power was discussed as 'epiphenomena' of the system of property relations and the resulting economic class struggles. State, in the Marxist perspective, has been treated as a set of institutions and no general assumptions are made about its class character (Jossop, *op.cit.*). There are two strands in Marx's account of the relation between classes and the State. David Held (1989, *op. cit*) observes that the *first* strand stresses the fact that the State generally and bureaucratic institutions in particular, may take a variety of forms and constitute a source of power which need not be directly linked to the interests or be under the unambiguous control of the dominant class. By this account, the State retains a degree of power independent of the class; its institutional forms and operational dynamics cannot be inferred directly from the configuration of class forces; they are 'relatively autonomous'. This position has been propagated by Marxists such as Nicos Poulantzas, Claus Offe and Theda Skocpol.

The *second* position in Marx, observes David Held, is the predominant position in his writings, which is that the State and its bureaucracy are class instruments that emerged to coordinate a divided society in the interest of the ruling class. Marx could never reconcile these two positions. Ralph Miliband later argued that in order to be politically effective, the State must be able to separate itself routinely from the ruling class factions. He wanted to assess the class and the State on the one hand and the State and the society on the other. Nicos Poulantzas rejected Miliband's approach, which he considered as subjectivist. He argued that State is the unifying element in capitalism. It should function to ensure political organisation of dominant classes as well as political disorganisation of worker classes, which can threaten the hegemony of bourgeoisie. But even Poulantzas neglects the relationship among elites, government officials and parliamentarians in his study of State, which is taken up by Claus Offe and Habermas in their writings.

Poulantzas says 'the State is a social relation'. This approach puts the form of the State at the heart of any analysis of political representation and / or State intervention in so far as the complex form of the State as institutional ensemble shapes and conditions the whole political process. It also directs attention to the diverse structural and conjectural factors that determine their relative weight on the State. Poulantzas's views have met with sharp criticism by Jurgen Habermas and Claus Offe. They observe that both Poulantzas and Milliband regard capitalist States from a negative perspective, as the State is treated only from the point of view of how far it stabilises capitalist economic enterprise or prevents the development of potentially

revolutionary influences. The role of institutions has been neglected. As per Claus Offe, most significant feature of the State is the way it is enmeshed in the contradictions of Capitalism. The State, on the one hand, must sustain the process of accumulation and on the other impartially arbitrate class interests, thereby legitimating its power (*ibid.*).

In recent times, the Marxist writings have seen a revival of anti-dependency Marxism. As per the Marxists such as Bill Warren, predatory State acts in its own interest and that of the powerful pressure groups. There is no place for disinterested, benign, altruistic government policies in State-led economies (Cf Paul Streeten, *op.cit.*). Warren observes that contrary to Marxist views, the prospects of successful capitalist development in many underdeveloped countries are quite favourable. He stresses that State itself is not a monolithic block; it is an arena of conflict and schism. He holds that peripheral capitalism is a progressive, revolutionary force, making for productivity, growth and economic progress. He believes that obstacles to capitalist development can be traced to internal contradictions of the Third World rather than the relationship between imperialism and Third World (Cf Bhattacharya, 1999).

1.3.3 Neo-liberal Perspective

Another prominent perspective of the State i.e., the New Right or Neo-liberal perspective, is a strong advocate of the retreat of the State. It is a pro-market, minimal State perspective that builds on the Public Choice approach, which in turn basis itself on principal-agent theory and transaction cost analysis. In the view of Paul Streeten, (*op.cit.*), the Public Choice perspective of the State holds that States can do no right; they use the authority of government to distort economic transactions for their benefit. According to Public Choice theorists, all distortions are due to government interventions. State is an optimising agency but it optimises the interests of special groups. The normative idea of Public Choice theorists, as has been pointed out, revolve around three positions: i) New Right conservation based on inability of government to make men better or more equal, ii) Goal of maximisation that entails problems of agenda setting and political manipulation; and (iii) Liberal individualism that supports competitive market and private property as essential elements in individual freedom of choice (Spulber, 1997).

Public Choice theorists have recommended minimising the role of the State, setting limit to the discretionary power of politicians, reducing public monopolies and curtailing the functions of government agencies. We will read about Public Choice perspective in detail in Unit 19 of our next Course (012) on Administrative Theory. Drawing from the Public Choice analysts, Neo-liberalism presents the late-modern condition as a deterritorialised world-as a national system of absolute free trade in which State boundaries do not act as barriers to the flow of goods and services around the globe. The ideology of Neo-liberalism, in which Liberalism is reduced to market economies, suggests that States are simply passive vehicles in globalising world economy, whose momentum they are powerless to stop and control. The best States can do is get out the way (Opello and Rosow, *op.cit.*).

The Neo-liberal perspective could be considered the most prominent one in the contemporary scenario of globalisation. We will read more about the role of the State in the backdrop of globalisation in Units 3 and 5 later in this Course. The most conspicuous impact of this perspective could be seen on public administration in the form of revival of ‘Managerialism’. The new reform model in public administration of 1980s and 1990s, the New Public Management (NPM) Model has condemned the traditional public administration as a failure. Public administration today observes Mohit Bhattacharya (1999, *op.cit.*) is oscillating between the pressures exerted by globalisation and liberalisation, on the one hand and demands to transform itself into a humanistic, eco-friendly and egalitarian administration, on the other. The changing

nature of the State has also impacted on the complexion of public administration. Mohit Bhattacharya (2003) draws attention to five components of the new paradigm of public administration in the globalisation context. These are: i) High quality services that citizens value, ii) High quality standards of services, iii) Rigorous performance management, iv) Managerial support services; and v) Receptiveness to competition. The two Units 14 and 17 in this Course will discuss this aspect at length.

It is very difficult to look at the State from a single vantage viewpoint or perspective. The perspective of the Discourse Theory, propagated by Cynthia Mc Svain, Orion White, Charles Fox and Hugh Miller adds an entirely different dimension to the study of the State. They believe that administrative legitimacy is the product of understanding created by participants in public discourse. Themes among discourse theorists include anti-fundamental resistance to meta-narratives, a constructivist view of knowledge, and the search for free and uncovered communication (Box, 2002). The new sovereign is not the legislature but the citizens themselves. Alternatives to the representative democratic accountability feedback loop model in the form of Constitutionalism or Neo-institutionalism and Communitarianism or Civism are being sought (Fox and Miller, 1995).

These Post-modernists pose a different problem for a critique of the State since they appear to reject the very idea of ‘critique’ itself. Post-modernists frequently embrace a relativist position, says Hoffman (*op.cit.*) which equates all ‘discourses’ as equally arbitrary and identifies logic itself as logo-centric in character. “Down with rationality; long live Nihilism” but a nihilist stance not only makes a serious critique of the State impossible, it also contradicts post-modernists support for Pluralism and self-activity. Bob Jessop (*op.cit.*) adds that Marxist State theory has been the predominant one in the study of nature of State. But in the recent past, as we just read, many new theoretical perspectives have started dealing in questions of legal and the State theory. Especially, influential on the left, have been Foucault’s works as well as recent work in deconstruction in the field of Discourse Analysis. Other developments such as new institutionalism, rational choice and Structuration theories have also offered alternatives to Marxist perspective. Challenge has also been mounted from the State-centred theorists themselves.

Hoffman (*op.cit.*) observes that the theories of the State are partial and defensible. A theory of Capitalist State would be adequate to the extent that the theory is based on the specific characteristics of capitalist social formations; the State is not viewed functionally, as automatically developing its form or changing its policy in response to the needs of the capitalist system. Mohit Bhattacharya (1999, *op.cit.*) avers that the theorists of the State have never been unanimous about the State’s functions and behaviour in actual practice. He observes that the assumption of an ‘autonomous’ State and a ‘benign elite’ as a champion of modernisation and development has never been examined. The Statist perspective to development has been responsible for it. If the nature of the State itself is in most instances the root of poverty, inequality and injustice in the Third World, then this needs to be seriously examined and exposed. Neera Chandhoke (*op.cit.*) adds that a meaningful State theory needs to negotiate not only the kind of State that exists but also the kind of State that should exist.

One of the most severe deficiencies of existing theories of the State, observes David Held, (*op.cit.*), is their tendency to concentrate on group bargaining within a Nation State (Pluralism) or on the citizens and their relation to the State (Liberal Democracy) or between classes, economy and State in capitalist country (Marxism). It is important to relate the State to the context of international conditions and pressures. Mohit Bhattacharya (1999, *op.cit.*) feels that Peter Self’s *Modern Theories of Government* in which he weaves the Pluralist, Corporatist and Bureaucratic perspectives at one place is a fresh insight into the changing integrative role of the State.

Thus, the perspectives on the State either keep it at the periphery or totally bring it at the heart of political and socio-economic system. At times, optional areas of interference are granted to the State but mostly it is best kept out of the way, even wished away or hoped that it would wither away. The State is the ‘predator’, ‘necessary evil’, ‘provider of goods and services’, ‘facilitator’, ‘catalyst’ and so on. The contemporary Neo-liberal perspective has earmarked a minimal role for the State. But this viewpoint holds little value for the developing countries. In the context of the Third World, where majority of the population is poor, deprived and disadvantaged, the State cannot be rolled back as it is needed for the functions of defence, security, welfare, infrastructure development, social justice and economic growth. Empirical evidence, as we will see later in this Unit as well as the subsequent Units of this Course, calls for a renewed emphasis on bringing the State back in the globalisation scenario. Before going into the role of the State in the globalisation era, we must ascertain ‘why’ and ‘how’ can the State be brought back in.

1.4 BRINGING THE STATE BACK IN: THE CONTEMPORARY DEBATE

In order to understand if the State could be brought back in, we must recapitulate the evolution of the State under three major paradigms that could be categorised as Mark I, Mark II and Mark III. (Bhattacharya, 1999, *op.cit*). The Mark I paradigm is the ‘Low State’ paradigm which ruled the roost between the 1860s-1930s under the Liberal perspective. Right from the industrial revolution onwards *laissez-faire* State was adopted and this stayed put till the 1930s. Even the Marxist viewpoint talked of ‘Low State’ approach , although for different reasons. (i.e.State would form an interim law and order support system till the Dictatorship of the Proletariat precipitates its ‘withering away’).

The Mark II paradigm or the ‘High State’ paradigm has been prominent between 1930s and 1970s. It got a boost with the Keynesian macro-economics. State was considered most suitable to perform the core and basic functions, leaving out the peripheral ones for the private sector. Economic recession followed by World War II brought the attention back to the State. But this paradigm was replaced by the Mark III paradigm, again a ‘Low State’ paradigm under the impact of the Neo-liberal perspective. With the fall of Statism in East-European countries, this new viewpoint got a fresh impetus. Thatcherism and Reaganism type of governance pushed the State into the very basic functional role of security, law and order maintenance, and protection of weaker sections. As mentioned earlier theoretical basis of this paradigm was drawn from the Public Choice approach.

This Mark III paradigm which finds a clear resonance in World Bank reports, has become a permanent fixture in the backdrop of globalisation. This stage is also marked by a disciplinary collapse, when the State supporting ideologies are supposed to be crumbling (End of Ideology- Daniel Bell) and all paradigms of political analysis are on the brink (End of History-Francis Fukuyama). In fact, it has been pointed out that another form of ‘Endism’ in the form of Convergence Theory has become predominant. It holds that the communist systems in East Europe would adapt more market-oriented principles and pay greater attention to Western freedoms, while Western systems would become more Statist and welfare-oriented (Eatwell and Wright, 1993)

Do we then conclude that there is not going to be any Mark IV paradigm or is it true that ‘Low State’ Approaches are here to stay? More recent developments at the theoretical and empirical fronts, however, point towards the contrary. State, according to many has, in fact, become more powerful than before. The theoretical

underpinnings in terms of the Critical Theory (Claus Offe, Habermas) Relative Autonomy of State approach (Theda Skocpol), and Anti-dependency (Bill Warren) writings have opened up new vistas to the study of the State and its relationship with the market and civil society.

At a theoretical level, David Easton has talked of the return of the State due to four factors namely: i) Importance of developing a coherent theory of politics around the State, ii) Conservative yearning for stability, iii) Rediscovery of the State by the market as their correctional *bête noir*; and iv) The State as a convenient tool of analysis for students of policy studies (John Hoffman, *op.cit.*). In the early decades of 1970s, the behavioural analysis and Eastonian Systems theory came to be displaced by a State centric theory accepting the State as a ‘determinate object of analysis’.

Samuel Huntington did not use the word ‘State’ but was the first who could be credited with ‘bringing the State back in’ at the discourse level. He described how the actions and characteristics of the array of public institutions in the country meaning State made a vast difference for society. He brought public institutions to the centre stage. According to Huntington, only where the level of political institutionalisation overstrips the level of political participation, can there emerge stable politics working in public interest (Migdal, 2001).

The other person most closely identified with the move to ‘bring the State back in’ is Theda Skocpol. She argued that there has been a paradigm switch in the ‘Western Social Sciences’ in the 1970s, from society-centred work, which treated the State as a dependant variable to the theories which treat it as an independent variable. As per Skocpol, the State derives its autonomy from: i) The needs rooted in geo-political factors and the dynamic of inter-state systems, ii) Its domestic responsibilities for law and order, iii) The activities of political managers; and iv) Periods of crisis. She adds that the overall pattern of State structures influences group formation, interest articulation and political capacities (Cf Jessop, *op.cit.*).

Thus, ‘Bringing the State back in’, has also been seen as a timely return to Institutionalism and to the basic concern of political analysis for instance the social basis of power and the ethical dimension of polities. At the same time, the State-centric political analysis has tended to silence autonomous societal action. Both modernisation theory and dependency theory had suffered from ethnocentricity in the sense of directing the Third World towards the model of the developed West. The State focused analyses in recent times have facilitated the restoration of:

- In-depth analysis of bases and contours of State power
- Search for residence of power even in experiential and everyday existence not just in exercise of authority
- Concern for autonomous social action or people’s spaces at micro-level
- Alternative modes of social reconsideration away from ‘etatism’; and
- Rebuilding enterprise in political science-disciplinary reconstruction along the lines of Aristotelian ‘master science’ concept (Bhattacharya, 2003, *op.cit.*).

B. Guy Peters (1994) rightly observes that the public sector is difficult to control and even more difficult to ‘roll back’. As the State is rolled back in some ways it almost inevitably must ‘roll forward’ in others. Government is a big ‘business’ and continuous to grow. In the developing countries, government must function as a principal source of capital accumulation for future economic growth. In the developed economies, government plays an important role in promotion of human capital. Government has certainly grown. By whatever measures we would want to apply, governments spend money, employ more people and constitute a more pervasive influence on the lives of their citizens now than for most of human history.

More important in recent years has been a government's ability to withstand the numerous attempts to reduce its size and scope. Growing incidence of malnourishment, poverty, underemployment, unemployment, labour unrest, weak social security measures go on to show that accent on privatisation, divestment and corporatisation has not been able to deliver satisfactory results in developing countries like India.

It has to be also kept in view that in developing countries where the State, as many scholars claim, must perform the role of removing market distortions, setting standards of service, ensuring fair competition among private players, providing appropriate regulatory legal framework for market, fostering institutional development, developing processes, ensuring transparency; and strengthening human capacities, it would be foolhardy to roll back the State. Richard C. Box (2003) feels that in the developing countries, the State organisations cannot be run like a business. Government functions cannot be reduced to technical-instrumental market functions. Services to citizens cannot be marketed like a customer product.

Even the Western liberal ideas, which earlier downplayed the significance of State, have started acknowledging the need to take into view the positive aspects of governance such as creating effective legal, judicial, and regulatory mechanisms, ensuring transparency, evolving market-friendly forms of State intervention, and mobilising human resources in pursuance of public policies. The State is in no way retreating. The Public Choice Approach that had challenged the very basis of government itself has drawn flak from different quarters. As per Bhattacharya (1999, *op.cit.*) "Integrative Communitarianism and not Methodological Individualism is what the Third World is seeking" Prabhat Patnaik (2000) observes that to see the new package as entailing a 'retreat of the State' is seriously misleading. It does entail a retreat of the State from its role as a producer and investor, which means a 'rolling back' of the State capitalisation of the earlier development strategy. But it underscores an alternative role of the State as supporting the position of large capital.

Even in Thatcherite Britain, with its commitments to a Neo-liberal economic strategy and its declared hostility to tripartism, trade unionism and social charters, we find powerful counter currents pushing towards more State intervention and more cooperation between capital and labour in precisely those areas where pure market competition and open class antagonism generate heavy costs for capital accumulation (Jessop, *op.cit.*). In fact, some critics feel that the State is in danger of becoming a 'police' or 'nanny' State once again. In UK, for instance, in addition to a plethora of tough laws already in place to combat terrorism, illegal immigration and a variety of social problems, a new regime of even tougher laws is in the offing. (*The Hindu*, December 2004). Modern State, as a benign entity appears mythical in view of its infusive, security-obsessed and repressive character.

John Dearlove offers a similar critique of society-centred approaches from a British viewpoint. For him, the State has been brought back in at least five different ways. These comprise:

- Studies in Corporatism
- Neo-Marxist State Theories
- Public Choice and public sector economy
- The Statist Perspective in International Relations
- New Right criticisms of the State and its political influence (Cf Jessop, *op.cit.*)

It has been observed that the heated debate in Western developed democracies concerning the rising level of public expenditure, growing size of government and its involvement in the daily lives of people has generated what has been called a

‘Welfare Backlash’ argument (Bhattacharya, 1999, *op.cit.*). A UNDP Report (1997) has observed that the ‘Shrinking State’ in many parts of the region has contributed to warring trends in human development including high rates of poverty, rapidly growing economic and social irregularity to socio-economic fragmentation, deterioration in public health and public education and worrying trends in culture and long-term health of environment. A recent Report of International Labour Organisation says that Millennium Development Goals have not been met, as unemployment has reached a record high and job growth is disappointing (*The Hindu* Sept 13, 2005).

In the Indian context, the State has never shown any signs of ‘receding’. In the view of Rajni Kothari, there have been three critical shifts in the structure of the relationship between power and society in the modern age. *First*, there emerged a territorial centre in each major juridical –political entity around which identities were built with which political affiliations were structured. *Second*, the new State centre became the authoritative core of the emergent political form everywhere namely the nation, defining both the internal and its external boundaries. *Third*, as the State centre began to extend towards the peripheries and the lives of the people in its attempt to deal with economic and social affairs and to manage diverse form of conflict, there emerged the phenomenon of mass society with its inherent tendency towards homogenisation and standardisation. In turn, this led to continuing expansion in the functions of the State and paved the way for its increasingly managerial and bureaucratic as well as mercantilist and welfare orientations. A trend that, as we have seen in this Unit, is now being witnessed around the globe.

Reinforcing these three basic tendencies of centralisation, of nationalisation and of straightjacketing of social differentiations into a mass society has been the external role of the National State. This has forced the State to close ranks and insist that its various constituents fall in line, to become the only legitimate spokesperson of each nation in a world of nations and with this aim in mind to build itself up into a national security apparatus in order to defend the integrity of its borders, its economy and its culture (*ibid.*). We will read about the nature of Indian State in detail in Unit 7 of this Course.

It is not possible, as has been pointed out, to transform labour and financial markets into pure commodities that would obey the iron law of supply and demand. In the 1930s itself, John Keynes, Karl Polanyi and Harold Innis had brought out the benefits of State intervention. We can, in the contemporary context still learn a few lessons from their analyses. They maintained that markets were not only incapable of being self-organising, but did not move from equilibrium point to equilibrium point (Boyer and Drache, *op.cit.*).

Keynes’ great economic insight was to understand that injecting more money into the private economy, investing in public infrastructures and restoring the confidence of investors and consumers are a few means available to governments to correct malfunctioning of a market economy. Polanyi addressed the question: Can societies be ruled exclusively by markets along with principles of supply and demand. He believed that delivery of goods is possible in typical products by the market and not in basic elements of economic life, labour, land and money. According to Harold Innis, narrowly based competitive strategies push countries to adopt beggar-thy neighbour policies and without adequate institutional protection, frontier economies, would become ‘storm centres to the modern international economy (*ibid.*).

State would always have to make appropriate interventions to protect and guard against the negatives of marketisation. It has to be multifunctional. Samir Amin talks of two alternatives, *one* either we accept the subordination to the demands of world’s structural adjustment or *two* build a polycentric world through reciprocal

adjustment (Bhattacharya, 2003, *op.cit.*). Countries like Korea have solid employment, insurance, public works, social security, livelihood protection schemes for creating a base for competitive and knowledge based economy. This kind of infrastructure base is more adaptive to the trends in globalisation. China has shown a remarkable dual progress. On the one hand, it has adopted free market principles and policies such as privatisation. On the other, it continues to hold on to its concept of community development, social farming and small-scale industries.

It needs to be remembered that rolling back of the State in the Third World has not stemmed from any internal compulsions and problems. It is something that has been imposed on it by the structural adjustment programme of the Bretton Woods Institutions. We therefore have to look for an administrative paradigm that serves the purpose of the developing countries rather than international corporations. Another issue to mull over is that the developing countries have yet not been able to build strong political, economic and administrative institutions, structures and processes for keeping pace with globalisation trends. So if the governments have not been able to deliver, can the markets show results? The query becomes pertinent, given the fact that the institutional base framework remains just the same in these countries. What about the bureaucratic set up in private enterprises? The bureaupathologies have a tendency of creeping in everywhere. Thus, rolling back the State is a misplaced strategy in the context of Third World, as the market-based State is not conducive for developing countries where fairness, equity and justice are the parameters for efficient delivery of goods and services.

The State's role is to organise political power for the purposes of governance and cannot be reduced to being a pro-market, pro-capitalism institution. In the regulation perspective, the Welfare State is of fundamental importance in maintaining social solidarity. It provides the institutional glue without which preservation of national identity is impossible (Boyer and Drache, *op.cit.*). A participatory democratic political system with transparency and accountability supported by rule of law and efficient administrative institutions is required both for sustainable development and for dealing positively with globalisation forces.

We must ascertain the capacity of the State to deliver in the right earnest, instead of exaggerating its potential. The grand rhetoric of States, and the expectations about State capabilities, says Joel S. Migdal, (*op.cit.*) have obscured the failures of public institutions and policies. By setting the bar so high in terms of what the State should and could properly demand of people, scholars have succeeded in making the disparity between State goals and State accomplishments even sharper.

Actually, the issue is not about either 'State' or 'market'. The issue is not of substitution of one with the other. Both are important and must positively collaborate. Paul Streeten (*op.cit.*) has pointed out that issue is not to have the State off our backs and let there be markets. The real issue is to have a strong State with an expanded agenda, differently conceived and implemented. In the debate over market versus State, real States, fall under neither monolithic type nor are impervious to pressures of rational and altruistic policies. According to Commonsense Theory, State neither optimises public welfare nor self-interest. It compromises attempts to resolve conflicts, manages bargaining between groups and occasionally leads. A discussion on the role of the State in the backdrop of globalisation would further explain its role of conflict mediation and network management.

1.5 ROLE OF THE STATE IN THE GLOBALISATION CONTEXT

For more than two decades, globalisation has been changing the rules of the game for Nation States as we read earlier on in the Unit. The traditional role of the State as a protector and promoter of the interests of the disadvantaged has also come under the impact of globalisation forces as many other social, economic and political institutions are beginning to take responsibility for dealing with the so-called disruptions in society. The market-based approach to public administration is leading to the emergence of Competition State, which is being interpreted as a commodifying agent.

We can thus infer from the preceding discussion on the State that, during the last decade or so, its nature has changed beyond recognition, as a result of metamorphic changes in the economic and political spheres. Internationalisation of trade, technological revolution, micro-economic analysis, standardisation of world security systems and redefinition of cross border problems have eroded the significance of barriers, implicit, as many scholars put it, in distance and time. The whole world appears to have come under the so-called tutelage of the Washington Consensus propagated by the IMF and the World Bank.

The transition from a centrally planned State to a market-based economy has been subjected to several doubts being raised about the relevance and efficacy of the State in the globalisation context as well as the ways of striking a balance between the State, market and society. It has been pointed out that globalisation has an intense impact on the State's policies, institutions and functionaries. The impact varies with the extent of economic condition of each State and the degree of exposure the State has to the process of globalisation. Many critics feel that in the globalisation context, the State becomes an agent, directly and openly promoting private enrichment, through the sale of State property and resources at lower prices. The benefits accruing from the State policies on private investment, interest rates, trade and commerce benefit only a privileged few.

The negatives of globalisation are often highlighted by the critics. Globalisation, it is averred, holds no promise that a new world order backed by super-national sovereignty will provide more democracy, equality and security in alliance with capitalism. There remains a strong need for a correct mix of State, private corporate, community and individual responsibilities in blending capitalism with social democracy (Stehr and Ericson, 2000).

Globalisation process though has its positives, which cannot be overlooked. Globalisation has shrunk spaces by forging new connections through Information Technology revolution. States within developing countries can now act as independent entities and pursue their agendas; the international bodies have brought to light the much-sidelined issues of human rights, gender, sustainable development that touch a chord with the disadvantaged, poor and weaker sections. State capacity is a necessary condition to use the opportunities provided by globalisation to work in these areas and to protect and promote the interests of vulnerable sections of society. The State can play a critical role in alleviating poverty, protecting the environment, promoting human security, and ensuring social equity and ethics.

Developed and strong States are more conducive to withstand the negatives of globalisation. Greater economic and social interdependence seems to affect national decision-making processes in two fundamental ways. It calls for a transfer of some decisions to be transferred from the national to local levels of government. At the same time, the problems arising from inadequate State capacity are becoming more pronounced. States with stronger capacity have more political influence in shaping the international agenda and, operating the intricate web of multilateral arrangements that characterize global economic interaction. States with weaker capacity, especially developing countries, have less active role (Bertucci and Alberti, *op.cit*).

The OECD's studies indicate that freer and more open market economies can bring both economic and social benefits to countries at all levels of development. Among the potential benefits are:

- Greater freedom of choice for individuals to obtain goods and services and engage in specialisation and exchange
- Comparative advantages in world trade
- Higher incomes to those employed in jobs for international markets
- Lower prices and greater availability of goods and services
- Opportunities to diversify risks
- Access to capital at lower costs
- More efficient and productive allocation of resources
- Inward transfer of knowledge and know-how

The globalisation process appears to be irreversible; if there are no alternatives to it then we must try to find alternatives within it. Ali Farazmand (*op.cit.*), points out that globalisation does not put an end to the State and public administration. There is a new global challenge that broadens public administration's scope of research, practice and teaching. Public administration has just entered a new stage of human civilisation, with a future that is both brightened and darkened by globalisation and the hegemonic world order. It is upto the developing countries to develop a development strategy that could adapt conducively to the positive and negative impact of globalisation process. It has to be seen how well the State reinvents itself to fit into the new scenario.

The debate on whether globalisation positively affects the State's capacity to provide goods and services or not would continue. What needs to be kept in view is that globalisation requires the State to improve its capacity to deal with greater openness, but it does not seem to understand its fundamental national and international roles. The State remains central to the well-being of its citizens and to the proper management of social and economic development. The State is also responsible for adopting policies that facilitate greater economic integration (*ibid.*).

Jessop calls the new emerging regulatory regime the 'Schumpeterian Welfare State'. The State, in his opinion, remains actively promoting innovation and national economic growth, combining market mechanisms with strategic intervention (Cf Bresser-Pereira and Carlos, *op.cit.*). Paul Streeten (*op.cit.*) maintains that if it were just a matter of correcting failures, the task would be relatively easy. But if the signals propagated by the market are based on a very unequal distribution of land, assets and income, it is market success in responding to these signals that causes the trouble. The Market Model is adequate and desirable for certain functions while the same model will be totally inappropriate for many services. Likewise, the Participatory Model would be well suited to urban planning or environmental issues but would produce difficulties for many criminal justice programmes. The Temporary Model probably would suit such complex issues as drug law enforcement as well as such transient concerns as disaster relief (Perry, 1994).

Anthony Giddens in his work "The Third Way: The Renewal of Social Democracy" makes a case for broadening of the democracy with government acting in partnership with agencies in civil society so as to combat civic decline. This is crucial as the 'public sphere' and the space for citizens' involvement seems to be shrinking with the arrival of Corporate State or Competition State with an accent on deregulation, and privatisation. The economic overtures of this type of State have to be muffled to some extent or, at least, not encouraged at the cost of social equity and justice.

According to Paul Wilding (2002), globalisation raises vital questions about the State's continuing capacity to develop and deliver those national policies which make up the welfare State and promote human welfare in advanced industrial societies. A facilitative climate for the State can be nurtured only if there are improved channels of partnership between an intelligent democratic State and a vibrant civil society. Globalisation calls for building robust partnership between the State and civil society. In particular, the State could greatly benefit from weaving stronger social networks (Bertucci and Alberti, *op.cit.*).

Paul Streeten (*op.cit.*), adds that as far as State-society coordination is concerned, there is a need for building synergy through appropriate strategies that aim to:

- Develop, strengthen and sustain collaborative and participative processes
- Foster institutional development that facilitates resource mobilisation, coordination and networking
- Ensure transparency, empowerment, accountability; and
- Strengthen human capacities

We will read more about the relationship between the State and civil society in Unit 19 of this Course. We must also keep in view that globalisation is more influential in the core industrialised countries-Europe, North America and Japan. 85 per cent of foreign investment flow is between the member of this 'Triad'. Intense 'triadisation' of financial market is more visible than full-scale globalisation (Boyer and Drache, *op.cit.*). The way the States respond to the pressures of globalisation makes them important agents in the globalisation process. They are not simply acted upon, it is observed, they also act. Globalisation needs States just as markets have and will.

1.6 CONCLUSION

The State is a difficult concept to define. It has had a chequered evolution. The different perspectives on the State bring out its need, relevance and constraints. The Neo-liberal perspective in particular talks of rolling back the State and letting the markets take over. The experiences of developing countries show that keeping the State at periphery is a misplaced strategy. What is needed is a correct mix of State, markets and non-State actors.

By way of conclusion, we could ponder over the fact that the so-called retreating of State in many countries of the Third World has not mainly been an outcome of State failure of policies and goals but, rolling back of the State seems to be a global compulsion. Structural adjustment loans are being given by the World Bank on the condition that recipients liberalise, privatisate, decentralise and deregulate. State is in no way retreating in these countries but has only taken on a new role of facilitating these. The Washington Consensus, observes Deepak Nayyar (2002), although has lost some of its lustre as development experience during the 1990s has belied expectations. Its prescriptions are now subjected to questions. Changes in thinking mirror changes in reality.

The study of State has to look into the nature of State which, as pointed out by many scholars, is enmeshed into the political and cultural institutions of society, caste, class and institutions, formal as well as informal. It needs to be seen as in what way the State shapes them and in what way they are shaped by the State. Governments that seek to participate in and benefit from a world becoming more integrated and interdependent must reinvent their structures and processes to become more professional, digital, technologically proficient, deregulated, honest and transparent.

As the globalisation process unfolds, a larger State may seem to be more resilient and less vulnerable, as has been observed, to disintegration and disruption. The State would now have to analyse the ramifications of the globalisation onslaught. It would have to build necessary physical infrastructure, legal framework and governance processes that are favourable to foreign capital and technology influx. The State would have to create an environment that is able to encourage the involvement of regional organisations in distribution of benefits and management of human rights. The subsequent Units in this Course will take up these pertinent issues in detail.

In fact, as Ali Farazmand (*op.cit.*) observes, ironically, Capitalism needs a strong State and stable environment to prosper. It demands order and social control. Globalisation has not brought about the end of the State and its bureaucracy nor will it result in a decline of the State in the future. The territorial State as a socio-political identity will continue to exist, as it has till now.

1.7 KEY CONCEPTS

Anarchy

The term conjures up images of chaos, but it is actually derived from the Greek word meaning ‘no ruler’. Anarchists believe that human beings are by nature cooperative and benevolent. They believe that if the State is abolished and economy and society decentralised, societies would function without conflict, disorder and inequality. Anarchists have helped pioneer cooperatives and Libertarian communities, some of which were based upon the principle of equal exchange between private commodity producers, others upon cooperative production, while still others on self-sufficiency. Anarchism has immensely appealed to peasant communities in Europe. It is considered as a seedbed for socialist ideas.

(Andrew Gamble, 1981, *An Introduction to Modern Social and Political Thought*, Macmillan, London).

Behaviourism

The Behaviouralist movement tried to organise research in political science on model of natural sciences. It emphasised on a science of politics, giving a new orientation to research and theory building exercises within the discipline. Behaviourism rejected political theory as merely chronological and intellectual history of ideas. It was believed to have no practical relevance in understanding political reality. Behaviouralists used inductivist approach to research and remained prominent till the 1960s. The behaviouralists' tendency to measure that could be easily measured rather than what was theoretically important was rejected by the Post-behaviouralists in the 1970s. (Subrata Mukherjee and Sushila Ramaswamy, 1999, *History of Political Thought: Plato to Marx*, Prentice-Hall, New Delhi).

bete noir :

Person or thing one particularly dislikes.

Corporatism

It can be defined as a system of interest representation in which the constituent units are organised into a limited number of singular, compulsory, non-competitive, hierarchically ordered and functionally differentiated categories, recognised or licensed, if not created, by the State, and granted a deliberate representational monopoly within their respective categories in exchange for observing certain controls on their selection of leaders and articulation of demands and supports.

(Nicholas Low, 1991, *Planning, Politics and the State: Political Foundations of Planning Thought*, Unwin Hyman, London.)

Dependency Theory

A theory that argues that, due to the exploitative nature of the relationship between advanced capitalist societies and the Third World, the development of the former resulted in the underdevelopment of the latter. Developing countries are kept in a position of dependency and underdevelopment due to existing economic and institutional power structures sustained by leading western nations.

www.indiana.edu/ipe/glossary

www.stile.coventry.ac.uk/cbs.

Discourse Analysis

Discourse analysis allows affirmation of, and may, when properly theorised, induce improvements in tendencies already existing in public administration. The discourse theory in public administration urges movement away from the idea that there is a reality ‘out there’ that a value-free researcher can account for by formulating law-like generalisations whose truth is observable, testable and cumulative. The theoretical underpinnings of discourse analysis include i) Phenomenology (contextual meaning depends on experiences or interrelated condition), ii) Constructivism (observers of social reality cannot be external to it), iii) Structuration Theory (basic domain of study of social sciences is neither the experience of the individual actor, nor the existence of any form of societal totality but special practices ordered across space and time), and iv) Energy Fields (institutions are recursive practices embedded in habitual human compartments and expectations of varying degree of malleability).

(Charles J. Fox and Hugh T. Miller, 1995, *Post-modern Public Administration: Toward Discourse*, Sage, London)

End of Ideology

The thinking prevailing in the western democracies that democracy has solved all the major problems of industrial society and that those which remain are of a second order magnitude (or less serious in nature) involving merely technical adjustments within the prevailing democratic system.

Ectopic State

A society composed of infinite number of unorganised individuals that a hyper-trophied State is forced to oppress and contain. It constitutes, as Durkheim puts it, a veritable sociological monstrosity.

End of History

‘The End of History and the Last Man’ is a 1992 book by Francis Fukuyama, expanding on his 1989 essay “The End of History”? He argues the controversial thesis that the end of the cold war signals the end of the progression of human history.

[En.wikipedia.org.wiki](http://en.wikipedia.org/wiki)

Etatism

Often considered as State socialism. It involves State control of some industries and public services

countrystudies.us/turkey/94.htm

Loop Model of Democracy

It comprises the following features:

- i) The people are aware of what they want or need

- ii) Competing candidates or parties for electoral office offer alternative packages of wants or needs
- iii) People choose a representative by voting which alternative package seems to best match their preferences
- iv) Coalitions of winning entrepreneurs pass laws reflecting the people's choice
- v) A vigilant populace pays enough attention to the electoral process and the results
- vi) If satisfied with results, people will reward incumbents with their votes. If not they will vote for alternative packages

(Charles J. Fox and Hugh T. Miller, 1995, *op.cit.*)

Methodological Individualism

It is one of the basic assumptions underlying Public Choice approach. It says that a rational man maximises his utilities by: i) Making decisions on the basis of self-interest ii) Ranking rationally and methodically all available alternatives, iii) Collecting relevant information for minimising risk and uncertainty, iv) Selecting a maximising strategy in order to maximise benefits and v) Remaining within the units of lawful conduct

(Mohit Bhattacharya, 1999 (2nd Edition) *Restructuring Public Administration: Essays in Rehabilitation*, Jawahar, New Delhi.

Nihilism

Nihilism literally means belief in ‘nothing’. As a philosophical position, nihilism is the view that the word and especially human existence, is without meaning, purpose, comprehensible truth, or essential value. It is more often a charge leveled against a particular idea than a position which is overtly subscribed to movements such as deconstructivism have been described by various observers as ‘nihilist’. Nihilism diffuses revolutionary movement of the mid-19th century Russia that showed contempt towards authority and tradition and believed in reason, materialism and radical change in society and government through terrorism and violence.

www.thefreedictionary.com/nihilism

New Right Philosophy

The proponents of New Right philosophy believe that empirical analysis of the consequences of government actions clearly establishes that the market is more effective than the government in achieving social goals. Four main schools of New Right are Chicago, Austrian, Public Choice and Supply Side.

Principal-Agent Theory

It is concerned with behavioral studies of employer-contractor or employer-employee in a business management context. The central dilemma investigated by the principal-agent theorists is how to get the employee or contractor (agent) to act in the best interests of the principal (the employer). Also called Agency-cost Theory; the agency costs involved are a kind of transaction cost. Without these costs, it is not possible for principals to ensure that agents will act in the principal's interest.

Statism

Statist approaches present the State as an autonomous entity whose actions are not reducible to or determined by forces in society. It was recognised that though the State was disproportionately influenced by economic factors. It occupied a distinct and an irreducible place in society. A whole new vocabulary was coined for the State

and its functionaries to describe their overwhelming power and autonomy from capitalist and working classes. The Statists constructed a case for State-centric theory on the basis of a sustained attack on Pluralist, Structuralist, Functionalist and Marxist accounts of the State.

(Neera Chandhoke, 1995, *State and Civil Society: Explorations in Political Theory*, Sage, New Delhi).

Rule of Law

It implies that government authority may only be exercised in accordance with written laws which are adopted through an established procedure. As per Dicey's Rule of Law, no human being (rich or poor, influential or commoner) is above the Law. All humans are equal before the Law

[en.wikipedia.org/wiki/rule-of-law](https://en.wikipedia.org/wiki/Rule-of-law)

Transactional Cost Analysis

It is a mode of analysis which emphasises the costs associated with carrying out transactions and exchanges in the economic or political sphere. Such costs can lead to sub-optimal outcomes. This type of analysis studies institutional arrangements in society that raise or lower transaction costs.

Washington Consensus

The term was coined in 1989 by John Williamson to refer to the lowest common denominator of policy advice being addressed by the Washington based institutions to Latin American countries. It called for a competitive exchange rate, which necessarily implies intermediate regime since either fixed or floating rates can easily become overvalued. The term was misconstrued as reforms being imposed by Washington based institutions, though all that it aimed was to introduce 'one size fits all' type of magic pill. The term has become synonymous with Neo-liberalism and globalisation. It stresses on corporate governance, anti-corruption devices, flexible labour markets, trade agreements, financial codes etc.

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1.9 ACTIVITY

1. Go through the recent newspapers, magazines or books and try to note down the contemporary developments in the area of globalisation trends and their impact on the functioning of the State.

UNIT 02 RELATIONSHIP AMONG THE STATE, SOCIETY AND PUBLIC ADMINISTRATION

Structure

- 2.0 Learning Outcome
 - 2.1 Introduction
 - 2.2 Defining the Concepts
 - 2.3 Public Administration and Society
 - 2.4 Societal Culture and Public Administration
 - 2.5 Society-Administration Relationship: Marxist Conceptualisation
 - 2.6 Max Weber on Society-Administration Relationship
 - 2.7 Riggsian Contribution to Society-Administration Relationship
 - 2.8 Contemporary Developments
 - 2.9 Conclusion
 - 2.10 Key Concepts
 - 2.11 References and Further Reading
 - 2.12 Activities
-

2.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Follow the close relationship that exists between society and public administration
 - Understand the concept of ‘society’, ‘State’, and ‘public administration’
 - Discuss the interrelationships between these concepts
 - Bring out the views of Marx, Weber and Riggs on society and administration; and
 - Explain the recent developments in the relationship among the State, society and public administration.
-

2.1 INTRODUCTION

The society as an association of human beings has historically evolved its own rules and regulations in the interest of maintenance of social order and avoidance of conflicts and disorder. In this sense, ‘government’ and ‘society’ are twins. Emergence of formal government as a regular and professional arm of the State took a long time in history. When, in the course of social evolution, State emerged as the sovereign public authority superseding and overseeing all other social formations (family, church, guilds etc.), formal government appeared as the State’s enforcing agency. What is now known as ‘bureaucracy’ — usually a group of civil servants recruited on merit and serving under contract with stipulated conditions of service — is a late arrival in social history? The bureaucratic State came to regulate and even ‘dominate’ society. With the emergence of democracy later in history, social freedom and bureaucratic regulation grew up in an uneasy association with each other. There has always been an undercurrent of tension between the democratic impulses of a society and the rule imposing functioning of bureaucracy as a social regulator.

It is well known that 'government' is the action arm of the State. Government in action is public administration. Society affects and is affected by what the government does or

does not do. This Unit will focus on the basic notions of society, State, and administration. The purpose is to introduce you to the basic concepts of ‘society’, ‘State’, and ‘public administration’, and help you to understand their interrelationships - particularly the interrelationship between society and administration. As the interrelationship between the State and public administration has been discussed in the introductory Unit and as Unit 14 will also deal with it in detail, this Unit will focus more on the relationship between the society and administration.

As you study this Unit, you will get to know how, in course of social evolution, the society, State and public administration have evolved and struck relationships among themselves. Their interrelationships have been conceptualised by eminent social philosophers like Karl Marx, Max Weber and Fred Riggs, to name a few. You will be introduced to their signal contribution in this regard. Also, with changing notions of the State - society relationship in recent times, the role of public administration in social regulation is under review now. You will be able to understand this aspect on studying this Unit.

2.2 DEFINING THE CONCEPTS

Our starting point for discussion is the concept of society. We talk of Eskimo society, tribal society, Tamil society and so on and so forth. In all these expressions, society stands for a group of people tied together by some norms and rules spontaneously evolved, and living a more or less ordered collective life. As against voluntarism in social order, the State as an institution created in the process of social evolution is a monopolist of coercion, regulating all other social institutions through formal laws, rules and regulations. The main attributes of a State, as we have read in the previous Unit, are territory, population, government and sovereignty or the supreme authority superseding all other social forms and institutions.

Government is the action arm of the State, which is otherwise an abstraction. Legislation or rule-making, execution or enforcement of rules, and adjudication in cases of disputes and conflicts of interests are the three capital functions of the government. Legislation is the function of the legislature. Execution or enforcement of laws and rules is the job of the executive. Judiciary is the other specialised organ that resolves disputes and dispenses justice on the basis of laws framed by the Legislature. Public administration is usually associated with the executive organ of the government. Bureaucracy is a specially recruited and organised arm of government functioning as the centrepiece of public administration.

Hence, Public administration and bureaucracy are often used in equivalent terms. Government being the action arm of the State is visible and explicit in the functioning of Public Administration. Thus, taxation, traffic regulation, construction of roads and highways, maintenance of law and order, and defence against foreign aggression are some of the activities of government that are seen as visible signs of the State action. These activities are performed by the executive arm of government. Public administration subsumes all the three organs of government: the legislature, the executive and the judiciary. But, in day-to-day social living experience, it is the executive or the bureaucracy that appears to the people as ‘government’.

2.3 PUBLIC ADMINISTRATION AND SOCIETY

Social change and progress create situations that impel collective action or government interventions through public administrative agencies. In political philosophy, the celebrated social contract theory, which we owe originally to three

great philosophers – Hobbes, Locke and Rousseau – imagined a pre-political ‘state of nature’ out of which the State and government as a common social regulating agency was born. Underlying this very influential theory is the belief that political structure and the legitimacy of agreement by individual human beings to surrender some or all of their private rights in order to secure the protection and security of an effective Social contract theory lies in the first intellectual effort – suggesting the man-made character of political institutions. Broadening (as also occasional shrinking) of the boundaries of the field of Public Administration has historically been contingent on the evolving nature of interaction between the State and society.

As Dwight Waldo has rightly observed: Public Administration is government’s central instrument for dealing with general social problems. In the western democracies, great expansions in governmental programmes in the last century can be traced to the emergence of new social problems such as urbanisation, social welfare considerations, social structural changes and so on. The problems of caring for the aged, for instance, had to be looked into by the government agencies, as their families had been less willing or able to look after them. Breakdown of family life, in many instances, has impelled adoption of new government programmes for single mothers, disturbed and delinquent youths and others affected by this change in the social structure.

Similarly in the developing countries, particularly those (like India) coming out of long colonial rule, the State had to intervene in many aspects of social life to bring about radical socio-economic development. Rural development (as most people live in rural areas), social development with emphasis on health, nutrition and education, industrial development and most ‘development’ activities had, at least initially, been the responsibility of the State (which means in reality ‘government’), resulting in considerable administrative expansion.

As society progresses, the processes of societal change throw up new themes and challenges that widen the scope of public administrative studies. Environment and ecology, for instance, is a major concern calling for action at both international and national levels. Pollution monitoring and anti-pollution measures, conservation programmes for our forests, river and water bodies, and bio-diversity generally are important items today for imaginative policy and administrative responses.

Another important theme is the ‘gender’ issue in public administration. Female participation in work force has been increasing over the years, calling for administrative changes in compensation and welfare policies and other related issues (e.g. sexual harassment at workplace). In the context of the developing countries, ‘engendering’ development by involving more and more women in development activities, has now been accepted as a general policy by the donor agencies and the respective country governments. Again, issues like prevention and abolition of child labour, untouchability, bonded labour, and other obnoxious social practices are increasingly claiming administrative action, especially in the developing countries, resulting in the widening of the scope of public administration in these countries.

2.4 SOCIETAL CULTURE AND PUBLIC ADMINISTRATION

B. Guy Peters (2001) has discussed at length several aspects of societal culture that affect administrative performance. First, the basic issue of general acceptability of ‘bureaucracy’ as a means of running large-scale organisation — be it public or private — has deep roots in societal culture. As Peters points out in this context, Reinhardt Bendix made a distinction between “entrepreneurial” and “bureaucratic” societies. Using Great Britain as representative of the former type, Bendix observed that the

management of British enterprise had traditionally been through entrepreneurial action: the style of management had been personal. The administration of public policy in Great Britain has been “Through personal bargaining and negotiation as much as through the bureaucratic imposition of authority”.

By contrast, Germany provides a good example of institutionalised bureaucratic style of administration. This is “A common stereotype of the culture of Germany: bureaucracy has been a dominant form of social organisation in the public and private sectors in Germany”. Guy Peters points out that contemporary societies appear to be developing a third type, which may be called the ‘participatory organisation’. “Rather than relying on the entrepreneurial actions of one or a few individuals, or the authority of rules and structures, a participatory organisation derives its energy from its members and their active involvement”. Participation serves the purpose of harnessing the power of informal patterns of relationships that exist within an organisation. Also, participation of citizens in local development activities brings about a convergence of governmental and societal efforts.

Interestingly, Peters has presented two contrasting societal cultures: (i) Rationalist or deductive culture, and (ii) Pragmatic or empirical culture. The former is typical of ‘developed’ countries (especially of Continental Europe), where the style of decision-making is ‘bureaucratic’ in the sense that “The decision about an individual case is made on the basis of deductive reasoning from a legal premise”.

Pragmatic culture, according to Peters, is characteristic of the United Kingdom and much of northern Europe. “In these cultures, generalities are derived from a series of individual decisions” which is best typified by English (and American) common law practice that has evolved over the centuries from individual case decisions. How culture impacts on administrative action, in the context of the developing countries will be discussed in more details later as we would be referring to the contribution of Fred Riggs to the study of administration in the developing countries.

2.5 SOCIETY- ADMINISTRATION RELATIONSHIP: MARXIST CONCEPTUALISATION

The society-administration relationship has been dealt with by most writers on public administration. But the contributions of Karl Marx, Max Weber, and Fred Riggs deserve special mention in this context. While trying, to develop a critique of the political economy of Capitalism in 19th century Europe, Marx had been a sensitive and keen observer of contemporary European public administrative organisations. His writings on 'administration' are scattered over numerous books, monographs, letters, and editorial comments.

Marx's ideas on bureaucracy and administration need to be situated within his ideas on sociology of politics. Scientific treatment of bureaucracy is generally attributed to Max Weber. But much before him, Marx wrote very incisively on the bureaucratic structure and behaviour, and the relationship of bureaucracy with the State and the society. In the evolution of Marx's own thoughts, the encounter with politico-administrative realities of his time provoked these writings on different administrative situations. Taking over as Chief Editor of *Die Rheinische Zeitung*, he wrote articles in the newspaper on free press and State censorship, and on the ‘law on thefts of wood’. Marx pointed out the repressive character of bureaucracy's censorship of the press and the contrast between the apparent role of the legislature as a framer of ‘universal laws’ and its real role of promoting particular social interests. Censorship, he commented, is a bureaucratic instrument for maintaining politics as a private and reserved domain of a particular class. Commenting on the legislative debate over ‘thefts of wood’, Marx

observed that the customary rights of poor peasants to take dead wood from the forests were sought to be criminalised to defend the property rights of private owners of the forests. The political system thus appeared clearly as an instrument of the private interest, as against universal interest.

It is in his critique of Hegel's "Philosophy of Right" that Marx (1843) came out openly questioning Hegel's basic political theory and the idolisation of the State. Conceiving bureaucracy as a bridge between the State and the civil society, Hegel regarded bureaucracy as the medium through which particular interests were translated into general interests. Controverting Hegel's assumption that bureaucracy has the insight and the will of the universal, Marx argued that bureaucracy does not know better, since hierarchical and functional differentiation leads to a mere combination and mutual reinforcement of incompetence. The superior does not know the specifics of the case, the subordinate does not know the general principles; and none can appreciate the totality of a situation: Bureaucracy as a whole has a corporate particular interest to defend against other specific corporations and classes in society. So, the external relations of bureaucracy are of a conflictual and 'private' nature. Within bureaucracy, the relations form an interplay of particular strategies. Information and other resources are manipulated to serve the private ambitions of individual careerists and competition for power among rival bureaucratic cliques. In sum, bureaucracy symbolises the particularisation or privatisation of the civil society. It is a bearer of private interests and a reinforcer of the private spirit.

Bureaucracy, as Marx saw it in the feudal-capitalist Prussian situation, is a form of society dominated by the State, and its tendency is to separate itself from the content. It assumes 'formalism' and as such presents itself as a superior 'consciousness' - as the will of the State. Thus, a particular interest lays claim to universality while the general interest is reduced to the status of a special interest. It embodies and furthers the illusion that the State is indispensable and rational. Examinations to recruit bureaucrats are a formality. These do not reflect an objective bond between the individual and the State; rather they stress the need for a dual knowledge -one required for life in civil society and one required for life in the State. "The examination is merely a baptism into bureaucratic knowledge."

In terms of competence, the bureaucrat cannot be a rational actor. The hierarchy of structure means a hierarchy of knowledge. Comprehensive knowledge is not possible in a situation where knowledge is deliberately split up. Reality is conceived in dual terms-one practical and one bureaucratic. The real beings are treated according to bureaucratic perceptions and the image the world of bureaucracy forms of them. "The bureaucracy reserves to itself the rationality condensed in the social world, sets up a monopoly over it, and the consequence is that rationality is changed into its opposite".

Marx's observations on the changing role of bureaucracy can be found eminently in his most brilliant political pamphlet - *The 18th Brumaire of Louis Bonaparte*. During and after the French Revolution, the bureaucracy had facilitated the class rule of the bourgeoisie. It continued to be the instrument of the class under the Louis Philippe and the Parliamentary Republic. There was apparent independence of the State under the Second Bonaparte. But, as Marx pointed out, the State power is not suspended in mid-air. Bonaparte represented a class-the most numerous class of French smallholding peasantry. Referring to the huge executive body, in the then France, Marx called it an appalling, parasitic body which enmeshes the body of French society like a net and chokes all its pores. It sprang up in the days of the absolute monarchy, with the decay of the feudal system, which it helped to hasten. Again, when the State power rests on the large mass of smallholding peasants, the situation suits the flourishing of an all-powerful and innumerable bureaucracy, as an apparatus of uniform action from a supreme centre on all points of this uniform mass. Thus, in

Marx's analysis, bureaucracy is integrally connected with the society -particularly with the influential and powerful class whose interests the bureaucracy usually serves.

2.6 MAX WEBER ON SOCIETY- ADMINISTRATION RELATIONSHIP

Max Weber's ideas on 'bureaucracy' need to be placed in the larger framework of his writings on the economic and political structure of society. He traced the impact of religious views on the growth of capitalism and dwelt on the relationship between industrialisation and organisational structure. His thoughts on bureaucracy evolved out of the larger considerations of socio-historical forces that led to the growth of complex organisations. Thus, Weber's ideas on bureaucracy form an integral part of a macro view of history and social theory.

Weber went back into ancient history in order to find out the chief reasons for the rise of bureaucratic government in the modern State. He observed that the avocational system of Roman administration could be traced to Greek practices. There was no colonial officer in Rome despite the vast Roman Empire. Provincial governors were sent out on an annual tenure supported by a very limited staff. Julius Caesar's effort to create a permanent civil service ended in failure. In this respect, Augustus and Hadrian were, to some extent, successful. A full-blown bureaucracy had come into being by the reign of Diocletian. The fall of Rome was as much due to the burgeoning bureaucracy as to the creeping corruption of the ruling class.

The Roman bureaucracy held sway over the weak rulers and rode roughshod over civil liberties. They had compelled imposition of special taxes to oil the wheels of a vast administrative machine. Here, Weber found the clue he was searching for. Bureaucratic administration, he observed, could survive only when there would be a developed money economy capable of sustained economic growth. To quote Weber, "The development of the money economy, in so far as a pecuniary compensation of the officials is concerned, is a presupposition of bureaucracy." This was not the case with Rome and her provinces which were not far removed from a subsistence economy. So, the Romans could not afford a large bureaucratic structure.

A developing economy is able to produce a surplus of food and commodities, and this surplus forms the basis of payment of salaries to the members of the civil service. Increasing need for public revenue compels the State to develop a rational system of public finance. To quote Weber, "A stable system of taxation is the precondition for the permanent existence of bureaucratic administration." The developed post-subsistence economy may not automatically lead to the emergence of bureaucratic administration, as the rulers in the newly emerging States may still continue to use privilege as a matter of policy and distribute public services on the basis of personal whim and traditional status. The bourgeoisie wanted security of their newly acquired wealth and property. Stable economy could be guaranteed by stable administration. To the newly emerging middle class, bureaucratic administration with its emphasis on uniform and stable rules and regulations was therefore almost a godsend.

In Weber's view, a second prerequisite of bureaucratic growth was the demand of a larger middle class for the benefits of mass democracy, especially for social and economic equality. Bureaucratic development, as Weber observed, was closely associated with the negation of the practice of according special privileges. To quote Weber, "Bureaucracy inevitably accompanies modern mass democracy.... This results from the characteristic principle of bureaucracy: the abstract regularity of the execution of authority, which is a result of the demand for 'equality' before the law, and the principled rejection of doing business, 'from case to case'."

The development of money economy and the emergence of mass democracy prepared the ground for the rise and growth of bureaucratic administration. But these, in Weber's view, were not the cause of bureaucratic ascendancy in the modern State. The real causes could be traced to the human motivations springing from what Weber called the 'Protestant Ethic and the Spirit of Capitalism'. According to Weber, the 'Protestant Ethic' was instrumental in bringing about a revolution in human existential condition. A radical transformation took place from an insular feudalism to a worldly asceticism. Protestantism engendered a social psychology supportive of rational planning, personal discipline, technology and bureaucratic organisation. Capitalism advanced on the principle of survival of the fittest in the market place. In the face of fierce economic competition, capitalist enterprises needed a highly efficient organisational form. The bureaucratic principles gave the enterprises the capacity to accomplish economic planning to maintain a stable market for goods and services. It was on the demand of the capitalist enterprises that corporate principles of administration were soon transferred to public agencies. Thus, bureaucratic government and bureaucratic capitalism went hand in hand.

It was Weber's contention that Capitalism and bureaucratic administration were bolstered up by the psychology of work generated by 16th century religious radicalism. Early Monasticism of the Catholic faith laid stress upon a Pope and priests to act as spiritual policemen and to forgive sins. By contrast, the anxiety of worrying about one's fate here on earth, Weber observed, caused the Puritans to work too hard, to devote themselves to a worldly asceticism and to pursue their worldly vocations religiously. The Reformation thus created a spiritual climate for the blossoming of bureaucracy.

Weber was interested in a full-blown discussion on bureaucracy as a sociological phenomenon. His thoughts need to be placed in the more general context of his theory of domination. Domination refers to a power relationship between the rulers and the ruled. In any kind of established authority, there exist a number of beliefs that legitimise the exercise of power in the eyes of the leaders and the led. The other important element in this approach is the notion of the administrative apparatus. Domination when exercised over a large number of people necessitates an administrative staff, which will execute demands and serve as a bridge between the ruler and the ruled. 'The beliefs about legitimisation and the administrative apparatus constitute the two important criteria for the Weberian construction of typology of domination.' Weber identified three types of legitimisation, each corresponding to a particular type of domination.

Charismatic: Charisma literally means gift of grace. By virtue of possession of charisma or an exceptional quality, a hero or a leader casts a spell over his followers, who accept his domination because of their faith in the person. In such type of domination, the administrative apparatus is very loose and unstable. It usually consists of the most faithful followers or disciples who play the role of the intermediary between the leader and the followers.

Traditional: The legitimisation in this form comes from the belief in the goodness of the past, in the appropriateness of traditional ways of doing things. This kind of patrimonial authority receives ready obedience because of a peculiar faith in traditional status and personal loyalty to the dominant person. The administrative apparatus in this kind of domination would consist of the personal retainers, servants and relatives. Under feudal system, the feudal lords, interposed between the king and the people, constituted the administrative apparatus.

Legal: Legitimisation of legal type of domination is based on the belief in the rightness of law. People obey the laws because they believe that these are enacted by a proper,

objective procedure. The typical administrative apparatus corresponding to this kind of domination is bureaucracy. The position of the bureaucrat, his relations with the ruler, the ruled and his colleagues are regulated by impersonal rules. These rules delineate in a rational way the hierarchy, the rights and duties of every position and the methods of recruitment, promotion and other conditions of service.

Thus, one notices two major thrusts in Weber's writings that have consequences for society-administration relationship. These are:

- a) An analysis of social conditions leading to the emergence of 'bureaucracy'; and
- b) A theory of domination (or social authority) that explains the gradual societal acceptance of bureaucratic authority.

2.7 RIGGSIAN CONTRIBUTION TO SOCIETY-ADMINISTRATION RELATIONSHIP

Fred Riggs, unlike Marx and Weber, is a relatively modern social scientist whose basic interest has been in the nature of administration in the 'developing societies'. Riggs is noted for his 'ecological study' of public administration, the basic assumption of which is that public administration operates in different social and environmental settings and adapts itself to environmental conditions in order to achieve a set of social goals. The 'ecological' approach to public administration, which we owe to Riggs, signifies vital interconnections between administrative system and the social system within which public administration is embedded.

Riggs used the concept of 'ecology' by way of analogy to emphasise the significant interactions between the administrative system and its 'environment'. In his view, administrative structure, behaviour and operations constitute an inseparable part of the entire society; their proper understanding is possible only within the context of the web of social relations with which public administration is always in a state of dynamic interaction. The 'content' is to be comprehended only within the 'context' of the social system. To understand administrative behaviour in transitional societies and to further the cause of comparative administrative studies, the Ecological Approach, in the opinion of Riggs, can be profitably used. As he advocated "A systematic effort be made to relate public administration to its environment, in much the same way that the science of ecology is concerned with the mutual relations between organisms and their environment."

Along a continuum between 'agraria and industria', Riggs postulates an inductive typology of administrative systems. A social system is a vast network of inter-related parts, each one of which can be understood in relation to other parts and to the whole system. Administrative structure and behaviour being an inseparable and interacting part of the whole society could be understood in the context of the social system in which it is embedded. Riggs suggested two ideal types of public administration systems in 'agraria and industria' and indicated that similar ideal types could be constructed at various transitional stages between 'agraria and industria'.

In terms of the Structural-functional approach, all societies perform an array of functions such as administrative functions, religious functions, economic functions and so on. Societies usually have a variety of structures that perform the different functions. Thus, the family performs certain social functions, the market performs the economic functions and the legislature and party perform political functions. In traditional societies, one encounters a few structures such as a family or a leader that would be performing a whole host of functions like rule making, rule adjudication,

economic allocation, and even medical and health administration. As society grows and develops, more and more specialised structures appear, each one of which becomes engaged in specific functions. So, differentiation of structures may be looked at as the essence of development.

Using an analogy, Riggs pictures the process of differentiation as sunlight passing through a thunderstorm and appearing as a rainbow. Most traditional societies are like sunlight in its natural condition. A few critical structures perform, in these societies, most of the societal functions. This mixed state of structures is like pure white light – ‘fused’, according to the science of optics. These structures in the traditional societies must be torn apart to make room for more and more specialised functions in the wake of modernisation. To extend the original analogy, the thunderstorm acts as a prism to change the pure white light into a multi-coloured rainbow.

As Riggs puts it, “Traditional agricultural and folk societies (*Agraria*) approximate the fused model, and modern industrial societies (*Industria*) approach the refracted model. The former is ‘functionally diffuse’, the latter ‘functionally specific’. Intermediate between these polar extremes is the prismatic model, so-called because of the prism through which fused light passes to become refracted.” The transitional society is continually in the throes of change. As it moves along, it differentiates in terms of specific structures. This also necessitates integrating mechanisms to hold the parts together. Integration becomes very important as the developing society contains within it both old and new structures. Thus, nuclear medicine and the tribal medicine man will be found to exist together in such societies.

Riggs has been primarily interested in social change and in understanding the process of transition which he has termed the prismatic society when structural differentiation goes on alongside efforts toward societal integration. The prismatic society is trapped like light inside a prism. It is not fully fused, nor is it fully diffracted. The new structures are half born and are trying to adjust with the old ones. Modernity and tradition co-exist in an uneasy companionship. Modern structures and procedures might have been formally introduced, but behind the facade of these new structures the old and traditional ways of doing things persist in reality. This discrepancy between formal structures and actual modalities has been called ‘formalism’ by Riggs. On the basis of his empirical research, Riggs has constructed two ideal polar types:

- a) **A refracted society** where every function has a corresponding structure that specialises in its performance; and
- b) **A fused society** in which a single structure performs all the functions.

Riggs conceptualised the ‘prismatic society’ as a midpoint or intermediate form of transitional society between the two ideal types, combining both fused and refracted features that are characterised by ‘heterogeneity’ (the simultaneous presence, side by side, of quite different kinds of systems, practices and viewpoints: ‘formalism’ (the extent to which discrepancy exists between the prescriptive and the descriptive, between the formal and effective power, between impressions and actual practices), and ‘overlapping’ (the extent to which what is described as administrative behaviour is actually determined by non-administrative criteria). The prismatic society has its appropriate administrative system. Riggs has borrowed the Spanish word “Sala” for it, which combines both the pure (fused) chamber and (refracted) office traits.

In the sala model, both administrative rationality and non-administrative considerations are recognised. To quote Riggs, the prismatic-sala model “Enables us to cope with many problems of transitional societies that slip through the net of established social sciences.... whereas it is possible, for example, to speak with some meaningfulness of ‘public administration’ as a separate institutional sphere and

academic discipline in the American setting, it becomes highly misleading to take such an approach in Iran, Indonesia and Malagasy." Riggs moved away a bit from his original views about the prismatic society in his later publication entitled *Prismatic Society Revisited* (1975). We need not, however, go into the reformulation exercise in this Unit. It is instructive to note that administration and society have been ably woven together in a theoretical framework by Fred Riggs, particularly in the context of the Third World transitional societies.

2.8 CONTEMPORARY DEVELOPMENTS

The relationship between administration and society has never remained static. Emergence of new social situations has always impacted on administration. For instance, the care of the aged (with longer longevity) passed on to local government agencies or NGOs. Similarly, any new administrative attempt to influence or change social behaviour has often evoked varied responses from the society. The recent debate in USA over the banning of marriage between homosexuals is a case in point in this context.

In recent times two major administrative paradigms have opened up anew the relationship between administration and society. One - the Neo-liberal vision -poses what is familiarly known as the State vs. market debate. There has been a realisation of late in the developed West that formal government has over the years taken upon itself more administrative burden than it can actually shoulder. This has resulted in big bureaucracy, more taxation, and overall governmental inefficiency. To get out of this 'governmental overload', the advocacy has been for lean and more performance-oriented government through 'down-sizing' and 'privatisation' of many of the government functions. The market is capable of working more flexibly and cost-effectively; hence, government should reorient itself as an 'enabler' rather than a 'doer'. The New Public Management philosophy that has emerged in recent times favours more market-driven development than State or government-driven development. This is expected to release more social energy and allow for autonomous societal action.

The other paradigm that has gained currency is 'governance'. The totality of a country's ability to grapple with and solve collective problems is subsumed in the concept of governance. It is an amalgam of formal government, the private sector, and the non-government agencies. In this way, the ambit of public administration is sought to be enlarged. All the traditions and institutions of authority exercised in a society are thus put together to connote the total governing resource that is available to cope with the complex problems of collective problem solving. Also the 'governance' concept, besides extending the boundaries of administration, brings in additional dimensions of 'accountability', 'openness', 'transparency', 'participation', and the notion of ethical administration. What is significant in this characterisation of administration as 'governance' is the newly emerging administration-society relationship under which formal administration is called upon to forge networked functioning to optimise administrative effectiveness. Accountability to people, participative administration, right to information, and transparency and openness are the constituent elements of 'good governance'. The trend now is thus to democratise administration and make it more and more society citizen-friendly.

Another new development in this context that deserves special mention is a major on-going effort to create conditions to bring about a more 'inclusive' public administration, as against an 'exclusive' one. What it means is that there is a fairly widespread concern now to make government more 'decentralised', 'participative',

‘gender-sensitive’ and ‘sensitive to the needs of the socially marginalised’. In other words, the traditional insularity of State apparatuses (e.g bureaucracy) from the society is now under question and the trend seems toward closer State-society nexus in the interest of more effective and real democracy deeply embedded in society and faithfully serving its just causes.

2.9 CONCLUSION

This Unit has tried to bring out the basic concepts of State, society, and public administration, and their inter-relationships. The interconnections between society and public administration, particularly between societal culture and have been discussed. The three most important conceptualisations of society-administration relationships by Karl Marx, Max Weber, and Fred Riggs have also been clearly brought out. The Unit has even discussed the recent developments in public administration, particularly the emergence of the two paradigms of ‘New Public Management’ and ‘Governance’-the two broad-gauge ideas that have exerted considerable influence on the scope and contents of Public Administration in recent times. The other point covered in this Unit has been the growing trend in recent times to forge a much closer relationship between State and society in larger public interest and for the enrichment of democracy.

2.10 KEY CONCEPTS

Agraria and Industria Typology

Riggs constructed two models of societies and called the predominantly industrial ‘industria’ and the other predominantly agricultural one called the ‘agraria’ representing contemporary America and Imperial China respectively. The intermediary category between ‘agraria’ and ‘industria’ was called ‘transitia’ or the transitory stage between ‘agraria’ and ‘industria’. Some characteristics of ‘agraria’ are dominance of ascriptive, particularistic and diffused patterns and norms while ‘industria’ has predominantly universalistic, specific and achievement norms. The transitional societies show a mix of ‘industria’ and ‘agraria’ norms.

Reign of Diocletian

Diocletian was a Roman Emperor and persecutor of the Church. As per the Catholic Encyclopedia, the reign of Diocletian (284-305 AD) marked an era both in the military and political history of the Roman Empire. Diocletian undermined the authority of Senate and introduced the servile ceremonial of the Persian Court. Diocletian’s name is associated with the last and most terrible of all the ten persecutions of the early Church, but major portion of his reign was marked by peace and prosperity.

Sala Model

Riggs uses the term ‘Sala’ to describe the administrative office in the prismatic society. In the Sala Office, rationality is ignored and many non-administrative considerations are given importance.

2.11 REFERENCES AND FURTHER READING

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2.12 ACTIVITIES

1. Visit any nearby government office and try to pen down your observations on the interpersonal behaviour of its employees in the office as well as and the citizens who come in contact with the employees.
2. Based on Activity One, try to place the inter-relationship that you have observed under the Weberian or Riggsian categories / typology.

UNIT 3 CHANGING ROLE OF THE STATE: ISSUES AND CHALLENGES

Structure

- 3.0 Learning Outcome
- 3.1 Introduction
- 3.2 Changing Nature of the State
- 3.3 The Trajectory of Change
- 3.4 Interrogating the Neo-liberal State in the Era of Globalisation
- 3.5 Conclusion
- 3.6 Key Concepts
- 3.7 References and Further Reading
- 3.8 Activity

3.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Appreciate the changing nature of the State
- Trace the trajectory of the evolution of the State
- Discuss the role of the Neo-liberal State in the backdrop of globalisation; and
- Understand the shape of the new State in the making.

3.1 INTRODUCTION

The study of the State has traditionally been a problem area because such studies have seldom been free from pro-establishment or pro-authority bias. From an epistemological angle, it means the same as saying that State has seldom been treated as what it quintessentially is: *a historically evolving phenomenon taking shape in response to changing times and conditions of the society*. Not that history of State formation has been totally overlooked. From the ‘historical’ systems analysis of Rostow to the ‘historical’ structural analysis of Andre Gunder Frank, the State has been treated from a historical perspective only cosmetically. C. Wright Mills had warned that history can neither be introduced as an ‘introductory padding’ nor as an ‘ad-hoc procedure’, which unfortunately is common among most scholars of the State. This historical trend of scholarship on the State has degenerated to a pathetic level lately and this trend is easily evidenced by endless descriptions of the State. Just to take a sample of the Third World State only (as distinguished from the State in the developed World of the West), the 1960s and 1970s witnessed an outpouring of literature on a ‘modernising’ or

'developmental' State of the functional-systems' theorists as contrasted against their radical counterparts invoking 'strong', 'over-developed' and 'relatively autonomous' 'post-colonial' States. Whereas the critical decade of the eighties produced rather an ambiguous set of concepts such as the 'Rentier State', the 'Peripheral State' or the 'Bureaucratic-authoritarian State', the globally sensitive nineties allowed its negative imagery to take a good float on the State which came to be described as 'Vassal State', 'Predator State', 'Vampire State', 'Receiver State', 'Prostrate State' and even 'Fictitious State', 'Show of State', or 'Collapsed State' (Manor, 1991).

What is the way out of these 'scholastic straw-threshings' (Gramsci's famous expression for the non-revolutionary intellectuals)? As long as the scholarship on State fails to shake off its ideological hang-ups, it will always be maintained that State's sovereignty is on the decline in these days of global capitalism even though the same thought seems to exclude the mighty American State. Instances of scholars extolling 'American exceptionalism' allowing this 'mighty power in a unipolar world' to freely enunciate and ruthlessly implement its doctrine of national interest on the territory of other less endowed but equally sovereign States are not rare. Against this backdrop, the present Unit will explore some of the issues connected with the changing trajectory of the State including its correct status in the contemporary globalisation context.

3.2 CHANGING NATURE OF THE STATE

An objective and dispassionate viewing of the State as a historical phenomenon would entail in its analysis their 'interconnections as an integrated totality'. This is a dialectical view encompassing both intra and inter-levels of 'inter-connections' which actually provide the moving motor to history. Does this unfolding of history (evolution of State, in our context) mean that external causes have little role in its formation? "Not at all, it holds that external causes are the 'condition' of change and the internal conditions are the 'basis' of change, and that external causes become operative through internal causes. In a suitable temperature, As Mao Zedong, the Chinese leader, once put it, "An egg changes into a chicken, but no temperature can change a stone into a chicken, because each has a different basis".

Roots of change are to be traced to these twin ground realities viz., basis (internal) and conditions (external). A continuous process of embedding of such changes is another name for history which alone, therefore, can convey a holistic view of the phenomenon (i.e. the State in our case) in question. There is another layer of thick icing over understanding of the State, further into its changing role. This pertains to its relationship with society. It should be clearly understood that State is a creation (a political contrivance) of the society; and it is not an unavoidable anthropological need. State is not an organ of the society; former's appearance and growth are inorganic to the human needs and survival. This way of viewing helps unlock a vast vista, which surrounds the State in its nature and functions ever since princes and lords struggled during 14th and 19th centuries and effected a model of national unity as scripted in the Westphalian Treaty of 1648 and the Westphalian Order had the Nation State as its kingpin. It flourished till the World War II which marked the end of this global era. David Held has insightfully summarised the "Westphalian Model" in terms of its following features:

- The world consists of, and is divided by, sovereign States which recognise no superior authority.
- The processes of law making, the settlement of disputes and law enforcement are largely in the hands of individual States subject to the logic of ‘the competitive struggle for power’.
- Differences among the States are often settled by force: the principle of effective power holds sway. Virtually no legal fetters exist to curb the resort to force; international legal standards afford minimal protection.
- Responsibility for cross border wrongful acts are a private matter concerning only those affected; no collective interest in compliance with international law is recognised.
- All States are regarded as equal before the law; legal rules do not take account of asymmetries of power.
- International law is oriented to the establishment of minimal rules of co-existence; the creation of enduring relationships among the States and people is an aim only to the extent that it allows military objectives to be met.
- The minimisation of impediments on the States’ freedom is the ‘collective’ priority (Cf Pierson, 1996).

There are two major operating principles of the Westphalian system, the Liberal State which grudgingly conceded space to individual’s welfare and the balance of power which held the States together through fear of punishment for disturbing the status quo. The operation of the ‘Liberal State’ complemented the ‘balance of power’. The former promoted justice at home in terms of granting civil and political rights (but not social and economic rights) and promoting a ‘self-regulating market’ at home and abroad. The latter saw to it that the competition of the economic systems does not, disturb the prevailing asymmetries (inter-state) and considerations of justice do not extend to non-European States. However, powerfully minded, this train got derailed and the Second World War broke out.

Toynbee’s famous characterisation of “An ideological revolution (nationalism) which reinforced the Westphalian Order has actually substituted religion and made the State an object of worship” started showing the results. They were soon realised in, which is famously known as, post-war social contract, another name for the Welfare State which takes its birth in these circumstances. This Welfare Capitalism (Lord Keynes was its main architect) has on its agenda for the “Labour to accept capital’s right to ownership and overall economic direction in exchange for social benefits, an expanding Welfare State and a guaranteed level of employment security” (Graf, 1995).

This historic social pact actually marked the onset of the Counter-Westphalian order though, it should in all fairness be mentioned at the same time, this contract was not strictly applied to the masses of the Third World for its welfarist benefits. And that was the breeding ground of a ‘primary contradiction’, as Claus Offe has insightfully highlighted, for the Capital which found itself implicated because of those concessions it gave to people and institutions in the previous era. According to Offe, the welfare-

oriented concessions may have brought greater social peace and increased mass purchasing power, but in the long-run it turned out to be also a limitation on Capital's "Sphere of action, flexibility and profitability and hence a threat to its power". Capital's logical response, according to him, was to unilaterally abrogate this welfare contract and resuscitate the market forces (which were under the State's regulation under this historic contract) mainly by means of "Wresting functions and powers from the State and privatising or abolishing them" (*ibid.*).

This is the advent of globalisation in recent times which has submerged most of the Third World countries, though they had also not been the direct beneficiaries of the Welfare State dispensations earlier. Trade, rather than domestic mass purchasing power has become the driving force of the new global economy. This is despite the fact that not more than one-quarter of global trade comes under the GATT (General Agreement on Tariff and Trade) i.e. regulated free trade. Internationalised division of labour has become the unfortunate norm as internationalised production has eclipsed Fordist mass production. Part-time, low-wage employment (the McDonaldisation of the work force) becomes the norm for most; while high-quality, high-technology governed production around Information and Communication Technology (ICT) are reserved for select few. The implication for State is nothing but to adapt to these new strategies. "Since there are no longer any national economies or national industries or national companies, observes Robert Reich (1991), "All that remains behind are people who share a political system.... Each nation's primary political task is to cope with the centrifugal forces of the global economy." (Prof. Adrain Leftwich (1994) makes the point clearer. According to him the distinguishing characteristic of development states (i.e., states with consistent average economic growth of 4% or more during the past three decades e.g. India) has been that their institutional structures, especially their economic bureaucracies have been developmentally driven, while their developmental purposes have been politically driven. In short, fundamentally political factors have shaped the thrust and pace of their development through the changing structures of the State).

Has this drive towards globalisation-ever on increase in scope and intensity-generated adversarial "conditions" in which State, especially in the Third World, is under pressure to offer the wrong end of the stick to its people? Two concurrent flows are visible in these days of Counter-Westphalian Order in the making: while the growth of a global consciousness leading to occasional spurts of initiative to form a 'global civil society' is very much in evidence, the twin operating principles of (i) free trade, and (ii) revolutionary uses of ICT, which geared up globalisation on a World Trade Organisation (WTO), vehicle are no more offering assurances to Capital Multi-National Corporations (MNCs) of one hundred per cent return. On 'free trade' front, the matter boiled up on the eve of 2004 US Presidential elections: none, other than, Prof. Samuelson challenging the claims of 'free trade' orthodoxy (led by Profs. Bhagawati and N. Gregory Mankiw) that the amount of 'winnings' from free trade would more than compensate for the job-loss caused due to outsourcing, and telling the public that the Luddites may after all be having a point in protesting against an annual outflow of a large number of jobs. It is important to bear in mind that Prof. Bhagawati whose name is now identical with 'free trade' had only recently praised Prof. Samuelson as 'the greatest economist of the last century'.

On the ICT front, the revolutionary potential has done as harm to the Capital as it did good to the common person on the streets. We have, for instance, on the authority of Prof. Mahmood Mamdani to know that Mr. Al-Zawahiri (the ideologue of Al-Qaeda and second to Osama bin-Laden) insisted on “Leadership to be technologically savvy” and it has to recognise that the old methods must give way to the new. He says “The technology available now, particularly the Internet”, will build up cadres and you don’t have to seek them” (Mamdani, 2004).

Whether it is mass politics protest against the Chilean dictator Pinochet or President Bush against American invasion of Iraq, the Internet has come in handy to the people to rally together with the help of this communication technology which also undid the Welfare State to a substantial extent. Social development oriented uses of ICT are far too many in the fields of public health, farmers’ market, grievances redressal etc. The development discourse, which centred around the Washington Consensus originally contained a list of ten reforms aimed at attracting private capital as the Latin American States became sluggish in their dispensations towards their people following the debt crisis of the 80s. But very soon this focus shifted to the second generation of reforms centering around governance, emphasising on the caring aspects of the State’s day-to-day functioning and demanding more accountability, transparency, and openness.

An important point to note further in this connection is that the Washington Consensus was not strictly followed by many States, though it has been the philosopher-driver of globalisation. China did not follow the Consensus to the text. The Chinese relied heavily on public enterprise and State intervention; India also didn’t fall in line, strictly speaking. The four BRIC nations (Brazil, Russia, India and China) may have benefited but definitely not their poor whose numbers are also swelling. Further, most other Third World countries were pauperised by this global integration of national economy on an inequitous footing.

Good old ‘End of History’ theoriser (in 1989) Prof. Fukuyama, has of course, come full circle in his revised narrative published in the Summer of 2004. As Prof. Fukuyama says now, the September 11 is the date when the Reagan-Thatcher era ended. Because that day “Underscored a key feature of the post-cold war world. While the great problems of world order in the 20th century were caused by too-powerful Nation States such as Germany, Japan and the former Soviet Union, many of the problems of our current age, from poverty to refugees to human rights to HIV/Aids to terrorism, are caused by States in the developing world that are too weak”. Many problems have come from “Lack of sufficient State oversight, laments Fukuyama (having extolled the triumph of Liberalism and privatisation only a decade ago), The easy gains from privatisation and deregulation have long since been achieved”. Bring back the State, pleads Prof. Fukuyama now (*Indian Express*, July 10, 2004).

Interestingly, both the quoted passages are reactive in nature, one for the States in the Third World and the other for the American State. Obviously, you cannot have one standard for the East and another for the West. Truth of the matter actually is that the State’s efforts need to be supplemented now and ‘roll back’ is not the answer. Again, State needs to change its old time thinking mindset and learn to evolve and depend on alternative sources and frames of action and thinking. Otherwise, estimates by Mann (1990) and others have clearly shown that the State expenditure (whether on war and

administration as in 18th and 20th centuries or on social development during 19th century) on societal activities has been static at 30-40 per cent level or on rise, as some others have maintained. It has been mostly, a matter of ‘attitude of governance’ rather than a categorial change (from ‘public’ to ‘private’). In his most recent book, PLAN-B, Lester Brown (2005) has convincingly argued that Planet Earth is indeed in peril as evidenced by burgeoning undernourished population, the HIV/AIDS menace, water crisis, falling land productivity and adverse climate change induced by a fossil-driven industrial economy basically of the developed west. There has been enough prognosis now; the task is to change the mindset of the people in power and look for alternative actors and sources to complement the failing State efforts.

In this direction, one notices diverse NGO-launched initiatives to soften the adverse impact of globalisation, which has since emphasised the twin principles of devolution of powers and participative development at the grass roots level. Food self-reliance, to take only one example, is one such approach which, on the global scale, had many such NGO takers: Jamaica’s ‘Grow Our Own Food’ Campaign, Bangladesh’s ‘Grameen Bank’ experiment, and similar local experiments in Zimbabwe and a number of African and Latin American countries. Many such initiatives elsewhere have joined the State in supplementing its efforts at food security and nutrition. Another glaring example, not to be missed, is the adversarial effects of global warming which had forced a change in the attitude of the government as well as the elites, shifting now towards alternative sources of energy. Germany already has 12000 MW of wind-based electricity generating capacity and Denmark with 2900 MW is meeting 18 per cent of its electricity needs through this renewable source. India has an impressive fifth position in the world with 1700 MW non-conventional energy (*The Hindu*, 2005).

Non-governmental initiatives have made an important presence in the global society today and they have introduced a new dimension viz., “A drive towards common or universal standards and consciousness, and a new global constituency for change. Communication technologies only facilitate this social phenomenon”(Patel, 1995). Another important distinguishing feature of the emerging global society is that some of the institutions for the management and governance of this global society are already in place. The re-invigorated UN agencies have chalked out a pro-active stance for themselves; witness World Conferences 1990s on environment, human rights, gender justice, population growth, urban development etc. which got the governments moving to commit themselves to the various social development goals.

As Amartya Sen told recently to the Commission on the Status of Women (March 2005) at its special session in New York: “The United Nations is often separated out these days for particular chastisement for being ineffective (or worse); the UN and the intellectual and political movements associated with it have contributed greatly to making our world a bit less nasty and more liveable.” (Cf Jain, 2005). Human Development and Human Security, two new themes in human aspirations have occupied centre of stage in these international bodies; these innovative articulations entailing a rearrangement of resource allocation profiles for new commitments need to be met. However, all these may not mean much despite the massive support these new commitments command among the masses of the world. A perceptive management-thinker, I.G Patel (*op.cit.*) has identified

five ‘difficult but unavoidable problems’ which will become more urgent in the years to come as the hostile globalising forces come closing in around humanity:

- The legitimacy of individual and group rights and the role of the global society vis-à-vis these rights
- Equity in the governance of international institutions
- Equity in international economic relations
- Equity and global environmental protection
- Matching responsibilities with resources at the global level

The Counter-Westphalian Order has to solve the problems outlined above so that a society which is politically plural, economically egalitarian, ecologically sensitive and societally diverse and accommodative finally results along with a responsive State whose powers are best exercised through sharing and accountability. Summarily speaking, the international community’s dedication for fulfillment of the Millennium Development Goals pertaining to humanity’s well-being has been inspired by the motto of the Counter-Westphalian Order: ‘Free development of each is a condition of the free development of all’.

Having outlined the ‘conditions’ of change (general politico-economic environs) which have overtaken the State, let us now turn to the ‘basis’ of changes which the State has undergone till date. We will conclude the mapping of this trajectory of change in the role of State with a profile sketch of the State in the current globalisation context.

3.3 THE TRAJECTORY OF CHANGE

We have already read about the evolution of the concept of the State in the views of Hobbes, Locke, Rousseau, Bentham, Mills and others in our introductory Unit of this Course. More analyses by Liberal and Marxist thinkers on State would be made in the next Unit i.e. Unit-4 later. Over here, we would trace the ideological trajectory of the State—the evolutionary path of the State’s postures.

The story of modern State formation owes a lot to two seminal themes which continue to exert influence on State formation till date. They are the Greek City-State or ‘polis’ and the Roman Republic. ‘Polis’ in its turn gave us seeds of two very powerful ideas associated with the modern State: (i) democracy from ‘demos’ or the rule of the people or the citizenry, and (ii) the political/politics from ‘polis’. The concept of ‘direct democracy’ owes its lineage to this locality-based concept of citizenship, which was, however, challenged by Rome which too arose as a powerful City State. The Roman Republic never allowed itself to be ‘democratised’; it was run by a Senate comprising the aristocrats and the consuls (who were later on added) elected by the assemblies of the whole people. Important to note is that the Roman citizenship was defined by law, rather than by strict territoriality. This notion that the State power is founded in law influenced subsequent developments associated with ‘Rule of Law’ in democratic governments.

Similarly, a systematised code of Roman Law is another major contribution to modern State formation. Roman Law actually helped to form the distinction between ‘State’ and

'society' or between the public (Ref: Republic) i.e. the State and the private i.e. with reference to civil society. Cicero's formulation that 'We obey laws in order to be free' has a distinct modernist ring. When the Romans advanced northwards, they encountered the Germanic tribes who were essentially 'clan' societies. They also employed a different conception of law. In contrast with the 'formality' of Roman Law, the Germanic law was said to belong to people comprising a summary of their common customs. It was from these roots that the English later traced the origin of their 'Parliament' and the English system of common law. To recapitulate major issues and challenges of modern State: democracy, political participation, Rule of Law, customary sources of governance, role of Parliament etc. have their roots in the pages of ancient history of modern State.

The Evolution of the Feudal States

Roughly in the 800 AD, an attempt was made to recreate the imperial system of Rome under the patronage of the Catholic Church. This politically unified Christian empire consisted of a variety of counts, dukes and princes owing allegiance to the Holy Roman Emperor who, however, was incessantly troubled by the underlying tension-ridden system of social and economic relations. Add to this, there was the Germanic Vassal system where leading warriors pledged their loyalty in return for protection received. The vast population at the base, G. Poggi (1990) observes in his classical work *The State: Its Nature, Development and Prospects*, were "The objects of rulebut never the subjects of a political relationship". The lord-serf relationship was the cell form of a feudal economy; the lord-vassal relationship was the cell form of political rule. Except in Northern France and England where monarchy was more unified and stronger, rest of the Europe witnessed a saga of lords vying with each other operating from their small, personal pockets.

Power became both more personal and more local in focus. As Anderson observes, in each area there were conflicting systems of loyalty— 'A social world of overlapping claims and powers'. Some lords became too powerful for the feudal monarch to resist; more often the latter composed them into his consultative bodies, which in fact were early forms of 'parliament' that played an important role from the 13th century onwards. The Feudal State thus was constantly torn by internal dissensions while, of course, the monarchy tried to distinguish itself, and the towns and cities remained outside the classical feudal system because of their independent charters. 'Medieval towns' were islands in the sea of feudalism and the leading citizens won the right to administer themselves as a corporate body under a Charter which they gave to themselves. The burghers in great towns and cities of Northern Italy and Flanders turned out to be the forerunners of the nascent bourgeois urban class of the later years. (G. Poggi, *ibid.*).

The main source of rival authority to the feudal aristocracy was the Church. Having forged rival networks between and among States, it claimed spiritual authority which provoked the monarch, the secular authority to claim and fight for supremacy. In these circumstances were sown the seeds of modern conceptions of sovereignty. Before States gave way to the State i.e., a unified and integrated political structure, they had to combat their internal dissensions as much as the spiritual claims of Papacy to central authority. Amid all these rivalries, some important political innovations can be seen there in the field practically working e.g. the autonomous system of rule by leading citizens in compliance of a Charter in major towns/cities. The foremost contribution of this period

lay in the emergence and articulation of a secular authority which till date remains a universally accepted desirable political good.

The Absolutist State

Against this medieval background of wreckage of institutions and the political order, arose a new form of State rooted in these independent, nationally unified Renaissance monarchies in countries like France, Spain and England. Challenges before this Absolutist State included: absorption of weaker and small territories, application of a more “Unitary, continuous, calculable and effective rule with its power gathered under a single, sovereign head” (*Poggi, op.cit.*). Major issues confronting the Absolutist State which, in fact, was the forerunner of the bourgeois Constitutional State (in England, at first) included commutation of feudal dues into money rents, supplanting of feudal military, obligations by raising standing professional armies, raising of taxes centrally and regularly by the State etc. Through ‘Mercantilism’, the dominant economic doctrine under Absolutism, State and crown assumed a directive role in commercial enterprises. While territorial boundaries assumed strategic significance, ‘A formalised system of inter-State relations’ sustained through formal diplomacy and dynastic marriage alliances came into vogue. The State bureaucracies were expanded and the courts were raised as ‘Adjuncts of monarch’s rule’. The absolutist ruler “Ruled from his court, not through it”. And law became not a “Framework of rule”, so much as an instrument for rule, assimilated to the sovereign power of throne (*ibid.*). In the 16th century, Jean Bodin capped this development with the doctrine of ‘Divine Right of Kings’. The principle of partnership-in-rule between monarchy and the people, which characterised the Estates system during the later phase of Feudalism disappeared under Absolutism. In England, Stuart Kings’ attempts to rule and raise taxes without Parliament participating in it led to the outbreak of the English Revolution of 1640s.

Out there in the society, sections of gentry along with the emerging commercial classes, urban artisans and labouring classes rose in revolt against the “Claims of Absolutism, power of the court and the rigidity of Mercantilism”. Revolts against the ancient regimes in France precipitated the decline of Absolutist State in England and elsewhere where the bourgeois development processes centering around the emergence of private property occurred at an increasingly rapid pace. First, the emerging new classes achieved a predominant presence in the civil society and later, they claimed a share in the State’s power and rule. A new conception of State thus takes its origin from these stirring circumstances where the power is to be shared and “The rights of the upper and middle ranks of society to participate in power along with the ruler was guaranteed by law and formalised in a Constitutional System”. These developments emphasising ‘Contractual’, Liberal and Constitutional forms of rule marked the beginning of the ‘bourgeois’ revolutions and the threshold of the ‘Modern State’ (See: S. Hall, 1990).

Development of the Modern State

It is neither useful nor possible to precisely date the origins of the modern State, though emergence of one can be indicated with the help of some the specific features characterising the contemporary State. These features include: (i) Power is shared (as against earlier concentrated form) (ii) Rights to participate in a government are legally and/or Constitutionally defined, (iii) Ever-widening, inclusive representation, (iv) Secular

central authority; and (v) Boundaries of national sovereignty are clearly defined. A State form of this type emerged very unevenly across Europe. It was there in Britain in 18th century though nothing like it was to be found in Germany till the end of 19th century. Having risen in response to the struggling bourgeois classes, this State is characterised as classical Liberal State with twin clear tasks of (a) Fighting down the rigidities of ‘Mercantilism’ and of the ancient regime; and (b) Guaranteeing the rights and liberties of the individual. By definition, these tasks made individuals the *a priori* of the State and not vice versa. Classical Liberalism made the State subject to law; no interference with the individual liberties is permitted unless legally sanctioned. These are the circumstances in which the doctrine of *laissez-faire* (let alone) originated prohibiting the State out of economic transaction of the people.

However, the Liberal Capitalist State was not democratic. Majority of the ordinary people were kept out of this State process though, soon after, these masses launched reform movements in the 19th century claiming more concessions for the lower and the labouring classes of people. The Classical Liberal State overcame this popular challenge without undergoing any fundamental change, though it allowed to “Deepen its popular base and its democratic contents”, as the people won series of political and civil rights. In the end, ‘democracy’ was grafted on to the Liberal State, and a ‘Liberal-democratic State’ was thus born with contradictions congenitally built into its structure. Faced with democratic challenges from inside, Modern States started becoming interventionist States so as to be ‘able to act and plan organically on behalf of the society as a whole’.

This move towards ‘collectivism’ took several directions, as the imperial powers fought themselves out in their scramble for markets. Ordinarily, dominant classes supported an interventionist State for greater national efficiency whereas the poor masses depended on the State to reign in the industrial capitalism so that their living conditions would improve along with assured economic equality and social justice. The inter-war years witnessed this tumult of collectivism taking at least three directions: emergence of Communist States, of Fascist States and later, of the Welfare State (after 1945).

The evolutionary reformist collectivism culminated in Welfare State, whereas the revolutionary collectivism culminated in the formation of Communist States following the Bolshevik Revolution of 1917 in Russia. These two strands of State formation spread themselves over the globe, so much so that at one point of time, one-third of global population were under Communist rule. Welfare State’s association with democracy went *pari passu*, though the range of welfare giving varied widely from one State to another. Broadly, however, it can be said that if the political reforms of the 19th century were the first step of reformism in modifying the classical Liberal State, welfare was the second installment entailing (i) widening of ‘citizenship’ to include some social and economic rights, (ii) the end of strict *laissez-faire*; and (iii) massive expansion of State bureaucracy.

If the State was kept out of the individual affairs during the Classical Liberalism phase, the reverse swing went to an extreme with the emergence of Fascist States in Italy, Germany, Spain and Portugal. The Liberal mind remained perplexed all these years at the dictatorships as the individual’s space of freedom shrunk and the politics of the State became substantially directive.

This reverse swing favouring State took yet another extreme plunge though with less directiveness. This State process was epitomised by corporatist bargaining between State, Capital and the organised labour, which was broadly manifest in the Labour/Social Democratic Party rule in Europe during 1960s and 1970s (The Conservatives seldom radically differed from this line). As Stuart Hall (*op.cit.*) observes: “The expansion of the State into the whole fabric of the civil society and private life belongs par excellence to this period.” Advocates of ‘Rational Capitalism’ wanted a big State which can only carry advanced capitalism effectively whereas the social democrats believed that a powerful State can always help ameliorate the adverse effects of Capitalism without, however, destroying the system. The State actually had fewer challenges to cope with; but the issues beleaguered this State suddenly became overwhelming as the political slogans of ‘Roll back the State’ sent the air paving the way for the advent of ‘Neo-liberal State’. Neo-liberal State is the State of the globalisation period we are passing through and the moot question about this State is: has it really withered away?

3.4 INTERROGATING NEO-LIBERAL STATE IN THE ERA OF GLOBALISATION

From the mid-1980s onwards, the New Right on the global scene in general and the political regimes of USA and UK in particular, have devised for themselves a programme of action centrally aiming to ‘Roll back the State’. These programmes consisted of proposals to curb State intervention, cut State bureaucracy and public expenditure, reduce welfare, privatise State-run enterprises, arrest the trend towards collectivism, restrict the power of the trade unions, restore competitive individualism and the doctrines of free market Liberalism. Essentially, it represented a move to restore the ideal of classical Liberal State, but under the conditions laid down by the advanced capitalism which is passing off as globalisation. Hence the word Neo-liberal State.

Neo-liberalism is actually a capitalist accumulation strategy, a specific growth model which, at the same time, comes complete with its extra-economic pre-conditions. It is a return to the Liberalism of free market in a strategic sense: the class collaboration which Capital sought in the wake of its downfall during the Great Depression and subsequently realised in the form of a Welfare State is no longer acceptable. The other unique feature of this ideology of the New Right is to undermine Nation State based capital mobilisation with the resulting damage to the politics of the affected States. Permeable borders have been encouraged by the transnational capital and international finance has set about re-organising the world economy. Mobile capital is now in a position to twist the arms of the taxing States to minimise its tax burdens though it would mean a fiscal crisis for individual States.

The other aspects of Neo-liberalism include diverse facilitation made possible and available by WTO and IMF to the transnationals. Concretely, it means the demands made by these powerful global governance institutions to privatise electricity, water and many other basic services. Part of Neo-liberalism is the marginalising of the democratic process. Governments can no longer choose their economy freely without consulting or upping their antennas towards IMF and WTO. Yet, another feature lies in what is called ‘Venue Shifting’ in which the relatively more democratic international institutions are

deprived of resources and decision-making powers in favour of those where the rich countries are decidedly more powerful. Thus, there is a shift of decision-making authority away from the UN General Assembly towards the IMF; the World Bank and WTO have likewise expanded their powers in comparison to the earlier GATT. Responsibility for education, environment and health care are being shifted from the UNESCO and WHO to the World Bank, which also has arrogated to itself the role of a political adviser to the loanee countries.

All these global governance institutions come into the process of acting in this Neo-liberal era only as per the terms set by the Capital under which government policy makers can act. As W.K. Tabb (2003) has elaborated: “The way this works is that policies are first discussed by corporate leaders in groups such as Business Roundtable in the United States and its counterparts in Europe and Japan. Then there are meetings of the working groups of such organisations as the Trans-Atlantic Business Dialogue, making detailed proposals that they pass on to their national negotiators and monitoring them to be sure they get what they ask for”.

These are the dynamics of globalisation whose forces seek to strengthen the rich countries usually at the expense of the poor countries and the poor people in both the worlds. What has happened to Nation State? Is it in a position to confront the gale of globalisation? Does it mean the end of Nation State? We already know the answer from the early propounder of this thesis Francis Fukuyama. But let us examine this thesis to identify and articulate the new agendas for the States to fulfill in this era of globalisation.

The End of Nation State Thesis (ENT) is usually advanced for three reasons:

- Globalisation of trade and capital has undermined the economic autonomy of the State.
- The world of States is being replaced by a world of societies. “The relics of the world of States have been eliminated in Europe with the end of the East-West Conflict”, observed Ernst-Otto Czempiel. In international politics, we deal now less with States as compared to international organisations, NGOs and other non-state actors.
- The territorial basis of political modernity is being undermined today by new forms of economic modernity. In place of the self-contained Nation State is a network, modeled after transnational firms, detached from territorial forms of order and representing an open system without borders (Dittgen, 1998).

In most of the reflections on globalisation and its impact on Nation State, there is a need to separate rhetoric from the reality and a new look to be given to the evolving agenda of the State. For example, how does one view the perennial problem of ‘Cross-Border Terrorism’ across Indo-Pak border, if it is a ‘Borderless World’ we are living in? As George Simmel has pointed out, “The border is not a spatial fact with a sociological impact, but a sociological fact that shapes spatially”. Viewed from this sociological perspective, we can see the challenges of the State are now demanding a fresh look-different from the conventional pre-globalisation days. For example, today’s social reality along the borders may be less determined by the advanced nature of technology a rich neighbour may be having as compared to the fear of mass migrations from a weak

neighbouring State. The northern countries are increasingly closing their borders against refugees to curb illegal immigration. This problem is a running sore along the borders of USA and Mexico, Germany and Poland among and several African countries. Easy availability of deadly weapons can create a 9/11 catastrophe which has disfigured the international power equation altogether. The recent serial bomb blasts by terrorists in London would also have long-term repercussions on the same lines.

Similarly, despite the universal nature of human rights and the visible importance it has acquired of late, the fact still stands that the international protection of human rights has yet to cross the threshold of sovereignty. The individual has no direct function as a legal entity at the level of international law. The State of which he is a citizen acts as intermediary. It is true that international organisations are recognised by International Labour Organisation (ILO) but the Nation State still remains the most important institution for enforcing these laws and for giving legal protection. “There is practically no democratic method of control and no general democratic public beyond the territorial-State” (*ibid.*).

The economic argument for the ENT sounds the strongest though loss of functions suffered by the borders of a Nation State gets compensated by a new set of tasks, which have filled its agenda. In any case, a definitive form of global control is not possible in this multitude of intricate networks which characterises the global order today. The State as the governmental agency is often called upon to perform the role of a coordinator between a multitude of actors participating in the negotiations. Internationally, the Nation State is becoming a “Competition State” within the framework of a world market. It has taken on itself the function of coordinating within the transnational negotiation system. (Cerny, 1997). This is, however, not to minimise the importance of the stark reality of the State losing its welfare functions and probably, through that route, a considerable measure of its legitimacy. State intervention now is shifting increasingly from the macro-economic to the micro-economic level and its presence is felt more at the grassroots level either through mediation of its lower bureaucracy or the collaborating NGOs.

Another set of powerful observations focus on the institution of citizenship which, it has been argued, is losing its meaning. Authors such as Yasemin Soysal and Saskia Sassen have advanced the view that a variety of forms of membership not defined by national borders are taking the place of citizenship. But as these authors have taken care to mention, actual realisation of citizenship benefits is bound to the boundaries of the Nation States. This also includes enjoyment of social rights independently of citizenship. Whether it is in Europe or in the USA, “Social rights are reserved for citizens and restricted for legal immigrants”. The Statelessness experiment of the European Union of 25 states is blatant in its breach than whatever little achievement has been registered in the direction of unification. Virtually, there is no international law which can force entry into a country. And on the issue of migration, Nation States defend their sovereignty with utmost determination.

3.5 CONCLUSION

Thus, a reading of the tortuous evolutionary path the State has been through historically should convince you that a new type of State is emerging: a State, which is growing in the presence of competition, markets, non-state actors and a number of international control agencies. It has become a part of the system which thrives on transnational

negotiations, borderless trade, information technology and network governance. We will read more about it in the subsequent Units of this Course.

So, how do we conclude? Whichever way we may conclude, the fact remains that (i) The Nation State does not emerge unscathed from the torrents of globalisation, and (ii) If we choose to train our sights responsively, it is not difficult to observe the same State saddled with a host of responsibilities, including some new ones. What the State has lost is what Ferdinand Tonnies called *Gemeinschaft* i.e., a holistic character, a sense of organic solidarity, which is beyond pragmatism and a set of given ‘tasks’.

As Philip G. Cerny (*op.cit.*) has observed, “If there is an increasingly paradigmatic crisis of the State today, it concerns the erosion of this posited underlying bond, and the demotion of the State to a mere pragmatic association for common ends – what Tonnies called *Gesellschaft* and Michael Oakeshott called ‘Enterprise Association’. The ‘End-of-Nation State’ thesis therefore is based on a narrow viewing of the role of State. This is the outcome of a mechanical interpretation of State. As Bob Jessop (continuing further the unfinished researches of Nicos Poulantzas on the Relative Autonomy of State Thesis) has observed: “The State is not simply something towards which one must adopt a political strategy, but is something (or better, a social relation) which can be fruitfully analysed as the site, the generator and the product of strategies. Further, it is not a unitary force but rather a specific institutional ensemble with multiple boundaries, no institutional fixity and no pre-given formal or substantive unity..... Any substantive unity which a State system might possess derives from specific political projects and struggles to impose unity or coherence on that system” (Cf Pierson, *op.cit.*).

Taking Bob Jessop’s parameters, one can argue that a new Nation State with new boundaries and a new set of agendas is in the making, which is what should not be confused for “End of State”. Empirically speaking, what we are experiencing in these days of globalisation is an accelerated intensification of transnational relations (Jessop’s political project). A loss of autonomy has been caused to this State with the dire implications for the society. State’s loss of autonomy however does not suggest, either logically or empirically, loss of sovereignty. This new *avatar* of the Nation State (i.e. the Neo-liberal State) is saddled with an over-increasing load of responsibilities to coordinate among diverse domestic and foreign policy networks. We will read more on Neo-liberal perspective in Unit 5 of this Course. On the sovereignty front, however, no viable alternative has appeared on the global horizons; and this would delay the advent of a Cosmopolitan Democracy or One World since cosmopolitan law is a necessary consequence of a routine, normally functioning Constitutional State. Till then, we have to make do with this new State, which is always open for progressive changes in response to forces of globalisation-from-below.

3.6 KEY CONCEPTS

Bolshevik Revolution

Coup organised by Vladimir Lenin and carried out by the Bolshevik radical group of the Russian Social Democratic Labour to overthrow the provisional government of Russia in November 1917. It is also known as October Revolution. The Revolution was led by

Leon Trotsky and marked the first official communist revolution of the 20th century, based upon the ideas of Karl Marx

www.photius.com/countries/uzbekistan/glossary

Fordist

The social institutions of mass production, collectively called Fordism.

GATT

General Agreement on Tariffs and Trade that was originally negotiated in Geneva, Switzerland in 1947 to increase international trade by reducing tariffs and other trade barriers. GATT provides a code of conduct for international commerce and provides a framework for periodic multilateral trade negotiations on trade liberalisation and expansion. A round of negotiations pertaining to free international trade and limiting quotas and tariffs was held in Punta del Este, Uruguay in 1987

www.ecifm.rdg.ac.uk/glossary.htm

Global Civil Society

It is an emerging reality, still under construction, not completely defined in its composition and functions. It is a social expression of the awakening of an authentic planetary culture grounded in the spiritual values and social experience of hundreds of millions of people. Global civil society emerged as a major social force to resist an assault on life and democracy by the institutions of corporate globalisation. Initially, the resistance centred on World Bank, IMF and WTO, subsequently it shifted to global corporations and financial markets. The global civil society has presented its public face in massive demonstrations in countries around the globe. The organized expression of these sources of socio-political energy has been also identified as ‘globalisation-from-below’

(www.coe.int and Centre for Alternative Development Initiatives – Draft Paper).

Great Depression

It was a global economic slump that hit North America and other Industrialised areas of the world between 1929-34. It was precipitated by the collapse of the US Stock Market in October 1929. The term ‘depression’ denotes (in economic sense), a cyclical phase of the economy with high unemployment of labour and capital, business consumer pessimism, falling prices, etc.

www.lcweb2.loc.gov/frd/cs/chile/cl-glos.htm

International Monetary Fund (IMF)

Established along with the World Bank in 1946, the IMF is a specialised agency affiliated with the United Nations and is responsible for stabilising international exchange rates and payments. IMF tries to provide loans to its members (including industrialised and developing countries) when they experience balance of payments difficulties. These loans often carry conditions that require substantial internal economic adjustments by the recipients, most of which are developing countries)

www.wcit.org/traders/glossary.htm

Keynes' Welfare Capitalism

It is an economic theory based on the ideas of John Maynard Keynes. In Keynes's theory general (macro-level) trends can overwhelm the micro-level behaviour of individuals. Keynes asserted the importance of the aggregate demand for goods as the drawing factor, especially in downturns. He argued that government policies could be used to promote demand at macro level to fight high unemployment and deflation of the sort seen in the 1930s. Keynes' thoughts conflict with the tenets of classical economics, supply side of economics and Austrian school of economics.

www.en.wikipedia.org/wiki/Keynesian_economics .

Luddites

As per the Wikipedia, the Luddites or Ludds were a social movement of English workers in the early 1800s who protested often by destroying textile machines, against the changes produced by the Industrial revolution that they felt threatened for their jobs. The movement began in 1811 and was named after a probably mythical leader, Ned Ludd. Since then, the term Luddite has been used to describe anyone opposed to technological progress and technological change.

McDonaldisation

It is the process by which a society takes on the characteristics of a fast-food restaurant. The term was coined by Sociologist George Ritzer. It is a reconceptualisation of rationalisation or moving from traditional to rational modes of thought and scientific management. Four primary components of McDonaldisation are: efficiency, predictability, calculability and control

<http://en.wikipedia.org/wiki/mcdonaldisation>

Merchantilism

An economic philosophy of the 16th and 17th centuries that laid that international commerce should primarily serve to increase a country's financial wealth, especially of gold and foreign currency. It stresses on the development and control of tradable goods as a means to foster the general good or wealth of a country

www.personal.umich.edu/~alandear/glossary/m.html.

Pari passu

With equal speed or simultaneously and equally .

UNESCO

United Nations Educational, Scientific and Cultural Organisation or UNESCO is a specialised agency of the United Nations system established in 1946. The main objective of the organisation is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice for the Rule of Law and for human rights and fundamental freedoms.

Washington Consensus

Prof. John Williamson's expression which conveys the ideological consensus shared by Washington headquartered government and international organisations (consisting of the

Government of USA, World Bank, IMF etc) as distinguished from the organisations like UNESCO, WHO etc. headquartered elsewhere (also discussed in the Key Concepts of Unit 1).

Word Trade Organisation (WTO)

It is a global international organisation dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the World's trading nations. The goal is to help producers of goods and services, exporters, and importers conduct their business. The headquarters of WTO are located at Geneva, Switzerland www.wto.org/english/docs-e/docs-e.htm

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3.8 ACTIVITY

1. Try to read a few recent articles or write ups in newspapers, magazines, journals and books and pen down your viewpoints on the characteristic features of the present Nation State.

UNIT 4 LIBERAL AND MARXIST PERSPECTIVE

Structure

- 4.0 Learning Outcome
- 4.1 Introduction
- 4.2 Thinking about the State
- 4.3 The Liberal Perspective of the State
- 4.4 The Marxist Perspective
- 4.5 New Trends in Marxist and Liberal Thought
- 4.6 Conclusion
- 4.7 Key Concepts
- 4.8 References and Further Reading
- 4.9 Activity

4.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Throw light on the Liberal perspective of the State
- Analyse the views of Marxist scholars on the State, and
- Discuss the new trends in the Liberal and Marxist analyses of the State

4.1 INTRODUCTION

In this Unit, we propose to analyse two major perspectives of political philosophy regarding the origin, nature, role, purpose and functions of the State. These are the Liberal and Marxist perspectives, which seek to describe the State as an institution / apparatus grounded firmly in two major ideologies with the same name that is, Liberalism and Marxism. The discussion on these ideologies reflects on certain basic questions pertaining to the relationship between the human beings and the State; what is/what ought to be the nature of this relationship, what is/ought to be the relationship between State and society or civil society, what are the functions of State, how are they to be performed and most importantly, why do human beings need the State.

The State is a highly differentiated, specialised and complex institutional phenomenon. We have already dealt with the nature, purpose and evolution of the State in the first Unit of this Course, this Unit would delve more into the different viewpoints on the State. In modern western political thought, the State is usually identified with an impersonal and privileged legal or Constitutional order with the capability of administrating and controlling a given territory. The earliest expression of this conception could be traced to Rome in the ancient world, but it did not become a major object of concern/analysis until the development of the European State system from the 16th century onwards. The historical changes that contributed to the transformation of medieval notions of political life were immensely complicated. Struggles between monarchs and feudal lords over the domain of their rightful authority, peasant protests, revolts against the tyranny of excess, taxation and social obligation, spread of trade, commerce and market relations, flowering of Renaissance

culture, consolidation of national monarchies, challenge to the universal claims of Catholicism and religious strife, struggle between the Church and State and emergence of the secular domain-all these played a part.

While the works of Niccolo Machiavelli (1469-1527) and Jean Bodin are of great importance in these (1530-1596) developments, Thomas Hobbes (1588-1679) clearly expressed the new concerns regarding the nature of State as the public power and its relationship to the ruler and the ruled. The major concerns of political analysis were: What is the State? What are its origins and foundations? What is the relationship between State and Society? What should this relationship be? What does and should the State do? Whose interest does the State represent? Some of these queries have been raised in the initial three Units of this Course. Some of them pertaining to the relationship between the State and the civil society will be dealt with later in Unit 19.

In modern societies, the relationship between the State, as the sphere of political authority and economy in which wealth is accumulated, goods and services produced and income distributed, is regarded as crucial to the overall pattern of relationships. The most important issues concern the extent to which resources should be allocated by people who can control them through having money and the extent to which they should be allocated by the people who can control them through having political authority. The State is seen as the only system of relationship, powerful and pervasive enough to control the dominance of commercial interests.

An understanding of the State, therefore, is crucial to the grasp of 19th and 20th century political thought and practice. Even those traditions, which have reacted most critically against the State, such as Marxism or Anarchism, cannot but reflect on its profound significance. So much so that it can easily be said that the State is being slowly rediscovered by even those political theorists, who are working from a Marxist perspective. As far as the Liberal perspective is concerned, it is full of reflections on practices such as citizenship, family, property and rights usually within a broad overarching account of the State, its nature and purpose. Interestingly, despite centuries of analyses, thought and debate, social scientists have not yet reached anywhere close to agreement (nor is it necessary because of the very nature of the subject matter) on the essential nature, role, and character of the State. Nevertheless, we will in this Unit, discuss the contested as well as not so contested domains of the State.

4.2 THINKING ABOUT THE STATE

Even though, a detailed discussion on the nature of State has been made in the introductory Unit of this Course, there are a number of reasons why it is important to think more carefully about the State. Practically, it is now almost impossible to conceive life without it. Statehood not only represents a set of institutions but also a body of attitudes, practices and codes of behaviour. State has subtly penetrated most of our lives. We begin and end our lives within its confines. Thus, besides being a complex concept, it is also an everyday reality that we cannot ignore as brought out so well by David Held (1998). He observes, “The State or apparatus of ‘Government’ appears to be everywhere. regulating the conditions of our lives from birth registration to death certification. Yet, the nature of the State is hard to grasp. This may seem peculiar for something so pervasive in public and private life, but is precisely this pervasiveness which makes it difficult to understand. There is nothing more central to political and social theory than the nature of the State, and nothing more contested.”

Secondly, as Held (*ibid.*) puts it, the State is neither a neutral institution which we can afford to ignore nor has it arisen out of pure chance or accident. There are customary features which have evolved slowly over the years. Nonetheless much of

its form and structure can be understood completely only by grasping the legal and political theories surrounding it. Sometimes, they are more of ex-post facto theorising and trying to comprehend the actual structures that have arisen; while, at other points it is the theory in itself which has given rise to the development of specific institutions. Since it is the ideas underlying theories of the State which often determine both the form of the State and our attitude to it. It is crucial to grasp them in order to have an informed understanding of the State.

Thirdly, there is considerable conceptual intermeshing surrounding the very idea of the State. Often concepts such as society, community, nation, government authority, sovereignty and so on are muddled together with the notion of the State. This is so due to the diverse uses of these concepts within differing theoretical contexts. Moreover, reflections on concepts such as law, authority, rights and obligations imply the existence of some form of a State and are hence meshed into it. Thus, an essential, prelude to any study of such concepts would be familiarity with the theories of the State. This centrality of the State is echoed in the opening lines of Bluntschli's classic, *The Theory of The State* - "Political Science in the proper sense is the science which is concerned with the State". Bluntschli's view is also reaffirmed in some more recent texts in political theory. D.D. Raphael, for example, observes that "Political is whatever concerns the State".

Similarly, N.P. Barry (1981) observes that 'the history of political theory has been mainly concerned with the State. No doubt all the problems of politics including justice, freedom and rights are in the end State-related. Historically, politics does have a wider scope than the State. Yet, in a contemporary sense, it is difficult to see politics existing apart from the State or from the aspiration to Statehood. Politics now is intrinsic to the State. However, this does not limit politics to one particular entity nor is State clearly a single thing. The diversity of State theory is a major factor of the philosophical appraisal of the State and the diverse values attached to it. The State is a complex of ideas and values.

These ideas are dense in texture and diverse in interpretation. To seek to grasp them is to understand much of the human political experience spread over a number of centuries, the richness and variety of which is encompassed or reflected in the theories of the State. Those interested in understanding their society/societies have to explore the various approaches to the State and decide which of them, if any, provides the best explanation of how the State has developed and how it works. This makes the study of different theoretical perspectives on the study of the State not only important, but almost essential. The most comprehensive perspectives out of them are represented by the Liberal and the Marxist perspectives.

4.3 THE LIBERAL PERSPECTIVE OF THE STATE

The Liberal perspective of the State is based on the philosophy of Liberalism, which broadly represents freedom, modernity and progress. Emerging around the same period as that of the evolution of the modern States, it came to signify the attempt to define a private sphere independent of the State. Gradually, Liberalism became associated with the doctrine that freedom of choice should be applied to matters as diverse as marriage, community, religion, economic and political affairs. In fact, to everything that affects daily life (Macpherson, 1973). In this view, the world consists of free and equal individuals with natural rights. The concern of politics should be the defence of the rights of these individuals in a way that must enable them to realise their own capacities. The mechanisms for regulating individuals, and pursuit of their

respective interests were to be the Constitutional State, along with private property, the competitive market economy and the family which was distinctly patriarchal.

Liberalism is hailed for upholding the values of reason and toleration in the face of tradition and absolutism (Dunn, 1979). No doubt, Liberalism celebrated the rights of individuals to life, liberty and property, but liberal individual was generally the property owning male and the new freedoms were first and foremost for the men of the new middle classes. It is notable that the Western world was liberal first and only later, that too after extensive conflicts, it became democratic, when universal franchise became the norm all over.

Broadly, a Liberal conception of the individual and the State consists of at least four basic elements. *First*, it is individualistic. It asserts the moral primacy of the person against the claims of any social collectivity. *Second*, it is egalitarian. It confers on all individuals the same moral status and denies relevance to any legal and/or political order of difference in moral worth among human beings. *Third*, it is universalistic. It affirms the moral unity of human species and accords a secondary importance to specific historical associations and cultural forms. *Fourth*, it is meliorist. It acknowledges the corrigibility and improvability of all social institutions and political arrangements (Gray, 1986).

Hobbes was among the first to make a more curious search into the rights of States and duties of subjects (Cf Skinner, 1978). His thoughts mark a point of transition between a commitment to the Absolutist State and the struggle of Liberalism against tyranny. In so doing, he produced a political philosophy which became a fascinating point of departure for reflection on the modern theory of the State. It was Liberal because Hobbes derived the existence of society and the State by reference to free and equal individuals as the components of social life and emphasised the importance of consent in the making of a contract or bargain, not only to regulate human affairs and secure a measure of independence and choice in society, but also to legitimise such regulation. Interestingly enough, his political conclusions emphasised the necessity of a practically all-powerful State to create the law and secure the conditions of social and political life. Thus, his thought reflects a constant tension between the claims of individuality on the one hand, and the power requisite for the State to ensure peaceful and commodious living on the other (Macpherson, *op. cit.*).

In the Hobbesian conception, as we have seen in Unit 1, the State is regarded as pre-eminent in political and social life. While individuals exist prior to the formation of civilised society and to the State itself, it is the State that provides the conditions of existence of the former. The State alters a miserable situation for human beings by changing the conditions under which they pursue their interests. It constitutes the society through the powers of the sovereign to enforce the law. The self-seeking nature of individuals' behaviour and patterns of interaction necessitates the indivisible power of the State. The State must be able to act decisively to counter the threat of Anarchy. Hence, it has to be powerful and capable of acting as a single force. The State and its actions can and must be considered legitimate. The 'Leviathan' or the Sovereign State represents the public, the sum of individual interests, and thus can create the conditions for individuals to live their lives and to go about their competitive and acquisitive business peacefully.

John Locke (1632-1704) raised a fundamental objection to the Hobbesian conception of State as an indivisible sovereign public power to look after the interests of self-seeking individuals: "This is to think that men are so foolish that they take care to avoid what mischiefs may be done by Pole Cats or Foxes, but are content and think to be safe, to be devoured by Lions". He rejected the notion of a great Leviathan, pre-eminent in all social spheres, an uncontested unity establishing and enforcing the law

according to the Sovereign's will. It is worth noting here that Locke had approved of the revolution and settlement of 1688, which imposed certain Constitutional limits on the authority of the Crown in England. For him, the State (or government as Locke often put it) can and should be conceived as an 'instrument' for the defence of the life, liberty and estate or property of its citizens, that is, the State's *raison d' etre* is the protection of individual's rights as laid down by God's will and as enshrined in law. Society exists prior to the State, and the State is established to guide society.

Locke placed a strong emphasis on the importance of government by consent, which could be revoked if the government fails to sustain the 'good of the governed'. Legitimate government requires the consent of its citizens, and government can be dissolved if the trust of the people is violated. In Locke's opinion, the formation of the State does not signal the transfer of all the rights of the subjects to the State. The rights of law making and enforcement (legislative and executive rights) are transferred, but the whole process is conditional upon the State adhering to its essential purpose: the preservation of life, liberty and estate. Sovereign power or sovereignty remains with the people. Thus, an Absolutist State and the arbitrary use of authority are inconsistent with the integrity and ultimate ends of society.

Locke believed in the desirability of a Constitutional monarchy holding executive power and a Parliamentary assembly holding the rights of legislation. Although he did not think this was the only form of government and his views were compatible with a variety of other conceptions of political institutions. The government rules and its legitimacy is sustained by the consent of the individuals; it could be interpreted to suggest that only the continually active personal agreement of individuals would be sufficient to ensure a duty of obedience, that is to ensure a government's authority and legitimacy (See: Plamentoz, 1963). The government by virtue of the original contract and its covenants, is bound by the law of nature and thus, bound to guarantee 'life, liberty and estate.' The price of this is a duty to obey the law, an obligation to the State unless the law of nature is consistently violated by a series of tyrannical political actions. In the eventuality of such situation, Locke believed, a rebellion to form a new government, might not only be unavoidable but just.

The duties of the State are the maintenance of law and order at home and protection against aggression from abroad. The State according to Locke, should be the regulator and protector of society so that individuals are able to satisfy their needs and develop their capacities in a process of free exchange with others. Thus, Locke can easily be called one of the first great champions of Liberalism as his works clearly stimulated the development of what we may call liberal democracy by advocating the rights of individuals, popular sovereignty, majority rule, a division of powers within the State, Constitutional monarchy and a representative system of government.

The need for limits upon legally sanctioned political power was taken further by two of the other notable advocates of Liberal democracy: Jeremy Bentham (1748-1832) and James Mill (1773-1836). For these two thinkers, Liberal democracy was associated with a political apparatus that would ensure the accountability of the governors to the governed. As Bentham wrote : "A democracy... has for its characteristic object and effect... securing its members against oppression and depredation at the hands of those functionaries which it employs for its defence". Thus, democratic government is required to protect citizens from despotic use of political power. Macpherson calls this a "Protective case for democracy" (See: Constitutional Code, Book 1 and Macpherson, *op.cit.*).

Bentham and Mill argued that "Only through a system of vote, secret ballot, competition between potential political leaders (representatives), elections, separation of powers and the liberty of the press, speech and public association could the interest

of the community in general” be sustained. They thought of the concepts of social contract, natural rights and natural law as misleading philosophical fictions, which failed to explain the real basis of the citizen’s commitment and duty to the State. This basis could be understood by grasping the primitive and irreducible elements of actual human behaviour. The overriding motivation of human beings, according to them, is to fulfill their desires, maximise their satisfactions or utilities, and minimise their suffering; society consists of individuals seeking as much utility as they can get from whatever it is they want; the government must act according to the Principle of Utility. Bentham thus proposed free education, guaranteed employment, minimum wages, sickliness benefit and old age insurance as well as a system of agricultural communes and industrial houses to take care of the destitute as distinguished from the poor.

The State must aim to ensure, by means of careful calculation, the achievement of the greatest happiness of the greatest number, which, according to Bentham and Mill, was the only scientifically defensible criterion of the public good. It also had four subsidiary goals: “To provide subsistence; to produce abundance; to favour equality; to maintain security”. If the State pursues these goals, it will be in the interest of the citizens to obey it. Thus, Bentham and Mill provided one of the clearest justifications for the Liberal Democratic State that ensures the conditions necessary for individuals to pursue their interests without the risk of arbitrary political interference and to participate freely in economic transactions. These ideas became the basis of classical 19th century Liberalism, wherein the State was to have the role of the umpire or referee while individuals pursued, according to the rules of economic competition and free exchange, their own interests. Periodic elections, the abolition of the powers of the monarchy, the division of power within the State plus the free market was to lead to the maximum benefit for all citizens.

If Bentham and Mill have been called reluctant democrats, John Stuart Mill was a clear advocate of democracy, preoccupied with the extent of individual liberty in all spheres of human endeavour. Liberal democratic or representative government was important for him as an important aspect of the free development of individuality and participation in political life was vital to create a direct interest in government and, consequently, a basis for an involved, informed and developed citizenry. According to Macpherson and Dunn, James Mill conceived of democratic politics as a prime mechanism of moral self-development and achievement of ‘human excellence’. A system of representative democracy, according of Mill, makes government accountable to the citizenry and creates wiser citizens capable of pursuing the public interest.

Thus, the Classical Liberal State was born out of protest and dissatisfactions, which led the newly emerging middle classes to reject the older system of power structure. They wanted to free production and trade from unnecessary restraints, both sacred and secular. They wanted a voice in determining what the services should be and how much should be paid for them. They wanted a State, which honoured thrift, industry and enterprise, just as they wanted a society, which could dispense with obsolete hierarchical arrangements in which the honoured places were reserved for the high born aristocrats. However, if a State were to be able to meet the aspirations of the rising middle classes, it could, as the supreme coercive authority, enslave, free or plunder the industrious. This was the dilemma that kept the Liberals torn between their need for the State and their fear of it. They defined the authority of the State and the liberty of the individual as opposites, only to find that they cannot dispense with either of them.

The Classical Liberals, therefore, perceive the State as suspect, for it possesses power and power corrupts. They naturally insist on limiting the powers of the State. For

them, the ‘State is best which governs the least’. Jeremy Bentham admonished the State to ‘be quiet’. Herbert Spencer declared that ‘government is essentially immoral’ while Edmund Burke concluded, “It is the positive power of the State to prevent much evil; it can do very little positive good.” Similarly, Thomas Paine went to the extent of arguing in his common sense that “Government, even in its best state is but a necessary evil”.

Interestingly, while all Liberal thinkers agree on a theory of limited State, there is no unanimity among them as to whether such a limited State should necessarily be a minimum State. However, most of them would accept that the Liberal State may have a range of service functions, going beyond protection of rights and the upholding of justice. For instance, J.S. Mill prescribes ‘optional’ areas of State interference in fields of education, care of children and insane, relief for poor, public utilities like water and regulation of hours of work.

Among the negative functions of the State permitted by the Classical Liberals, the most important is the protection of person and property against the mischief of others. *Secondly*, the State seeks to enforce contract obligations among individuals and while enforcing contracts the State does not regulate, direct or interfere with the conduct of individuals ; it merely gives effect to their expressed will. *Thirdly*, the State is expected to promote exchange so that buyers and sellers, producers and consumers, employers and workers may have free access to the market.

This third function involves not only the provision of a standard medium of exchange, uniform currency, standard weights and measures but also physical means of transaction like roads, railways, telephone and other means of communication. *Fourthly*, the State has to maintain free competition so as to achieve general welfare. *Lastly*, the State may perform / undertake some ameliorative functions like providing for public education and taking care of children and the disadvantaged sections of society as distinct from the general welfare activities. However, it is remarkable that the Liberals not only describe the functions of the State, they also specify effective devices to restrain State’s power like Constitutionalism, separation of powers, decentralisation of authority etc.

The arrival of mass democracy and the revolution in communication led to a conception of State as the provider of general welfare and not simply, as Classical Liberals believed, the guardian of the framework within which individuals may provide for themselves. Consequently, the power and scope of the government has increased notably during the last hundred years. People now demand government intervention to meet their basic needs. They have realised that most of their problems are not a result of the niggardliness of nature. They are artificial and man-made and so can be solved by individuals through collective deliberation and collective action and that can be possible through the institutions provided in a democracy. This realisation paved way for the ideas of Welfare State.

The advocates of Welfare State or the New Liberals did not build a philosophy upon the demonisation either of private enterprise or of the State. They continue to believe in the creative potential of capitalism, provided it is governed/guided by collective intelligence represented through effective public agencies. Thus, the Welfare State aimed at a readjustment of incomes in order to provide adequately for the disabled and the disadvantaged, economic recovery and the diffusion of such concentration of power that account for economic disadvantage.

According to the New Liberals, “The function of the State is to secure conditions upon which its citizens are able to win by their own efforts all that is necessary to a fulfill civic efficiency. It is not for the State to feed, house or clothe them. It is for the State to take care of the fact that the economic conditions are such that the normal

man who is not defective in mind or body or will, can by useful labour feed, house and clothe himself and his family. The ‘Right to Work’ and the Right to a ‘Living Wage’ are just as valid as the Right to Property (Hobhouse, 1964). These theorists believe that there is a reciprocal obligation between the individual and the State. The individual owes the duty to work industriously for himself and his family. The State, on the other side, owes to him the means of maintaining a civilised standard of life.

The development of the notion of the Liberal Democratic State in the works of Hobbes, Locke, Bentham and the father-son duo of Mills comprises a very heterogenous body of thought. That it had enormous influence in the Anglo-American world is beyond doubt but it also gave rise to seemingly endless debates and conflicts. Rousseau, for instance, came out with an idea of social contract which creates the possibility of self-regulation or self-government. He held that sovereignty cannot and should not be transferred simply because it could neither be represented nor alienated. He believed, “Sovereignty not only originates in the people, it ought to stay there” (Sec: Cranston, 1986). Rousseau saw individuals as ideally involved in the direct creation of the laws by which their lives are regulated. The sovereign authority is the people making the rules by which they live. This idea of self-government in Rousseau’s thought does not create just a State – a political order offering opportunities for participation in the arrangement of public affairs, but aims at formation of a type of society – a society in which the affairs of the State are integrated into the affairs of ordinary citizens.

T. H. Green, however, added new dimensions to the Liberal perspective. He argued that the State is neither a ‘will’ nor an ‘artifice’, but an institution whose purpose is to ensure common good. He attempts to reconcile Rousseau’s theory of General Will with Austin’s theory of Sovereignty by agreeing that the supreme coercive power indicates the visible presence of the State, but also expects the State to be a moral order that synthesises individual identity with common good. Therefore, the function of a State, according to Green, is not the maintenance of law and order but removal of hindrances in the moral development of individuals. The State is moral because it creates conditions that enable its members to fulfill their basic potentialities. Recourse to force by itself cannot be the legitimate basis of a State. He asserts but concedes that some amount of force may be legitimate when it is used to achieve specific ends sanctioned by the common good of the community. Hence, “Will, not force, is the basis of the State”, proclaims Green.

T.H. Green is believed to have transformed the very basic character of English Liberalism by defining the State not as an aggregate of individuals pursuing private good but as a device for realising common good and positive freedom. Conscious of the great inequalities in his society, he suggested remedies like compulsory education, universal suffrage, active participation in the affairs of the State by all, change in the character of the Parliament and also limitations on the Right to Property. Green, according to MacIntyre (1971), “Was the apostle of State intervention in matters of social welfare and of education ; he was able to be so because he could see in the State an embodiment of that higher self, the realisation of which is our moral aim”.

Green’s revisionary Liberalism found its systematic exposition in the writings of Hobhouse who attempted to synthesise the philosophies of Mill and Green. He accepted the need for government intervention not on paternalistic grounds but to ensure some level of well being for all as an essential precondition for a Liberal society. Believing that the idea of liberty shall not prevent the General Will from acting for the common good, he also stressed on the contribution of welfare measures to the realisation of the Liberal values of equality of opportunity. Keynes and Beveridge further extended this by justifying extension of public control on humane grounds.

The post-World War period ushered Keynesian consensus in England and Roosevelt's New Deal in U.S. reflected a public opinion which favoured an activist State and mixed economy something like a middle path between the old liberal tradition and the new socialist ideals. However, there were still those who swam against the current and claimed allegiance to Classical Liberalism. The most noteworthy among them was F.A. Hayek and Nozick who rejected central planning and collectivism as leading to totalitarianism and pleaded for a return to free market and spontaneous social order. He believed that useful social institutions could arise and function without any overall organisation, without exercise of power or authority, without coercion and thus without compromising individual liberty.

Another important exponent of Liberal perspective is Karl Popper who rejects the wholesale transformation of society that Marx advocates and justifies piecemeal reform of social institutions (or social engineering as he would like to call it) as the path of reason. Similarly, Isaiah Berlin offers an eloquent defence of the importance of 'negative liberty'. However, the most extraordinary revival of Liberalism comes in the writings of John Rawls, who developed a concept of justice that is congruent with liberty and reciprocity. He retained Utilitarianism's aim of maximising social welfare but insisted on separateness of persons so that none are viewed as means to the ends of the society at large. He also emphasised that cooperation, toleration and mutual advantage are the keys to stability of a well-ordered society.

4.4 THE MARXIST PERSPECTIVE

The Marxist Perspective, also commonly regarded as the class theory of State, is basically a perspective, which has evolved from the writings of Karl Marx and Frederick Engels and some other classic Marxist theoreticians such as Vladimir Lenin, L. Trotsky and A. Gramsci. It is worth remembering here that Marx did not offer a theoretical analysis of the State as such. His work on the State comprises a fragmented series of philosophical reflections, contemporary history, journalism and incidental remarks. It is not surprising, therefore, that Marx rarely focused directly on the complex concept of State. From the beginning, Marx made it clear that the point is not to contemplate or interpret the world, or the State, but to change it.

Therefore, it is difficult to acquire any clear unitary theory of the State from the diverse writings of Marx and Engels themselves. More so, because the emphasis of Marxism has not been to understand the State in itself, but rather to explain it as a result of a more fundamental reality, which is usually economic in character. Thus, it is the functional role of the State within the economy, rather than its Constitutional or institutional form, which is significant. Basically, Marxism is a 'praxis' philosophy mostly responding to immediate events and issues. The closest Marx ever comes to a systematic treatment of the State is in his early work, "Introduction to a Critique of Hegel's Philosophy of Right", but there too, he engages in mainly negative criticism. It is intrinsic to Marxist perspective that the State is seen as a universal but temporary phenomenon which ultimately has to be done away with. Most of the Marxist writings have been directed to the fact that the ultimate end of history and class struggle is Communism, which has to be a Stateless condition.

Despite such theoretical constraints, there is one central concept in Marxist theorising about the State – the idea of class (Ostrom, 1974). The State is seen as the expression or condensation of class relations, which implies a pattern of domination and oppression that are other general elements of Marxist perspective. A class interest is seen to manage the State apparatus in the interests of that class alone. This involves the exercise of power over other groups or classes. The history of States is therefore,

the history of such class domination and class struggle. This notion of class also links up with human labour and a particular theory of human nature and history; however, it is class which remains the key to the State.

The emergence of new social classes was one of the central factors leading first to the revision of Classical Liberalism in the works of John Stuart Mill and later of Auguste Comte and Emile Durkheim. This very process in the context of the development of industrial capitalism, was also a key factor in the social, economic and political environment that provided the fundamental motifs to the Marxist perspective on State. As Engels argued, ‘It was ... Marx who had first discovered the great law of motion of history, the law according to which all historical struggles, whether they proceed in the political, religious, philosophical or some other ideological domain are, in fact, only the more or less clear expression of struggles of social classes (See: Selected Writings of Marx and Engels).

This point of view has been emphasised by almost all political commentators of Marx and Engels. One such recent commentator has thus put it: Most of their political writings were produced to describe specific historical context; and / or to provide a theoretical basis for the identification of political class interests and an appropriate mode of intervention in the class struggle. Marx believed that the State belongs to the superstructure and in course of history, each mode of production gives rise to its own specific political organisation to further the interests of the economically dominant classes. In ‘The Manifesto’ he declares “The executive of the modern State is but a committee for managing the common affairs of the whole bourgeoisie” (Jessop, 1983).

For Marx and Engels, the State expresses human alienation. It is an instrument of class exploitation and class oppression. In the *Eighteenth Brumaire of Louis Bonaparte* (1852), Marx denounces the bureaucratic and all powerful State and advises its destruction. He then projects an image of the future society free from the internal tensions of the capitalist society, which would perfect and universalise all the elements of the bourgeois society that could be universalised. He believed that the communist society would eliminate all forms of alienation for the human individual, from nature, from society and from humanity. It will establish a true democracy with the majority ruling for all intent and purpose for the first time. The transitional State – the ‘Dictatorship of the Proletariat’ -lies between the destruction of Capitalism and attainment of Communism.

Interestingly, neither the phrase ‘Dictatorship of Proletariat’ nor the idea of eliminating State power was mentioned in the Manifesto. Instead, Marx and Engels talk about the ‘Political Rule of the Proletariat’ advising the workers to capture the State, destroy the privileges of the old class and prepare the basis for the eventual disappearance of the State. They are convinced that existing States, whether as instruments of class domination and oppression or bureaucratic parasites on the society, grow inherently strong and remain minority States, representing the interests of the small but dominant and powerful possessing class. Keeping this in view, Marx advises the Proletariat to seize the State and make it democratic and majoritarian for transitory phase and destroy it ultimately. The destruction of the State has only one implication for the communists, namely the cessation of an organised power of one class for the suppression of another class (Draper, 1977).

Marx seems to have modified his views on the State during 1848-1852. It was during these years that Marx accepted Engels’ formulation that Dictatorship was necessary to fill the vacuum that would come up as a result of destruction of the old order and till the creation of the new order. They stressed that it did not mean the permanent rule of one person or group rather it was to be an extraordinary power during an emergency

for a limited period. Still, Marx did not define, in any specific way, as to what the Dictatorship of the Proletariat entailed and what its relationship to the State was. It can be said that the Dictatorship of the Proletariat was Marx's name for the State that leads the transition to Communism and therefore to the end of the State itself (Elster, 1978). The name is apt to grasp Marx's insistence, as distinct from the Anarchists, that States continue to be necessary in the period between the overthrow of Capitalism and the emergence or establishment of Communism. The pre-communist State has a mission to perform; it is indispensable for superintending the transition to communism and, in so doing, creating the conditions for its own demise.

The idea that force is the foundation of States is a dominant view in Western political theory from Machiavelli through Hobbes to Weber and beyond. What is distinctively Marxian is the additional claim that the State is always the 'dictatorship of a class'. The State, for Marx, is the means by which the exploiting class organises its 'class dictatorship' and also the means by which the dominant class overcomes its coordination problem.

In Marx's view and even more explicitly in Lenin's, the revolutionary party is useful for countering the State's role in decapacitating subordinate classes, just as it is indispensable in the struggle for State power. But it is only with the conquest of State power that the coordination problems of subordinate classes can be definitively redressed. It is by organising its own 'class dictatorship' that a previously subordinate class fully becomes a 'class for itself'. Joined with the orthodox historical materialist claim for the inevitability of Communism, these positions explain Marx's and Lenin's identification of the State under socialism with the Dictatorship of the Proletariat. It is notable that the Dictatorship of the Proletariat is not a form of government, but a type of State; a State superintending the transition to Communism or, what comes to the same thing in Marxian scheme, a State where the working class holds State power. Simply put, workers' power does not imply a dictatorial form of government. However, it does imply restrictions on the rights of former exploiters and other social strata whose interests are detrimental to workers' interests.

Thus, Proletarian Dictatorship proclaims inequality in order to superintend the transition to a classless society where equality for all is finally achieved. For the Dictatorship of the Proletariat and therefore Communism to be possible, proletarian class rule must not only be materially possible but also institutionally feasible; the Proletariat must be able to constitute itself as a ruling class and reproduce its domination for as long as the construction of Communism requires. Only then would Communism be on the historical agenda in the sense that means for its realisation can be conceived. 'Taking men as they are and laws as they might be.' The Anarchists and Social Democrats contended that the Marxist political order could turn out to be a rigid oligarchy of technocrats and officials and could ultimately result in negation of liberty.

The Social Democrats articulated the possibilities of using the existing State for the realisation of Socialism and enhancement of human freedom. However, Marx continued to advocate the revolutionary overthrow of the existing bureaucratic – military State and replace it with the Dictatorship of the Proletariat that is truly democratic and majoritarian. He wrote in the *Critique of the Gotha Programme* emphasising the transitional nature of the Dictatorship of the Proletariat : between the capitalist society and communist society lies the period of the revolutionary transformation of the one into another. There corresponds to this also a political transition period in which the State can be nothing but the revolutionary Dictatorship of the Proletariat.

There are two dominant strands in Marx's account of the relation between classes and the State. The *first* stresses that the State generally, and bureaucratic institutions in particular, may take a variety of forms and constitute a source of power which need not be directly linked to the interests, or be under the control of, the dominant class in the short-term. By this account, the State retains a degree of power independent of this class : its institutional forms and operations or dynamics cannot be inferred directly from the configuration of class forces; they are 'relatively autonomous'. However, Marxian theory has little to say in general about the autonomy of the State (Levine, 1987). We have already briefly touched upon this aspect in Unit 1 of this Course. Marx himself does not address the question directly though many of his historical investigations, his reflections on politics and even some of his casual remarks made in passing in other contexts bear on the question. But it would be difficult to trace a full-fledged theory out of all the pertinent material available.

The *second* strand, undoubtedly the dominant one in his writings, holds that the State and its bureaucracy are class instruments, which emerged to coordinate a divided society in the interests of the ruling class. For Marx, the State is the means through which economically dominant classes overcome their intra-class coordination problems and organise their domination of subordinate classes. The State, then, can only be a class State; and politics, by definition, is a form of class struggle. If the end of class society is materially possible and also institutionally feasible, it follows immediately that the State and politics generally can be transcended. With the end of classes, the State and politics will end too. In the *anti duhring*, Engels introduces the notion of the 'withering away' of the State in which the 'government of persons' is replaced by the 'administration of things'. Both he and Marx accept central planning and direction without force and coercion as a feature of the Proletarian State but they fail to resolve the possible conflict between centralised planning and individual freedom in the communist society.

In their attempts to explore the possibilities of a world proletarian revolution, Marx and Engels began to explore the political developments in the non-European world. *The Asiatic Mode of Production* examines the relevance of Marxist concepts outside the European context. They found that unlike the State in the European context, which was an instrument of class domination and exploitation, the State in Asiatic societies controlled all classes. It did not belong to the superstructure, but was decisive in the economic sphere. It performed economic and social functions for the entire society leading to an overdeveloped State and an underdeveloped civil society. Social privileges emanated from service to the State and not from the institution of private property because the State continued to be the real landlord. The State appropriated the surplus in the form of taxes and this centralised State prevented the rise of free markets, private property, guilds, and bourgeois law.

A critical examination of the idea of the Dictatorship of the Proletariat reveals a tension between the concept's organisational necessity with the larger Marxist hypothesis of enlargement of human freedom. It may be, as already discussed, because Marx sketched but never developed a systematic theory of the State and hence the idea of a political economy remained over-determined and undescribed politically(Wolin, 1987). In the process, he ignored the details that are necessary for managing a society based on equity, just reward and freedom.

Taking the Dictatorship of the Proletariat as the core of the Marxist thought, Vladimir Lenin (1870-1924) reviewed the ideas of Marx and Engels in his 1916 classic *State and Revolution*, which has been regarded as the most substantive contribution of Lenin to political theory. Using the model of the Paris Commune, he argues that the Proletarian Revolution destroys the Bourgeois State and establishes the Dictatorship of the Proletariat-the most appropriate political form during the transitional phase. He

clarifies that Engels' notion of the withering away of the State means that the Proletarian State withers away while the Bourgeois State is abolished / destroyed totally. This was necessary because Lenin too defined the State as a special organisation of force, an instrument of violence for the suppression of one class namely the bourgeoisie. He reiterated that the socialist revolution will lead to the political rule of the proletariat, and its dictatorship. The Proletarian State wielded coercive force but of a different kind, the majority exercised coercion over the minority, a reversal of the Bourgeois State.

The Proletarian State, for Lenin, had to perform two fundamental functions viz., suppression of the bourgeoisie and the establishment of Socialism. In due course, the economic management of society and proper utilisation of the economic resources of community would also become the most important, if not the sole function of the Proletarian State. For this purpose, the Proletarian State would rely on scientifically educated staff. When the classes are completely abolished, the State will have no suppressive function to perform. The State will gradually 'wither away' as the people will become accustomed to observing the rules of socialist life. Lenin expected that it should not take a long time for the State to wither away but none of the 'Socialist States' established under Marxian ideology have shown any signs of withering away. On the contrary, they continue to be much more powerful than any other State in contemporary history.

Lenin's (1939) fundamental achievement was to recognise that States lived within capitalist society and that the needs of different types of national capitalism led naturally to geopolitical conflicts as was evident in the First World War. He regarded the search for markets as absolutely inherent in the nature of Capitalism leading to Imperialism.

4.5 NEW TRENDS IN MARXIST AND LIBERAL THOUGHT

The Liberal thought has made way for the Neo-liberal perspective. As we have read about it in Units 1 and 3, and as more on it will follow in Unit 5, we will not discuss it over here. Marxist analysis has made substantial headway in recent times. Marxists have started seeing State as an autonomous entity. There is an alternative 'structuralist' version that visualises autonomous administrative action within the parameters of capitalist interest serving. Such a reconstruction of Marxist theory has opened up new possibilities of a Marxist theory of Public Administration. There has also been a revival of radical anti-dependency Marxism by scholars like Bill Warren about whom we have briefly read in Unit 1.

Another important Marxist thinker about whom we have read in Unit 1 is Nicos Poulantzas. He rejects all forms of instrumentalism and opposes the argument that modern State is nothing more than a plain tool of monopoly Capitalism. He insists that the State is a complex social relation with an objective function of maintaining social cohesion so that capital accumulation can proceed unhindered. Poulantzas also criticises Miliband for analysing the State in terms of the individual human subjects who control it, rather than in relation to its structurally determined role in capitalist society (Poulantzas, 1978).

Other significant contributions to Marxian thought have been by Althusser and Gramsci. Louis Althusser felt that for a ruling class to survive and prosper, the reproduction of labour power is essential. Generations of workers must be reproduced to create the profits on which capitalism depends. Althusser argues that this kind of reproduction involves reproduction of skills necessary for an efficient labour force as well as reproduction of ruling class ideology and the socialisation of

workers in terms of it. No class, according to him can hold power for any length of time simply by use of force. Ideological control provides a better means of maintaining class rule.

Marxism is more alive today intellectually than it has been for a long time, and Marx's thought is better understood in its full scope and power than it ever was by the Marxists of the Second International. Moreover, Marxism is also questioned much more in its basic assumptions than it has ever been before and that too by the Marxists themselves. In political terms this has involved the development of new perspectives, many of which have drawn inspiration from the work of the Italian communist leader, Antonio Gramsci. The Italian thinker has become a major focus for all those currents within modern Marxism seeking a political strategy for winning power and establishing socialism in the social formations of Western Europe (Gamble, 1981).

Much of Gramsci's most influential work was concerned with an analysis of the relationship between State and civil society in the social formations of the West and how this relationship differed from that which had existed in the East (Tsarist Russia). Gramsci wanted to dispense entirely with the economic fatalism of some theorists who assumed that the economic base of capitalism would necessarily break down and that then its ideological superstructure would crumble, and its ultimate reliance on force would be exposed. He argued instead that there was no reason to suppose that economic crises in themselves would bring revolution closer, if bourgeoisie still retained ideological legitimacy. The cultural and ideological hegemony of the bourgeoisie had first to be broken before a successful Proletarian seizure of power and construction of socialist order could take place. The Proletariat had to organise its own hegemony over all other groups opposed to capitalism (*ibid.*).

Bob Jessop (1983) identifies at least six different approaches in the Marxist perspective involving different theoretical assumptions, principles of explanation and political implications :

- 1) Marx originally treated the Modern State as a parasitic institution that played no essential role in economic production or reproduction. The State and its officials tend to exploit and oppress civil society on behalf of particular sectional groups and the State becomes the private property of such officials in their struggle for self-advancement (Marx, 1843 and Hunt, 1975).
- 2) Marx also discusses the State and State power as epiphenomena (i.e. simple surface reflections) of the system of property relations and the resulting economic class struggles. This approach considers the structure of the State as a surface reflection of a self-sufficient and self-developing economic base and reduces the impact of the State to a simple temporal deformation of economic development and of economic class struggle (Engels, 1878; and Marx and Engels 1975).
- 3) Another common Marxian approach treats the State as the factor of cohesion in a given society. This perspective is closely identified with Poulantzas, but is also evident in the classic texts. For instance, Engels views the State as an institution that emerged with economic exploitation whose function is to regulate the struggle between antagonistic classes through repression and concession, and thus to moderate class conflict without undermining the continued domination of the ruling class and reproduction of the dominant mode of the production (Engels, 1884). Lenin (1917), Bukharin (1926) and Gramsci (1971) also adopt the same view at several places.

- 4) The State is also seen as an instrument of class rule. This is the most common approach evident in Marxism – Leninism. However, it is not able to explain how the State remains an instrument of class rule even in situations where the dominant class has no immediate control over it like in revolutionary situations and transitions between different modes of production (Jessop, 1990).
- 5) Another approach in the classic Marxist texts treats State as a set of institutions without any general assumption about its class character. The State is seen as a ‘public power’ that develops at a certain stage in the division of labour involving the emergence of a distinct system of government, which is monopolised by officials who specialise in administration and / or repression. This view is visible in Engels (1878) and Lenin (1917).
- 6) Marxist perspective also examines the State as a system of political domination with specific effects on the class struggle. This approach shifts attention from the question of ‘who rules’ to the forms of political representation and State intervention. It examines them as more or less adequate to securing a balance of class forces that is favourable to the long-term interests of a given class or class fraction (Marx and Engels, 1976 and also Lenin, 1917).

4.6 CONCLUSION

Thus, the Liberal and Marxist perspectives differ in their view on the nature, composition and functions of the State. The key difference concerns the composition of the State. They understand the State to be penetrated by classes or groups and, therefore, fundamentally reducible to forces that emanate from society. In the classical Liberal view or tradition, the power of a State is very closely related to its wealth, and State strategies often seek to maximise the latter to gain the former. The classic doctrine expressing this position was Mercantilism, which enjoyed great success in the late 17th and 18th centuries, but it could not fulfil Liberal hopes that the hidden hand of economic growth would bring in social well-being and political harmony. Nor could the Marxian view about class-based capitalist State leading to withering away of State via Dictatorship of Proletariat and resultant genuine freedom and democracy be realised anywhere in the world. Yet, these perspectives (along with relative autonomy approach, Anti-dependency Marxism and the Neo-liberal) help us in understanding the role of State in contemporary times. Therefore, the debate and the search for a comprehensive perspective on the State continue, which may be able to associate the need for a capable State and the desire for perfect freedom for individuals and communities. This Unit attempted to highlight these perspectives.

4.7 KEY CONCEPTS

General Will

It is what the body politic (community of citizens) would unanimously do if they were selecting general laws and were choosing voting with full information, good reasoning, unclouded judgement, public spirit and attempting to discern the common good. The term was conceived by Jean Jacques Rousseau who believed that the freedom that the noble savage (human being in the state of nature) enjoyed would be possible under the right kind of society governed by the “General Will”.

Negative Liberty

The philosophical concept of negative liberty is the absence of coercion from others. In the negative sense, one is considered free to the extent to which no person or persons interfere with his or her activity.

en.wikipedia.org/wiki/negative-liberty

New Deal Programme

It was President Franklin D. Roosevelt's legislature agenda for rescuing United from Great Depression (great economic recession). It was done based on the idea that the depression was caused by the inherent instability of the market and that government intervention was necessary to rationalise and stabilise the economy.

<http://en.wikipedia.org/wiki/new-deal>

Praxis Philosophy of Marx

Marxism is not a mere theory; there is an equal emphasis on practice. Marxism is neither historicism, nor historical fatalism, rather it emphasises both revolutionary and conscious activity of man called 'Praxis'. (M.P. Jain, 1969, *Political Theory*, Authors' Guild, Delhi)

Renaissance

As per the Wikipedia, it literally means 'rebirth'. It literally means 'rebirth'. It was an influential cultural movement which brought about a period of scientific revolution and artistic transformation in Europe. It was period of revival, roughly the 14th through the 16th century period, marking the transition from medieval to modern times. During this period, a cultural renewal was witnessed in the form of resurrection in the fields of science, art, literature and music.

Rawls' Theory of Justice

The Theory of Justice, as given by John Rawls centres around two basic principles (i) Right of each person to have the most extensive basic liberty compatible with the liberty of others, and (ii) Social and economic positions are to be to every one's advantage as well as open to all.

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4.9 ACTIVITY

1. Try to analyse the trajectory of post-independent State from a:

- (a) Liberal Perspective
- (b) Marxist Perspective

UNIT 5 NEO-LIBERAL PERSPECTIVE

Structure

- 5.0 Learning Outcome
- 5.1 Introduction
- 5.2 Background of Neo-liberal Perspective
- 5.3 Neo-liberalism: Emergence
 - 5.3.1 Troika of Hayek, Nozick and Friedman
 - 5.3.2 Thatcherism
- 5.4 Neo-liberal View of the State
- 5.5 The Impact of Neo-liberal Perspective on Public Administration
- 5.6 Conclusion
- 5.7 Key Concepts
- 5.8 References and Further Reading
- 5.9 Activities

5.0 LEARNING OUTCOME

After going through this Unit, you will be able to:

- Explain the meaning of Neo-liberalism and trace its evolution as a concept
- Discuss its situational context, especially with reference to Thatcherism and Reaganism
- Enumerate and discuss the key tenets of the Neo-liberal view of the State
- Examine the Neo-liberal impact on the discipline of public administration; and
- Provide an overview of the Neo-liberal framework

5.1 INTRODUCTION

The Neo-liberal perspective or ‘New Liberalism’, as it is generally called is currently the reigning deity of social science discourse. Other perspectives including the fairly popular one of State Welfarism have retreated in the face of consistent and persistent assault of the Neo-liberals. Possibly, the most poignant irony of the situation is that post-1989 (disintegration of the former Soviet Union), even the erstwhile communist countries (excluding Cuba and North Korea) have no qualms in singing the Neo-liberal tune.

In this Unit, therefore, you will be reading in some detail about Neo-liberalism and its contemporary context. It is important to mention right at the outset that some of the concepts and themes that are currently in vogue, viz., the New Right, Neo-Conservatism, Public Choice theory, and ‘globalisation’ itself, are all closely related to and arguably, a part of the Neo-liberal thinking. Of course, there are subtle differences among these which you will read about in the other Units of this Course.

In this Unit, we shall touch upon them only to the extent that the ethos of Neo-liberal thought becomes clearer to you.

5.2 BACKGROUND OF NEO-LIBERAL PERSPECTIVE

The Neo-liberal perspective is not something that has suddenly come upon us. It is, on the contrary, the latest stop in a long journey going back in time to ‘pure’ or ‘Classical’ (negative) Liberalism, onwards to positive Liberalism, Welfarism (Welfare State) and then only, we have reached where we have, today. In a way, the wheel has come a full circle. The Neo-liberal’s conception of the minimalist State approximates Classical Liberalism’s emphasis on the State being a mere protectionist (law and order) outfit leaving the individuals free to pursue their self-interest in a manner deemed the best possible by them.

Just as early positive Liberalism and its later variant, the Welfare State, were a reaction to the ‘excesses’ of Classical Liberalism, Neo-liberalism has come about as a consequence of disenchantment with the Welfare State. About roughly, a little over two decades ago, liberal democracies the world over (India included) started voicing disillusionment and, in fact, outright frustration with the hitherto dominant paradigm of the Welfare State. It was increasingly perceived that the liberal democratic Welfare State had not really achieved what it had initially set out to do. Income disparities and other socio-economic inequities had become the general scenario. Rising unemployment and under-employment had led to a spiralling crime graph. The gulf between the elite and the masses had become too noticeable and could no longer be brushed under the carpet. The rulers, comprising both the political executive and the bureaucracy, had become too corrupt, bloated, lethargic and manifestly insensitive to the common citizens’ aspirations. To make matters worse, the State’s tentacles had spread everywhere and this had made life claustrophobic for the masses. Countries such as the United Kingdom (UK), the United States of America (USA), France, India and the like were, in fact, said to be suffering from ‘over-statism’.

At the same time, a parallel and no less significant development was the fact that the State concretely speaking, those in positions of public office came to strongly believe that the vast array of welfare measures had only vetted the appetite of the general public for more and more of populist sops without any commensurate obligations and duties towards the State. Politics of competitive populism had thus, come into being, overloading the governments of the day. Those exercising political power also felt that welfare schemes such as the social security system (Safety Net) in countries such as the UK and France were being abused by the citizens. A related fact compounding the problem was that the State viewed welfare measures such as the Unemployment Dole (a vital component of social security) as an unnecessary and avoidable drain on its limited financial resources. The idea implicit here was that the citizens should take personal initiative to improve their lot in life rather than expecting the State to bail them out all the time.

Thus, by the late 1970s to the early 1980s, a bewildering situation had emerged wherein the citizens had become disenchanted with the State and the State with the citizens. It was against this intriguing background that Neo-liberalism emerged as a powerful idea and practice, especially in the United Kingdom. It is to the emergence of this new perspective on Liberalism that we turn our attention now.

5.3 NEO-LIBERALISM: EMERGENCE

In the preceding Section, we pointed out how by the mid-1970s and extending upto the middle of the 80s, a situation had emerged where there was an extreme degree of anger and disenchantment with the Welfare State in liberal capitalist democracies and that the State too was angry and perplexed with the citizens' seemingly never ending demands and disinclination towards improving their lot through private initiative. It was against this general background that Neo-liberalism emerged as a theory and practice in the UK, the USA and other western democracies. Here, we deliberate in detail about the coming into being of the Neo-liberal or the New Right paradigm.

5.3.1 Troika of Hayek, Nozick, Friedman

The Neo-liberal State, largely came to be seen as a concrete manifestation of the New Right philosophy that emerged in Thatcherite England in the late 1970s. (Alternatively, one can say that the New Right was a version of Neo-liberalism as it emerged in the UK under its Conservative Prime Minister Margaret Thatcher).

Now, regarding the origins of the New Right, Heywood (2000) has argued that “Its origins and ideas can be traced to the 1970s”. “The New Right’s growth occurred in conjunction with the apparent failure of the Keynesian Welfare State, signified by the end of the post-war economic boom and increasing concerns by the political elite over social breakdown and the decline of authority. The term ‘New Right’ was first attached to a group of monetarists from Chicago University, who were inspired by the writings of three eminent economic and political thinkers. Friedrich von Hayek, Robert Nozick and Milton Friedman”.

Although the seeds of New Right thought can be traced back to the 18th and 19th century classical political economists such as David Ricardo, John Stuart Mill, and most notably, Adam Smith, author of *The Wealth of Nations* (1796), it is the trinity of Hayek, Nozick and Friedman that is most fundamentally associated with the New Right. We discuss these three here:

Friedrich von Hayek

Hayek was an ‘anti-modernist’ who severely critiqued planning and collectivism in his most famous work, *The Road to Serfdom* (1944). Hayek’s work is centred on four core ideas. These are:

i) Wrongness of Planning

Hayek argued against planning on the grounds that it was ‘both politically dangerous and economically inefficient’. This was so because ‘centralised economic planning by the government reduced individual and group liberty, upset the balance between political institutions by making the executive too strong, and undermined the rule of law’.

ii) Society's Complexity

Hayek strongly believed that State intervention in the form of measures such as social engineering (focused social security measures for the disadvantaged), as advocated by the Left would upset the ‘spontaneous natural order’ that existed in society and ‘which was the outcome not of a plan or of a design, but of human behaviour’.

iii) Primacy of the Market

Hayek attached primacy to ‘the markets and prices for the allocation of resources’ as he believed ‘that the spontaneous interaction of buyers and sellers was more efficient than the activity of the planners’.

iv) A Framework for Socio-economic Activity and Upholding the Rule of Law

Hayek was for a framework in which the ‘government had an important but limited role’ and this was ‘to uphold the rule of law, to enable conditions in which the market could prosper’.

It is important to mention that a major part of Hayek’s writings were done after 1945 and that ‘he attracted controversy in Britain because he challenged the belief in the so-called ‘middle way’ which combined both freedom and planning, prevalent in the moderate ‘One Nation’ wing of the Conservative Party and among the Labour Party elite such as Clement Attlee, Hugh Gaitskell and Harold Wilson’.

Robert Nozick

Nozick was one of the late 20th century’s most influential thinkers. His last major work was *Invariances: The Structure of the Objective World* published in October 2001. He was a leading American intellectual whose two main works *Anarchy, State and Utopia* (1974) and *Philosophical Explanations* (1981) did much to give a boost to the New Right. He was inspired by John Locke and “his position advocated such themes as a minimal State and a low-tax threshold, and were seen as a direct attack on social democracy, welfarism, collectivism, social justice and ‘big government’.

Nozick’s offbeat and challenging views made him known beyond the narrow and specialised confines of academia. His first and perhaps, most famous work *Anarchy, State and Utopia*, was a reasoned critique of his Harvard colleague John Rawls’ *Theory of Justice* (1974). Rawls’ book provided a philosophical underpinning for the bureaucratic Welfare State, a methodically reasoned argument for why it was right for the State to redistribute wealth in order to help the poor and the disadvantaged. Alternatively stated, Rawls’ main argument was that ‘inequalities must at least make the worst off better off in order to be morally justified’. Nozick, in contrast, argued ‘that the rights of the individual are primary and that nothing more than a minimal State sufficient to protect against violence and theft, and to ensure the enforcement of contracts is justified. In other words, a distribution of goods is just so long as the distribution was brought about by free exchanges by consenting adults, even if large inequalities emerge from the processes. It may interest you to know that Nozick won the National Book Award (1975) for his work and the book was named by the Times Literary Supplement as one of the ‘hundred most influential books since the war’.

Nozick, in fact, started off as a radical left ‘who was converted to a libertarian perspective as a graduate student, largely through his reading of conservative economists Friedrich Hayek and Milton Friedman’. We should, however, mention that Nozick ‘was never comfortable with his putative status as an ideologue of the Right’. He explained his position in an article in *The New York Times* in 1978: “Right-Wing people like the pro-free-market argument, but don’t like the arguments for individual liberty in cases like gay rights – although I view them as an interconnecting whole ...”

The political and social philosophy of Nozick comprised the following components:

- 1) Entitlement Theory
- 2) The Wilt Chamberlain Argument (the Self-ownership Argument)
- 3) Absolute Property Rights and Self-ownership
- 4) The Lockean Proviso, and
- 5) Beyond Self-ownership.

It is beyond the scope of this Unit to go into the details of these integral constituents of Nozick’s basic theoretical framework. A few lines about each of the five would suffice. Starting with his ‘Entitlement Theory’, this is premised on the core idea ‘that only free market exchanges respect people as equals – for him as ‘ends in themselves’. In other words, ‘even if a free market did not, for instance, produce the most overall well-being in Nozick’s view, it would be justified’.

The ‘Self-ownership Argument’ takes off from Nozick’s ‘Entitlement Theory’. The Argument for example ‘is supposed to show intuitively that no “patterned” theory of just distribution is defensible’. The ‘Self-ownership’ Argument is an elaboration clarification of the ‘Wilt Chamberlain’ arguments. The ‘Self-ownership’ thesis is based on the idea that every human being is unique and an end in him/her self. ‘To say that a person is an end in herself is to say that she cannot be treated merely as a means (*emphasis added*) to some other end. What makes a person an end is the fact that she has the capacity to choose rationally what she does. This makes people quite different from anything else, such as commodities or animals’. The importance of the ‘Self-ownership’ Argument is that it ‘tries to show that redistributive taxation (advocated by Rawls and his ilk) is equivalent to using people as mere means, that is, not consistently with their self-ownership, since it uses them without their consent’.

‘The Absolute Property Rights’ and ‘Self-ownership’ component of Nozick simply follows from the above. Simply stated, ‘if we own ourselves absolutely, then we own what we produce absolutely’. The Lockean Proviso is an intellectual device by Nozick to tackle the issue of legitimacy of an initial acquisition made by a person. ‘The Proviso’, is essence, is that ‘natural resources, such as land, come to be rightfully owned by the first person to appropriate it, as long as she left “enough and as good” for others’. The ‘Beyond Self-ownership’ component of Nozick’s theorising concerns itself with ‘what further sorts of arguments are there for unrestricted property rights that go beyond mere self-ownership’.

As we have mentioned already, we need not go into a fine combine of Nozick’s admittedly complex theoretical formulation. His socio-political philosophy must have

given you an insight into the Neo-liberal perspective, whose another major advocate has been the economist Milton Friedman.

Milton Friedman

Friedman, a 1976 Nobel Prize winner for excellence in economics has been one of the foremost advocates of economic freedom and free enterprise. He rose to prominence from 1960s onwards and is known most for being an unabashed champion of the free market economy. His ideas are chiefly outlined in his *Free to Choose* (1980). Friedman attacked the inefficiency of Keynesian driven Western governments and pointed to the glaring failure of State sponsored welfare measures. He stood for the benefit of low taxes; the need to denationalise (private) and deregulate industry and services; and the abolition of rent controls, minimum wages, regional and industrial subsidies and employment legislation. All the above were seen as barriers to the efficient working of a market economy. Friedman argued that government's role should be limited to providing law and order, defence and of essential services. Capitalism, the voluntary interaction between buyers and sellers of goods and services, created economic freedom, which in turn was essential for political freedom.

Friedman advocates limited government. Friedman shares Thomas Jefferson's view that the government which governs the least is the best. As per this framework, any government should have just *three* primary functions; that is, (1) a country's military defence, (2) enforcing contracts between individuals; and (3) protecting citizens against crimes against themselves or their property. Friedman observes that when government – in pursuit of good intentions – tries to rearrange the economy, legislate morality, or help special interests, the costs come in inefficiency, lack of innovation, and loss of freedom. The government should be a referee not an active player. His position will become clearer from the following extract from his memoirs *Two Lucky People*.

“My central theme in public advocacy has been the promotion of human freedom. It is the theme of our books *Capitalism and Freedom* and *Free to Choose*, it underlines our opposition to rent control and general wage and price controls, our support for educational choice, limitation of government spending, privatising social security, free trade, and the deregulation of industry and private life to the fullest extent possible. The public has increasingly recognised that government is not the universal cure for all ills, that governmental measures taken with good intentions and for good purposes often, if not typically, go astray and do harm instead of good. We are close to being enmeshed in that ‘network’ of petty, complicated rules (regulations) that Tocqueville conjectured might be the inevitable effect of an excessive drive to equality. There are doubtless many causes for the loss of freedom, but surely a major cause has been the growth of the government and its increasing control of our lives. Today, government, directly or indirectly controls the spending of as much as half our national income. Judged by practice, we have been, despite some successes, mostly on the losing side. Judged by ideas we have been on the winning side. The public in the limited States has increasingly recognised that government is not the universal cure for all ills. The growth of government has come to a halt and seems on the verge of declining as a fraction of the economy. We are in the mainstream of thought, not, as we were fifty years ago, members of a derided minority.”

It will not be out of place to mention here that Milton Friedman's influence was 'most apparent in the U.S. during the Reagan era, as U.S. government growth (especially the federal component of total government), for the first time since the end of World War II, ceased to grow faster than the general economy and government growth thereafter has not yet regained its prior upward thrust, except during a brief period 1993-94 (although the expansion of the State and local government growth continues and needs to be addressed).

Indeed, the Neo-liberal agenda pursued by the late President Reagan was clearly a handiwork of Friedman. In 1980, Reagan appointed Friedman to the select Economic Policy Coordinating Committee headed by George Schultz to develop an action programme once he was elected. Subsequent to the election, Friedman along with Schultz received their 'Economic Strategy for the Reagan Administration' with President Reagan who gave his approval and largely acted along the recommended lines. Afterwards, Friedman was on the 'President's Economic Policy Advisory Board' (PEPAB) which regularly interacted with the late President to run the new economic programme.

Thus, the triumvirate of 'Hayek, Nozick and Friedman' is regarded as providing the core for the intellectual growth of New Right ideas'. These ideas were pursued most vigorously, as already mentioned, in the UK under the Conservative (Party) premier Margaret Thatcher and in fact, got so much identified with this Iron lady of British politics that they came to be collectively known as 'Thatcherism' (Likewise, it was Reaganomics pursued by Thatcher's good friend, the late President Ronald Reagan of the USA).

5.3.2 Thatcherism

In the USA, Thatcherism prospered in a climate of 'delegitimisation of the Keynesian Welfare State' and very easily filled in the political vacuum created by the breakdown of Welfarism in the UK. As indicated, the Thatcherites symbolising the Neo-right/Neo-liberal philosophy-advocated 'the State's withdrawal from both the economy and society and the pursuit of a monetarist, supply side economic strategy' and towards this end, the administration of Margaret Thatcher launched an all out attack 'on what it perceived as an ever-extended, uneconomic, over-bureaucratised State. It pursued a wide-scale privatisation programme, reduced its contacts with actors in civil society and reformed the public sector ... through financial cuts and the implementation of managerialism and market testing'. The Thatcherites aimed at creating an "Enabling State" 'in which business could prosper, but in which the rights of the consumer would be better protected against the demands of the producer'.

Thatcherism, like all the 'isms' before it and after it attacked the prevailing social-economic structures and the State apparatus. With regard to the economy, it was all for a free market economy, now popularised greatly under the twin impact of liberalisation and globalisation. It is not out of place here to go back in time a little bit, i.e., before the assumption of power by Margaret Thatcher.

After the quite obvious failures of the then Labour government and the multifarious economic problems facing United Kingdom, the Conservative government of Prime Minister Edward Heath 'was elected on a promise of reducing government intervention in the economy, reducing taxation, cutting public expenditure and

reducing subsidies. However, faced with continuing economic problems and by 1972, the collapse in economic growth and the prospect of unemployment reaching one million, Heath abandoned (*emphasis added*) his proto-Thatcherite policy ... The point is that whilst Heath was prepared to adopt some of the New Right's Policy prescriptions, he was still attached to the principles of the Keynesian Welfare State'.

Ultimately, however, the failure of the Heath government to table the economy and to control the trade unions led to 'unmodified New Right thinking' taking a firm hold among the conservatives like David Howell, Keith Joseph, Geoffrey Howe and Margaret Thatcher. 'From this group, we can see the first real challenge to the dominant, orthodox thinking within the Conservative Party ... When in 1975 Thatcher became the leader of the opposition, monetarist and New Right thinking had a much more consistent impact on party policy, as a response to the perceived failure of the Heath era.

The situation before the Conservative Party was that if it 'was to thwart the steady drift in British politics in an increasingly collectivist direction, then it needed to provide an alternative political programme which would win over the hearts and minds of the nation'. This was Thatcherism.

Apart from the focus on a free market economy, a key element of Thatcherism was State reform, especially civil service reform. For reforming the State, the Conservative governments drew on many elements of New Right thinking and Managerialism. There were concerted attempts to privatise and hive off organisations, to increase the role and impact of markets, to de-layer management and to increase the role of target setting and auditing.

Specific to the civil service reforms was 'a belief that officials spent too long on policy-making to the detriment of efficient management (Adonis and Hames 1994). 'There were *three* pay reforms targeting the civil service: (1) Raynerism (after Derek Rayner, the joint MD of Marks and Spencer); (2) the Financial Management Initiative; and (3) the Next Step Reforms of 1988. It is not necessary for us to go into the details of these reformist measures except to say that they all aimed at making the British bureaucracy less bloated, citizen-friendly and attuned to the dynamics of a free market economy.

The New Right epitomised by Thatcherism of the Conservative Party, first under Margaret Thatcher and later, under her successor John Major (though with modifications) gives a good insight into Neo-liberalism and the Neo-liberal view of the State. These have been more explicitly set out in the Section that follows.

5.4 NEO-LIBERAL VIEW OF THE STATE

Neo-liberalism is premised on four basic postulates. These are:

i) **Market Driven Economy**

Neo-liberalism believes in restoring the market to its position of primacy, which was lost during the era of Keynesian Welfare Economics. It believes in 'principles of laissez-faire economics' and 'in the sanctity and supremacy of

market mechanisms' for 'equitable outcomes'. In other words, 'the morality of the market'.

ii) Premium on Individual Liberty/Freedom

Neo-liberal ethos is all for 'the maximisation of individual liberty and freedom through the rolling back of the State from the economy'.

iii) Monetarism

Neo-liberalism, at least, in the context of the UK held 'that inflation, not unemployment, was the major problem' and could be rectified by regulating the money supply.

iv) Relegation of the Welfare State

Neo-liberalism believes in 'cutting back of the Welfare State, which was regarded as shifting the potential of free market and encouraging a culture of dependency'.

It is relevant to mention here that Neo-liberalism as a concept, encompasses the Neo-liberal view of the State, and it is for this reason that we are giving a separate sub-section to the latter.

The Neo-liberals are the advocates of a 'Minimalist Role for the State'. They are 'inherently suspicious of the State. They regard State activity as interfering in the natural order of life – be this in relation to the functioning of the market or the way in which social relations within society are formed and played out'. The basic tenets of the Neo-liberal State are as follows:

- **Focus on Individual Liberty**

The principle of individuals not having the right to coerce each other should be extended to the State, 'which after all is only an amalgam of individuals.'

- **Greater Innovation**

Greater freedom greater innovation and progress; innovation would not occur where the State owns or controls the means of production.

- **Importance of Incentive**

Incentive is greatly motivating, while State intervention leads to 'caution and inertia'.

- **Significance of Free Markets**

Free markets are conducive to 'social coordination'. 'Unlike a totalitarian State, a market economy evolves unconsciously, without depending on coercion, by relying on millions of individual actors constantly responding to price signals'.

- **More Freedom**

Planned societies are less free. They involve social engineering – the (former) Soviet Union being a classical example – but social engineering in whose interests? Free markets promote freedom.

- **Social Justice**

The Neo-liberal view of the State perceives ‘social justice carried out by the State to be inherently unfair’. This is because ‘certain individuals enjoy rewards they do not deserve, while others have rewards removed that they should be entitled to’.

- **Pro-consumer Stance**

State power can be unfairly monopolised, as interest groups form and are granted special treatment. The natural workings of the market are then upset. Monopolised State power adversely affects consumers. ‘They pay more and get less, as agencies of the State become increasingly captured by the individual interests of particular interest groups’.

The above, then, is the essence of Neo-liberalism and the Neo-liberal view of the State. Our discussion of the Neo-liberal perspective will, however, not be complete without some reference to Neo-liberalism impacting upon the discipline of Public Administration in the last two decades. We will discuss this now.

5.5 THE IMPACT OF NEO-LIBERAL PERSPECTIVE ON PUBLIC ADMINISTRATION

In the earlier Sections, we have made references to the disillusionment with the bloated, lethargic government and heavy Welfare State in capitalist democracies from the 1970s onwards, and how this led to the rise of the New Right philosophy manifested in Thatcherism in the UK and Reaganomics in the USA. The discipline and practice of public administration was also touched by these new developments and is mainly reflected in Civil Service Reforms going by the jargon of New Public Management.

The breakdown of the Keynesian Welfare State was in a large measure, attributed to the monster-like civil service of post-war Great Britain. It was recognised that unless the civil service was reformed from within and without, there was not much hope for either the State as an institution or the citizens. The civil service had to be pruned down (made less flabby) and simultaneously, it had to develop a new mindset and work culture. This cognisance of the need for reforms in the civil service led eventually to what is now established as the New Public Management or the NPM.

We will read about the paradigm of NPM in our later Units 14, 15 and 16 of this Course. Suffice is to say over here that those who propagate NPM stand for superiority of the market, and responsive administration, new parameters for performance evaluation, result-orientedness, new technology, consumer-orientedness and enhanced audit. The object is to make public sector receptive to the markets, responsive to the people, flexible in structures, adaptive to new technology and capable of accountable and transparent processes.

So now that we have deliberated upon the Neo-liberal perspective, what do we make of it? Has the Neo-liberal State come to stay for good? If we take the whole world as our stage, it certainly looks that Neo-liberalism and the Neo-liberal State are firmly entrenched and cannot be simply wished away, not even by diehard leftist radicals. The world over, the State seems to be ‘retreating’, ‘withdrawing’ becoming ‘minimalistic’. However, this retreat or whatever other expression we may choose to call it by, is highly nuanced. This nuancing needs to be taken due cognisance of, as it seems to have been missed by many, including those in the know of it. And this is that while the State is distancing itself from Welfarism, in a lot of respects, it still has an overwhelming presence in our lives. Of course, there is admittedly less of the government than say it was two decades ago, but the overarching reach of the government is still very much there. In other words, the Neo-liberal State seems to be steering in the direction of government minus Welfarism. A state of affairs that ‘pure’ Neo-liberals would not really approve of. For governmental (including bureaucratic) heaviness is against the very tenets of Neo-liberalism.

Coming to the desirability of the Neo-liberal creed, certainly less of State in the sense of less of the government is something worth trying hard for. However, the State’s total withdrawal from welfare measures should be unacceptable. In a number of countries around the world, including India (which also is seemingly, if not yet fully, on the Neo-liberal path) millions of the deprived and the marginalised are still not in a position to undertake private enterprise for self-development. In such a situation, a ‘reluctant bridegroom’ attitude on the part of the State is a sure-shot recipe for widespread deprivation and worse, social anarchy. The State’s argument of limited financial resources (needed for subsidising the poor) does not carry weight, when viewed against the fact that it has failed to proportionately tax the rich – a flexible strategy for raising finances for developmental activities. In developing societies, the political left, especially, has been vociferous against the State’s apparent withdrawal. Witness the Indian Communist parties’ strong opposition to the disinvestment issue (The sale of 10 per cent government stake in BHEL, for instance).

The recent accent on New Public Service, Democratic Citizenship, and Community Participation is providing different dimensions to the New Right philosophy. We will be reading about New Public Service, Organisational Humanism and all the related concepts in Unit 15. Neo-liberalism can then become a viable and potent ideology if it adopts a human face. That is, its goal should be less and less of government in an administrative-bureaucratic sense, but the reverse should apply with regard to the welfare aspirations of the common citizens. This is a challenging task, but Neo-liberalism’s success or failure in the long-run centres on meeting this curious challenge.

5.6 CONCLUSION

In this Unit, we have read about the Neo-liberal perspective. The meaning of Neo-liberalism has been explained at length. We have also discussed how the Neo-liberal State has emerged. The influence of three leading thinkers – Friedrich von Hayek, Robert Nozick and Milton Friedman has been brought out. The arrival of the New Right with special reference to the UK has been touched upon in the Unit. Thatcherism – the practice of Neo-liberalism in the UK under the Conservative Prime

Minister Margaret Thatcher – has been discussed. The Unit also briefly refers to New Public Management (NPM), the concrete manifestation of Neo-liberalism in the arena of public administration. Finally, the Neo-liberal view has been critiqued and evaluated. We hope that now you will be in a better position to comprehend the different shades and hues of Neo-liberalism and apply your knowledge to grasp the working of contemporary liberal democracies.

5.7 KEY CONCEPTS

Free Market

It is an economic situation where forces of supply and demand are allowed to work without any restraints. It is a set of arrangements where people can voluntarily buy and sell goods and services without interference from the government.

Next Step Agencies

In the U.K. in 1986, an Internal Report by the Efficiency Unit to the Prime Minister criticised the time spent by senior officials on policy matters and the effectiveness of unified civil service to conduct government business. This Report was referred to as ‘Next Steps’. As a response to this, semi-autonomous agencies known as Next Steps Agencies were set up to undertake executive functions of the government. A broad range of agencies were created, with an accountable chief executive, entrusted with the provision of making the civil service function like a business enterprise. The objective of creating this was to improve policy implementation by separating it from policy making.

Public Choice Theory

It is a branch of economics that studies the decision-making behaviour of voters, politicians and government officials from the perspective of economic theory. A basic argument of Public Choice is that an individual actor, be it a manager or a client, is a utility maximiser who is always in search of increasing net benefits. It stresses on methodological individualism, decentralisation, democratic administration and organisational competitiveness.

(Mohit Bhattacharya, 1999, *Restructuring Public Administration*, Jawahar, New Delhi), and

en.wikipedia.org/wiki/public-choice-theory

Rawls' Redistributive Taxation

John Rawls believes that democracy is required by justice, because as a procedure it complies with the tenets of justice. Rawls argues for inheritance taxes on the basis that an unregulated transfer of wealth from people to their children would result in the entrenchment of wealth in particular segment of society. Ignoring the right that people have to bequeath wealth to whomever they want, Rawls contends that society should equalise the prospective of the least well off by taxing the undeserved inherited gain of children of rich persons and using the tax proceeds to aid the least well off.

solohq.com/articles/younkins/john-rawls-theory-of-blind-justice.htm

Safety Net

The health care system of each State that provides care to people, even if they do not have health insurance or money to pay for the health care. Safety Net comprises doctors, nurses, public hospital staff, non-profit community hospital, community-based and school-based health centres, public health clinics and private practitioners. The definition of Safety Net has broadened over time to include old age security, unemployment roles, minimum mandays of work in a year for the workless, compensation for downsized employees, pension schemes etc. In an organisation, especially a safety net provides professional and financial security to the employees. It could include insurance, pension and financial benefit schemes.

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5.8 REFERENCES AND FURTHER READING

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5.9 ACTIVITIES

1. Review the available literature on Neo-liberalism and then, examine whether the contemporary Indian State can be considered a Neo-liberal State.

2. Try to interview some government/public sector officials on the implementation of New Public Management approach in their organisation and make a note of their experiences.

UNIT-6 GANDHIAN PERSPECTIVE

Structure

- 6.0 Learning Outcome
- 6.1 Introduction
- 6.2 Gandhi and the Modern State
 - 6.2.1 Critique of the Modern State
 - 6.2.2 Modern State and India
- 6.3 Model of Polity: ‘Swaraj’
 - 6.3.1 Guiding Principles
 - 6.3.2 Functional Doctrine
 - 6.3.3 Understanding ‘Swaraj’
- 6.4 Liberalism and Gandhian Polity
- 6.5 Trusteeship
- 6.6 Conclusion
- 6.7 Key Concepts
- 6.8 References and Further Reading
- 6.9 Activities

6.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Discuss Gandhi’s critique of the modern State
- Understand Gandhi’s model of polity
- Analyse Gandhian polity in relation to some core areas of Liberalism; and
- Throw light on Gandhi’s theory of Trusteeship

6.1 INTRODUCTION

Gandhian perspective on the theory of the State questions, at the theoretical plane, the very basis of the modern State. At the methodological plane, it reflects a growing dissatisfaction with the working of the State and contends its unsuitability for India. Together these features make possible a model of polity whose guiding principles and functional doctrine constitute an innovative system known as ‘Swaraj’. In our earlier Units on Liberal, Marxist and Neo-liberal perspective of State, we have read about the different dimensions and viewpoints on the nature, scope and evolution of the State. The perspectives define the State as ‘necessary evil’, ‘interim transitory phase, and ‘welfare promoter’. Gandhi’s views differ significantly from these perspectives even though some traces of basic liberal thought can be seen in his vision. This Unit will examine Gandhi’s viewpoints on State and Indian polity.

Gandhi talks about ‘Swaraj’ in the framework of a code that would determine the Constitutional formulation of Indian home rule. Its clear exposition can be found in *Hind Swaraj* written in 1909. *Hind Swaraj*, with its succinct remarks on the Western ideals of techno-modernism and its expression of the elements of ‘Swaraj’ (Indian Home Rule-translated by Gandhi himself), provides valuable insights into Gandhian thought and his vision of Indian nation.

There has been a marked proclivity in recent years, to turn to creative writings in order to obtain insights into societal processes. It reflects a growing dissatisfaction with the conventional source material and reveals an urge for a ‘dynamic view’ of cognitive fields questioning the autonomy of specific Social Science disciplines. Together these trends make possible an operational innovativeness, which is going to help us in our objective of outlining the Gandhian perspective on the State.

Hind Swaraj is not a narrative text, but a critical dialogue addressing problems of understanding and explanation. Unlike the documentary conception of a text, it is an imaginative reconstruction of lived experience, which is suggestive of some of the most significant and subtle processes at work in the transformation of Indian society and polity under colonial dispensation. It is here that, among several other notions, are unfolded Gandhi’s precepts of ‘true civilisation’ and his delineation of the individual and collective conduct for attaining ‘home-rule’ for the Indian polity of his vision.

Hind Swaraj signals the need for an alternative approach to civil society beyond modernism. This approach is a combination of theoretical framework of ‘Swaraj’ and the practical tenets of a non-violent, self-contained, grass roots level society. The organising mechanism of this society within the coordinates of ‘Swaraj’ unravels a perspective of State that can be legitimately termed as Gandhian perspective. This Unit discusses some of the principles concerning the theory of State in consonance with the Gandhian perspective. It also takes recourse to the other Gandhian literature for empirical-analytic purposes and makes use of a good deal of contested material. This Unit also addresses several related issues concerning the Gandhian perspective without arguing one dominant thesis: the complex nature of the theory of trusteeship and its use as a bedrock for raising the edifice of a model polity. It deals with the ‘constructive programme’ as a creative response to, and the theoretical underpinning of, ‘Swaraj’. This Unit also reflects on the ‘Draft Constitution of Congress’ as an action blueprint for setting up a model polity for independent India.

In his editorial in *Harijan* (28 July 1946), Gandhi wrote that his vision of independent India might have been Euclidean yet worthy of being striven for: “if Euclid’s point, though incapable of being drawn by human agency, has an imperishable value, my picture has its own for mankind to live. Let India live for this true picture, though never realisable in its completeness. We must have a proper picture of what we want before we can have something approaching it.” Given his preference for action, there might seem initially a paradox here. But familiarity with the larger canvas of Gandhian ideology would quickly show that this theme pervades most of his writings. The maxim is his statement: We must have a proper picture of what we want before we can have something approaching it.” It engenders a self-reflexive and probing programme of action based on an ideal, closely approaching the “proper picture”. The cardinal points of Gandhian ideology cover a careful examination of the tenets of modern State, a scrutiny of their suitability for independent India and an enunciation of the guiding principles and functional doctrine of ‘Swaraj’, portrayed as a kind of model polity.

6.2 GANDHI AND THE MODERN STATE

The middle of the 19th century had seen the British become in effect the rulers of India. Their control was organised in a bureaucracy that boasted of a tradition of justice and fair dealing in the matters concerning the State and its subjects. From the standpoint of administrative theories, there had emerged a modern State with claims to democracy in India. In the tumult of the events of 1857, the true implications of this State had perhaps not become clearly manifest. The basic framework of this modern State was provided by a rule of law for the maintenance of public order and a political arrangement, the real motives of which were, however, commercial in nature. A workable basis for this State was provided by a taxation method that was essentially a combination of tax assessment and tax collection. At a deeper level of causation, the State with its stress on commerce and industry and its emphasis on demonstrable competence projected a contradictory picture in which the privileged seemed to be favoured further and the new Indian bourgeoisie representing commercial and professional classes felt alienated.

It was in this political climate that Gandhi emerged on the Indian scene and found the modern State a system considerably difficult to come to terms with. His exposure to law by training and his study of the functioning of British State in England and in the colonial territory of South Africa seemed to have given him a deep understanding of the theoretical framework of the modern State and its actual working in a variety of situations. Therefore, the professed adherence of the State to the rule of law and its actual interlocking with the dominant interests in the society were matters that were very disquieting to Gandhi. Consequently, he developed an understanding of the modern State that was profoundly original in its approach and refreshingly analytical in its assessment.

6.2.1 Critique of the Modern State

Gandhi's critique of modern State emanated from its coercive aspect and its anti-human thrust. At a basic level, the mode of operation of the modern State constituted an infringement with his concept of non-violence. The moral dimensions of the modern State too were not agreeable to him. The moral compromises required to be made by individuals weakened the sense of responsibility and diluted personal integrity. Gandhi had incessantly combated this abnegation all his life. He was also of the view that the structuring of the modern State was such that its contact with the people was so obscured or even snapped as to make the acts of the State impersonal yet rendering people as accomplices to its immoral acts. He wrote in *Young India* (1931): "To me political power is not an end but one of the means of enabling people to better their condition in every department of life. Political power means capacity to regulate national life through national representatives. If national life becomes so perfect as to become self-regulated, no representation becomes necessary. There is then a State of enlightened anarchy. In such a State everyone is his own ruler. He rules himself in such a manner that he is never a hindrance to his neighbour. In the ideal State, therefore, there is no political power because there is no State. But the ideal is never fully realised in life. Hence the classical Statement of Thoreau that that government is best which governs the least."

One of the key elements in his critique was the concept of autonomy, which was made up of two distinct ideas. One was the idea that citizens should neither be dominated by others nor by the State. The other idea held that individuals should be self-governing, should bear moral standards for a self-evaluative assessment and accept responsibility for individual selections. "Gandhi" writes R.J. Terchek, (2000) "Combines aspects of both civil Republicanism and Liberalism in his theory of autonomy in which he weaves together commitments to equality, non-domination, and personal responsibility". Gandhian autonomy thus meant a set of moral principles as a guide to action and the

necessity on the part of the individuals constituting the State to be self-reflective and responsible for their conduct. He advocated self-rule as a practice of non-domination for everyone. He also found modernity as an obstacle to autonomy since it introduced and justified new forms of domination based on a predetermined, external process of economic productivity. Simply stated, he found the autonomous person absent from the modern State; hence the objective of self-governance also missing from the modern State.

He also critiqued the impersonal character of the modern State, as he found it too rigidly rule-driven. In his opinion the modern State could be equated with a ‘machine’ without anyone being apparently in control of it. Gandhi was so neatly organised in his thought that opposition to the rigidity of rules would not have originated unless something really detestable was associated with it. His personal experience in South Africa in dealing with English law had shown him the real character of the haloed modern State. Its over-reliance on a rule-bound institutional framework in effect stifled humans forgetting that the State itself was an association of human beings.

“The State for Gandhi represented a cooperative of people sustained by the acts of its citizens. Each of them was therefore partly responsible for what the State did in their name. However, the modern State was so structured and run that it appeared to exist independently of them, obscured the links between its acts and theirs, and dulled their conscience. Without their realising it, they were morally compromised and rendered accomplices to its sometimes immoral deeds” (Parekh, 1989).

Another noteworthy feature of Gandhi’s critique related to the intrinsic homogenising tendency of the modern State. The uniform rules and bureaucratic management were the two principal tools of the State with the help of which a pliable society was converted into an amenable homogenous material. A major consequence of this was that the State would not accept individual differences and diversity of opinions and attitudes. It would become “Hostile to strong and independent-minded citizens, groups and communities lest they should become centres of independent initiative and dissent.” This impersonal character of the State prodded it to rely on fear and force.

In a write-up published in *The Modern Review* in the year 1935, Gandhi had made this point forcefully: “I look upon an increase in the power of the State with the greatest fear, because although while apparently doing good by minimising exploitation, it does the greatest harm to mankind by destroying individuality, which lies at the root of all progress. The State represents violence in a concentrated and organised form. The individual has a soul, but as the State is a soulless machine, it can never be weaned from violence to which it owes its very existence. What I disapprove of is an organisation based on force which a State is. Voluntary organisation there must be”.

The violence of the modern State, in his view required a greater caution to be exercised, as it was not a violence that would be easily manifested. It was hidden behind the fabric of rules, never crudely flaunted but nevertheless subtly displayed at regular intervals, officialised such that no specific individual could be blamed for committing it, parceled out to a number of agencies to administer it on its behalf so that the citizens never grasped its scale and magnitude. All this created the dangerous illusion that the modern State had eliminated violence when in fact it had intensified it. (Cf Parekh, 1989, op.cit.).

Here it is important to understand that the doctrine of non-violence has been of seminal value to Gandhian ideology. Therefore violence of all kind that seemed to violate this doctrine was always held incompatible with the Gandhian way. The ethics of non-violence gave a mighty message – message of freedom from moral culpability and freedom from all intentions to harm another living being. The modern State was inconsistent with Gandhian non-violence because it followed the principle of *raison*

d'Etat – reason for the State, pursuing policies on the basis of an allegedly autonomous national interest.

The modern State, Gandhi concluded was not compatible with the essential moral values associated with humanity. It was therefore not desirable to have it. An alternative must be developed for organising the society. Gandhi had comprehensive suggestions on this alternative as delineated in ‘Hind Swaraj’ and other writings. But before we take up views on the alternative polity, it would be appropriate to discuss the applicability of Gandhian critique of modern State specifically in relation to India.

6.2.2 Modern State and India

The usefulness of modern State for ‘independent’ India was an issue that had ceaselessly occupied Gandhi’s thought. A close contact with modern State and its allied institutions during Gandhi’s South Africa days had opened his mind to various cross-currents. Since there was no dearth of votaries for such a State apparatus to be replicated in India, Gandhi had to offer views that would help see the real nature of State and the flux and turbulence generated by its operations. The following comparative positions may be taken as a quick reader of Gandhi’s case for the incongruity of modern State for India.

Indian Civilization	Modern State
<ul style="list-style-type: none">• Indian civilization was spiritual in essence.• Non-violence was deeply ingrained in Indian culture and was cherished by its people generally.• Civilization in India was plural in character, was tolerant and had a rich diversity of customs and ways of life.• India was basically a rural country.• Stratified Indian society had autonomous and self-governing castes, sects and ethnic groups as its constituent units which required a variegated system of governance.• Indian society valued and was based on direct and unmediated relations between human beings.• Independent India’s foremost need was for a decentralised power structure that would take care of its diversity.• The decentralised model was conceived on the principle that political power would vest in the rural people so that an equitable society would come into being.	<p>State was uniquely a product of materialist civilization.</p> <p>The violent character of the State was an unquestioned reality.</p> <p>The modern State promoted homogeneity and was quite impersonal in nature.</p> <p>Modern State was based on and promoted an urban civilization</p> <p>A uniform system of laws and a set of rules and procedures that ironed out variations was modern State’s unequivocal commitment.</p> <p>The modern State was a highly abstract institution.</p> <p>In order to undertake the massive task of social reconstruction, the State would acquire enormous amount of power posing a threat to people’s liberties.</p> <p>As noted above, the modern State was most likely to be dominated by the urbanised elite committed to values profoundly at odds with the values of rural masses. Such a State was bound to be exploitative as its colonial predecessor and alienated from the common person.</p>

Gandhi had by 1904 read the Ref. *Unto This Last* and had begun to seriously formulate ideas regarding the ‘common good’. Uppermost in the thoughts was the doctrine of governance that would be essentially focused on the people and would attempt to ensure the promotion of a system for the betterment of all. Various conceptualisations of this doctrine were made by Gandhi without ever losing sight of the central concern – ‘common good’. We can cite the following passage from his writings, that had appeared in the December issue of *Young India* (9 December, 1926), as illustrative of this process: “A votary of ‘Ahimsa’ cannot subscribe to the utilitarian formula (of the greatest good of the greatest number). He will strive for the greatest good of all and die in the attempt to realise the idea. He will, therefore, be willing to die, so that the others may live. He will serve himself with the rest, by himself dying. The greatest good of all inevitably includes the good of the greatest number, and therefore, he and the utilitarian will converge in many points in their career, but there does come a time when they must part company, and even work in opposite directions. The utilitarian to be logical will never sacrifice himself. The absolutist will even sacrifice himself”.

At this stage in our Unit then we find ourselves located at a point from where we can clearly see a rejection of the modern State as a viable model for independent India and an urge on the part of Gandhi to develop a model of polity that would grow from the historical basis of India and would at the same time take on the developed world in terms of parity.

6.3 MODEL OF POLITY: ‘SWARAJ’

Gandhian perspective on the theory of State can be best reasoned on the basis of a model that he aspired for independent India. This polity, the model polity, was embedded in ‘Swaraj’. Self-governance or self-rule at a general level carried the meaning of ‘Swaraj’. Thus Swaraj was a collective goal of the Indians as well as their individual goal; and it did not necessarily mean an alternative State that is some kind of a reformed structure against the structure of the modern State. Gandhi had forcefully argued for the abolition of English rule which was based on the apparatus of a modern State along with the banishment of all the other vestiges of colonialism and had viewed that certain dangers had resided in any State including a democratic State (Terchek, *op.cit.*). An autonomous, free, self-governing individual and a collectivity of such individuals constituted the elemental units of ‘Swaraj’. As Stated in the introduction above, ‘Hind Swaraj’ is a text where clear-sighted formulation of the idea of ‘Swaraj’ can be seen. This has to be supplemented by his other writings from *Young India* and *Harijan* and those published elsewhere.

6.3.1 Guiding Principles

Gandhi had envisioned for independent India a polity that would be based on the principle of democratic self-government or self-rule. In this polity transcendence of self-centeredness and selfish interests would be an automatic process. Socially responsible and morally disciplined citizens of such a polity may not ideally require a State. Thus a non-statal polity was what was closest to Gandhi’s view of ‘Swaraj’. Since this proposition was “Like the Euclidean straight line, inherently unrealisable but to be constantly approximated, Gandhi opted for ‘ordered anarchy’ under which citizens enjoyed maximum freedom consistent with minimum necessary order” (Parekh, 1989, *op.cit.*).

The guiding principles of such a polity were clear and may be detailed as below:

- Since non-violence was the bedrock of Gandhian ideology it was obvious that polity would be firmly rooted in it
- The autonomy of the individual was equally important. Hence recovery of moral and social powers, surrendered to the State under colonial dispensation, was another primal requirement
- The new polity was expected to build up courage, and a sense of power among its people
- It was also expected of the new polity to honour the diversity of Indian society by fostering strong and vibrant local communities
- Regeneration of Indian culture was another important requirement
- The new polity was urgently required to end ethnic and religious strife and establish national unity
- The new polity would be constituted by self-governing local communities organised in the form of a central government but not creating a centralised structure of authority.

In this scheme, negation of a centralised structure of authority was quite contentious. Gandhi dilated on this aspect (as to whether in an ideal society, there should be any or no government) in his editorial in *Harijan* in 1946 (15 September): “I do not think, we need worry ourselves about this at the moment. If we continue to work for such a society, it will slowly come into being to an extent, such that the people can benefit by it. Euclid’s line is one without breadth but no one has so far been able to draw it and never will. All the same it is only by keeping the ideal line in mind that we have made progress in geometry. What is true here is true of every ideal...”

He adds further, it must be remembered that nowhere in the world, does a State without government exist. If at all it could ever come into being, it would be in India; for, ours is the only country where the attempt has, at any rate, been made. We have not yet been able to show that bravery to the degree, which is necessary and for the attainment of which there is only one way. Those who have faith in the latter, have to demonstrate it”.

Gandhi thought that the real basis of the new polity was cooperation of the people. He was clear in his perception that neither the consent and will of the people nor any coercion would provide any firm basis. It was only the cooperation of the people whether active or passive, that would lay the foundation of the new polity. This cooperation consisted in rendering various services such as paying taxes, executing orders, abiding by laws and regulations. In other words, citizens were self-conscious moral agents in the new polity.

6.3.2 Functional Doctrine

The functional doctrine of new polity was provided by the famous village republics of Gandhian conception. These ‘republics’ were made up of small regenerated and well-organised village communities that were also self-determining in nature. The village communities were supposed to manage their affairs through panchayats elected annually by every literate adult. In Gandhi’s opinion, the literacy requirement was not unduly harsh. He advocated a form of political power, where the citizens could legitimately be asked to acquire a minimum educational qualification. The village panchayat in the mode of republic were to have legislative, executive and judicial powers. In so far as

police powers were concerned, these republics were expected to exercise a moral authority and the weight of public opinion to bring order and ensure harmony.

Gandhi wrote in *Harijan* (1 September, 1940). “The police of my conception will, however, be of a wholly different pattern from the present-day force. Its ranks will be composed for believers in non-violence. They will be servants, not masters, of the people. The people will instinctively render them every help, and through mutual co-operation they will easily deal with the ever-decreasing disturbances. The police force will have some kind of arms, but they will be rarely used, if at all. In fact the policemen will be reformers.”

He believed that the village community would over time build up a ‘strong sense of local strength and solidarity’, provide ‘meaningful’ interpersonal relationships, encourage a sense of social responsibility and the spirit of cooperation, and act as a nursery of civil virtues’. Beyond the relatively self-sufficient villages the country was organised in terms of ‘expanding circles.’ The villages were grouped into talukas, the latter into districts, these into provinces, and so on, each governed by representatives elected by its constituents units. All the different levels were autonomous yet bound by a strong sense of community. Thus, every province had the option of drawing up its own constitution in conformity with the country as a whole. (Cf Parekh, 1995).

In an interview given by Gandhi on 28 July 1946 this theme was discussed in detail: “In this structure composed of innumerable villages, there will be ever-widening, never-ascending circles. Life will not be a pyramid with the apex sustained by the bottom. But it will be an oceanic circle whose centre will be the individual always ready to perish for the village, the latter ready to perish for the circle of villages, till at last the whole becomes one life composed of individuals, never aggressive in their arrogance but ever humble, sharing the majesty of the oceanic circle of which they are integral units.

Therefore, the outermost circumference will not wield power to crush the inner circle but will give strength to all within and derive its own strength from it. I may be taunted with the retort that this is all Utopian and, therefore, not worth a single thought. If Euclid’s point, though incapable of being drawn by human agency, has an imperishable value, my picture has its own for mankind to live. Let India live for this true picture, though never realisable in its completeness. We must have a proper picture of what we want, before we can have something approaching it. If there ever is to be a republic of every village in India, then I claim verity for my picture in which the last is equal to the first or, in other words, no one is to be the first and none the last.

In this picture every religion has its full and equal place. We are all leaves of a majestic tree whose trunk cannot be shaken off its roots, which are deep down in the bowels of the earth. The mightiest wind cannot move it.

6.3.3 Understanding ‘Swaraj’

The guiding principles and functional doctrine of Gandhian polity described above together constitute Gandhi’s ‘Swaraj’ the most forthright exposition of which is in ‘*Hind Swaraj*’. It is emphasised that Gandhi’s Statements on ‘Swaraj’ are not couched in coded or esoteric language. But this great merit of Gandhi’s language does not screen from view of a complex theoretical proposition enshrined in his writing – ‘Hind Swaraj’ in our case. We shall attempt an elaboration of this complexity without indulging into too much of semiotics.

The political philosophy of Gandhi rests primarily on the concept of ‘Swaraj’. In the opinion of several scholars ‘Swaraj’ is a more basic concept than non-violence since non-violence is only a means to ‘Swaraj’ whereas ‘Swaraj’ is an individual’s State of being (Cf Parel, 2000). We find Gandhi invoking the concept of ‘Swaraj’ in varied senses in different situations. We can summarise this usage, for extending our discussion further, into the following categories:

- ‘Swaraj’ carrying the context of independence of the country from alien rule
- Assertion of the political freedom of the individual
- Assurance of the economic freedom of the individual, and
- Attainment of spiritual freedom or autonomy of the individual.

In the political sphere the notion of sovereign independence gives meaning to Gandhi’s ‘Swaraj’. However, qualifications were attached by him to this independence. He wrote in *Young India* (6 August, 1925): “Self-government means continuous effort to be independent of government control, whether it is foreign government or whether it is national. Swaraj government will be a sorry affair if people look up to it for the regulation of every detail of life”. Gandhi strongly advocated the use of pure means for attaining sovereign independence. He was unequivocal in his recommendation of only the non-violent means “Violent means will give violent swaraj. That would be a menace to the world and India herself” (Gandhi in *Young India*, 17 July 1924).

An important element of his notion of sovereign independence related directly with the character of the new polity. The manner in which the national movement was organised in India before Gandhi’s entry in the movement suggested that the principal objective of the movement was gaining an administrative control of the country. The pitfalls of this position had been more than clear to Gandhi even before he had come to India to actually participate in the movement. He had written in *Hind Swaraj*: “In effect it means this: that we want English rule without the Englishman. You want the tiger’s nature, but not the tiger; that is to say, you would make India English, and, when it becomes English, it will be called not Hindustan but Englistan. This is not the Swaraj that I want”. The image of sovereign independent India for Gandhi approximated the picture of village republics It certainly was rooted in India tradition and had only meaningful things to assimilate from outside. In his editorial to *Young India* in 1931 (10 September).

Gandhi had articulated this vision: “I shall strive for a Constitution, which will release India from all thralldom and patronage, and give her, if need be, the right to sin. I shall work for an India, in which the poorest shall feel that it is their country in whose making they have an effective voice; an India in which there shall be no high class and low class of people; an India in which all communities shall live in perfect harmony. There can be no room in such an India for the curse of untouchability or the curse of the intoxicating drinks and drugs. Women will enjoy the same rights as men. Since we shall be at peace with all the rest of the world, neither exploiting, nor being exploited, we should have the smallest army imaginable. All interests not in conflict with the interests of the dumb millions will be scrupulously respected, whether foreign or indigenous. Personally, I hate distinction between foreign and indigenous. This is the India of my dreams. ... I shall be satisfied with nothing less”.

The autonomy of the individual completes the Gandhian sketch of ‘Swaraj’. We have discussed it even earlier and would like to reiterate a few distinctive features here. The idea that individuals should be self-governing and should be carriers of moral standards for self-evaluation too was unique. Such autonomous persons were also central to his scheme of ‘Swaraj’. He wrote in *Harijan* (1 February, 1942): “If the individual ceases to

count, what is left of society?" His weariness of the modern State was also on the count that in it the individual was completely replaced by an abstract complexity – the State, which was therefore impersonal to individual members of society. This autonomy, however, was not an unbridled license for individual will to prevail in all matters. He was eloquent in explaining this in *Hind Swaraj*: "... we can see that, if we become free, India is free. And in this thought you have a definition of Swaraj. It is Swaraj when we learn to rule ourselves. It is, therefore, in the palm of our hands. Do not consider this Swaraj to be like a dream. Here there is no idea of sitting still. The Swaraj that I wish to picture before you and me is such that, after we have once realised it, we will endeavour to the end of our lifetime to persuade others to do likewise. But such Swaraj has to be experienced by each one for himself."

6.4 LIBERALISM AND GANDHIAN POLITY

On the basis of the details given above, it should become clear that Gandhian theory of State, if we may call it so, holds a ground that is unique. It may neither be equated with Liberal perspective nor with Marxist perspective which are the two other critiques of modern State. Yet at times Gandhian perspective appears running closer to some of the core areas of Liberalism. We propose to examine this proximity or otherwise in the following discussion. Gandhi differed in his understanding of democratic polity from the parlance in which democracy is generally understood. In his view only a federally – constituted polity based on vigorous and self-governing local communities was truly democratic. The fundamental fact of democracy was the recognition that citizens were self-determining moral agents. The principal objective of democracy was to organise the conduct of collective affairs without any governmental domination.

Unlike the practice of democracy in Liberalism where it was an arrangement of institutions and rules and procedures, in Gandhian mode it was a way of life geared to developing and actualising popular power. Gandhi preferred the term 'Swaraj' to describe what he called 'true democracy' as against the liberal democracy. In Gandhi's view liberal democracy remained imprisoned within the restrictive and centralised framework of the modern State and could never be truly democratic. It abstracted power from the people, concentrated it in the State and then returned it to them in their new incarnation as citizens. The result was a triple disaster:

- First, a good deal of people's power seeped away into or was deliberately usurped by the institutions of the State;
- Second, people, the ultimate source of all political power, now received it as a gift from the State and became its creature;
- Third, political power was given to people on the condition that they would only exercise it as citizens or members of the State. By citizen they meant abstract and truncated men guided by values relevant to and permitted by the State and not as concrete and whole human beings giving expression to the full range of their moral concerns (Cf Parekh).

In Gandhi's view, liberal democracy was State-centred. There was therefore a serious limitation imposed on it as it could achieve only as much democracy as was possible within the overall structure of the State. For liberal democracy, it was not possible to be fully democratic. The true democracy, Gandhi contended, would come only in a polity in which the people would themselves conduct their affairs. He wrote: "True democracy cannot be worked by twenty men sitting at the centre. It has to be worked from below by the people of every village" (*Harjan*, 18 January, 1948).

In an earlier essay he had elaborated his concept of democracy and demonstrated where did liberal democracy err: “My notion of democracy is that under it the weakest should have the same opportunity as the strongest. That can never happen except through non-violence. No country in the world today shows any but patronising regard for the weak...Western democracy, as it functions today, is diluted Nazism or Facism. At best it is merely a cloak to hide the Nazi and the Fascist tendencies of imperialism...India is trying to evolve true democracy, i.e. without violence. Our weapons are those of ‘satyagraha’ expressed through the ‘charkha’, the village industries, removal of untouchability, communal harmony, prohibition, and non-violent organisation of labour as in Ahmedabad. These mean mass effort and mass education. We have big agencies for conducting these activities. They are purely voluntary, and their only sanction is service of the lowliest” (*Harijan*, 18 May 1940).

Gandhi’s firm belief in the power to the lowliest in a democracy made him adopt a strategic programme of building Indian society from the grass-root level. In a letter to Jawaharlal Nehru (dated 5 October, 1945) he wrote: “The village of my dreams is still in my mind. After all every man lives in the world of his dreams. My ideal village will contain intelligent human beings. They will not live in dirt and darkness as animals. Men and women will be free and able to hold their own against any one in the world. There will be neither plague, nor cholera nor smallpox; no one will be idle, no one will wallow in luxury. Everyone will have to contribute his quota of manual labour. I do not want to draw a large-scale picture in detail. It is possible to envisage railways, post and telegraph offices etc. For me it is material to obtain the real article and the rest will fit into the picture afterwards. If I let go the real thing, all else goes”.

Gandhi’s ‘Constructive Programme’ was part of his larger strategy. This programme was originally addressed to the members of the Indian National Congress. “The value of this document lies in the fact that it illustrates the point that according to Gandhi every sound political philosophy ought to have its corresponding constructive programme – one that contributes to the betterment of the lives of members of civil society” (Parel, 1997). In order to promote and implement the programme, he set up several organisations and kept a constant and careful eye on their activities. He persuaded a large number of Congressmen to go to the villages and devote themselves to the ‘silent’ and ‘invisible’ but vital task of ‘leavening’ the ‘inert mass’. He thought of them as his ‘army for swaraj’, quietly working behind the back and corroding the basis of the colonial State and preparing for its eventual replacement by a distinctively Indian polity under their leadership (Cf Parekh, 1989).

6.5 TRUSTEESHIP

The theory of trusteeship is Gandhi’s novel contribution in the sphere of political philosophy. It is in fact an economic extension of his political philosophy. The main thrust is on treating resources, as a public trust man being the trustee, so that the riches of nature and society are equitably used. The theory was intended to combine the advantages of both capitalism and communism, and to socialise property without nationalising it.

Gandhi had a view that all material property was a social trust. The owner therefore was not required to take more than what was needed for a moderately comfortable life. The other members of society who were associated with the property were jointly responsible with the owner for its management and were to provide welfare schemes for all. The

owner and the rest of the people were to regard themselves as trustees of the property. In his editorial in *Harijan* (3 June, 1939) the concept of trusteeship was elaborately stated: "Suppose I have come by a fair amount of wealth either by way of legacy, or by means of trade and industry, I must know that all that wealth does not belong to me, what belongs to me is the right to an honourable livelihood, no better than that enjoyed by millions of others. The rest of my wealth belongs to the community and must be used for the welfare of the community. I enunciated this theory when the Socialist theory was placed before the country in respect to the possessions held by zamindars and ruling chiefs. They would do away with these privileged classes. I want them to outgrow their greed and sense of possession, and to come down in spite of their wealth to the level of those who earn their bread by labour. The labourer has to realise that the wealthy man is less owner of his wealth than the labourer is owner of his own, viz. the power to work.

The question how many can be real trustees according to this definition is beside the point. If the theory is true, it is immaterial whether many live up to it or only one man lives up to it. The question is of conviction. If you accept the principle of 'Ahimsa', you have to strive to live up to it, no matter whether you succeed or fail. There is nothing in this theory which can be said to be beyond the grasp of intellect, though you may say it is difficult of practice".

It is reported that the theory of trusteeship had excited the attention of a group of socialists who had a long discussion with Gandhi regarding its nature and implications. The result was the writing of a draft. This draft was also amended by Gandhi to strengthen its egalitarian thrust. The final text of the draft was as follows:

- Trusteeship provides a means of transforming the present capitalist order or society into an egalitarian one. It gives no quarter to capitalism, but gives the present owning class a chance of reforming itself. It is based on the faith that human nature is never beyond redemption.
- It does not recognise any right of private ownership of property except in so far as it may be permitted by society for its own welfare.
- It does not exclude legislative regulation of the ownership and use of wealth
- Under State-regulated trusteeship an individual will thus not be free to hold or use wealth for selfish satisfaction or in disregard of the interests of society.
- Just as it is proposed to fix a decent minimum living wage, even so a limit should be fixed for the maximum income that would be allowed to any person in society. The difference between such minimum incomes should be reasonable and equitable and variable from time to time, so much so that the tendency would be towards obliteration of the difference.
- Under the Gandhian economic order the character of production will be determined by social necessity and not by personal whim or greed. (Cf Parekh, 1989)

This text approximates Gandhi's trusteeship principle best. He was to write: "You may say that trusteeship is a legal fiction. But if people mediate over it constantly and try to act up to it, then life on earth would be governed far more by love than it is at present" (*The Modern Review*, 1935).

6.6 CONCLUSION

Gandhi can be best concluded in his own words. As we incorporate his perspective on a theory of State, we paraphrase him in the following manner:

As an ordinary man I do not have a tall claim about giving any theory of State. For me the basis of a State as that of all its constituent units and ultimately the individual as the core component of the units is that it should be based on truth. I have myself been only a humble seeker of truth. Therefore the only things that I can say about it is that since truth pervades the essence of every individual it should guide all the actions of the individual. A truthful State would therefore be a set up that would be composed of village republics, each autonomous in its working yet a part of a large circle in a group of concentric circles. The outermost circle in this scheme would wield power to strengthen all the inner circles and would derive its own strength from them.

“Gandhi”, in the words of Raghavan Iyer, (1973) “seems to stand almost alone among social and political thinkers in his firm rejection of the rigid dichotomy between ends and means and in his extreme moral preoccupation with the means to the extent that they, rather than the ends, provide the standard of reference”.

6.7 KEY CONCEPTS

Euclid

A Greek mathematician (lived circa 300 BC), whose chief work *The Elements* is a comprehensive treatise on Mathematics in 13 volumes on subjects such as plane geometry, proportion, solid geometry etc. *The Elements commences* with definitions on five postulates. The postulates deal with geometrical construction, implicitly assuming points, lines, circles and the other geometrical objects. His most famous postulate is often cited as the “parallel postulate”. It states that one, and only one line can be drawn through a point parallel to a given line

aleph0.clarku.edu/ndjoyce/java/elements/elements.htm

Ram Rajya

It refers to Hindu Lord Rama’s rule. It is a reference to the ideal conditions that upheld and nurtured the qualities of honesty, truthfulness, trust, respect, cooperation, sacrifice and service at the time when Rama ruled his Kingdom. This ideal Hindu Society was projected sharply by Mahatma Gandhi during India’s struggle for freedom.

6.8 REFERENCES AND FURTHER READING

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6.9 ACTIVITIES

1. Visit your nearby library and try to go through some book by or on Mahatma Gandhi. Try to pen down your observations on Gandhi's views on State, society and modernity.
2. Think of different situations where Gandhian methods can provide solutions. Write a paragraph on it.

UNIT 7 INTERFACE BETWEEN CITIZENS AND ADMINISTRATION

Structure

- 7.0 Learning Outcome
- 7.1 Introduction
- 7.2 Modes of Interaction between Citizens and Administration
- 7.3 The State's Responses towards Participation
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7.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Appreciate the importance of interface between the administrators and the citizens in a democracy
- Identify the different modes of interaction between the citizens and administration
- Examine the different kinds of responses of the State towards participation
- Understand the norms governing the interaction
- Get acquainted with the researches on citizen-administration relationship
- Explain the institutional strategies and devices for building citizen-administration interface; and
- Discuss the Indian scenario on citizen-administration interface

7.1 INTRODUCTION

No system of governance can survive for a long time without the support of the citizens. It is evident from the history of the nations that longevity of their governments largely depended on the cooperation and support rendered to them by their citizens. Wherever this support was missing, the nations found themselves in deep trouble that made their future uncertain. The administration-citizen relations are significant because the support and consent of the governed is a prerequisite for the sustenance of a representative government like the one in India. The traditional theories of relationship between the State and society or government and the citizens, in different political systems, be it *laissez-faire* or democracy or military dictatorship are now inadequate to cope with the new and difficult dimensions of administration that are gradually emerging. Position of the public or citizens from being mere recipients of the administrative help has now shifted to their being the prime movers in the affairs of governance - a change from local 'beneficiary' status to active 'participant status'. This Unit focuses on the various modes of interaction between citizens and administration. It discusses the changing norms of their interaction and institutional strategies and devices that try to build a theoretical conceptual base for the interface. The Unit particularly discusses the Indian scenario in order to understand the different dimensions of the interaction between citizens and administration.

7.2 MODES OF INTERACTION BETWEEN CITIZENS AND ADMINISTRATION

Today, governance is all about efficient and effective provision of goods and services. Public Administration exists for the betterment of the public by providing services such as health, education, economic security, maintenance of law and order, national defence, etc. The public interacts more intimately with public agencies at the cutting edge level. Local government, for instance, affects people's lives in various ways. The encounters may pertain to water supply, electricity, garbage disposal and so on.

There are different ways in which the public interacts with the public administrative agencies in real life situations. These interactions could be in the form of:

- i) **Clients:** This is the most common form of interaction with the administrative agencies. In this form, citizens seek to obtain benefits or services from governmental agencies. For example, a patient visits a government hospital for health check-up or medical treatment.
- ii) **Regulatees:** As a regulatee, the public interacts with many public agencies viz., police, income tax authorities, licensing authorities, etc
- iii) **Litigants:** The harassed citizens turn litigants when they seek redressal of their grievances from the courts, tribunals and Lok Adalats. As litigants, public can hope to get justice for their complaints.
- iv) **Participants:** Democracy entails increased people's participation in governance. This is institutionalised through various means like community policing, guardian committee, beneficiary associations etc. In almost all programmes/projects, the people participate at the levels of planning, implementing and monitoring. People's participation democratises both administration and public, and also brings in new

inputs that help sound project designing, implementation, and facilitation of assets maintenance.

- v) **Protesters and those engaged in struggles and people's movements:** People often interact with government agencies on public policy as protesters, critically opposing the injustice in government policy and action. People's struggles like the one over Narmada Dam or forests in Uttar Pradesh (Now Uttarchanal), symbolise articulation of genuine grievance and demands and not just questioning of grievous faults in public policies faults.

7.3 THE STATE'S RESPONSES TOWARDS PARTICIPATION

State's (government in practice) responses to the varied interactions would be dependent on three crucial factors: (a) The overall politico-administrative culture which may be formally democratic but actually authoritarian or patriarchal (b) The capacity of the people evolved through democratic learning processes to articulate demands and put pressure for just administrative functioning, and (c) The status-fairly independent and impartial of other cognate institutions like the judiciary and the media.

In this connection James Midgley's typology of State's responses towards citizens' participation are worth mentioning. The four ideal typical responses suggested by him are 'anti-participation', 'manipulative', 'incremental' and 'participatory'.

These interactions take place daily and the ordinary citizens form an opinion about public administration out of these happy/unhappy encounters with public officials:

- i) The 'anti-participatory' mode explains that State in the capitalist system is not interested in ameliorating the conditions of the downtrodden. Power is concentrated and not dispersed to facilitate accumulation of wealth. People's participation is, thus, not politically acceptable.
- ii) The 'manipulative mode' seeks to neutralise political opposition by co-opting autonomous movements with the ulterior motive of gaining control over them. There is the rhetoric of participation but not its reality, as the State's motive is to prove to the people that the regime is accommodative merely to give legitimacy to the regime in power.
- iii) The 'incremental mode' has an ambivalent approach to community participation. There is no lack of government support to participation, but the policy is unclear and the general tendency is to muddle through. In theory, participation is not rejected but what actually takes place is bureaucratically managed development in the name of efficiency.
- iv) The 'participatory mode' is characterised by State's own initiative to create institutions of community participation to ensure effective involvement of the people in grass roots development. But, this mode works on the assumptions that there is a presence of a positive political will and the bureaucracy is also positively inclined towards development and participation (C.f Bhattacharya, 2002).
- v) Yet another response not included in Midgley's list, but which is important in the Third World context, is the 'repressive mode'. Very often, what is noticed is that the State reacts negatively and ruthlessly to people's movements and struggles. Instances are not rare when the people's genuine demands for basic needs like

water, forest, cheap food have been construed as anti-state and the regime in power has sought to unleash brutal force to suppress these demands.

In India where because of social and economic causes ‘women’ and the ‘poor’ are often discriminated against, the concept of citizen having ‘rights’ and enjoying political equality does not in reality prevail. We will discuss aspect in our next Units 8,9 and 10.

7.4 NORMS GOVERNING THE INTERACTION

In the field of development administration, the client is differentiated on the basis of target groups. There are projects that are meant for tribals, children and women, scheduled castes and other socially backward classes. Clientele differentiation increases the complexities of interaction between Public Administration and the public. In the developing countries, it is the poor and the underprivileged that constitute the majority of the population. National projects are implemented by the state concerned and mainly through the district administration. These implementers/bureaucracies treat the target groups as ‘beneficiaries’. Such a top-down delivery system has, in most cases failed to ameliorate the living conditions of the target groups, mainly because of hijacking of benefits and resources by the village elite.

The Centrally planned projects have often disregarded and misinterpreted the local needs and conditions. Interaction between people and government, especially in dealing with poverty, has generally been looked at from the government’s point of view, making the poor more and more dependent on the government for help. Field researchers are now forcefully arguing that developing people’s capacity to improve their lot is what is needed rather than repeated governmental efforts to design newer and newer projects.

As Frances Korten (1981) has stated “The very ability of the poor to survive under the most unfavourable circumstances suggests that they are quite skilled in meeting their own basic needs even if only at standards intolerable to a socially conscious society. Too often the government programmes seek to improve their lot, not through interventions intended to strengthen their own capacity for ‘self-help’ action, but through doing for them, what they previously did for themselves – with the government making the decisions and providing the resources. As a consequence, the people’s former self-sufficiency turns into dependence on the government leaving them even more vulnerable than before to the changes in the policies or lapses in the delivery systems”.

Participatory and people-centred development activities are now being advocated and actively undertaken for the real benefits of the people. It would also create good image of Public Administration in the minds of the poor and the underprivileged sections of the society. The relationship between Public Administration and the citizens raises a number of important issues regarding the role of the government machinery and its interactions with the public.

As Katz and Danet (1973) explain in their volume on *Bureaucracy and the Public*, the structure of bureaucratic organisations subsumes a set of guiding norms governing the relationships between the organisation and the clientele. These norms are identified as (a) specificity, (b) universalism, and (c) affective neutrality. *Specificity* refers to the strictly limited zone of interaction between administration and the clients as formally defined by the organisation. In a public transport, the passenger pays the fare and the conductor assures him a travel up to a definite distance. *Universalism* stands for equal treatment of defined group as organisationally prescribed. For instance, every bus passenger will have to pay the same fare for the same distance and the conductor is duty bound to behave uniformly in each case. *Affective neutrality* means exhibition of unbiased attitude toward

the client, and by implication, non-display of passions or feelings like anger, affection etc.

Besides, a certain set of factors assume importance in any government-citizen interaction. These are: the manner, the procedures, and the resources exchanged. *Manner* refers to the behavioural transaction in an interactional situation. How does the government officer talk to or receive a member of the public, say in a post office? *Procedures* refer to the administrative processes involved in an interaction. How many forms one has to fill up? How long does one have to stand in a queue before a bank counter, for instance? The *resources* exchanged denote the outcome of interaction. Could a person ultimately withdraw money from his savings bank account? Did a person get the building permission from the municipality? The structural norms and the three dimensions of interactions are useful conceptualisations for empirical examination of bureaucracy-client relationships in specific situations (Bhattacharya, 1987).

7.5 RESEARCH ON CITIZEN-ADMINISTRATION RELATIONSHIP

“The relational aspect of bureaucracy- its interaction with the public and its subservience to the public interest-is not properly articulated in Weber’s theoretical construct. As James D. Thompson (1962) has put it “Classic bureaucratic theory is preoccupied with behavioural relations ordered by a single unified authority structure from which client is excluded...” The bureaucratic organisation is a fixed monolith, which approximates a steady and depersonalised machine. An automaton works uniformly and with unfaltering regularity. The underlying assumption seems to be that the client for whom the machine exists has to be adjustable, as the machine itself is inflexible. The inevitable result that follows is what Robert Merton has called the ‘unintended consequences of the bureaucratic structure’. Even if the client would not be served due to procedural rigidity, the organisation would not shed its procrustean character. The Weberian theory is an inward – looking structural construct par excellence. Its face is toward the organisation and not the client (Cf Bhattacharya, 1987, *op.cit*).

There have been some important studies on the relationship between the bureaucracy and the client. Of these, special mention could be made of Peter Blau’s study (1973) of a public welfare agency, William Foote Whyte’s study of human relations in the restaurant industry, and the research on new Israeli immigrants by Elihu Katz and S. N. Eisenstadt concentrating on the orientation of case workers serving clients in a public welfare agency. Blau points out the rigidities that are produced by administrative procedures, the ‘rigidities shock’ which young case workers experience on their joining the organisation, the kind of peer group support that develops in the organisation, and how all these influence the relationship between the case workers and the clients.

Whyte’s study is much more illuminating as it delves deep into the delicate human relation problems in a restaurant considered as a combination of production and service unit which draws attention to a “high degree of social adaptability” of the worker and the need for client orientation of the whole organisation. The supervision in such a situation has to shed the *laissez-faire* attitude and look upon a restaurant or factory as an organisation of human relations, and as a system of inter-personal communication in order to improve client-organisation relationship.

Eisenstadt’s earlier writings on the conditions of development of bureaucratic organisations and the environment indicate that, “The (se) structural characteristics do not, however, develop in a social vacuum but are closely related to the functions and activities of the bureaucratic organisation in its environment. The extent to which they

can develop and persist in any bureaucratic organisation is sought to be explained more by referring to the environmental conditions.

In this connection, Eisenstadt uses the concept of ‘debureaucratisation’ to connote changes in bureaucratic organisation caused by close interactions between the organisation and the clients. “In debureaucratisation, the specific characteristics of the bureaucracy in terms both of its authority and its specific rules and goals are minimised, even up to the point where its very functions and activities are taken over by other groups or organisations”

Katz and Eisenstadt (1960) explored the changes in the bureaucratic organisation in response to the needs of the clients. As the new immigrants from the non-Western countries were pouring into Israel, the Israeli organisations had to adapt themselves to cope with the large influx of clients. On a theoretical plane, the notion of “Role impingement is a characterisation of bureaucratisation and debureaucratisation”. This needs some elaboration. It has been suggested that the factors affecting bureaucratisation are many. For instance, when a public bureaucracy has a monopoly of certain goods and services, the client has little chance of making an effective protest and “Under such circumstances, bureaucrats may permit themselves an attitude of detachment and ritualistic formalism vis-à-vis their clients”. Using the ‘role’ concept, Katz and Eisenstadt observe that as a special case of the notion of dependence of clients, and officials in an interaction situation might be looked at as a special case of the impingement for other role relationships on a given bureaucratic relationship”. Debureaucratisation can be conceived “In terms of impingement of non-bureaucratic role relations... or, in its totalitarian form, as the imposition of bureaucratic relationship on relations outside the scope of bureaucracy”.

The upshot of what Katz and Eisenstadt have said is that the theory of bureaucracy, *i.e.* Max Weber’s bureaucracy does not so much explain the relationship between organisation and environment as it deals with the formal characteristics of the organisations. To quote Katz and Eisenstadt, “In effect, overbureaucratisation and debureaucratisation represent a disturbance in the relationship between an organisation and its environment that is not envisioned by classical model of bureaucracy. This model envisages the roles of both bureaucrat and client as segregated to some extent from their role and not completely independent of other roles; some outside roles may be clearly considered. If an old man, obviously unable to wait for his turn in a long queue, is given special attention by a clerk, this is not a case of an irrelevant role relationship being allowed incorrectly to impinge on the bureaucrat-client relationship.”

Janowitz and others (1958) refer to the term ‘balance’ in public administration, which has significance for citizen-administration relations. Public administration will be in a state of imbalance if it becomes too overbearing or subservient. As it has been observed, “A bureaucracy is in imbalance when it fails to operate on the basis of democratic consent. Bureaucratic imbalance may be either despotic or subservient. ‘Despotic’ implies that the bureaucracy is too much the master; while subservient implies that it is too much the servant. The despotic bureaucracy disregards public preference and demands. It is likely to resort to coercion and manipulation to maintain its power. The subservient bureaucracy finds itself so concerned with the demands of special interest groups that it compromises its essential organisational goals and essentially sacrifices authority.”

Bureaucratic dominance has been a constant theme in the literature on administration in the developing countries due to the legacy of imperial rule in most countries. Public administration in the ex-colonial countries like India used to have a private character because of its limited scope, insularity, inequity, and methods of operation. Maintenance of law and order and revenue raising were the prime considerations of administration.

The administrative operations were undertaken autonomously in the absence of public participation and accountability. The incidence of administration was iniquitous as the benefits accrued mostly to the influential and the powerful elite. In terms of methods of operation, administration was essentially coercive, formal and apparently procedure-oriented.

Citizen-administration relations were conditioned by the basic nature and operational peculiarities of administration during colonial rule. After winning freedom, the imbalance of a bureaucratic State was sought to be corrected by (a) Expanding the scope of government functions (b) Creating institutional infrastructure through Panchayati Raj to promote popular participation, (c) Encouraging political interventions in administration to modify the rigour of formalism, and (d) Instituting organisational and procedural changes in the interest of speed and public understanding of administrative action.

Research findings on citizen-administration relations in India reveal interesting trends. Based on extensive field survey, the findings of the study by Eldersveld, Jagannadham and Barnabas (1968) indicate: “The attitude of Indian citizens towards their government and its administrative officials is particularly a complex and paradoxical mosaic of support and hostility, of consensus and critique. From 75 per cent to 90 per cent view governmental jobs as prestigious, 90 per cent feel that health and community development programmes are worthwhile, and less than 50 per cent (20 per cent rural) are critical of the job performance of Central government officials. On the other hand, the majority feel that 50 per cent or more of the officials are corrupt, large proportions (60 per cent urban, 32 per cent rural) say their dealings with officials are unsatisfactory, and majority sense that their probabilities of gaining access to officials and being successful in processing their complaints with them are low. Over 50 per cent feel officials in certain agencies are not fair and the citizen can do little by himself, and from 60 per cent to 75 per cent feel that political pull is important in getting administrative action.”

Thus, the statistics do not project a very satisfactory picture. Even though, the study mentioned above was undertaken long ago, the situation at the ground level still endorses the findings of the study. Studies on ‘Police Administration’ by David H. Bayley (1969), ‘Rural Development’ by Rakesh Hooja (1978) and ‘Urban Government’ by V. Jagannadham (1978), reveal citizens’ perceptions about public administration in India. Certain common points that emerge out of these field studies are:

- Citizens’ ignorance about procedures involved in getting things done.
- Unhelpful attitude of government officials, especially the lower level functionaries.
- Inordinate delay and waiting period.
- Prevalence of favouritism in administration.
- Rampant corruption among officials.
- Dependence on middlemen (brokers) to get things done.
- Urban dwellers being more critical about Public Administration than rural counterparts.
- The rich having easy access to administration. Officials generally avoiding the poor and underplaying their needs and interests.

7.6 INSTITUTIONAL DEVICES AND STRATEGIES

The Santhanam Committee on Prevention of Corruption felt that discretionary powers exercised by different categories of government officials opened up “Scope for harassment, malpractice and corruption” in the exercise of those powers. The Administrative Reforms Commission took note of the general public complaint about all-encompassing corruption in administration and acknowledged the existence of widespread inefficiency and unresponsiveness of administration to public needs.

Institutional devices to remedy the defects of administration are of particular relevance for the developing countries. Public administration has a built-in tendency in these countries to bypass the needs of the people at large. The colonial legacy of limited government by an administrative elite stands in the way of universalisation of the benefits of governance. Decision-making on major issues of public policy remains a proud preserve of the small politico-administrative elite class. The social structure of the developing societies is characterised by numerous divisions along linguistic, ethnic, religious, castes and economic lines. More powerful groups in the society tend to bend the machinery and processes of government to their side and thus monopolise the fruits of administration. This process of capture of public administration by the powerful social groups is aggravated by the existence of endemic poverty and illiteracy.

Both economic incapacity and lack of education reduce the dumb millions into a position of passivity and subservience. Public administration, therefore, tends to become a very private affair as it usually responds to the demands of a small minority of social elite. The political process many a time fails to achieve integration of interests and tends to create instead rigid social divisions. A peril of coalition politics is that once a political party comes to power through the electoral process, Public administration becomes a captive agency in the hands of the party. The opposition parties are treated as enemies and not partners in the process of governance.

The colonial legacy, social diversity, poverty and illiteracy, and the peculiarity of the political process combine together to rob public administration of its publicness in most of the developing countries. There are three more reasons for this unhealthy transformation of public administration: (1) With more and more expansion of government activities, the lower level functionaries engaged in field administration come to enjoy a great deal of discretionary powers. Administrative discretion, when exercised without effective supervision, is sure to breed malpractices and corruption. (2) With the increasing complexity of legislative work, the legislatures have been granting the executive more and more discretionary powers and leaving the details to be filled up by the latter. Delegated legislation has the tendency to magnify executive strength and discretion. (3) The executive in many developing countries has increasingly been assuming the role of dispenser of justice also. Administrative adjudication and the use of Administrative Tribunals have been on the increase in many countries.

Administrative discretion, delegated legislation and administrative adjudication have the effect of increasing the powers of the executive. Institutional strategies are therefore necessary to check executive inflation and guard against corruption and administrative injustice. We will read more on this in Unit 13 of this Course. In the Western democracies, non-legal institutions like the political parties, the press and the public opinion have been traditionally exercising control over administrative action. In addition, the administrative agencies have developed their own internal norms and administrative ethics. Due to economic affluence, these agencies have been able to function quite fairly and efficiently in these countries.

By contrast, the developing countries like ours suffer from paucity of resources in a situation where speedy socio-economic development is imperative. To combat these conditions, strong political will and steady development of political as well as economic infrastructure are needed. There is a requirement today, in most developing countries, for effective checks on the administrative agencies that are proliferating in with the multiplication of ‘development’ programmes. One response to this situation has been to identify the different types of development activities that could be handed over to voluntary organisations.

Debureaucratising development activities has also been attempted by decentralisation of functions to the local self-governing bodies like municipalities and the panchayat institutions. It has further been strengthened by 73rd and 74th Amendments to the Constitution of India. Attempts are on in our country to debureaucratise much of the developmental activities and bring about people’s empowerment.

Decentralisation and popular participation are attempts at decreasing the area of operation of the bureaucratic State apparatus. These are measures for *less bureaucracy*. Alongside these, other institutional devices have been recommended and instituted for *better bureaucracy*. Administrative reform has been a continuous concern of most developing countries in their search for efficient, effective and transparent administration. To deal with administrative corruption and redress citizens’ grievances, procedural changes and institutional innovations have been made in many countries. But, two traditional institutional devices deserve special mention in this connection: the Ombudsman system, and the system of Administrative Courts:

The Ombudsman

Ombudsman is a Scandinavian institution. The office of Ombudsman has been in existence in Sweden since 1809 and in Finland since 1919. Denmark adopted the system in 1955. Norway and New Zealand introduced it in 1962, and the United Kingdom appointed the Parliamentary Commissioner for Administration on the lines of Ombudsman in 1967. Several countries in the world have adopted the Ombudsman-like institution to protect the democratic government from the tyranny of officialdom.

Ombudsman, a Swedish word, stands for “An officer appointed by the legislature to handle complaints against administrative and judicial action.” Although appointed by the legislature, the office of Ombudsman is a Constitutional post and the incumbent is politically independent of the legislature. Traditionally, the appointment is based on the unanimity principle with all political parties supporting the proposal. As an impartial investigator, the Ombudsman makes investigations, gets at the facts objectively and reports back to the legislature. The complainant has to simply write to the Ombudsman appealing against an administrative decision. The Ombudsman can of course also take the initiative and investigate on his own. It has the power to inspect the courts and the administrative agencies and can even take up cases on the basis of press reports.

The Ombudsman system has gained in popularity primarily because of the simple, speedy and cost-efficient method of handling appeals against administrative decisions. Its strength lies in the wide publicity that is given to its working in the press and other forums. The prestige that traditionally goes with the office and the objectivity and competence of the Ombudsman has contributed to the legitimisation of the institution and its world-wide acceptance.

As bureaucratic power tends to increase with more and more expansion of government activities, the search for countervailing mechanisms has been widespread across the nations. It is against this backdrop that Ombudsman should be regarded as an important

new addition to the armoury of democratic government. Like the legislative auditor, the Ombudsman enhances the control and prestige of legislatures in a world in which executive powers are consistently growing.

Parliamentary Commissioner

The Parliamentary Commissioner for Administration in the Untied Kingdom investigates cases of alleged maladministration referred to him by members of Parliament. Commissioner defines the domain of maladministration. The Commissioner is debarred from inquiring into the merits of discretionary administrative decisions that are taken legally in accordance with appropriate administrative procedure. He has free access to any information so long as it is not certified to be unavailable in the public interest. The local authorities, hospital boards, nationalised industries, the police, personnel questions in the civil service and the armed forces are also excluded from the purview of the Commissioner. In a sense, his powers are restricted. The Swedish system has much more powers (Bhattacharya, 1987, *op.cit*).

The Administrative Courts

The French system of Administrative Courts to deal with disputes between the administration and the individual citizens is a unique institution that has spread to many European and African countries like Greece, Belgium, Turkey etc. In France, the Administrative Courts are separate from the hierarchy of ordinary courts. A distinction is made between acts for which a government servant is personally liable and suitable in the ordinary courts (*Fautede-Personale*) and those, which are the result of administrative faults for which service as an entity, is responsible (*Faute-de-service*). The administrative faults are referred to appropriate Administrative Courts.

The courts of first instance are called Administrative Tribunals, and at the head of the system of Administrative Courts is the Council of State (*Conseil d'Etat*). The Council is the government's advisory body on legislation; it is also the supreme Administrative Court. As the Supreme Court of appeal in all administrative matters, the Council exercises general supervision over administration and possesses ultimate authority over the discipline of civil servants.

7.7 THE INDIAN SCENARIO

The need for institutional innovation to deal with corruption and citizens' grievances has always been felt in India. Various committees and commissions to bring about administrative changes and create new controlling agencies have made many worthwhile suggestions from time to time. The Law Commission in its 14th Report drew attention to the wide field of administrative discretion in India where administrative authority may act outside the strict limits of law and propriety without the affected citizens being in a position to get effective redressal. The Santhanam Committee on Prevention of Corruption thought that it was necessary to devise adequate methods of control over exercise of discretion by different categories of government servants.

As the Committee observed, "In the more advanced countries various methods of such control have been devised. We recommend that this should be studied and a system of control should be devised keeping in mind the vastness of our country and the basic principles which are enshrined in our Constitution and jurisprudence." As a sequel to the Santhanam Committee Report, Vigilance Commissions were set up at the Centre in 1964, and also in the various states later. Vigilance cells have been created in several government departments and public sector undertakings.

The Commission receives complaints directly from aggrieved persons. Other sources of information about corruption and malpractices are the press reports, audit reports, allegations made by members of Parliament etc. On receiving complaints, the Commission may ask the:

- i) Ministry/department concerned to inquire into it
- ii) Central Bureau of Investigation to make an inquiry
- iii) CBI Director to register a case and do the investigation

The nature of prosecution depends on the approval of the appropriate sanctioning authority. The jurisdiction of the Commission is presently limited to complaints against gazetted officers of equivalent status. The Administrative Reforms Commission set up in 1966 took up on priority basis the matter of redressal of citizens' grievances. The Commission felt that the existing institutions to deal with this problem were inadequate and found the Ombudsman to be a *sine qua non* of democratic functioning; and as an essential prerequisite of the progress and prosperity on which the fulfilment of our democracy depends.

The Commission recommended a two-tier machinery of Lokpal and Lokayukta for redressal of citizens' grievances. Lokpal would deal with complaints against ministers and secretaries to the government at the Central as well as state levels. The Lokayukta, one at the Centre and one in each state, would attend to complaints against the rest of the bureaucracy. The Lokpal would be appointed by the President after consultation with the Chief Justice of India, the chairperson of the Rajya Sabha and the speaker of the Lok Sabha. The legislations for the institution of Lokpal and Lokayukta were introduced in parliament in 1968 and again in 1971 and 1977. All of them lapsed with the dissolution of respective parliaments. The ill-fated Lokpal Bill has so far not been able to pass through the drill of parliamentary procedures. Lokayuktas in the states have also not been able to live upto the objectives for which they came into being. The Seventh All India Conference of Lokayuktas and Up-Lokayuktas held in 2003 suggested that Constitutional status be conferred on this institution to give it more teeth to fight corruption.

The institutional devices available in the world to redress the citizens' grievances are many and varied. In India, several institutional experimentations have been made at the different levels- Centre, state and local, but the problem still remains largely unresolved. Dissatisfaction with governmental operations, especially at the cutting-edge levels where government meets the people directly, namely post office, bank counter, railway booking office etc. is widespread. The issue of corruption in public administration has again and again come up for discussion at different levels and in different forms. Keeping in view the endemic inefficiency in the government and its general insensitivity to the clientele, the usefulness of Ombudsman or any other grievance-handling machinery would be of great help if implemented with sincerity. Already an Ombudsman has been created for the banking sector, and in Kerala, the institution of local government Ombudsman has recently been set up.

Citizens' Charters Initiative

The Citizens' Charter initiative is the latest mechanism to define the relationship between citizens and administration. It demands from the government and other service providers that a certain degree of accountability, transparency, quality and choice of services be made available to the people. The concept of Citizens' Charter was initiated following the Common Cause Initiative in U.K in 1994 during the regime of John Major. The Citizens' Charter is no doubt an innovative mechanism. However, its formulation and

enforcement is no easy task. Precise standards of performance have to be set. There has to be somebody or an authority to monitor performance and watch violations and maintenance. The citizens have to play an active role in giving timely and necessary feedback about services rendered by the government agencies. Within the organisations, the employees must be well-prepared to serve the public as per the agreed-upon standards.

The Prime Minister of India inaugurated a Conference of the Chief Secretaries in November 1996 on “An agenda for an effective and responsive administration” in order to restore the faith of the people in the fairness and efficiency of the administration at different levels. It was admitted that the public agencies had been inward-looking and alienated from the people. The Government of India has since introduced Citizens’ Charters in a number of departments and agencies with public interface like Income Tax departments, the LIC, the Railways; the CPWD etc. The Charter places the citizens at the centre of administration, instead of treating them as a passive recipient of services.

The Citizens’ Charter is usually framed on the basis of the following principles:

- Wide publicity on the standards of performance of public agencies
- Assured quality of services
- Access to information along with courtesy and helpful attitude
- Choices to and consultation with the citizens
- Simplified procedures for receipt of complaints and their quick redressal; and
- Provision of performance scrutiny with citizens’ involvement.

We will read more on Citizens’ Charters in Unit -of Course (013) on Public Systems Management. We also hope that in the coming years, the idea of Citizens’ Charters will spread to other organisations at the state and local levels. It has to be seen that the Charter does not remain a mere ritual and serious as well as sincere efforts are made to involve the citizens in government operations. Concrete actions need to be taken based on citizens’ perceptions about government performance. Right to Information Act is another measure that would ensure better citizens’ access to governmental practices and programmes, and facilitate the coverage and utility of Citizens’ Charters.

Greater concern for accountability to the public has led to innovative schemes in countries like the Philippines and Malaysia. In 1994, the Philippines Civil Service Commission launched a citizen satisfaction campaign called *Citizen Now, Not Later*. The campaign involved the adoption of standard norms of conduct and courtesy to clients. The Malaysian Administrative Modernisation and Management Planning Unit (MAMPU) has designed the ‘Client’s Charter’, which is a written commitment aiming at the delivery of outputs or services to an agency’s clients. Should an agency fail to comply with the stated quality standards, as per its Charter, the public can use this as a ‘basis for complaints’ against non-compliance. In the same vain, several other ‘initiatives on citizens’-administration interface are taking place worldwide.

Another dimension of citizen-administration relationship that cannot be overlooked is the increased accessibility of citizens to the administration. This has been possible due to the recent accent on ‘e-governance’. The information age paradigm shift has redefined the fundamentals of administration and changed the institutions and mechanisms of delivery of goods and services forever. Knowledge-based society enables the sharing of vast amount of information on a global scale almost instantaneously, which consequently

helps in selecting, absorbing and adopting relevant technology and services. The focus today is on the user's needs. Many developed countries have already taken recourse to e-governance in order to increase the effectiveness of the interface between citizens and public administration and to improve the efficiency of administrative structures and processes (Chowdhry, 2003). Our MPA 2nd Year Course (017) on e-governance will discuss the benefits of e-governance in improving citizens and administration interaction in detail.

7.8 CONCLUSION

The essential ingredients of the citizen-administration relationship are adequate knowledge of administrative norms, practices and structures for both citizens and administration; positive evaluation of the job performance of government officials; and perceptions of administrative system as sensitive and responsive to the public, rather than inflexible and remote. In the present scenario where economy, culture and society are changing, the situations demand a forging of a new equilibrium between the bureaucracy and the citizens. The goal of the bureaucracy must be to create an administration-citizens interface based on participation, information, belief, confidence and action orientedness that tends to meet the expectations of the citizens. Simultaneously, the attitude of citizens, self-help groups, corporations, associations of all kinds, and private institutions must also be supportive of the public authorities when genuine public interest is being served. Various mechanisms such as Citizens' Charters, Ombudsman like institutions, and participatory devices have been introduced to facilitate redressal of citizens' grievances. These need to be revamped to strengthen the interface between citizens and administration in the positive direction. This Unit examined some of these issues.

7.9 KEY CONCEPTS

Debureaucratisation

A Strategy for rightsizing and reforming bureaucracy in order to make it more responsive, transparent, effective and accountable. The bureaucracy is expected to simplify administrative routines and procedures as well as reduce costs in order to improve interactions with citizens and non-state actors.

The Right to Information Act

It is a comprehensive Act passed by the Parliament in 2005. It includes provisions for independent appeals, penalties for non-compliance, proactive disclosure, and clarity and simplicity of the information access process. The Act imposes obligations on governance agencies to disclose information, thus reducing the cost of access.

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7.11 ACTIVITIES

1. Try to visit any nearby government office and note down the different types of interactions between administrative officials and the citizens that visit the office.
2. Based on Activity One, make a list of the nature of encounters (satisfactory and unsatisfactory) between the administrative officials and the citizens.

UNIT 8 CASE STUDIES ON DEMOCRATIC PEOPLE'S STRUGGLE

Structures

- 8.0 Learning Outcome
- 8.1 Introduction
- 8.2 Civil Society: The Seed Bed of People's Struggles
- 8.3 A Case Study of Right to Information
- 8.4 The Chilka Movement: A Case Study
- 8.5 An Initiative in Local Development
- 8.6 Identification of Causes of People's Struggles
- 8.7 Conclusion
- 8.8 Key Concepts
- 8.9 References and Further Reading
- 8.10 Activity

8.0 LEARNING OUTCOME

After going through this Unit, you will be able to:

- Explain the significance of people's struggles for public administrative studies
- Discuss the role of civil society movements that play a significant role in giving the citizens an enforceable right to question, examine, audit, review and assess the government decisions; and
- Identify the factors underlying the insensitivity of the government agencies towards the marginalised and poor sections of the society, which, many a time, give rise to people's struggles.

8.1 INTRODUCTION

The Constitution of India envisages a just and egalitarian socio-economic, political and cultural environment for the people of the country. The ideals of 'economic equity', 'social justice', 'gender sensitivity', 'citizens' participation', 'autonomy', 'and flexibility' have been the highlights of all our development programmes. Yet, problems such as poverty, malnutrition, lopsided agricultural development, unemployment, rural-urban migration etc. have not been addressed to a satisfactory extent. The maladies of social and economic deprivation have a tendency to manifest themselves in people's movements for equality and justice. These could be within the parameters laid down by the Constitution or could even take extra-constitutional forms such as secessionist movements for a separate state or naxalite movement for social justice and autonomy. This Unit will explain the role and relevance of people's struggles. It will discuss the causes and reasons that go into perpetuating these struggles and their significance for public administrative studies. These struggles draw sustenance from the larger civil society; the role that the civil society movements play to give the citizens an enforceable right to question, examine, audit, review and assess the government decisions will be analysed in this Unit. A few Case Studies that the Unit takes up will explain the

pursuance of ideals of equity, social justice, fairness and participation by the people's struggles in India.

8.2 CIVIL SOCIETY: THE SEED BED OF PEOPLE'S STRUGGLES

Story of people's struggle against the State or any regime is as old as the story of civilisation itself. These days, of course, a new name has emerged in the form of civil society to support the cause of the common people. The world of economic liberalisation has conceptualised this new phenomenon as a separate sector which is different from the State and market sectors. Civil society or the third sector organisations work on the premise that effective governance can take place only if State and society initiate, act and function democratically. Their tools of functioning are autonomy, publicity, accessibility, participation and the Rule of Law.

Since the State and civil society share the ideals of universal freedom and universal rights, the moment, the State deviates from its goals, a space is created for the civil society organisations to fill the gap by involving the people. After decades of lying in the dusty quarters of history, the idea of civil society re-emerged in the aftermath of communist collapse. The civil society was projected as a positive ideal to solve all problems arising from resentment against the State, the mediating institutions and the market. People's movements got a fresh impetus as they began to root themselves in the new-founded goals of civil society. It is sometimes synonymously used with social movements.

Civil society organisations articulate the issues such as survival of the marginalised sections, unequal distribution of developmental benefits, struggle for sustainable development and degree of people's participation in the matters of governance. It is very important here to understand the relevance of people's struggles to the study and analysis of public administration. The governance structures and processes have to be encompassing. They must include the institutional as well as non-institutional demands of the system in the policies.

Civil society has been described as the locus of the light side of collective action of social movements (Cohen and Arato, 1994). A social movement is the action, both culturally oriented and socially conflictial of a social class defined by its position of domination or dependency in the mode of appropriation of historicity of the cultural models of investment, knowledge, morally toward which the social movement itself is oriented social movement cannot occur pure and simple. Either it tends to be incorporated into the political system as a force applying institutional pressure and into the State whose intervention it determines. All movements endeavour to create institutions, and institutional crisis in turn gives birth to movements.

The language of civil society was picked up by people's movements in large part of the world. Some trace them to the Chinese students agitation in Tiananmen Square. Soon civil society became a kind of aspirational shorthand for ideas of equity, participation and public fairness. In South East Asia, it has been used by the advocates of democracy and civil rights. In Latin America, the social movements have used civil society ideas for seeking transformation into a new egalitarian and participatory socio-political order (Elliott, 2003).

In the Middle East, it has been appropriated by intellectuals opposing repressive regimes. In Africa, analysts have noted the capacity of peasants to subvert or defy the predatory State through diverse ways of ‘invisible government’, embedded in kinship, and rituals. Global society theorists have expressed their frustrations with governments throughout the world by adopting people-centred development as their answer to the State’s failure to bring about social and economic transformation (*ibid*). Let us now discuss a few cases to see how the people through various collective initiatives have made a difference to governmental decisions. Unit 19 of this Course will discuss this issue further.

8.3 A CASE STUDY OF RIGHT TO INFORMATION

Information is the vehicle for governance. The greater the access of citizens to information, the greater would be the responsiveness of the government. Information is the national resource without which people cannot exercise their rights and responsibilities. They would also not be able to participate adequately in the government schemes/programmes if there is no unbiased flow of information. Since the public is the recipient of the benefits accruing from the various government programmes; and since the government institutions are meant for the public, it is the duty of the government to make the people informed regarding their ongoing programmes.

The movement for Right to Information was started on the premise that information is power and government staff at all levels tries to withhold information to enhance its scope for control and patronage as well as to carry on its arbitrary, corrupt and unaccountable exercise of authority. Therefore, the safeguards against corruption are simplified rules and regulations/procedures, total transparency and proactive dissemination of information. Since its inception, the Mazdoor Kisan Sangharsh Samiti (MKSS) has been involved in the struggle of the poor, mainly with issues related to land and wages, women’s rights, prices and sectarian violence. MKSS was formally registered in May 1990. The members of this organisation primarily are landless workers and marginal peasants belonging to lower socio-economic strata of the society.

It was the winter of 1994 when MKSS took up a new challenge i.e., fight against corruption through *jan sunwai* or public hearings. Despite being of local character, the movement shook the very bases of the traditional monopoly, arbitrariness and corruption in the State bureaucracy. The organisation demanded the copies of all documents related to public works completed and being carried out for a people’s audit. These documents, that is, muster roll, bills and vouchers related to the public works were the foremost of its demands.

During the *jan sunwai*, the details of the works and the procedures involved in that were read out and explained before the public. This revealed the extent of misappropriation of materials, fudged records and forged muster rolls. Earlier, in the absence of access to hard facts, people were unable to take any corrective or preventive measures. In this *sunwai*, common people were made to participate and speak out fearlessly regarding corruption while government officials were asked to defend themselves. In this process, two demands were made. *One*, citizens should have the right to make copies of bills, vouchers, muster rolls etc. related to the schemes undertaken by the government in their villages. *Second*, funds misappropriated should be immediately recovered and spent for the purpose they were released.

At the beginning, the government officials opposed these demands and obstructed *jan sunwai* proceedings in every possible manner. For instance, the administration in the four districts in the state of Rajasthan where *jan sunwai* was organised refused to register criminal cases against the corrupt officials against whom evidence of corruption had been gathered during the public hearings.

Despite the negative approach of the administration, the public hearings continued and got a huge support from the local people and also from the administrators having progressive attitude within and outside the government. Lal Bahadur Shastri National Academy of Administration, Mussoorie, a training Institute for higher civil servants, organised a national seminar for officials and activists with a focus on Right to Information.

It was April 5, 1995, when the Chief Minister of Rajasthan announced in the Vidhan Sabha that his government would be the first in the country to confer on every citizen the ‘right’ to get photocopies of all official documents related to local development works. However, even after one year of this announcement, the Chief Minister’s assurance was not carried out by the administration. MKSS accusing the Chief Minister, launched a *dharna* in a small town called Beawar to urge the government to convert the promise into action either by issuing administrative order or passing a Bill in the state legislature.

The government on the first day of *dharna*, issued an order allowing citizens the ‘right’ to inspect the documents by paying a nominal fee but not to obtain photocopies or certified copies of the documents. MKSS did not accept it calling the order ‘toothless and diversionary’ because, in the absence of legally valid copies, no action could be taken against the corrupt officials. Even police would not lodge a complaint against those corrupt officials. *Dharna* by the MKSS thus continued. A delegation also met the Chief Minister at the Jawaja village, where he verbally accepted the demand, but refused to give any written instructions till the elections were over.

With each passing day of *dharna*, an unprecedented upsurge of local people, who were mostly local artisans, labourers and middle class groups, was witnessed. In fact, most of the participants were illiterate but aware about the functioning of the government and wise enough to know the cause of *dharna* that was for the Right to Information, one of the important edifices for the better functioning of the democracy. Along with moral and physical support of the local people, donations in cash and kind poured in every day. This was in the form of vegetables, milk, snacks of wheat from farmers, tents and volunteers to cook and serve cold water. What was significant was the fact that thousands of people listened to speeches, shouted slogans, sang songs and participated in rallies. It got support from the people hailing from all walks of life, from shopkeepers to professionals, daily wage labourers to educated people, from right wing politicians to left front leaders, from trade unions to several non-governmental organisations. Even the mainstream media was also very sympathetic.

As a result, an official press note was issued by the Rajasthan government saying that the State government had taken a decision to establish a committee which would give a practical shape to the assurance given by the Chief Minister. Even after one year, despite several meetings with the officials and activists, no concrete decisions were taken. Again, in the month of May 1997, a *dharna* was started at Jaipur. After 52 days of *dharna*, the Deputy Chief Minister announced that six months earlier, the state government had notified the right to receive photocopies of the documents related to local government. But, the fact was that this ‘order’ related to transparency had been kept secret. However,

it was welcomed as a milestone as far as the Right to Information was concerned, because for the first time, the government recognised the legal entitlement of citizens to obtain copies of the documents.

In 1999, the Rajasthan government announced that it was committed to bring about a powerful bill on the Right to Information. The government initiated consultations with MKSS and other NGOs to prepare a draft bill for this purpose. Ultimately, the draft bill that came through a result of the struggle by MKSS, along with the citizens' groups and imminent individuals has now been passed by the Parliament. The act provides for a broad definition of 'information', proactive disclosure, and appointment of Public Information Officers. You will learn more on Right to Information Act in Course (013) on Public Systems Management.

The institution of governance is suffering from pervasive and systematic corruption that erodes people's faith in the system. It hinders the creation of equity, justice, development, and social order so essential in the making of a just society. The civil society movement like the MKSS plays a significant role to give citizens the right to access information, which is legitimately theirs. It also ensures that these are consistent with the principles of public interest, probity and justice and expand citizens' democratic space by giving them an opportunity to participate in the political process with full capacity.

This type of movement enhances the scope and status of participatory democracy that, among other things, checks the corruption and arbitrary exercise of State power. It helps to mobilise people in an effective manner in order to put their demands before the government and get the effective results. In a sense, these people's movements duly sanction the social audit of the development programmes run by the government.

8.4 THE CHILKA MOVEMENT: A CASE STUDY

Sporadic protests against the commercialisation of livelihood resources by the poor and marginal sections of the society is not new in India. During the colonial regime, farmers and tribals were seen mobilising against the State interventions in the customary practices of the people. What is new in this struggle is the accent on articulation of the issues viz., survival of the marginalised, unequal distribution of developmental benefits, struggle for sustainable development and extent of people's participation in decision-making. The recent people's movements have also given the people new identities - the way they would like to live and be governed. In the process, such movements have established a relationship between the government and the governed, widened the scope of Right to Life that has included, among other, the environmental issues. The present case study of 'Chilka Movement' reflects the mode and mechanism of struggle on the vital issues of common concern.

During the early 1990s, a movement called 'Chilka Bachao' was started by the fishermen who resisted the implementation of Integrated Shrimp Farm Project (ISFP) in their area. It was perceived as a threat to the livelihood of fishermen residing around the lake. The movement got active support from students, intellectuals and human rights activists. Before going into the nature of this 'Chilka Bachao Aandolan', let us have a look at the socio-economic profile of the Chilka region. The fishing ground has been divided into five types: 'Jano', 'Khati', 'Bahan', 'Dian' and 'Uthapani'. The fishing practices of the fishermen have been based upon the castes. The 'Keuta' caste form 68 per cent of the

fishermen who use the fish with nets. During British period, Chilka Lake was in the hands of the kings of ‘Parikuda’ and ‘Khalikata’. The fishermen had to pay royalty to the king for access to the lake in the 1920s. The first co-operative society namely the Balugaon Fishermen Co-operative Store having 24 members was established in order to protect the interest of fishermen and to keep the encroachers outside Balugaon in Puri District. In 1953, after the abolition of the princely states, it came under the control of the Government of Orissa. Under their rule, the fisheries were leased out to fishermen by the Anchal Adhikari (circle officer) through open auction. This practice continued till 1959 when the Central Cooperative Marketing Society was established. It was an apex body to lease the fisheries from the government and further sublease them to the primary fishermen cooperative groups. Thus, this system was protective of the fishing rights of the fishermen. The resources that were not taken on lease by the Central Society were auctioned by the tehsildar (a block level official). The Chilka Reorganisation Scheme made a clear distinction between fishermen and non-fishermen.

In 1991, the Government of Orissa issued an order that divided the fisheries in Chilka into two categories – ‘capture’ and ‘culture’. Capture rights were related to fishermen although culturing was meant for non-fishermen and villagers who were not the members of primary corporative societies. Since the government’s order did not provide guidelines for the operation of ‘capture’ and ‘culture’, the discretionary power was used by the collector. So, the policy further created confusion among the fishermen. The Central Society had limited powers, hanging between Revenue Department and the Primary Societies. Most Primary Societies bypassed the Central Society and marketed directly through commission agents. Thus, the purpose of a dual co-operative structure was rather defective.

Since 1980s, the Chilka Lake has been witnessing subletting of leased out fisheries of the Central and Primary Societies and illegal encroachment by outsiders. The large-scale business of prawn culture has threatened the livelihood of traditional fishermen as well as the eco-system of the Lake. More than thousands of fishermen and non-fishermen have lost their livelihood. Against this backdrop, the Government of Orissa entered into an agreement with the Tata Iron and Steel Company (TISCO) for a joint Semi-intensive Prawn Culture Project – Integrated Shrimp Farm Project (ISFP) possessing around 400 hectares of Chilka land, it was clearly not welcomed by the people.

The villagers residing around the ISFP initially knew about the Project but not so much about its ill effects, but a few educated people of these villages were skeptical about the Project. Later, Meet the Students (MTS) type of informal groups of students from Utkal University; Bhubaneswar took an intense drive to make the villagers aware. The young people of MTS made the people conscious of the injustices perpetrated on them by society and the State. Later, a state level students’ forum named Krantadarshi Yuva Sangha (KYS) was formed to mobilise youth against the ISFP.

In August 1991, a meeting of intellectuals was convened in Bhubneswar. Following which, Chilka Suraksha Parishad (CSP) was formed and assigned the task of mobilising public opinion. In fact, the forum acted as a think tank of Oriya society to debate and discuss the Chilka issues. Later, the students became convinced about the fact that local organisations could play an effective role against the Project. They realised that their interactions and awareness levels would help people resist the Project more effectively. Keeping this in mind, they decided to involve Chilka Matsyajibi Mahasangha (CMM), an organisation of 122 revenue villages in Chilka that works to protect the interest of

fishermen. In January 1992, the Chilka Bachao Andolan was started as an extension of CMM.

Many civil society organisations viz., Ganatantrik Adhikar Suraksha Sangathan (GASS) and Orissa Krushak Mahasangh (OKM) supported the Chilka Bachao Andolan. These organisations highlighted the environmental hazards of the Project and forced the government to undertake a study to assess the environmental impact of ISFP on the villagers and adjacent areas. It also became instrumental in attracting the attention of the international community to the environmental issues and also demanded that Chilka Lake should be declared an endangered wetland and be protected. All civil society organisations along with affected people raised many economic, social, legal and environmental concerns that can be summarised as follows:

- The residents of 26 villages had been traditionally using the land allotted to ISFP for harvesting prawn.
- There was a threat of water logging due to the construction of the embankment on the Bhubania canal that forms the outlet of the Lake to sea.
- During breeding season, the embankment would obstruct the movement of the fish and prawn through the brackish water. It would hamper the natural generation of prawn.
- The availability of fish in the future would be badly affected due to the pollution caused by protein feed chemicals and pesticides.
- The ISFP had started without a proper Environment Impact Assessment. Before the allotment of the land to the ISFP, it was not listed under property that could be leased. However, at the time of allotment of the land to the Project, government illegally classified it as community pastureland.

The main focus of this movement was not the Tata Project but the development and resource use of a vulnerable area. The movement attacked the government on its policy towards Chilka and the affected people. The moot point of this movement was to highlight the issues of governance like:

- To whom does Chilka Lake belong, the people or the State?
- If big business houses enter the fishing field, what would be the fate of the fishermen who depend for their livelihoods on Chilka?
- What should be the priority of the State in ensuring the livelihood of the poor?

The issues raised by the Chilka people directly related to the notion of governance. It helped the State in redefining the priorities during formulation and execution of the development objectives. It also highlighted the relationship between State and the poor. This idea of governance ultimately revealed the flaws in the ways of decision making, priorities and their implementation. It was realised that the government must correct its decision making processes in the interest of the poor and marginalised sections of the State.

This case study shows that collective actions come in handy when the State ignores important issues. Lacklustre approach or general insensitivity of the government and international agencies towards the marginalised and poor sections give rise to these types

of people's struggles. The role of civil society, in such situations, when the State fails to fulfil its duties for which it exists, is to extend support to the hapless poor in their struggle to correct the State's machinery. The present decade, with Market vs. State as a backdrop, there are bound to be more conflicts between the State and its citizens. In this context, the Chilka movement is an eye opener for both the people and the government. It suggests that it is possible to take sufficient corrective measures, hold intensive discussions at the public forums, ensure total transparency, and place the people at centre of development through debate and dialogue before initiating or commercialising any development programmes.

8.5 AN INITIATIVE IN LOCAL DEVELOPMENT

Of all the non-governmental organisations working for the upliftment of marginalised masses located in underdeveloped regions, the role and approach of the *Harijan Adivasi Rachnatamak Sangh* has been quite remarkable. Moved by the death of a large number of people during the drought of 1967, Shri Surendra Pathak started this organisation with the sole aim of bringing about overall improvement in the conditions of living of Harijans and Adivasis residing in Bankebazaar Block of Gaya District of Bihar. Since then, under the guidance of Shri Pathak, the Sangh has been concentrating on the overall growth and development of these people. Through its innovative and well-analysed approach, the Sangh has brought about a remarkable change in the life of its target groups. Starting from scratch, by his sheer dint of dedication, Pathak has been able to form a dedicated team of skilled and unskilled local youth, who are voluntarily devoting their energies with a missionary zeal for the betterment of their own people in the area.

The basic approach of this organisation is 'self-help', and the belief in the dictum of 'local problem: local solution'. On these principles, the Sangh emphasises on 'shramdan' (donation of labour). It believes that the only asset of the rural poor masses is 'labour', which is available in abundance. The target of a development programme should be to ensure direct benefits to the people who contribute this labour. The involvement of masses infuses a new spirit in them when they realise that even without depending on the government, they themselves can bring about massive changes in the overall situation. This restores their self-esteem, which decades of dependence, suppression, repression, and a feeling of helplessness had taken it away from them. The Sangh stresses on 'do-it-yourself' policy and accordingly identifies the local problems. It works out possible solutions as per local resources and organises people to bring about the required change.

Bankebazaar is perhaps the most backward Block of Gaya district of Bihar. Most of the residents of this Block are poor and backward in all senses and purposes of the term. This area has been ignored by both the state government as well as district administration. So, almost no infrastructural facilities are available here. There are some villages in the Block where no form of administration has even reached. Even in this supersonic age, no type of vehicle has reached some villages and people have to walk five kilometres to buy a mere packet of salt. In the absence of *kutcha road*, in this damp forest area, it is unthinkable to reach a doctor in emergency situations, and the people are left to their own fate. They are deprived of even the minimum basic human needs, of food, shelter, clothes, drinking water, and medicines. As a result, water borne diseases, malnutrition, and many ailments are rampant. This apart, the people live in perpetual social tension caused by sporadic caste or class wars inspired and engineered by Naxals and other Senas/groups.

This grievous neglect has been caused by a combination of several factors, like absence of articulate and vocal leadership representing interests of the area in the local and state-level democratic set-up; lack of political will on the part of others who are supposed to have a national vision and concern for the poor, hapless and exploited Harijans; hopeless condition of law and order which scares away government functionaries from discharging their due role; and, on top of all this, a nexus between politicians, bureaucracy, contractors, businessmen, and mafia, who have developed vested interests in keeping the area backward to maintain their throttling hold over it. To compound the situation, there are no visible signs of development, howsoever inadequate, in the area.

Therefore, the Sangh took up the task of constructing *kutcha* roads to provide inter-village and village-market linkages running into 45 km. It constructed 38 houses in village Binovanagar, the abode of Harijans; the capacity of these dwelling units ranged between one to four rooms, providing 15 dug wells (*kutcha wells*) as source of drinking water. Construction and maintenance of tanks, dams, and irrigation channel (the latter running into 10,200 meters) to serve small irrigation needs in the area were provided for.

Since there were several villages without a primary school in the area, the Sangh has been running 20 primary schools in the area by raising a sum of Rs. 10 from each student in order to pay their teachers. Besides, girls' residential schools have been started in 1995 in Bankebazar. It has classes from I to III, which are scheduled to be raised to Class V. This school, through prayers, *upasana*, *yoga*, meditation, studies, sports, training in different aspects of cottage industry, etc. aims at making students action-oriented, efficient and self-sufficient.

The Sangh has also started *Chak Bandi* of land as a land-reform measure in one village as an experiment. It is showing great promise as a large number of women have also come forward in this effort. Under different categories of activities, the Sangh has planted over 1000 fruit-bearing varieties like orange, guava, lemon, papaya, etc., which cater to economic as well as food needs of the area. Over 5000 timber trees (like teak, *shisham*, etc.) have been planted in 25 villages; and 2000 trees of varieties like *neem*, *ber*, *peepal* and *amla* have come up. Besides, there are over 10,000 plants of medicinal value, including *tulsi*.

To impart knowledge and skills among the poor Harijans/tribals in the area of cottage industries, the Sangh has been imparting training in trades like blanket weaving, soap making, *papad* making, *pattal* making, *darri* making mats or *aasan making* (made of polythene waste), etc., to promote self-employment and provide sources of income in the non-farm sector. Sangh has provided five *papad* and *pattal* making machines to the people and has helped in setting up of a bakery unit in Tarvan village with a capacity to produce 70 kg of 26 varieties of biscuits daily, and bread-loaves too. The Sangh has been organising farmers' training camps in which experts are invited to advice farmers on agricultural practices biannually.

The Sangh has made special efforts to promote communal harmony, particularly among Hindus and Muslims, who jointly celebrate their festivals in the area. 'Padyatra' programmes are organised to this effect. The Sangh is involved in quarterly prohibition campaigns or *Nasha Mukti Abhiyans* to convince people of the evil effects of liquor with the support of doctors and yoga experts. Meditation experts are also invited to render voluntary service to the people. This has produced surprising positive effects.

Keeping in view the needs of the local people, libraries and community halls have been constructed and are being maintained. *Goonjan* and *Vatayan* libraries have been set up at four places, viz. Bankebaazar, Parsawan, Diguriya and Telaiya. It has helped in spreading education as well as discipline among the youth. Community Halls for holding meetings, celebrating social functions, lodging *baraat* party, etc. have been constructed in several villages. Besides, a host of activities have been carried out by Sangh, such as organising free medical checkups, running stitching centres for women, etc. This case study shows that ‘self-help’ is the road to self-sufficiency and development.

8.6 IDENTIFICATION OF CAUSES OF PEOPLE'S STRUGGLES

Social and economic deprivation is the root cause of people's struggles. As we have read in this Unit, the case studies clearly reflect that unfair State interventions, non-participatory governance system, and lopsided development strategies are compelling the people to get organised and fight for their rights and demands. People's power as manifested in various civil society organisations is being recognised as a visible way of realising the objectives of equity and justice.

Some major causes of people's struggles could be successive generations of exploitation, abject malnutrition and impoverished conditions. Socio-economic deprivation and inaccessible development programmes and government schemes have also aggravated the problem. The naxalite movement, movements for autonomy and secessionist movements in Kashmir and North-East; as well as the environment movements such as Narmada Bhachao Andolan, movement for protection of Olive Ridley Turtles, movements against privatisation of power and water, protests against MNCs like Coke, Pepsi and McDonald etc., have their origins in some or the other wrong committed by the government or the private sector. These social movements leaving aside the secessionist ones do not aim to seize State power or undermine modern State to serve their ends. Rajni Kothari observes that civil society's ordering of politics and governance is the take off point for humane governance. Such a re-entry is what contemporary social movements strive for. Human rights movements, ecology movements, women's movements, peace movements are all about restoring the first principles of the ‘good’ and ‘good life’ in the conduct of human affairs (Gupta, 2003).

The new social movements are different from traditional or old social movements such as labour and peasant organisations, which were primarily concerned with economic and socio-political justice. New social movements seek to mobilise sections and groups oppressed or exploited in ‘new’ or different ways, especially by the processes of ‘modern capitalism’. A recent article by Fuentes and Gunder Frank seeks to analyse the recent growth of action groups in the Third World. Using a very inclusive definition that includes practically any movement that is not a traditional class or national/separatist organisation, they define such groups as ‘grass roots’ (locally-based), transitional to socialism, and anti-political in the sense of not seeking to achieve power at the institutional level, but broadly democratic movements. In addition, they believe that they are ‘cyclical’, not really new, but actually older than historically recent working-class movements. In short, they are age-old instruments and expressions of people's struggle against exploitation and oppression and for survival and identity. They are attempts at, and instruments of, democratic self-empowerment (Haynes, 1997).

8.7 CONCLUSION

The case studies discussed in this Unit clearly show that people's power is crucial for ensuring an ethical, transparent and efficient governmental system. It can put pressure on the State to mould its policies in the desired direction of goal fulfilment, be it environmental, developmental or livelihood related objectives. The people's groups and NGOs can change the face of rural India even without any governmental aid. Therefore, one need not feel surprised to discover that although the State-led developmental process was particularly initiated to dilute, if not totally dissolve, social and economic disparities, which have caused persistent social strife and tension, it has paradoxically turned out to be the major factor behind pervasive social strife and heightening tension today, even after 55 years of our independence.

Agrarian violence with its class and caste overtones is one of its ugliest manifestations. What is, therefore, needed today is to initiate a genuine process of empowering the people on the noble principles of self-sufficiency and *shramdan*, to awaken them and make them conscious of their tremendous self-developmental potential. Let us, therefore, think in terms of shedding the archaic, wasteful and expensive structure, which has over the decades promoted and strengthened the syndrome of total dependence on the government in favour of the much cheaper and reliable process of rekindling self-propelling energies of the people through community endeavours to better their social and economic existence. In the globalisation context, governance has become encompassing and multi-actor centric with government, market and civil society working in the area of provision of goods and services. It has to be seen that root causes of people's struggles are not aggravated. The social movements have to look for solutions to the problems in the right earnest. They must articulate specific local issues and guard against the manoeuvres of national and international groups with vested interests. This Unit through its case studies highlighted some of these aspects.

8.8 KEY CONCEPTS

Capacity Building

Efforts aimed to develop human skills or societal infrastructures, within a community or organisation, needed to reduce the level of risk. It also includes the development of institutional, financial, political and other resources, such as technology at different levels and sectors of the society. The term 'capacity building' was repeatedly used in the Doha Declaration in the context of assistance to be provided to developing countries in establishing and administering their trade policies, and identifying their interests in trade negotiations.

www.unisdr.org/eng/library/lib-terminology-eng%20home.htm, and
www.personal.umich.edu/~alandear/glossary/c.htm

Environment Impact Assessment

It is a planning tool that is an integral part of information gathering and decision making. It provides the policy makers with an objective basis for granting or denying approval for a proposed development project. It may be defined as a formal process used to predict

the environmental consequences of any development project. It ensures that the potential problems in a development scheme are foreseen and addressed at an early stage of project planning and design. The purpose of Environment Impact Assessment is to support the goals of environmental protection and sustainable development.

www.deh.gov.au/industry/finance/glossary.html

www.gdcr.org/uem/eia/define.html.

Fishing Ground Near Chilka

The fishing ground in Chilka Lake has been divided into five types – ‘Jano’, ‘Khati’, ‘Bahan’, ‘Dian’ and ‘Uthapani’. *Jano*: Mostly located around the various islands of the Lake and are barricaded with split bamboos. Fishing is done in shallow water and is operated from October to February. *Khati*: This is shrimp fishing ground where fishing is done with the help of bamboo traps set in the shore areas between March and September. *Bahan*: This is a deeper fishing portion of the Lake and is carried out almost throughout the year. *Dian*: It is an unplanned area and operated during September to January. *Uthapani*: It is an area of shallow water, where fishing is carried out during monsoon. The fishermen groups are: *Kanobara*: the second largest group, use traps i.e. *Dhaudi* and *Tota* for catching crabs and prawn. The *Tiar* use bamboo traps called *Baja*. The *Karotias* use both traps and nets for fishing, besides; there are *Nolias*, the Telugu immigrants who fish mainly in the sea and partly at the mouth of the lake. A large number of refugees from Bangladesh also come to fish here for their livelihood.

8.9 REFERENCES AND FURTHER READING

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8.10 ACTIVITY

1. Visit some nearby NGO or a Self-help Group working in the area of development and welfare of people. Pen down your observations on the nature of relationship it shares with the people and other government organisations or private enterprises it interacts with.

UNIT-9 CHANGING NORMS OF SOCIAL EQUITY, PARTICIPATION, AUTONOMY AND FLEXIBILITY

Structure

- 9.0 Learning Outcome
- 9.1 Introduction
- 9.2 Concept of Social Equity
- 9.3 Emergence of Social Equity in Public Administrative Studies
- 9.4 Changing Norm of Participation
- 9.5 Norms of Autonomy and Flexibility
- 9.6 The Indian Context
- 9.7 Conclusion
- 9.8 Key Concepts
- 9.9 References and Further Reading
- 9.10 Activity

9.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Appreciate the contemporary people-centric and increasingly socially inclusive public administrative discourse
- Understand the concept of social equity
- Locate the emergence of social equity concern in the study of public administration
- Analyse the changing norms of participation; and
- Bring out the meaning and relevance of the norms of autonomy and flexibility.

9.1 INTRODUCTION

With the advancement of public administration over time, the norms of social equity, participation, flexibility and autonomy have been changing. The issues related with recognition and accommodation of diverse ethnicity, religions, languages and values have become an inescapable feature of the landscape of socio-political arena and the governance agenda in the 21st century. More often than not, public policy, depending on the character of the governing regime, has tended to underplay and even suppress these norms. In general also, these norms have in many instances been neglected in public management through everyday exclusion as well as economic, social and political discrimination. These norms are closely related to social as well as administrative development, and have, as a result, witnessed a sort of paradigmatic shift in terms of their use and importance. Currently, the accent on globalisation that has turned the whole world into a global village, and the new activist role of civil society that has been envisaged by the ‘governance’ school of public administration

have lent a new complexion and relevance to these terms. This Unit will discuss the meaning and nature of these terms and throw light on their changing relevance in the context of recent transformation in the contents and methodologies of ‘people-centric’ and ‘governance-focused’ public administrative studies.

9.2 CONCEPT OF SOCIAL EQUITY

So far as the norm of ‘social equity’ is concerned, it could be called relatively new. The term has been conventionally referred to as equality, and now is being understood in terms of social justice. In the contemporary context, it is called social engineering. With the gradual change in the terminology, some new inputs have been incorporated to widen its scope. For example, present concept of social equity is not just confined to earlier emphasis on caste reform, removal of untouchability etc. On the contrary, it includes the expansion and democratisation of social structure making society more and more equitable in terms of social resources, human capital, gender-equity, educational awareness, demographic composition and ethnic profile. To broaden the canvas of social equity, factors of common good, community services, multiculturalism, cultural freedom, human rights, ethnicity, social harmony and ecological concern have also been made an integral part of it.

Managing diversities and respecting cultural identities are the major challenges for India and other countries as well. No country is entirely homogenous. Nearly 200 countries of the world have some 5,000 ethnic groups. Two thirds have at least one substantial minority, either an ethnic or a religious group consisting of at least 10 per cent of the population. Cultural liberty is vital for maintaining social harmony. Therefore, the State should work out appropriate ways and means to manage it. The present era of globalisation has been criticised as culturally ‘homogenising’ because communication and information technology, economic integration and trade flows have been continually shrinking the world and changing the landscape of cultural diversity.

In addition, the spread of democracy, accent on human rights and new global networks have given the people the necessary means to mobilise around a cause, insist on a response and strive to achieve it. In this scenario, social equity cannot be actualised unless the State and its citizens respect diversity and maintain unity through common bonds of humanity. The process of development and change brings the question of ‘what is social equity’ to the forefront. George Frederickson (1987) defines it as "The need or requirement to deliver public services fairly or equitably ... to connote the value of fairness in the use of administrative discretion...and government programmes designed to help the minorities, women, poor, or others who may have limited political power."

Other scholars define social equity as a principle that each citizen has a right to equal treatment by the political system. George Frederickson (*ibid.*) argues that the criteria for judging the worth of public administration should not be limited to efficiency and economy but should also include social equity. If public administration focuses only on neutrality in policy making and efficiency and economy in carrying out the will of the legislature, social equity concerns are bound to be ignored. Social equity also competes with the values of neutrality, economy and efficiency.

Social equity is defined as the application of three factors that Frederickson calls equalities: ‘simple individual equality’, ‘segmented equality’ and ‘block equality’. The concept of *individual equality* consists of one class of equals, such as one person-one vote. *Segmented equality* is the result of society’s complex division of labour. Equality may exist in one segment of society, while there may be disparities of

treatment between different segments of society. For example, the same laws of professional conduct that regulate all lawyers in private practices within a jurisdiction do not regulate medical doctors. *Block equality* calls for equality within a group. Women lawyers seeking equal pay as male lawyers would be an example of block equality. It would be ludicrous to apply *block equality* to lawyers, accountants and doctors. Therefore, Frederickson suggests that each of the three equalities has a certain domain. If one of the equalities is applied outside its domain, the concept of equity as a whole is harmed.

9.3 EMERGENCE OF SOCIAL EQUITY IN PUBLIC ADMINISTRATIVE STUDIES

Both in theory and practice, public administration has always emphasised the concepts of decision-making, systems analysis, operations research or management science, and rationality. It has been observed, that the administrator's job has to be efficient (getting the most service possible for available dollars) or economical (providing an agreed upon level of services for the fewest possible dollars). It should be no surprise, therefore, that issues of inequity and injustice have not been central to public servants or to public administration theorists.

Social equity began as a challenge to the adequacy of concepts of efficiency and economy as guiding principles for public administration. In time, social equity has taken on a broader meaning. Social equity is a phrase that comprehends an array of value preferences, organisational design preferences, and management style preferences. Social equity perspective emphasises and includes equality in government services; responsibility for decisions and programme implementation for public managers; change in public management perspective towards responsiveness to the needs of citizens rather than the needs of public organisations; a transformative approach to the study of public administration that is interdisciplinary, applied, problem-solving as well as theoretically sound.

The development of the concept of social equity was followed by a burgeoning literature on the subject. Philosophically, the views ranged from social equity as providing the proper normative basis for New Public Administration, on the one hand, to social equity as an attempt by some to smuggle in the notion of popular sovereignty, on the other. Researchers, especially in the public policy fields, began to analyse the variations in the distribution of public service in terms of income, race and neighbourhood, and eventually gender.

The concept of equity was included in the first adopted principles of the American Society for Public Administration (ASPA), which later became the Code of Ethics. In 1981, the ASPA, *Professional Standards and Ethics Workbook and Study Guide for Public Administrators*, in the Section on Professional Ethics, listed its the first two principles in the pursuit of equality, which is to say citizen A being equal to citizen B, and equity, which is to say adjusting shares so that citizen A is made equal with citizen B.

Public administration, is considered to be the union of the art and science of government, and the art and science of management. Efficiency and economy are primarily the theories of management while social equity is mainly the theory of government. In the early years of modern American Public Administration, this kind of mix, particularly in the conceptions of Woodrow Wilson, was balanced. Theories of business efficiency were routinely mixed with theories of democratic government, the argument being that a government can and should be efficient and fair. However, by the 1950s , the union was dominated by management theories and issues, and

questions of equity and fairness were kept at bay. Even though, it was generally agreed that public administration was a part of the political process, there was little interest in developing specifics regarding the ends to which politics and public administration could be applied.

In the early years, it was also the conventional wisdom that public administration was neutral and only marginally involved in policy making. Under those conditions it is possible to ignore social equity. Now the theology holds that public administration is a part or form of politics that it often exercises leadership in the policy process, and that neutrality is next to impossible. If this is the case, then it is not logically possible to dismiss social equity as a suggested guide for administrative action, equal to economy and efficiency.

York Willbern, in his review of the early literature that appeared in the 1973 issue of *Public Administration Review*, by the title “Social Equity and the So-called New Public Administration”, observed that critics were not very precise in defining the goals or values toward which administration and knowledge must be directed. Therefore, the task was clear, social equity needed flesh on its bones if it was to be taken seriously as a third pillar of public administration. The process began with a symposium on “Social Equity and Public Administration,” which appeared in the *Public Administration Review* in 1974.

The symposium was particularly illustrative of theory building in public administration. The theme was to consider social equity as: i) Basis for a just, democratic society, ii) An Influence on the behaviour of the organisation man; iii) Legal basis for distributing public services; iv) Practical basis for distributing public services; v) Completely operationalised in compound federalism; and vi) Challenge for research and analysis.

The phrases ‘social equity’ and ‘equality’ though advanced in the 1960s and 1970s as an essential third pillar of public administration were essentially without definite contours for quite sometime. As has been pointed out, equality is the simplest and most abstract of notions, yet the practices of the world are concrete and complex. How, imaginatively, could the former govern the latter is certainly ponderable? Recent developments in public administration in the name of New Public Management (NPM) and even the New Public Service (NPS) do not provide adequate answers to the question pertaining to the creation of a balance between economy efficiency and social equity. More pedantic discourse on ‘Citizens first’, ‘Serve rather than steer’, ‘Value people’, ‘Act democratically’, will have to find teeth at the empirical level as well.

9.4 CHANGING NORM OF PARTICIPATION

Participation in the governance processes is the new ‘mantra’. Old concept of democracy revolves around direct participation by the citizens in policymaking. This kind of participation is quite old and almost a classic one. Participation in modern times is indirect and takes place through representation. The modern form of indirect and representative democracy is based on people’s participation. However, the findings of behavioural political scientists have found the participation levels to be faulty and half-hearted one. According to the Elitists, only few influential exercise participation and power in the so-called representative democracy. The Pluralists speak of involvement of varied groups and organisations in participatory democracy. Therefore, the new norms of participation are to insure the involvement of the people from all the classes, especially from the weaker sections and minorities. The advocates of participatory democracy lay stress upon the availability of opportunity to

all *subaltern* sections. Not only is percentage of participation important but representativeness is also deemed necessary.

Participation merges into ‘empowerment’, when considered in terms of opportunities for the rural poor to engage in political processes to enhance their control over society’s resources. In India, the 73rd and 74th Constitutional Amendments have paved new ways for political parties and citizens to participate in the democratic process of the country. The Asoka Mehta Committee had also suggested the need for participation of political parties in order to make them more accountable and link them with the political process at the higher level. In the changing context, the political parties can work more significantly as agents of political participation. Simultaneously, the subaltern, backward, poor, disadvantaged, and women have got opportunities to participate in the governance process.

Political parties are compelled to utilise their machineries cautiously, and responsively whereas the weaker sections of the society have been given a chance to fully participate in decision making process at the rural level. The latest data with regards to the panchayat elections show that representation of weaker sections in rural governance is increasing. An important contributory factor that has led to increased citizens’ participation is the perceived failure of bureaucracy to meet policy needs, especially in the rural areas. Another assertion is that rural people now know more about policy needs at the grass roots level than the professional administrators do.

Participation is vital for good and effective governance. The latter part of the 20th century has shown a growing concern towards enlarging the role of citizens in the process of decision-making. Political leadership has come to feel the need for it in view of the citizens’ apathy towards public administration. The traditional institutional means available to the people have proved to be inadequate and insufficient in impacting on the issues of public policies. There could be many reasons for this like poor planning and execution, specialised nature of administration, and alienation of people from governance.

Decision-making matters demand a greater role for citizens because of their diminished trust in public administration. Equally significant is the realisation in the society that decision-making without citizens’ participation is bound to be ineffective and unsuccessful. People’s participation in public administration is a part of the larger process, emphasising on the values of representation, responsiveness and accountability to the people of the country. This ordains that people be provided with planned means for participating in both the policy making and policy implementing processes in public administration.

This enhances the administrative understanding of, and responsiveness to the public’s concerns. This also obliges the administrators to explain their actions to the public and thus concede to people’s Right to Information. One may, thus, see citizens’ participation in administration contributing to transparency in administration. More precisely, following advantages flow from citizens’ participation in administration:

- An absence or inadequacy of people’s participation in governance erodes the government’s capacity to be representative and responsive
- Participation in public administration promotes better understanding between government and the people, which has an integrative influence on the society
- Participation evokes a feeling among the people at large that they together control the government, which adds to the moral authority of the government vis-à-vis citizens

- People's participation keeps the governance legitimate and thus deepens its propensity towards obedience. In other words, people's respect for the laws of the land is strengthened by participative process in administration.

There are many factors pointing to the need for people's participation in public administration. An administrative set-up today encounters numerous problems, which do not seem to have readymade or definitive solutions. Many new types of problems have begun to baffle the public administrators and they seek solutions to such stubborn problems from the citizens, who while helping them with solutions often create new sets of problems too (Maheshwari, 2002). Today, we are living in the midst of a transition. While most administrators think that decision-making is their exclusive prerogative, the citizens, too, have come to believe that they have a 'right' to greater involvement in the affairs of administration. An encounter between these two sets of perceptions, which is inevitable in a transitional phase, creates tension on points of contact. Even when the administrators feel the need for citizens' participation, they cannot find a way to accommodate the public into the decision-making process.

The case for citizens' participation in public administration in William Morrow's words is worth mentioning:

Contemporary policies... have been marked by a revolution seeking more direct participation by citizens in policy-making. In contrast to the tendency of institutions to represent organised interests, this resurgence of participatory democracy seeks direct access to decision centres and involvement in decision making regardless of any connections or affiliations that the participants might have with organised interests. In fact, the participation movement has stressed the representation of unorganised public that have been given only casual concern in policy arenas.

James Midgley explains the position on participation by pointing out, "It is naïve to argue that State involvement in social development is superfluous and that local communities in the Third World can solve the serious problems of poverty and deprivation wholly through their own efforts. But it is equally naïve to assume that a cosy relationship between the centralised, bureaucratic State and the local community will emerge and that political elites, professionals and administrators will readily agree to the devolution of their authority to ordinary people" (C f Bhattacharya, 2002).

People's participation in administration is not free from its barriers. One of them being the existence of widespread inertia in the larger society resulting in apathy and passivity. In addition, under the name of people's participation, what may happen is a situation, which Selznick calls 'co-option'. Citizen's participation does not necessarily lead to the leaders representing their constituencies. Rather, they strike a tie-up with the local bureaucracy, which may silence them. The representatives, when interfacing with the bureaucrats represent their individual interests, not their constituencies' cause. It has also been observed that the citizens' participation, when not prudently directed, may add to unnecessary delay in decision-making and implementation, and finally increase the red tape.

It, therefore, follows that genuine citizens' participation presupposes radical mental restructuring in the larger society to make it effective. An obvious need exists to educate the people to make them aware of their rights no less than their obligations in the society. Along with this is the urgency for proper selection of people's representatives. It is also essential that openness should be the hallmark of public administration in the country.

There is a need to ensure that our development programmes and plans are not subverted and sabotaged under the garb of citizens' participation. Local vested interests emerge under the label of citizens' participation and become assertive of their narrower goals, which has the ultimate effect of nullifying the overall policy. Citizens' participation in administration is, thus, a basic political process for promoting public bureaucracy towards representativeness, responsiveness and accountability to the ultimate sovereign of the land, namely the people.

Yet, the fact is that participation is inevitably coloured by the political perspective. This may occasionally create tension for day-to-day administration. It is, therefore, necessary to have a sharper and deeper understanding between the public and the administration. Woodrow Wilson, acclaimed as the father of the discipline of public administration in the U.S.A, has rightly observed as early as in 1887:

“The problem is to make public opinion efficient without suffering it to be meddlesome. Directly exercised, in the oversight of the daily details and in the choice of the daily means of government, public criticism is, of course, a clumsy nuisance, a rustic handling of delicate machinery. But, as superintending the greater forces of formative policy alike in politics and administration, public criticism is altogether safe and beneficial, altogether indispensable. Let administrative study find the best means for giving public criticism this control and for shutting it out from all other interference.”

Wilson correctly pointed out when he observed: “In order to make an advance at all, we must instruct and persuade a multitudinous monarch called public opinion. As we all know, public opinion is a constraint and a stimulus for a large number of administrative actions.” Administrators and scholars claim that participative management, which is an integral part of participative administration, is a reality of tomorrow. They contend that public organisations are sure to look different in future because contemporary organisations, based as they are on yesterday's social traits and values, are outdated or are fast becoming so. Their call is for participative management. This kind of management has the following features:

- Free, frank and full communication regardless of hierarchical level
- A reliance on consensus rather than voting or other customary forms of coercion or compromise for conflict management
- Primacy of technical competence and knowledge, not prerogatives of power or hierarchy
- Congeniality of environment conducive to task-oriented acts as well as emotional expression
- Prevalence of a mental attitude that views the conflict between the organisation and the individual as inevitable and a disposition to mediate the conflict on rational grounds
- Freedom to experiment and innovate
- Maximum transparency in decision-making

9.5 NORMS OF AUTONOMY AND FLEXIBILITY

Indian Federalism offers the disadvantaged groups to voice their demands on developmental priorities on any perceived injustice. The voices of the disadvantaged have manifested in varied demands ranging from just distribution of resources to

autonomy for state councils, to even separate statehoods. The demands stem from a scenario that perpetuates an unequal share of economic and social opportunities to the disadvantaged or less advantaged sections of the country.

Autonomy is a term that refers to self-government. It can apply to individuals and political communities. The 'autonomous individual' is in control of her/his life, free to act independently of external circumstances. The notion thus lies at the base of liberal thinking. Among political scientists, autonomy has been seen as a sort of half way stage to full independence for regions and provinces. An elected assembly often controls it, with tax raising powers and authority over schooling and other aspects of governmental services. In some countries, autonomous regions are, may be to some extent, harbingers of regionalised states.

Autonomy is also the ability of an individual to select personal values and to withstand social pressures for conformity in a given situation. An autonomous individual is able to act independently of the norms of an immediate group situation in favour of his own personal norms or convictions. It is a state or condition in which self-direction is enjoyed; this self-direction relates to the property of a group or people within a geographical area, or even scattered at different places.

Autonomy has always been a 'catch and cry' word of political theory and practices. Autonomy in the literal sense has been associated with the degree of freedom from the superior centre of power. For example, lower units aspire to enjoy some quantity and quality of non-interference from higher units of power. In terms of Indian Federalism, the federal units i.e. the states demand for autonomy from the Centre. But this autonomy gradually has been interpreted, reinterpreted and misinterpreted as well as stretched to the extent of secession and disintegration. However, in the context of present era of globalisation, liberalisation and growing integration of the world economy, the notion of autonomy has changed beyond recognition.

In the era of reckless globalised economy and world media, the globe seems to have shrunk. The so-called modernity of the Nation State has come under serious threat of survival. In such a global scenario and titular sovereignty, the word, 'autonomy' is likely to be a word of political antiquity. As far as flexibility is concerned, it is expected in politics to advocate prospect of change, rise and fall. Flexibility refers to a system's ability to adapt and adjust with the changing norms and environs. A flexible set up has autonomous, adaptive and strong institutions that can innovate and experiment, produce new knowledge and skills, build capacity, make rectification and reinvent with time. No system is totally flexible as vested interests, narrow goals, stringent rules, hierarchical concerns, tunnel vision, lack of political will, administrative rigidities, and archaic mind-sets make it fall well short of requisite adaptation and adjustment capacities, to meet the organisational and developmental goals.

9.6 THE INDIAN CONTEXT

This Section focuses on specific issues related to the generic concept of 'social equity' when applied to issues such as 'gender', 'human development', 'ethnicity', 'human rights', and 'poverty' in context of India.

Gender Issue

Gender equality means both men and women are equal and free to develop their personal abilities as well as make their respective choices without social, political and other prejudices. The behaviour, needs and aspirations of men and women are considered, valued and favoured equally by the State and society. This does not mean

that both men and women are necessarily alike in nature and aspirations, but just that their rights, responsibilities, and opportunities do not depend on whether they are male or female. It means that their rights, benefits, obligations and opportunities are the same and do not receive differential treatment by the State.

The status of women can only be changed through the development process. India is witnessing this fact. The welfare approach of the State and the pressure that has been built up by the autonomous groups have changed the attitude of the government. This is visible in the form of Constitutional status accorded to the local governments, and thirty per cent reservation to the women in panchayats so that they could enter into the domain of decision-making process at grass roots level. A similar percentage of reservations for them in the Parliament and state legislatures is also under consideration. We will discuss the issue of gender in detail in our next Unit.

Human Development

The human development issue is also closely related to the issue of gender development. The well being of a society depends on the well being of its women. This close relationship can be gauged by looking at the very high human development indicators from the states of Kerala, Himachal Pradesh, and Tamil Nadu where a general improvement in the health of women has improved the health of both the male and female child. The United Nations Development Programme (UNDP) defines human development as “A process of enlarging people’s choices. The most critical of these wide ranging choices are to live a long and healthy life, to be educated and have an access to resources needed for a decent standard of living. Additional choices include political freedom, guaranteed human rights and personal self-respect.”

India has a well-developed statistical system for collecting the data on the various aspects of economy, polity, environment and available resources, etc. This system includes governmental and non-governmental institutions like National Population Census, National Family and Health Survey, National Sample Survey etc. We also have Human Development Report at the national level published every year by the states like Maharashtra, Madhya Pradesh, Karnataka, Rajasthan, Uttar Pradesh for their own use. The information generally collected is mainly connected to infant mortality and child mortality rates, nutrition, Human Development Index (HDI) and per capita district-wise domestic production, literacy rate, achievement and improvement indices for literacy, district-wise classification of village amenities, etc.

Ethnicity

India is still facing the problem of ethnicity in the states like Tamil Nadu, Punjab, Jammu and Kashmir and the North-East. These states have been witnessing growing insurgency, ethnic conflicts, and communal riots since Independence. The elements of insurgency can be found in all the states in the country; however, the North-Eastern states are worst affected. They want to secede from India and have their own sovereign States because as they feel alienated from India. The insurgent groups of Nagaland did not accept the Indian Constitution and thus boycotted the general elections held in 1952. The areas of Assam inhabited by the Khasis, Jaintias and Garos have witnessed the movement for an autonomous State in 1960s. The southern state of Tamil Nadu could also be regarded as an example of ethnic trouble as the Dravidian movement in the state found manifestation in the form of the Justice Party, and the Dravid Munitra Kadagam (DMK). The demand for secession, anti-Hindi agitation and later for more autonomy for the state, are all examples of challenges to ethnicity.

Ethnic challenges in Punjab and Jammu and Kashmir (J&K) got manifested mainly in the form of movement for autonomy and insurgency. Punjab had its regional, religious and economic bases for the demand of autonomy; whereas Jammu and Kashmir attributed its insurgency to historical, religious and geographical factors. The Akali leaders in Punjab followed three pronged strategy viz. Constitutional protests, infiltration and agitation to press their demands, while J&K played the games of Plebiscite, autonomy and secession. J&K has now joined with other states for its regional autonomy struggle. The involvement of Pakistan in the insurgency movement has given a different dimension to this issue and poses a big challenge. The other reasons for insurgency in Jammu and Kashmir seem to be the derailment of democracy, increasing unemployment, and government's apathy toward the people.

Human Rights

The Indian Constitution includes a detailed Bill of Rights that elaborates civil and political rights. These are guaranteed and enforced by the Supreme Court and high courts. There are five important features of the Constitution regarding the human rights and duties. *First*, our Constitution includes rights of the individuals as well as the cultural and educational rights of minorities under Articles 29 and 30. *Second*, it has abolished untouchability under Article 17, and has also enacted many other laws to abolish discriminatory treatment to untouchables, and also to women whose rights have been extremely limited in comparison to their male counterpart. The Government in India is also trying to replace the traditional, unjust and exploitative nature of social order with egalitarian and democratic norms. *Third*, it provides for positive or affirmative action against policies that are discriminatory towards weaker sections of the society like the Scheduled Castes and Scheduled Tribes, women, children and other backward classes. The positive policy the government is unparalleled and not found anywhere in the world. Under this endeavour, the government has reserved 49.50 per cent seats in jobs for these groups, besides 22.5 per cent reservation of seats in educational institutions and legislative bodies. Some even suggest that human rights must form a vital part of economic development policy.

The Constitutional Amendments 73rd and 74th of 1993 have reserved 33 per cent seats in panchayats and municipal bodies for the women. Resultantly, about a good number of women have been elected for the local bodies and have participated in the rural democratic process. This has certainly strengthened the roots of democratic institutions. Fourth, the Directive Principles of State Policy, give such socio-economic rights which do not fall under judicial review as rights to adequate means of livelihood, right to equal pay for equal work for both sexes, right against economic exploitation, rights of children, right to equal opportunity for justice and free legal aid, right to work, right of disadvantaged sections, etc. Fifth, the Constitution under Article 51A includes ten fundamental duties that were incorporated by the 42nd Constitutional Amendment Act in 1976.

Poverty

The issue of social equity is also linked with the problem of abject poverty. Most of the developing countries are reeling under impoverished conditions and the problems of population growth, illiteracy, unemployment, malnutrition, squalor and crime associated with poverty. The Government in India has implemented several anti-poverty programmes to deal with the situation ever since independence. The anti-poverty policy of the government starting from Community Development Programme in the 1950s to area development programmes of 1970s, and to target group oriented programmes of the 1980s, has benefited several poor and destitute families. But the

accent on meeting the statistical figures rather than overall development goals has not produced the desired results. With the revitalisation of grass roots institutions and panchayati raj bodies, the approach towards poverty removal is becoming more people-centric and participatory. Poverty alleviation is expected to make better progress in the future, as a result of increased focus on education, reservation of seats in government jobs, empowerment of women and weaker sections. We must locate all these issues of poverty, health and nutrition, status of women, and human rights in the overall strategy that goes into public policy process for the holistic development for the country.

9.7 CONCLUSION

It is evident that the meaning and modes of application of the terms ‘social equity’, ‘participation’, ‘autonomy’ and ‘flexibility’ are in a state of flux. Taking cognisance of the problems arising out of internal as well as external situations in a broader socio-political canvas, the words, such as, common good, community services, multiculturalism, cultural freedom, human rights, ethnicity and ecological issues have become a part of social equity. Likewise, participation is being perceived as one of the important ingredients of Good Governance that makes the administrative system efficient and accountable. Participation is a political process to promote better understanding between public and the government that, in turn, produces integrative influence on the society. We have many marginalised sections in our country that belong to different communities and ethnicities but have no access to justice, job security and basic services.

These deprived sections have tremendous potential of influencing the policy process, but only if they could participate in it. Norms of social equity and social participation are changing because the issues of poverty, human rights, health and nutrition, food security, status of women have all come under the purview of the larger economic development policy in India. Poverty reduction has become multi-faceted in nature. International organisations are aiming at development focussed programmes that include empowerment of women, national dialogue on poverty issues, sound economic management, emphasis on basic human needs, capacity building, promotion of participatory approaches, strengthening of institutions; and monitoring and review of programmes and projects. This Unit has attempted to examine some of these changing norms of social equity, participation, autonomy and flexibility in the Indian context.

9.7 KEY CONCEPTS

Co-option

Basically a fundamental process of evolutionary biology in which structures which have evolved for one use become employed for a different use. The term is frequently used in social sciences to connote mobilisation of people by the State and non-state actors. This strategy is being propagated specially due to two issues involved in the process of co-option:

- (1) The process of co-option has been emphasised in view of the emerging need for the unquestioned hegemony of the State over all the sections of the population. To extend hegemony and maintain stability, the need for the co-option of the collective initiative of the marginalised by the State in

- the name of empowerment of the former has been articulated in development discourse.
- (2) The process of co-option looks for institutionalisation of the collective initiatives that have remained so far outside the contours of the initiatives taken by the State.

(Debal SinghaRoy, 2003, “Women, Society and the State” in Alka Dhameja (Ed.), *Contemporary Debates in Public Administration*, Prentice-Hall, New Delhi).

Empowerment

The concept of empowerment is contextualised for marginalised people. The centrality of the notion of empowerment is located in the dynamics of sharing, distribution and redistribution of power, which has a basis for legitimacy. Empowerment deals with power, from the perspective of the marginalised groups. It challenges the power structures of subordination. Redistribution of power and empowerment aims at social equality, on the one hand, and disempowerment of structures, systems and institutions that perpetuate inequality, on the other.

(Debal SinghaRoy, 2003, *ibid*).

Human Development

A complex concept of development, based on the priority of human well-being. It aims at ensuring and enlarging human choices which lead to equality of opportunities for all people in society as well as empowerment of the people so that they participate in – and benefit from the development process.

Subaltern

Literally it means ‘subordinate’ but it has been used by the study groups to mean ‘disadvantaged’, ‘poor’ and ‘weaker’ sections of the society. The Subaltern Studies Collective is a group of scholars in India, interested in the post-colonial and post-imperial societies in particular, and the developing world in general. Their approach is one of history from below, focused more on what happens among the masses at the base levels of society rather than among the elite.

[en.wikipedia@org/wikisubaltern-studies](https://en.wikipedia.org/wikisubaltern-studies)

9.8 REFERENCES AND FURTHER READING

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9.9 ACTIVITY

1. Visit some nearby government office or NGO office or a panchayat or municipal office and write down your observations on the changing norms of equity, autonomy and participation in its policies and functioning.

UNIT 10 SOCIAL PARTICIPATION: ISSUES OF GENDER, WEAKER SECTIONS AND ENVIRONMENT

Structure

- 10.0 Learning Outcome
- 10.1 Introduction
- 10.2 Concept of Social Participation
- 10.3 Gender Issues: The General Parameters
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- 10.5 Applied Aspects of Social Justice
- 10.6 Environment and Citizens’ Concerns
- 10.7 Conclusion
- 10.8 Key Concepts
- 10.9 References and Further Reading
- 10.10 Activities

10.0 LEARNING OUTCOME

After reading this Unit you will be able to:

- Understand the concept of social participation
- Identify the general parameters of gender issues
- Discuss the approaches toward empowering women; and
- Examine the different ways of promoting women’s control over their environment as well as ensuring their Right to political participation.

10.1 INTRODUCTION

The issues of gender, weaker sections and environment are at the top of the agenda of the social scientists today. These issues have, in fact, become potential dangers for a healthy society. Mohit Bhattacharya (2001) observes that gender and environment are two narratives that are slowly finding place in the discourse and practice of public administration. Environment-related activities are now getting associated with the people at the grass roots level. There is thus a need to involve local people in resource management. As far as the gender dimension is concerned, there is a worldwide movement to reshape organisations by bringing in more and more women in them. Reasons for this kind of change could be many. Scholars and practitioners feel that the globalisation scenario and influx of information technology are responsible for a renewed and timely focus on the much-neglected issues of gender, weaker sections and environment. This Unit makes an attempt to highlight some of these. The problems attached with these issues demand urgent solutions. Social participation is, of course, one of the strongest measures to cope with these socio-economic and political issues. We will discuss this aspect at length in this Unit.

10.2 CONCEPT OF SOCIAL PARTICIPATION

The study of social participation has long been a concern of sociologists. Initially, social participation was seen by some as a dimension of social status, that is, as an indicator of the degree to which individuals had status conferred on them by their peer participation. It has also been seen as a means of self-fulfilment. Four types of voluntary association have been talked about. Voluntary associations have been considered, a bulwark of Pluralism in mass societies, a catalyst for community integration, an agent of political socialisation, and a promoter of social change. Participation in voluntary groups has been seen to correlate with socio-economic status, race and ethnicity, self-esteem and other socio-psychological traits. The concept of participation is in many ways a central concern of sociology and social science (See: Joseph, 1970).

Social participation means mobilisation of the entire society or community for its own development. It is possible if individuals, local organisations and social institutions fully participate. Ideally, active or true participation means that the people should be aware of their problems. They should be in a position to identify their needs and to a certain extent also try to solve them. Society or people must be involved at the planning level and prioritise the needs as per available resources. Their involvement in implementation of plans is also pertinent.

Social participation is a human act, based on mutual faith built upon the attitudes and beliefs of the people. It is a process in which every individual takes part for the development of his/her own society in his/her capacity. This helps the people to understand their environment better and gives them enough motivation to handle their common issues. They become agents of their own development instead of merely being passive beneficiaries of the governmental schemes.

Social participation can be improved if the government aims to:

- Respect the community's indigenous contribution with regard to their knowledge, skills and potential
- Encourage project initiators to become facilitators and mediators of development and assist in bringing about society/community based initiatives, and challenge practices that hinder people and ideals
- Promote co-decision making in identifying needs, setting goals and formulating policies
- Avoid selective participatory proactive approach
- Inform the people about both the expected success and failure of the schemes
- Motivate participants to believe in the spirit of values viz., solidarity, conformity, compassion, respect, human dignity, and collective unity
- Utilise optimally the potential of the society/community without any exploitation
- Empower the society/community to share the fruits of development equitably

There are techniques like Participatory Rural Appraisal (PRA), that promote participation in development and management of programmes. PRA is a label given to a growing family of participatory approaches and methods that emphasise local knowledge and enable local people to make their own appraisal, analysis and plans. PRA uses group animation and exercises to facilitate information sharing, analyses and action among the stakeholders. The purpose of

PRA is to enable development practitioners, government officials, and local people to work together to plan context-based programmes (World Bank Source Book, 2005).

Participation facilitates the development process. At the planning and implementation levels of a development programme, the participatory process provides important information that helps to ensure development objectives and preferences. It helps in assessing the manpower resource utilisation, which reduces the cost of the project. In case any change in the development scheme takes place or mistake occurs, it would be amicably acceptable by the people, because they are involved in it. Field based studies suggest that monitoring and sustainability of the project is smoother even if the external agency or the NGO leaves the project mid-way, as by that time the people are totally involved in the management of the project. Participation teaches both the administrator and the community the necessity of cooperation. This learning process based on participation makes the community a real actor and boasts its confidence and dignity.

10.3 GENDER ISSUES: THE GENERAL PARAMETERS

Gender issues generally pertain to the qualitative and interdependent character of the position of men and women's in society. Gender division is rooted in the conditions of production and reproduction and is reinforced by the cultural, religious and ideological bases prevailing in the society. In other words, sex is the province of biology, i.e. fixed and unchangeable qualities, while gender is the province of social science, i.e. qualities that are conditioned by social situation and interactions. These relations are not necessarily harmonious and non-conflicting, and may take different forms under different circumstances.

The concept of gender distinguishes the biological-sexual differences between men and women from the culturally determined differences between them, and the role assigned to or undertaken by them in a society. This means that gender differences between men and women vary across countries and regions as well as over time within countries. The culturally determined roles of men and women are workable and can be changed and influenced through education, government policy, media images and opinion leaders.

Women account for 495.74 million and represent 48.3 per cent of India's total population as per the Census 2001. Therefore, the development of the country depends, to a considerable extent, on the betterment of women's socio-economic condition and status. The Indian Constitution safeguards the rights and privileges of this group, which is reflective of the national concern in this regard. Article 14 confers equal rights and opportunities on men and women in the political, economic and social spheres. Article 15 prohibits discrimination against any citizen on the grounds of sex, religion, race, caste etc. Article 15(3) empowers the State to make affirmative discrimination in favour of women and Article 16 provides for equality of opportunities in the matter of public appointments for all citizens. Article 51A (e) imposes a fundamental duty on every citizen to renounce practices derogatory to the dignity of women. To transform this *de-jure* equality into a *de-facto* one, many policies and programmes have been launched from time to time for the benefit of women.

The Legal Right to Property (Parental) for women is under consideration and the Protection of Women from Domestic Violence Bill 2005 has come up for discussion in the Parliament. This is in addition to the plethora of Acts such as Child Marriage Restraint Amendment Act (1956), Suppression of Immoral Traffic in Women and Girls (1956), Indecent Representation of Women (Prohibition) Act (1986), Commission of Sati Prevention Act (1987), the National Commission for Women Act (1990), which have already been enacted.

There is a demand for 33 per cent reservation for women in the Lok Sabha. Pressure to reach a consensus in this between all political parties is mounting. The Constitutional Provisions underlined on Articles 10, 14, 15 and 16, as we just read, strive to provide equality and justice to the women. The 73rd Constitutional Amendment has already reserved one-third of the seats for women in the panchayats. It needs to be kept in view that “Reservation is an ineffective tool for meeting social ends unless accompanied with effective training and inculcation of self-confidence among vulnerable sections of the society (Basu, 2005)”.

It has been pointed out that the unitary category of ‘woman’ differentiated by class, race or nationality is not an intellectually helpful in analysing the socio-political impact of women’s groups. One way of dealing with the problem is to divide women’s groups between those which conceptualise their chief concerns around ‘political’ gender interests such as economic survival and those involved in ‘strategic’ gender interests associated with foremost objectives (Haynes, 1997).

Since the First Five Year Plan to Fifth Plan, several steps have been taken with a distinct focus on ‘welfare’ of the women. It is the Sixth Plan that adopted a multi-disciplinary approach with a special thrust on the three core sectors of health, education and employment. In the Seventh Plan, the developmental schemes continued with an emphasis on raising their economic and social status and bringing them into mainstream of national development. To extend the direct benefits that were being given to this group, Beneficiary Oriented Schemes (BOS) were added in various developmental sectors. In order to make them participative in the programmes, the thrust has been on generation of both skilled and unskilled employment through proper education, awareness and vocational training.

The focus of the Eighth Plan was on human development that plays a very important role in the advancement of the women’s cause. It ensured that no development sector bypasses the women so that they could function as equal partners and participants in the social development process. The Ninth Plan stressed on two significant strategies: (i) Empowerment of women became one of the primary objectives. The approach was to create an environment where women could freely exercise their rights both within and outside home (ii) Attempt was to converge the existing services available in both women specific and women related sectors.

To this effect, the Centre and the states, both were directed to adopt a special strategy of ‘Women’s Component Plan’ (WCP) in which not less than 30 per cent of funds flow to women from all the general development sectors. A special provision was suggested to this effect. In 1986, a special mechanism for monitoring all 27 Beneficiary Oriented Schemes was put into action at the instance of Prime Minister’s Office. It continues to be an effective instrument till today. All women related sectors viz. health, nutrition, education, labour, rural

development, urban development, science and technology; and women and child development have achieved its targets to a considerable extent.

During the Ninth Plan, special initiatives were taken for the employment and advancement of women like launching of 'Swashakti', 'Stree Shakti Puraskar', Gender Budgeting, National Policy for Empowerment of Women, 'Swayamsidha', and 'Swadhar'. These initiatives have helped the women through setting up of self-reliant Self-help Groups and developing linkages with the lending institutions for ensuring women's access to credit facilities; making them aware and building confidence through the process of conscientisation so that they can take their rightful place in the mainstream of the nation's socio-political scene; extending rehabilitation services in difficult situations and eliminating all forms of violence against women and the girl child.

The approach of the Tenth Plan has been a little different from the earlier plans. It stands on a strong platform for action having definite goals or targets within a time-frame, although women empowerment process that started in the Ninth Plan would continue. Recently adopted National Policy for Empowerment of Women (2001) is being translated into action. Among other steps in this direction, it includes: i) Creating an environment through positive economic and social policies for the development of women to enable them to realise their full potential, ii) Providing equal access to participation and decision making in socio-political spheres, health care, education at all levels, career and vocational guidance, occupational health and safety, social security; iii) Changing societal attitudes and community practices by active participation and involvement of both men and women; and iv) Building partnerships with civil society, especially women's organisations, corporate and private sectors.

10.4 'ENGENDERING' PUBLIC ADMINISTRATION AND DEVELOPMENT

The issue of 'gender' has been a late entrant in public administrative studies. Though the Minnowbrook Conference in 1960s did talk of the pertinence of equity, values and social justice, the emphasis on gender issues was not specifically highlighted. In the 1980s, however, women were recognised as an empirical and theoretical area of concern in public administration.

The approaches to women's empowerment have been undergoing a substantial change. The shift in policy approaches towards women, from 'welfare' to 'equity' to 'anti-poverty', as categorised by Buvinic (1983), to two other approaches, which have been categorised as 'efficiency' and 'empowerment' has mirrored the general trends in Third World development policies. The equity approach recognises that women are active participants in the development process. This approach meets strategic gender needs and links development with equity. As such, the approaches aim at a redistribution of power (Ostergaard, 1997).

The empowerment approach recognises the triple role of women and views the works of women's organisations and likeminded groups as a key element of change. It champions the use of a 'bottom up' approach to raise women's consciousness so that they can challenge their status in society. It works on practical gender needs to build a support base in order to address strategic gender concerns. In order to ensure maximum women's participation in the various schemes launched by the Central and state governments, women must be

adequately empowered. Some important measures for their social empowerment are discussed in this Unit.

The 73rd and 74th Constitutional Amendments in 1993 have a direct impact on the role of women as they aim at making them more participative in respect of local democracy in both rural and urban areas. This has ensured the political presence of the women in Panchayati Raj bodies and the municipal institutions. They have moved into a position of power, and this has surely enabled them to participate in local government decision making, a sphere that affects their lives the most. It has given them political administrative visibility and the opportunity to learn politics and local governance. Inherently, it has made them aware, conscious and confident. In terms of absolute numbers, (according to the Statistical Abstract, Government of India, 2003), as far as grass roots democratic institutions that is the Panchayati Raj and local bodies are concerned, these Amendments have helped to a great extent.

Out of 475 Zila Parishads, 158 are being chaired by women. At the Block level, out of 51,000 members of Block Samitis, 17,000 are women. About one third of the Mayors of the Municipalities are women. In the Panchayati Raj elections held between 1993 and 1997, women have achieved participation even beyond the mandatory level of 33 per cent of the total seats in the states like Karnataka (43.45 per cent), Kerala (36.4 per cent), and West Bengal (35.4 per cent). Female work participation rate has increased from 22.3 in 1991 to 25.7 in 2001. A slight increase has taken place in their presence in the administrative service, that is from 7.2 per cent in 1997 to 7.8 per cent in 2000. The representation of women in Parliament has also gone up from 7.2 per cent in 1998 to 8.5 per cent in the year 2001.

Health and Nutritional Status

There is a need to improve the accessibility and utilisation of services, to primary health and family welfare with a special focus on the or underprivileged sections of the population, especially the poor women and children. The other effective measures will be to focus on essential obstetric care through early registration of pregnancy and screening of all pregnant women at least thrice during this period in order to detect risk factors, identify and manage high risk mothers, ensure appropriate management of anaemia and hypertension disorders, and provide for referral care of ‘at risk mothers’ to ensure safe delivery. This is a part of the UN’s Millennium Development Goals, which has been accepted by the Government of India.

Health and nutritional status of women are critically linked to each other. The traditional practices are biased with regard to supply of nutritional values between males and females. As a result, nutritional deprivations are seen amongst women and girls. This group faces deficiencies and diseases during the critical stages of infancy, early childhood, adolescence and motherhood. Thus, special efforts need to be made to tackle both micro and macro-nutrient deficiencies, especially amongst pregnant and lactating women. It may be supported by necessary health service like health checkups, immunisation, and health and nutrition education.

Education for Women

Hillary Clinton in her speech on ‘Status of Women around the World stated that “As long as discrimination and inequities remain so common place around the world, as long as girl and women are valued less, fed less, fed last, overworked,

underpaid, not schooled and subjected to violence in and out of their homes, the potential of human family to create a peaceful, prosperous world will not be realised" (UN 4th World Congress, 1995).

India has more than 250 universities and other institutions of higher education, but only 6 per cent of the population has an access to higher education. And this 6 per cent is predominantly the elite class. The female literacy in India is 54.14 per cent. The drop out rate of girls at the middle school is 56 per cent. The male-female literacy ratio is 21:70. One of the most effective ways of promoting women's control over their environment, and their effective right of political participation, is to promote women's literacy in the country. As per one observation, women who can seek employment outside the home have more resources in protecting their bodily integrity from assaults than within it (Nussbaum, 2001).

Education has now become a Fundamental Right. It is an important tool for the empowerment of women. National Policy on Education advocates 'Education for Women's Equality'. It intends to reduce the gaps at the secondary and higher education levels and gives attention to the identified low female literacy pockets and to the women and girl children belonging to the socially disadvantaged groups viz. SCs, STs, OBCs, minorities and disabled, as they lag behind the rest of the population.

To fulfil the promises of 'Education for All,' an enabling environment that focuses on provision of easy and equal access to free education for women and girls; removal of gender bias and stereotypes in the curricula, text books and learning material; gender sensitisation of teachers on a regular basis; appointment of more women teachers at primary level; special incentives, viz., supply of uniforms, text books, mid-day meals, scholarships, flexible school timing and attached hostels and crèches, distance learning and self-study programmes for dropped out women and girls are needed. Vocationalisation of secondary education and vocational training for women is another important aspect of women's empowerment that needs to be prioritised. The existing network between regional vocational training centres and Women's Industrial Training Institutes and Women's Wings with General Industrial Training Institutes with residential facilities must be extended to all states, districts, and blocks.

The 'Swadhar' scheme, an innovative intervention for women in difficult circumstances focuses on the rehabilitation of sex workers, women/girls offered to temples, women/girls in social and moral danger, destitute/young/ elderly widows, single women in difficult circumstances, displaced women and women affected by natural calamities etc. Media is another powerful instrument for change. It can be used for extending support for programmes on mass awareness, and producing quality information and knowledge material related to women. Empowerment and information go hand in hand. Without information, no development can take firm roots. Media must be used to portray positive images of women that are consistent with human dignity and respect. Media can play a better role in sensitising people on gender issues by preventing derogatory, demeaning and degrading portrayals of women in the media.

Economic Empowerment

A substantial percentage (about 70 per cent) of the women population of the world is under poverty line. Most of them are living in situation of extreme poverty (UN 4th World Conference, *op.cit.*). If poverty is to be reduced, it is

fundamental to change unequal gender relations in order to increase women's ownership and control of assets as well as their participation in community management; expand the capabilities of the poor and vulnerable through greater access to self-help, local accumulation of capital, new skills and technologies; and build the individual and collective capability to gain access to economic opportunities, basic social services and infrastructure in order to address the unequal power relations that contribute to impoverished conditions (International Fund for Agricultural Development, 2003). The ongoing government schemes like 'Swarnjayanti Gram Swarojgar Yojna' (SGSY) and 'Swayamsidha' should be implemented in such a manner that the beneficiaries get maximum benefits. All programmes meant for women need to merge at block levels as action units in order to draw maximum gains.

Economic empowerment of women requires organising them into Self-help Groups under various poverty alleviation programmes namely Swarnjayanti Shahri Rojgar Yojna (SJSRY), Rashtriya Mahila Kosh (RMK), Support for Training and Employment Programme (STEP), Training cum Production Centres for Women etc. They also need necessary support measures to enhance their capabilities and earning capacities with an objective of making them economically independent.

The women who are engaged in informal sector contribute more than 90 per cent towards the total work output. These women need special attention with regard to improved working conditions, minimum wages, sufficient leave, etc. The benefits of training and extension in agriculture and its allied activities of horticulture, small animal husbandry and poultry, fisheries must reach the women in proportion to their numbers. The State should ensure that employers fulfil their obligations towards women workers extending child care facilities, special leave, and protection from occupational hazards, maternity benefits and legal aid. Those who have been displaced from traditional sectors due to advancement of technology need special care, training, upgradation of skills, expanded area of employment, formation of appropriate policies and progress so that they could get employment in the areas of Khadi and Village Industries, handicrafts, handlooms, sericulture and small-scale industries. The credit facilities for women entrepreneurs should be available either through micro-credit mechanisms or macro-financial industries to enable them to be financially sound.

Status of Girl Child

India's child population in the age group of 0-14 years accounted for 347.54 million i.e., 33.8 per cent of the total population in the year 2001. Of these 171.50 million (49.3 per cent) are female. In the Indian Constitution, there are provisions for their safeguards, which ensure their right to survival, protection and development. Articles 14 and 15(3) guarantee that the State shall not deny any person equality before law and empower the State to make any special provisions in favour of children respectively. Article 23 prohibits trafficking in human beings, abolishes forced labour and treats any contravention to this provision as a punishable offence. Similarly, Article 24 prohibits employment of children below the age of 14 years in any factory or mine or in any other hazardous occupation.

Article 39 says that the tender age of children should not be abused or forced to enter into a vocation unsuited to their age. It gives opportunities and facilities to let them develop in a healthy manner and in conditions of freedom and dignity so that childhood is protected against exploitation and against moral and material

abandonment. Article 45 provides for compulsory education up to the age of 14 years. The child (0-6 years) sex ratio, according to the Census of India, 2001 is 927, while in 1991 it was 945. This is a matter of serious concern for not only the demographers but also the policy-makers. Reasons put forth for this are neglect of girl child resulting in high female infanticide, child mortality and maternal mortality rates, sex-selective abortions (female foeticide) and female infanticide leading to an imbalance in the male-female sex ratio. A survey on the ‘decline in the sex ratio’ in the year 1993 revealed that while the practice of female foeticide is a common feature in urban areas, the problem of female infanticide is a localised phenomenon and limited to certain communities in the states of Andhra Pradesh, Bihar, Gujarat, Punjab, Haryana, Tamil Nadu, Rajasthan and Madhya Pradesh.

Children are the most crucial societal investment for any country’s future and every child has the right to achieve his/ her full development potential. Therefore, their survival, protection and development must be ensured. Community and institution based intervention could help in survival, growth and development of young children, adolescent girls and women across the communities, rural as well as urban. The children belonging to the below poverty line families can be saved through a change in the feeding practices and intra-family food distribution. For a smooth implementation of the various governmental schemes, the involvement of Panchayati Raj institutions, Self-help Groups, civil society organisations as well as, corporate and public sectors needs to be ensured.

Women and Weaker Sections

Scheduled Castes (SCs) and Scheduled Tribes (STs) are very important segments of the society. They account (projected on the basis of Census 1991) for 179.7 million representing 17.9 per cent and 67.76 million representing 8.8 per cent respectively. They are Constitutionally safeguarded. Article 46 empowers the State to promote, with special care, the educational and economic interests of the weaker sections of the people and in particular of SCs. It also promises to protect them from social injustice, and all forms of exploitation. Article 275 (1) promises grant-in-aid for the promotion and welfare of STs.

The governments have launched various programmes/schemes for their upliftment. Among others, Special Central Assistance and Institutional Finance for their infrastructural facilities have been extended. Under this scheme, National Scheduled Castes and Scheduled Tribes Finance and Development Corporation (NSFDC) has been set up to extend loans-cum subsidies and involve them in income generation activities. During the Sixth Plan, a higher degree of devolution of funds was sought to ensure that at least 50 per cent tribal families come out of poverty line.

Education is the most powerful instrument for empowering the socially disadvantaged groups. The 61 per cent of learners of the District Primary Education Programme (DPEP) are females, while 23 per cent belong to the SCs and 13 per cent to the STs. ‘Janshala’, a community based primary education programme aims to make primary education more accessible, and effective for girls and children of deprived communities, marginalised groups, SCs and STs. It is a block-based programme with special emphasis on community and

decentralisation. This is the first ever programme in the world where five United Nations agencies have collaborated and pooled resources to make success of this effort.

To enable the SC/ST students' for instance, from Kendriya Vidyalayas to have access to the higher education levels like Central Government's institutions, Indian Institute of Technology, Indian Institute of Management and Regional Engineering Colleges, provision of reservations have been made for them. Out of 43,000 scholarships at the secondary stage for talented children from rural areas, 13,000 have been reserved exclusively for SC and ST students. Greater emphasis has been laid in the Ninth Plan and Tenth Plan for educational development of SCs and STs. For informing the educational standards of this group, all infrastructure support like hostels, crèches, free books, free uniforms, transport facilities, compensation to families that being given need is to be suitably monitored by the concerned authorities.

The National Health Policy extends health services to those residing in the backward rural areas where SCs are concentrated. It gives emphasis on endemic diseases. Under the Special Component Programme (SCP), National Malaria Eradication Programme including Falaria, Kala Azar, Japanese Encephalitis Control have been implemented by States/UTs with 50 per cent central assistance in the areas of SC concentration. Other health-related programmes are also being implemented for SC and ST concentrated areas and several steps have been taken to empower these groups like creating an enabling environment that helps them to exercise their rights freely, enjoy their privileges and lead a life of self-confidence and dignity.

The Scheduled Castes Development Corporation (SCDC), National Safai Karmcharis Finance and Development Corporation (NSKFDC), National Backward Classes Finance and Development Corporation (NBCFDC) and National Minorities Development and Finance Corporation (NMDFC), are apex financial institutions working for the economic improvement of the socially disadvantaged groups. These institutions are working as catalytic agents, extending both backward and forward linkages of credit and marketing facilities to improve the economic status of these groups. Unfortunately, instead of being self-reliant, these institutions are heavily dependent upon the government. A study conducted by the Planning Commission, has suggested necessary reforms so that they could become effective and financially reliable.

In order to empower the SC/ST groups, some essential steps need to be taken like enhancing their traditional skills through proper support of credit, knowledge, training, equipment and technology; ensuring payment of minimum wages and equal wages without gender discrimination, especially in the informal sectors; modernising of technologies and upgrading of skills in traditional arts and crafts such as handlooms, handicrafts, lace making, glass work etc. so that their value added products could compete in the markets, earmarking of funds under the schemes like SCP in proportion to their population; and motivating the private and corporate sectors to invest in the schemes for the welfare of weaker sections.

10.5 APPLIED ASPECTS OF SOCIAL JUSTICE

Let us now discuss some of the social ills and inhuman practices that are still rampant despite constant efforts by the government to combat them. In order to

remove untouchability and control the incidence of crimes and atrocities against (SCs/STs), an effective implementation of the PCR (Protection of Civil Rights) Act 1955 and the Scheduled Castes and Scheduled Tribes POA (Prevention of Atrocities) Act 1989 is needed. There are 36 special courts under the PCR Act and 113 special courts under the POA Act, yet the situation has not improved much. It is a social crime for any civilised society to carry night soil on head. Despite several measures, it has not been eliminated totally. Reasons are many like tardy and slow progress in the identification of scavengers and their rehabilitation, failure to convert dry latrines into wet ones and lack of coordination among various agencies involved in this endeavour. So far, out of 6.53 lakh scavengers identified, only 3.84 lakh have been rehabilitated and 1.47 lakh trained. Efforts are on to eradicate this social evil as early as possible.

Making the general people aware about the problems of this group through the use of media and other social means, ‘conscientisation’ of this vulnerable group towards their rights and privileges and sensitisation of the concerned officials by imparting specialised training can be of a great help in this direction. Voluntary organisations can play an important role in the upliftment of the weaker sections, especially the SC and ST communities. Some NGOs have already established their credentials as important agents for social change. The working style of the NGOs, their specialised nature of work, direct linkages with the target groups, and their participative method of functioning make them supportive instruments in fighting against social evils such as untouchability, atrocities against SCs and STs and economic exploitation.

A glimmer of hope is being witnessed in the new kind of professional and administrative elite in the urban areas. Although small in number, it is quite aware of its prestige and social placement. The group is politically conscious, educated and assertive towards the hierarchy of caste and class and has contributed a lot in strengthening the process of socio-political change. It believes that the real improvement in the lives of Dalits can take place only through a discourse that focuses on political power and organisation necessary for their social advancement. Its agenda includes a synthesis of economic and political issues and also cultural recognition. The issue is whether it is important to change the State policy outcome or the process that produces it. Dalit politics indicates that the acquisition of power to change the State outcome is being focussed more rather than the change in the social structure.

Participation of weaker sections in administration and other decision making bodies are important means to bring them into the mainstream of development. Their representation in the Indian Administrative Service, Indian Police Service and Indian Forest Service and other categories reflect their growing participation. Although their representation in these services is not satisfactory, their number is steadily increasing. The participation (Tenth Five Year Plan, Government of India) of STs in Group ‘A’ Services increased from mere 0.46 per cent in 1974 to 3.39 per cent in 1999. This reflects the immense impact of affirmative actions being taken to bring them into the mainstream.

The ST participation in the state legislative assemblies during 2000 was 530 (13 per cent of the total number), whereas in the Lok Sabha (in 1999), it was a mere 41 (7.5 per cent of the total number). Weaker sections of the society have more often shown their consistent participation in the rural decision making bodies, i.e., Panchayati Raj and local bodies. According to the Statistical Abstract, Government of India, 2003, the number of SCs, STs and women in Panchayats is

3,46,002, 2,33,765, and 8,38,227 respectively. The number of SCs, STs and women again at the intermediate level of PRIs is 22,333, 8,219, and 47,455 respectively. Likewise, at the district level, it is 2,201, 1,322, and 4,923, respectively.

The 73rd and 74th Constitutional Amendments, 1993 have paved the way for a larger participation of the weaker sections of the society in the running of democracy at the grass roots levels. The 73rd Amendment has been extended to the scheduled areas under the Panchayats (Extension of the Scheduled Areas) (PESA) Act, 1996. This is a landmark Act that has made the weaker sections more participative in their own areas. But unfortunately, it is not being enforced in the right spirit by the state governments. There is an immediate need to translate it into reality so that tribals could also take part in managing their own affairs.

A unique problem that the tribals are facing pertains to their inability to negotiate and cope with the consequences of their integration into the socio-cultural and political mainstream. The development mechanism has brought out a situation of conflict between tribal rights and development process. Many of the tribal institutions and practices that have been traditionally helpful in tribal welfare have gone out of use in the absence of proper appreciation of their role even today. The influx of resourceful and influential into the tribal domain has also made their sustenance uneasy. In this unfortunate situation, a mere existence of government schemes would not be sufficient. The civil society and NGOs would also have to be invited to play their role in these areas. Special care needs to be taken for the development of more than 5,000 forest villages and the 2.5 lakh tribal families living therein having no link with the process of tribal development.

The ongoing process of liberalisation may harm the tribals. To protect them from its adverse effects, their habitat, resource base, and intellectual property rights, especially of medicinal plants, methods of cultivation, traditional knowledge, conservation, collection, utilisation and processing techniques as well as the skills acquired through the generations need to be taken into cognisance. The globalisation scenario and the changes that have been ushered in as a result will intensify the vulnerability of the weaker sections. The impact of urbanisation, modernisation and industrialisation in India could affect these vulnerable sections adversely, and this has to be kept in view in order to address this problem in the right perspective.

As far as people with special needs are concerned, four types of disabilities such as visual, loco-motor, hearing and speech; and mental have been recognised. The estimate figure (including the mentally disabled), according to the National Sample Survey Organisation for 2001 is 20.54 million. It represents almost 2 per cent of the country's total population. This group has been safeguarded by the Indian Constitution. Article 14, entry 9 in the list II of Seventh Schedule, as well as Articles 41 and 47 of the Constitution show concern for these types of disabilities. They are also being supported by the institutions like Central Social Welfare Board, National Institute of Social Defence and the various schemes run by the government. In order to empower the disabled with equal opportunities and ensure protection of rights and full participation in the country's development process, a landmark legislation, called the Persons with Disability, Equal Opportunities, Protection of Rights and Full Participation (PWD) Act came into action in 1995. The Government in 1996 added value to it by amending the Act.

It now includes multi-collaborative approach, affirmative action, social security and a barrier-free environment for empowering the disabled, who are appropriately called ‘differently-abled’ as per the contemporary terminology.

A multi-pronged strategy is needed to assimilate this group into the mainstream. It includes people’s awareness, officials’ sensitisation, involvement of the NGOs and support of the government through various schemes and monetary help. A consistent effort is needed to rehabilitate the group with full support of the community. NGOs can help in a big way in motivating and encouraging the differently abled to organise themselves into Self-help Groups. The ‘Viklang Sangams’ are working for the provision of necessary support to this group. . This process of transformation enhances the participation of both the disabled and the community as a whole in the relevant policy-making.

10.6 ENVIRONMENT AND CITIZENS’ CONCERNs

There is a worldwide recognition now that in order to survive on the planet Earth, it is very important that the delicate balance between the human being and their natural habitat i.e., the environment should not be disturbed. Unfortunately, the modern human being is trying hard to be the master of the natural world. As a result, we have invited a host of problems like ecological imbalance, environmental degradation, depletion of flora and fauna and deteriorating human health. The environment includes water, air and land, human beings, other living creatures, plants, microorganisms and property (Environment Protection Act, 1986). There is a need to choose appropriate methods and development technologies to reduce or eliminate environmental imbalances and adopt an alternative and sustainable development path to achieve this objective. This interdependence is a fundamental development and it is essential to recognise it as an integral one to the desired transformation of the society.

The participatory approach to development should include women as equal stakeholders with the men. Rural women have to bear the burnt of drudgery as they are generally more dependent on forest resources. They have to meet many responsibilities like collecting and processing of the fuel wood, fodder, food, water etc. These women thus have vested interests in conservation and improvement of the forest resources. If drought occurs, it is the women who face the consequences as a result of non-availability of drinking water, fodder, fuel wood, and local employment opportunities more adversely than men who migrate into other towns and cities in search of livelihood.

The National Forest Policy, 1998 emphasises on the creation of people’s movement for conservation and development of forest resources, maintenance of environmental balance, fulfilment of the local people’s needs, such as, fuel wood, fodder and small timber etc. The government has issued directives to all the states and UTs for its implementation. In pursuance of the directives, 18 state governments have issued enabling resolutions and more than 15,000 village level institutions have been formed by different names in different states. These committees are given responsibilities to protect the natural resources from illegal cutting of trees, grazing, fire, and encroachment. These committees have to also prepare village-level plans. This shows that the decentralisation of powers has led to increased people’s participation in the development efforts. However, satisfactory implementation of the Act through various bodies and committees still remains tardy.

Social participation in managing forestland resource or Joint Forest Management (JFM) has drawn the attention of multilateral donor agencies. The World Bank's forestry projects that are providing substantial support include the important component of social participation. The major features of these projects are:

- Equal representation of women in decision making
- Equity in representation of all sections of the society and a special provision for the underprivileged
- Demarcation of JFM area
- Legal status to the social groups and the powers delegated to them
- Equal distribution of user rights amongst all the sections

Protected areas all over the world, especially in the developing countries are facing problems, viz., increasing population, changes in the lifestyle and preferences, imperatives of economic growth, inadequate access to national resources globally and within countries etc. The immediate threats to the protected areas are projects related to development and infrastructure, commercial and urban exploitation, and changes in land use to meet the basic needs.

Literature available on the subject suggests that the traditional communities have always been aware of these problems. There is a popular belief that members of traditional society have had the wisdom to recognise the various sites and species that need to be protected and conserved for the benefit of humanity. The wise or elderly persons of the community have associated environmental protection with the divine imperatives so that human beings could be forced to conserve what needed to be conserved.

In most ecosystems with limited productivity, especially in the desert and mountain areas, it has been seen that the traditional societies have always adopted nomadism as a way of life for their survival. This suggests that they have always been aware of the need for sustainable development; they know how to exploit the nature in a sustainable manner. Most nomadic cycles have also been in harmony with natural cycles using ecosystem at the time when it is least vulnerable. Since the nomadic communities have always been on the move, the ecosystem has always had sufficient time to regenerate itself. Many non-nomadic communities also practice a similar approach. The areas being used for agriculture or grazing have been changed from time to time so that no particular area is overused and degraded beyond recovery. A good example of this is the shifting cultivation or 'Jhum Cultivation'. However, 'jhuming' too, if done in quick succession, could lead to soil erosion and land infertility.

One can find recorded instances where village communities have protected forest patches or sub-catchments only because these are critical to their survival. The elders in village communities still feel that the blocking or contamination of water is among the greatest sins. In our country, it has been pointed out by many, a variety of plants and animal species have been considered sacred by one or more communities and therefore are never destroyed. The most widely protected of such organism is the *peepal* tree (*Ficus religiosa*), which is mentioned on the *Mohenjodaro* seal of around 2000 BC. Other species of the genus *Ficus* are also considered sacred and no Hindu destroys it. It is notable that *Ficus* is now considered a genus of particular significance in the overall maintenance of the

tropical biological diversity. In particular, its preservation may have helped to maintain high levels of populations of highly edible frugivorous birds, especially pigeons and doves.

The Bishnoi community in Rajasthan regards it a sin to kill animals. According to Madhav Gadgil (1985): In a similar fashion, no cobra is killed near certain temples and it is believed that no snakebite will ever be fatal in the same locality. These taboos may help to remove the fear in the people of these very dangerous animals and may have survival value, for example, many deaths from a snake bite are due to fear of death rather than from the poison. Another observation could be cited from Ladakh, where aquatic resources were also conserved out of fear of the Gods. Ladabhu community lives in a water scarce land and have to be very careful about the use of water. They not only conserve the source of water but also worship it. Even aquatic life forms are protected. They also never kill or eat fish. Their Gods for springs and other water resources are separate. Thus, they observe some water related taboos and their violation is supposed to invite divine retribution.

If the agencies concerned to implement the environmental laws fail in doing so, citizens have the right to sue against the polluter in the form of three civil remedies:

- A common law tort action against the polluter
- A writ petition to compel the agency to enforce the law
- A citizens' suit to enforce statutory compliance (Rosencranz, 1992)

It may be recalled that even the introduction of Article 51 to the Constitution (42nd Amendment) Act 1976, could not give the citizens any power to prosecute the polluter. It was Section 19 of the Environment (Protection) Act of 1986 and subsequent amendments to Water and Air (Pollution Control) Acts that brought about a significant change. Now, a citizen may prosecute a polluter by a complaint to the Magistrate. However, to enable the agencies to take appropriate action against them, a citizen must give 60 days' intimation notice, says the provision in the Acts.

Public Interest Litigation (PIL) has opened a new era in judicial administration. Through PIL, even citizens who are not directly affected by pollution can launch litigation in the public interest. In this regard, the role of the higher judiciary i.e. the High Court and the Supreme Court has undergone a radical and creative transformation. The Supreme Court, in this process has interpreted the Right to Life and Personal Liberty to include the Right to a Wholesome Environment. The apex court has even gone to the extent of appointing expert committees, and based on their findings, has given direction for closure of the polluting industries.

10.7 CONCLUSION

The inclusion of issues pertaining to 'gender', 'environment' and human rights is a recent development in the discipline and field of public administration. The literature in the area has now started taking strong note of issues on 'engendering' administration and protecting the 'rights' of the disadvantaged sections in administration. The women, weaker sections and environment are certainly very crucial aspects of a development process. Various measures have been taken till

now to improve their lot. The 73rd and 74th Constitutional Amendments have had a direct impact on making the women more participative in the issues of rural governance. As a result, women have become more aware, conscious and confident.

However, to bring the women on an equal footing with men, among other measures, there is a need to create an enabling environment through positive economic and social policies, providing them equal access to participation and decision making in socio-political spheres, health care, education, social security; changing societal attitudes and community practices by active participation and involvement of both men and women in policy making; and building partnerships with civil society, especially women's organisations, corporate and private sectors. The issue of weaker sections needs to be addressed by making the general people aware about their problems. The proper use of media and other social means, conscientisation of the vulnerable groups towards their rights and privileges, and sensitisation of the concerned officials through specialised training can be of a great help in this direction.

The issue of environment is also pertinent. A concern has already been voiced from several quarters that the impact of the economic measures would adversely affect the state of environment. Fears are that in opening up of the economy to foreign investment, there could occur a migration of polluting industries and material from the developed to the developing countries. This could get aggravated by certain policy decisions where economic growth rates and foreign exchange earnings receive higher priority than implementation the environmental laws.

The environment as a vital issue is a national resource too. It is not only an important constituent but also the basis of national development. India lags far behind on this front. It has to bear the negative consequences of unsustainable development in the form of low per capita income, poor nutrition, health and quality of life in general. At the same time, denuded forests, diminishing wild life and extremely polluted rivers have made things worse. Unless the people of this country are convinced that by protecting the environment, their health and property can be safeguarded, all legislative, administrative and judicial measures would remain futile. Environmental management must include public awareness, public participation, involvement of media and environmental justice. This Unit discussed the need to sustain the delicate balance between development policies and weaker sections; governance strategies and participation; and human beings and natural environment.

10.8 KEY CONCEPTS

Jhum Cultivation

It is a slash and burn technology of agriculture practiced mainly by the people of pre-plough age. In India, Jhum is still practiced in Chittagong Hill tracks. 'Jhuming' is practiced on sloppy hills outside reserve forests. The intensity of 'jhuming' varies with changing conditions of rainfall, topography, accessibility and density of population. In 'jhuming', seeds are sown after the first rain in April. Crops are harvested in succession as they ripe between July and December. 'Jhuming' enhances soil erosion and depletes fertility. It is thus important to find alternatives to 'jhuming' banglapedia.search.com.bd/ht/j-0111.htm.

Joint Forest Management (JFM)

It is a concept of developing partnership between fringe forest user groups and the Forest Department on the basis of mutual trust and jointly defined roles and responsibilities with regard to forest protection and development. In JFM, the user local communities and the government manage the resources and share the costs equally. JFM is slowly emerging into a form of sustainable forestry.

envfor.nic.in/divisions/forprt/teriyfm.htm

Land Use

The range of uses of Earth surface made by humans. Uses are classified as urban, rural, agricultural, forested etc. with more specific sub-classification. It means the way the land is developed and used in terms of the kinds of activities allowed and the size of buildings and structures permitted in agricultural, residential and industrial areas.

www.wasd.k12.pa.us/district/curriculum/geography/geography-glossary.htm, and
www.abag.ca.gov/bayarea/sfep/reports/soe/soegloss.htm

Process of Conscientisation

It is an ongoing process by which a learner moves towards critical consciousness. It means breaking through prevailing mythologies to reach new levels of awareness-in particular, awareness of oppression, being an ‘object’ in a world where only ‘subjects’ have power. It involves identifying contradictions in experience through dialogue and becoming a ‘subject’ with other oppressed subjects.

www.trenti.ca/nahvestudies/courses/nast305/keyterms.htm

Sustainable Development

Development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: i) The concept of ‘needs’ in particular the essential needs of the world’s poor, and ii) The idea of ‘limitations’ imposed by the state of technology and social organisation on the environment’s ability to meet the present and the future needs.

(Brundtland Commission, 1987), and
www.adrc.or.jp/publications/terminology/top.htm

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10.10 ACTIVITIES

1. Pen down your observations on any write-up/article/book/TV Programme on differently abled people in India. Give your opinions on the Government policy towards them.
2. Go through any newspaper piece or magazine on an environment issue. Make a note of the government's as well as people's role in the protection of environment.

UNIT 11 CHANGING NATURE OF THE INDIAN STATE

Structure

- 11.0 Learning Outcome
- 11.1 Introduction
- 11.2 The Role of the State in India
- 11.3 Emergence of the Modern State
- 11.4 The Structural and Functional Evolution
- 11.5 Issues before the Indian State
- 11.6 Conclusion
- 11.7 Key Concepts
- 11.8 References and Further Reading
- 11.9 Activity

11.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Appreciate the changing role of the State in India
- Understand the structural and functional evolution of the State, and
- Analyse the issues confronting the State in India

11.1 INTRODUCTION

We have all read about the nature, scope, perspectives and evolution of the State in our previous Units. The discussions have basically been in theoretical terms. In this Unit, we propose to study the role of the State in the Indian context. You will appreciate that the issues involved in the kind of discussion are pretty complex. One has to take into account the special nature of State-society relationship in a developing State like India. Besides, there are other issues such as the evolution of the idea of Indian State as evolved during the national movement, the Constitutional mandate for it, the goals as set out by the Constitution makers and the working of the Indian State as reflected in its experiments with federalism, coalition government, bureaucracy and development administration, judiciary and judicial activism etc. All these issues need to be discussed and analysed. In the process, the problems of democratic participation, socio-political mobilisation and the crisis of governability need to be probed and some future direction explored.

11.2 THE ROLE OF THE STATE IN INDIA

The role of the State is perhaps the most dominant theme of political disagreement among thinkers, reflecting different views about the proper relationship between the State, society and the individual. While all political thinkers, with the exception of anarchists, have regarded the State as a worthwhile or necessary association, they profoundly disagree about the exact role that the State should play in society. At one extreme in this debate, Classical Liberals have argued that individuals should enjoy the widest possible liberty and have therefore insisted that the State be confined to a minimal role. This minimal role is simply to provide a framework of peace and social order within

which private citizens can conduct their lives as they think best. Such minimal States, with institutional apparatus restricted to little more than a police force, court system and army, commonly existed in the 19th century. In the 20th century, however, they have become rare, and the dominant trend has been for the State's role to expand. Progressively, this has occurred in response to electoral pressures for economic and social security, supported by a broad ideological coalition including democratic socialists, modern liberals and paternalistic conservatives.

Indian society tried to create a space for the idea of the modern Nation State in the Indian culture along with the traditional concept of the State. While doing so, they could not visualise that this imported concept of the State will eventually totally marginalise the indigenous concept and become the hegemonic concept. The process was helped by the colonial inheritance of the imperial State structure which has shaped much of the relationship of the State with the rest of Indian society. A crucial component of the inheritance is the concept of the State as the ultimate pacesetter and protector of the society, a moral exemplar, and as an arbiter among social groupings having conflicting interests. The nationalist movement, under the leadership of the Congress, sought to transform the colonial political legacy into a powerful State with the aim of firing the engines of capitalist economic development and establishing a just, socialistically inclined, civil society capable of overcoming poverty.

The Indian Constitutional State emerged in 1947 after one of the world's most novel and long-drawn-out struggles for political emancipation. The leading elite in Indian nationalist struggle and the founding fathers of Indian National Congress were profoundly enamoured of Western influence. The Party developed a nationalist, State-centred, and secular ideology. Its conversion to Socialism was actually concomitant with its accession to power. This conversion gave the party a way to adapt to the requirements of State construction. It led to the creation of a strong State for the precise purpose of overcoming the traditional order, which was segmented both regionally and socially.

The new State marked a significant departure from the values and institutions of traditional India. The Constitution adopted in 1950, turned India into a secular, parliamentary democracy with a bicameral parliament and a multi-party system, an indirectly elected president, an independent judiciary, and a federal structure with partial separation of the powers and responsibilities between the Centre and the states (See: Austin, 2004). State aimed at a comprehensive form of justice, equality and dignity of the individual. It rooted in the people the ultimate source of its legitimacy and provided them certain Fundamental Rights that could not be alienated or abrogated even by the Parliament. They, however, were subject to national security and general welfare. The Constitution also contained Directive Principles of State Policy under which the State was to strive to secure a social order oriented to people's welfare, ensure means of livelihood for all citizens, achieve a use of the material resources of the community that promoted the common good, prevent harmful concentration of wealth, ensure equal pay for equal work for both men and women, and protect children and youth from exploitation.

Adopting a federal form, the Constitution demarcated those subjects that could be legislated upon by the Centre i.e. the Union government, those by the States, and those by both. Defence, foreign affairs, inter-state communication, trade and commerce, currency, banking, control of industry, etc. were reserved for the

Union government. Public order, police, public health, education, agriculture, professions, etc. were reserved for the states. The concurrent list included such items of legislation as marriage and divorce, transfer of non-agricultural property, contracts, civil and criminal procedure, monopolies, welfare, social security, price-control, factories, electricity and food adulteration. The states were to have autonomy in enacting legislation on these subjects, but not in contravention of any law passed by the Parliament. The Constitution also demarcated the means of raising revenues between the Centre and the states. The Union government could raise its revenues from corporation and income tax, capital gains tax, customs and excise, coinage, currency, foreign exchange, taxes on stock exchange transactions, etc. The states could raise revenues through land revenue, agriculture, income tax, electricity and water rates, taxes on vehicles, taxes on trades, professions, land and property taxes, sales and purchase taxes, entertainment tax etc. Besides, to provide help to the poorer or less developed States, the Constitution provided for grants-in-aid to the states by the Centre (*Austin, op.cit.*).

The post-independence elite also cherished certain values and set certain goals to achieve. The main goals in India were national integration, economic development, social equality and political democracy. All these goals could be achieved through a centralised bureaucratic State which Nehru sought to build. The State also undertook the construction of atomic power plants, massive dams and huge steel plants. Emphasis was also laid on the coordination between the class relations in Indian society and power relations in the state structure which culminated in shaping a strong state structure in India and the state could solve the linguistic and regional tensions/problems initially through a policy of consensus. Thus, the post-independence ruling elite sought and to a great extent was successful in forging a strong state on the basis of a full acceptance and even glorification of India's regional, linguistic, ethnic and religious diversities.

This kind of attempt promoting a unifying and legitimising conception of a strong and powerful State also became an effective way for the leading elite to establish their monopoly on legitimate physical violence (Badie, 2000). Accordingly, the socialist reference promoted egalitarian principles that, in the context of India's construction of a State, became a major asset for the governing political elite. The removal/diminution of inequalities in a society of castes and profound regional disparities also provided opportunity for diminishing the resources of the competing traditional elite and thus establishing the political arena as the privileged space for the exercise of power. Moreover, socialist ideology offered the new elites of the State the means to establish influence in society and economy. The setting up of Planning Commission (1950), launching of Five Year Plans (1951), National Development Council (1952), the (Industries Development Regulation Act) 1951 etc. were notable steps in this direction (See: Chatterjee, 1997).

11.3 EMERGENCE OF THE MODERN STATE

Modern States tend to displace all other ordering mechanisms of society, and become the sole source of mandatory rules. When the modern State arose in Europe, it had a very limited conception of itself, and therefore did not participate systematically in social engineering. In India, the colonial State was the first form of the modern State, and it assumed its title to sovereignty emphatically. But it remained ambiguous in its position on the relation between the State and society in British India. Broadly, the response of the State

oscillated between a stance of non-interference in the affairs of an alien society and a converse one of energetic reformism, but it did not enter into a direct intervention in the structures of caste society. However, the post-independence Indian State could not maintain a similar attitude of distance. It was committed to social reform as the Constitution itself introduced large programmes of social engineering and entrusted these to the State as their principal agency of realisation. The State, therefore, undertook serious legislation introducing positive discrimination in favour of deprived communities, giving them relative advantage in State employment and education. It led to the growth of a highly interventionist State (Kohli, 1997).

Despite considerable continuity with the past, the governmental structures, which were established after British rule introduced complexity into relations within the State and of the State with, society. For instance, the All-India Services of the Indian State were the major institutional legacy of the British colonial State, yet they also became the principle instrument that laid foundations for the successor bureaucratic and managerial State, whose functions, powers and personnel grew exponentially once India embarked upon its strategy of planned economic development so much so that by 1980s, the bureaucrats manning the public sector were far more powerful than their counterparts in the large private business houses by virtue of their presiding over the economy in the organised industrial sector, and administering a formidable regulatory apparatus for the licensing and expansion of private enterprises, import and export of capital goods, allocation of foreign exchange and clearances to raise capital (Frankel, 1987).

The result was a disproportionately large involvement of the State in managing the economy. Not only did the Indian State emerge as the major employer, it also played a prominent role in managing the flow of international finance from aid, loans and foreign investment. The State became the main source of capital and it controlled the use of that capital. An extensive State apparatus had to be developed to support the State in its responsibilities. Public sector management; State marketing and rationing of scarce foreign exchange and consumer goods; State ownership; the provision of an infrastructure of communications, energy supply and transportation; the creation of a legal structure for commercial transactions; maintenance political stability to create confidence among investors—all became the responsibility of the State. It like all modern States, almost took the Weberian principle of monopoly of coercive authority which sent signals to social groups to route their demands against each other through its agencies. Consequently, there was a steep rise in the demands made by social groups on the State. The Rudolphs analysed this by highlighting the distinction between ‘Demand’ and ‘Command’ Polity (See: Rudolph and Rudolph, 1997).

The ‘Demand’ polity, according to the Rudolphs, is oriented towards short-term goals, competitive processes for determining policies and the public interest, as well as the provision of private goods. It is constrained and directed by electoral verdicts and through the demands of organised interests and classes, political parties, social movements and agitational politics. It is also oriented toward the ‘rationality’ of incremental policy choice. The ‘Command’ polity, on the other hand, is oriented towards State-determined long-term goals and formulations of the public interest and the provision of public and collective goods. The preferences of political leaders and bureaucrats largely determine investment divisions and policy choices. They favour, repress, license, or co-opt economic classes, organised interests, and elites. The role of the State in the ‘Command’

polity is like that of monopolistic or oligopistic producers who can determine what and how much is produced because they can control investment and shape consumer preferences and structure their choice in accordance with their investment decisions. Accordingly, the Rudolphs distinguish four periods since Indian independence, which are further classified into those of ‘Command politics’ (1956-66 and 1975-1977) and of ‘demand politics’ (1966-1975 and 1977 to 1980) (Rudolph and Rudolph, *op.cit.*).

Like most post-colonial societies, India inherited a distorted State structure with an overdeveloped bureaucratic State apparatus reflected in certain highly developed institutions like the bureaucracy, the military and the police. A universal feature of the colonial government was that it developed bureaucracies while neglecting legislatures, parties, local councils and other bodies able to maintain control and accountability. Although the Indian subcontinent has been credited with the longest history of democratic development, yet even here the bureaucracy has been found to be overdeveloped (Smith, 1996). The bureaucracy was associated with power, prestige and status, monopolising the knowledge and expertise required for running a government and developing a society. It was the main source of employment for the highly educated and professional people.

The basic apparatus of governmental administration in independent India was also inherited from the colonial era, although it soon expanded hugely in size. It consisted of a small elite cadre belonging to the All-India Services and a much larger corps of functionaries organised in the Indian Civil Service. The Indian members of the Indian Civil Service, the much acclaimed ‘steel frame’, were retained after Independence, in the form of a new service called the Indian Administrative Service, which was constituted after 1947. The crucial unit of the governmental apparatus was the district administration which, under the charge of the district officer, was primarily responsible for maintaining law and order as in colonial times, but was also to become the principal agency for development work.

11.4 THE STRUCTURAL AND FUNCTIONAL EVOLUTION

The structural-functional pattern of administration that India inherited was based on colonial ideas and philosophy. Indian State was constrained to establish new administrative structures and functions in the immediate post-independence phase. Thus, it adapted to an administrative system that was actually suited to British requirement rather than ours. The basic structure of civil and criminal law as well as of its administration was inherited from the colonial period besides, of course, the creation of a Supreme Court and its position in the new Constitutional scheme. Similarly, the British model of a professional army strictly under the control of the political leadership was successfully maintained in post-independence India.

The bureaucracy in India is neither monolithic nor homogenous (Vithal, 1997). The heterogeneity of the bureaucracy usually reflects the social and class composition of society at large and of the ruling class in particular, but in the case of India, it was consciously planned by the British in view of the peculiar circumstances of their rule. It consisted of three distinct echelons of administration, namely the covenanted services, the gazetted services and non-gazetted services. Each of the three echelons has evolved in its own way since

independence. Interestingly, the higher civil service is not the only site occupied by the ‘political elites’ a significant faction of it has, over the years, become involved in intra-coalition conflicts at the state level. The post-independence political process has given rise to changes in the class composition of the political executive that was more rapid and far-reaching than those in the social composition of the civil services. It has resulted in disparity and conflicts at times and horizontal links between the two. Sometimes, one comes across a great deal of skepticism about the integrity of superior officers as well as political bosses and corresponding readiness to believe allegations of misappropriation as well as misbehaviour.

The role of the State is determined largely by its structural and functional evolution. The same is true of the Indian State. As a conceptual entity, the Indian State is based on universally accepted moral principles, humanism and democratic ideals. Its structure is elaborately laid down in the Constitution in its various parts, chapters and articles. It has evolved over the years, as guided by usually a core charismatic leadership, epitomised for a long initial phase of one party dominance.

Gradually, one party dominance has paved way for polarised pluralism and more and more elements have entered the State system through free and fair elections. In spite of the turmoil of partition and consequent political chaos caused by ethnic riots, India has sought to emerge as a ‘Union of State’. Power has been vested in the people of India who are regarded as the makers of ‘Sovereign Democratic Republic’. Thus, the Indian Constitution has constituted the principal site for the elaboration of the political discourse of the Indian State and also become central to an analysis of the changing role of political and bureaucratic structures.

Over the years, political contestation has increased in India. For instance, in the first general elections, held in 1952, on an average 4 candidates per parliamentary seat were in fray, the number rose to 16 in the 10th general elections in 1991. Interestingly, while the national parties have more or less held their own, independents have lost out to regional parties, which have grown incredibly in number as well as in significance. The rise of regional parties and increased contestation have also meant that the chances of any one party winning a majority of parliamentary seats have declined. Coalition government at the Centre has tended to become inescapable. This has led to the concept of governance on the basis of a Common Minimum Programme accepted by all the constituents of the coalition government. And, since even the coalition governments may need outside support to survive, consultation and consensus politics have tended to become the norm and may well give rise to a ‘Consociational State’ (Lijphart, 1989), which could make it possible to have a reasonably stable democratic polity despite a deeply divided or segmented society.

With increased social mobilisation and political contestation, the Indian State has been facing what is usually termed as the crisis of governability (Kohli, *op.cit.*). Personal rule has replaced party rule at all levels and below the rulers, the entrenched civil and police services have been increasingly politicised. Various social groups have pressed new and ever more diverse political demands in demonstrations that often have led to violence. The omnipresent, highly interventionist but feeble State, in turn, vacillates; its responses are varied in form of indifference, sporadic concessions, and repression. Such response and

vacillation fuels further opposition. The growing political and communal violence tends to periodically bring the armed forces into India's political arena. All this puts into question the capacity of the Indian State to govern which, in turn, concerns primarily the State's capacity simultaneously to accommodate disparate interests and promote development in view of the persistent feeling that over the last few decades, India's institutional capacity to deal with conflict and initiate solutions has declined (*ibid*).

However, if one focuses exclusively on the formal aspects of the Indian Constitution, one could miss fundamental changes in Constitutional ideas and practices that distinguished the Indian State of the 1990s from that of the 1950s. Neither the party system nor the Planning Commission are mentioned in the formal Constitution, though both have played a central role in creating the Constitutional order. Attention to the conventional Constitution directs us to analyse changes in the party and federal systems, as well as the changing balance of power between branches and units of government. It also highlights the erosion of the centralised Nehruvian State and economy that prevailed for four decades after independence in 1947. The analysis reveals that in the 1990s, a multiparty system, including strong regional parties, displaced a dominant party system; market ideas and practices displaced Central planning and controlled economy; and the federal system took on a new lease of life with the regional units gaining ground at the expense of the Centre. With the launching of economic reforms in 1991, a centralised, interventionist State was challenged and ultimately displaced by an increasingly decentralised regulatory State (Rudolph and Rudolph, *op.cit.*).

The Indian Constitution has withstood the test of time (Austin, 1999). At the same time, it has been an evocative document with 98 Amendments made to it between 1950 to 2004. Many of these Amendments have tended to bolster the arbitrary powers of the State. Some of the Amendments, on the other hand have moved the nation forward in terms of greater enfranchisement and empowered local self-government. Several court decisions have sought to restrict the ability of the parliament to tamper with the basic character and essential features of the Constitution. Public Interest Litigation permitted by the Supreme Court since 1985 has tended to restrain arbitrary behaviour of the State. Thus, over the years, the balance of power between Central institutions that was provided by the formal Constitution has been reshaped by the practice of actors responding to historical challenges. The balance has shifted in favour of the Supreme Court, the Election Commission, and the President at the expense of the Parliament, the Prime Minister, and the Cabinet. Not long ago, the Central government decided to appoint a National Commission to comprehensively review the Constitution of India. The Commission has come up with several recommendations to reform the legislature, executive and judiciary. We will discuss these in Unit 18 of this Course. Let us now examine some of the issues before the Indian State.

11.5 ISSUES BEFORE THE INDIAN STATE

During the last 50 years, the State in India has witnessed the struggle for democratic transformation in which, there has been the rise of democratic consciousness among the people and a comprehensive understanding of the meaning of democratic revolution. Various identity groups seek autonomy and self-determination, and demand social, cultural, economic and political guarantees to fulfill their aspirations. The deprived people such as the dalits, adivasis, poor peasants, workers and women have come to acquire an

unprecedented level of awareness of democratic rights and their creative potentiality. The intensity of the challenge has shaken the State to such an extent that it has resorted to many measures such as liberalisation, globalisation, religious mobilisation and authoritarian repression to meet this situation.

The issues that will confront the Indian State in the new millennium will be of much greater complexity and sophistication, dealing with highly demanding requirements of the new technological age. We have become a nuclear weapons State, there are challenges posed by new technologies of satellite broadcasting, and the Internet, also there are complex international trade and investment issues before the World Trade Organisation (WTO), or the global environmental negotiations which require levels of analysis and understanding that is hardly present in our public discourse. The problem before the Indian State is that “It is being called upon to confront all the challenges of a new technological age, with the worn out instruments and apparatus of a post-colonial State, which has still not progressed much beyond its traditional role of collecting the revenues and administering the laws”. To meet the challenge, the Indian State has to take certain urgent steps such as trains forming its bureaucracy into a technocracy, and also creating a new work culture that is responsive, agile and capable of understanding the complexity of the problems of the technological age and solve them in the matrix of long-term national interest (Khandwalla, 1999).

With a population which is second largest in the world, Indian State represents a mind-boggling diversity and continuity. Continental in size and geographical variety, it consists of a medley of religions and religious sects, races, linguistic groups, castes, communities and political groupings. Such systems are often found to be extremely differentiated, ‘loosely coupled’ and ‘soft’ to the point of near Anarchy (Orton and Weick, 1990); these operate in highly turbulent social, political and economic environments, filled sometimes with frustration and anger and paralysed at others by alienation and consist of two distinct but highly interdependent layers namely the ‘democratic populist’ and the ‘bureaucratic regulatory’ that often work at cross-purposes. While the Indian State may not exactly be in such a grim condition, the corruption and criminalisation of its political system, the corruption and inefficiency of its bureaucracy continue to erode its credibility (Khandwalla, *op.cit.*).

The political sociologists feel that the Indian State is barely visible and when visible or evident, “It appears as a weak form of oriental despotism, destined to disappear as suddenly, and as casually, as it emerged” (Dirks, 1997). Weber, Maine, and Dumont have all confirmed this conception by holding that in India, the State was epiphenomenal. Marx had referred to the Indian villages/village communities as the solid foundation of oriental despotism. He observed that “While States came and went, village communities endured” (Khandwalla, *op.cit.*). The State always seems about to dissolve into fragments made up of various caste and communal elements. It is this background which makes India’s needs to invent the nation, the State, and to find the basis for a society, which is neither narrowly religious nor ethnic but far more difficult.

The critique of the State based on a cultural nation of India sees the secular, modern State of India as universalising and homogenising in the name of unity. According to a privileged position to State over people, it is seen as deigning the social space to plurality of traditions, religion, language, and the like. This view projects the agenda of the State as inherently repressive. Alternatively, India is seen as a cultural nation imbibing multiplicity and as a civilisational unity rather

than a modern Nation State (Kumar, 1989). This view emphasises the plural cultural identity of India based on the plural cultural ethos. The modern State tries to remove this plurality and togetherness in-built in Indian culture and creates a single political entity out of it. Thus, the State is identified as the root of intolerance and communalism in modern India.

In a recent study of Indian State from a ‘Managerial Perspective’, Pradip Khandwalla (*op.cit.*) observes that the performance of Indian State presents a paradox as a disaster and as one of the world’s more effective developmental States. For him, the Indian State can be seen as a disaster due to its failures in the field of planned economic development due to which India has been rated as one of the most regulated and black-market-infested of the World’s States, it ranked 86th among 101 countries as per the 1995 Index of Economic Freedom. Many Commissions appointed by the Government of India have identified the malaises in the bureaucracy which is huge and has become notorious for its corruption, slowness, elitism, and inefficiency.

The developmental Indian State has failed to reduce stark economic inequalities and combat poverty, political violence and inter-caste violence which have increased, the judicial and legal system remains in a mess delaying justice for common man to a distant dream, police-brutalities remain common, and sustainability of its economic development also remains doubtful leading to a crisis of governability as described by Atul Kohli (*op.cit.*). Thus : “...A democratic developing country is well-governed if its government can simultaneously sustain legitimacy, promote socio-economic development, and maintain order without coercion. The growing incapacity in India to perform these tasks is what has been conceptualised...as a manifestation of a crisis of governability”.

The nature and the depth of crisis of the Indian State has been analysed variegatedly by various authors, schools and methodologies. They see the crisis as emanating from different sources, and therefore would expect radically different solutions. One line of argument finds that the difficulties of the modern Indian State stem from its alien provenance, the forms and procedures of which largely remain unintelligible to the common people of India; and the solution of the crisis must be sought in some more understandable, or indigenous form of political construction (See: Madan, 1989 and Nandy, 1991).

Another line of argument sees the crisis as stemming from the narrowness of participation which is reinforced by the hierarchies inherent in the western structure of political parties (See: Kothari, 1989). The Marxist analysis persistently links the crisis to the capitalist development in India, which destroys earlier structures without providing the advantages of a mature capitalism, the contradictions of which get reflected in the political conflicts evident in modern Indian society (Vanaik, 1990). According to yet other line of argument, the roots of the crisis can be seen in the arrival of a democratic society, which is making the functioning of democratic government more problematic (Kaviraj, 1991).

The power struggle between the rising social classes and the Indian State has resulted in weakening of the latter. The inability of any national party to remain decisively in power at the Centre has resulted in the Indian State coming under the control of a shifting political coalition. The vertical contradiction between the dominant segments of Indian society and the mass of the people has also

been affected by the competitive and conflict - ridden interplay of the horizontally related segments of the dominant elite in the recent decades.

In such a scenario, certain forms of mass opposition on the one hand and the regional opposition on the other have shown themselves to be capable of withstanding the pressure of the Centre and of mounting a challenge, albeit partial but earlier unknown, to the Indian State. Although the State continues to wield preponderant power as an arena of conflict between upper and lower classes, it has shown itself to be weak as an arena of competition between classes or class fractions in horizontal contradiction with each other (Satyamurthy, 1999).

The Indian State pursues a policy of dualism with regard to religion. In the case of the religions of Indian origin, particularly the majority religion (Hinduism), the State intervenes as a reformer whereas it pursues a policy of expedient retreatism in the case of minority religions. Two most outstanding examples of this are the Sati Prevention Act and the Muslim Women's Bill. An unstated assumption and a projected expectation seem to underly such a policy. The assumption seems to be that the State has the moral authority to intervene in the case of native religions and its intervention is acceptable to them. The expectation is that the native religions will identify themselves and cooperate with the State. But it is clear that both the assumption and expectation have been faulted (Oommen, 1990).

However, the performance of the Indian State after independence seems vastly superior to that in the first half of the 20th century. Operating within a democratic framework, it has outperformed most other developing countries, with the exception of China and some of the East Asian countries. Among the strengths, we can count "The institutionalisation of democracy; a federal structure with governance at several levels, an independent judiciary; a mixed economy; economic planning that funnels increasing resources to poverty alleviation, human resource development, infrastructure development and a highly effective, phased liberalisation of the economy" (Khandwalla, *op.cit.*).

In the globalisation context, the Indian State is trying to take up the responsibility of facilitating and promoting economic policies that are in consonance with the norms of global free trade, privatisation of public sector, tax reforms, environment and nuclear disarmament related agreements. Despite the accent on minimalist State, the Indian State is repositioning itself in order to adopt to the changing scenario through rightsizing bureaucracy, streamlining public sector, promoting welfare of the disadvantaged and encouraging efforts toward human rights, social justice and economic equity.

11.6 CONCLUSION

The achievement of the Indian State operating democratically in a very poor society is almost unprecedented, as put forth by Sunil Khilnani (1997), "The past fifty years have trenchantly displayed the powers of the State and of the idea of democracy to reconstitute...caste and religion-and to force them to enter politics.... within a very short time, India has moved from being a society in which the State had for most people a distant profile and limited responsibilities, and where only a few had access to it, to one where State responsibilities have swollen and everyone can imagine exercising some influence upon it...A return to the old order of castes, or of rule by empire is inconceivable : the principle of

authority in society has been transformed” (Khilanani, *op.cit.*). The strength of Indian State lies in its overall democratic framework, civil liberties, the federal structure, the independent judiciary, some form of economic planning, graduated liberalisation, the mixed economy, and the luxuriant organisational diversity of public, private, cooperative, voluntary, associational, institutional, and other non-governmental actors, which have not only stood the test of time, but also provide continuity with the past and a sound platform for future revitalisation. The impact of globalisation on the Indian State assumes significance in the contemporary context. This Unit tried to discuss these issues.

11.7 KEY CONCEPTS

Consociational State

Political scientists define a Consociational State as a State which has major internal divisions along ethnic, religious or linguistic lines, yet nonetheless manages to remain remarkably stable due to consultation between the elites of each of its major social groups
en.wikipedia.org/wiki/Consociational-state.

Public Interest Litigation

It means litigation filed in a Court of Law, for the protection of ‘public interest’. It is not defined in any Statute or Act. It has been interpreted by judges to consider the intent of public at large. Prior to 1980s an aggrieved party could not knock at the doors of justice personally. The efforts of Justice P.N. Bhagwati and Justice V.R. Krishna Iyer were instrumental in this juridical revolution. As a result, any citizen, consumer group or social action forum can approach the apex court of the country seeking legal remedies for their grievances.

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11.9 ACTIVITY

1. Try to go through as many recent newspapers / magazines / journals as you can on the changing role of Indian State. Enlist at least six distinguishing features of State in India.

UNIT 12 ROLE OF BUREAUCRACY IN POLICY FORMULATION, IMPLEMENTATION AND ANALYSIS

Structure

- 12.0 Learning Outcome
- 12.1 Introduction
- 12.2 Public Policy Process
- 12.3 Role of Bureaucracy in Policy Formulation
- 12.4 Policy Implementation and the Role of the Bureaucrats
- 12.5 Policy Monitoring Functions
- 12.6 Bureaucracy and Policy Analysis
- 12.7 Conclusion
- 12.8 Key Concepts
- 12.9 References and Further Reading
- 12.10 Activity

12.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Understand the role of bureaucracy in policy formulation
- Discuss the role of bureaucracy in policy implementation
- Throw light on the advisory and monitoring functions of bureaucracy; and
- Explain the role of bureaucracy in policy analysis

12.1 INTRODUCTION

Public policies are the governmental programmes, goals and purposes considered individually or collectively, that is, the authoritative decisional output of a politico-managerial system. These may be expressed in a variety of forms, including laws, legal ordinances, court decisions, executive orders, governmental rules and so on. Broadly speaking, the *modus operandi* of policy making is in tune with that of decision making as outlined by Herbert Simon. Both involve rational application of choice, intelligence and selection. Over time, due to increase in the work load involved in policy making and the specialised nature of policy formulation, the bureaucrats' presence can also be seen at policy making and policy evaluation stages. There are various models of policy making such as Group Theoretic (involving interaction between different societal groups), Elite Theoretic (reflecting the values of elites involved in policy formulation), Incremental (entailing real life constraints of time, cost, information and policies), Institutional (concentrating on formulation and execution through institutions), Rational (involving policy efficiency maximisation), Game Theoretic (maximising gains through strategies in conflict and competition); and Systems (treating policies in terms of systems of action). These models are followed in conjunction with the insight and experience of policy makers while formulating policies. This Unit will highlight the role of bureaucracy in all the phases

and aspects of the policy process, be it formulation, implementation, evaluation, monitoring or analyses.

12.2 PUBLIC POLICY PROCESS

Public policy formulation and policy implementation are two distinct but closely interrelated functions of the government. Public policy is laid down by the legislature or the political authorities, who are vested with the power of giving policy the requisite legal authority i.e. legitimacy. The policy implementation aspect is supposed to be in the domain of the executive, i.e., the bureaucracy or the administrative arm of the government. This distinction is in line with the traditional Wilsonian politics-administration dichotomy. Public administration, in theory, at least, maintained this distinction till the advent of the New Public Administration movement launched at the Minnowbrook Conference in 1968. In the 1970s, it was asserted that the dichotomy between politics and administration was unreal, as the legislature and the executive collaborated closely in policy making, and that policy process was multi-actor-centric.

In fact, in reality, administrative processes and structures have always witnessed an obvious ‘transgressing and transcending’ of these demarcated roles. The legislature lays down a policy in general terms, which is usually expressed in the form of Constitutional and legal enactments. In order to give a precise expression to the provisions underlying policies, the administrative or the executive arm of the government also joins hands in policy making. And this role of the administrative arm of the government in policy making has grown in importance over the years. Therefore, policymaking as well as policy implementation have come into the hands of the administrators to a large extent.

A policy cycle generally includes the following stages:

- Identification of policy problems, through demands for government action
- Agenda setting or focusing the attention of public officials on specific public problems
- Formulation of policy proposals, their initiation and development by the policy planning organisations, executive, legislative and interest groups
- Adoption and legitimisation of policies through the political actions of the government, interest groups, and political parties
- Implementation of policies through bureaucracies, public expenditure and activities of executive agencies; and
- Evaluation and analysis of policy implementation and impact

Despite the formal control of the civil service by the political executive (Ministers at the Central and state levels as well as Members of Legislative Assembly) in parliamentary democracies like India, the debate on the role of higher civil servants in policy-making and a constant fear over their growing influence in this area is gaining steam. It has been argued that, on the one hand, their role is to develop and carry out the will of those who lay down policies. On the other hand, there is also a recognition of the fact that they are actively involved just as the other pressure groups, political parties and the like in the making of policy in its formative as well as secondary stages.

These aspects are usually embodied in a public policy that is authorised by the legislature and enacted in the form of legislation. Owing to the magnitude and complexity of public activities, legislation cannot provide for details required for moulding a public policy, with the result that appointed public officials are granted

discretionary powers to enable them to execute legislation. In practice, the execution of public policies (normally as legislation) is dependent upon the support of public officials (the bureaucrats at the upper, middle and local rungs) for those policies. They work in conjunction with political office bearers and could be referred to as associates striving to achieve the same goal. It is therefore a prerequisite that they should trust one another. For public servants, politics is a *sine qua non*. The policy functions of public officials or the bureaucrats, especially top echelons, are manifold. They are policy formulators, policy innovators, policy monitors, policy implementers, policy advisors, policy analysts; and policy evaluators. Thus, the role of bureaucracy is crucial in the entire policy process.

12.3 ROLE OF BUREAUCRACY IN POLICY FORMULATION

Policy formulation is often a non-linear process. It is incremental and subjected to influences exerted by wide range of actors. Though it is based on policy learning inputs, it may not always emanate from it. As has been put forth, policy formulation, on paper, is the craftsmanship of the legislature. In reality, however, bureaucracy is deeply involved in the proper articulation and shaping of policies, as the policy process entails the identification of policy problems and policy agenda. Thomas R. Dye has defined public policy as whatever governments choose to do or not to do. We contend that government's inaction can have just as great an impact on society as government action (Cf Sahni, 1987). Civil servants have to bring in a new orientation to the rules by which the everyday conduct of public affairs has to be regulated. Civil servants have much to contribute to the shaping and not just implementation of the policy (Beteille, 2000). The basic objectives of any government pertain to provision of economic infrastructure and goods and services, resolution of conflict situations, protection of natural resources, stabilisation of economy, promotion of human welfare and social justice. These get translated into public policies which are made, executed and evaluated by the legislature and the executive. Judiciary also plays an important role in policy review if it goes against the Constitutional norms. The role of bureaucracy in policy making is informative, suggestive and analytical.

Role of Middle Level Bureaucrats

It is often presumed that only the top officials – heads of the state departments and their immediate subordinates, i.e. the two top ranks – are actually involved in policy advice, policy formulation and policy monitoring. In practice, however, the incumbents of ranks three and four from the top (the so-called middle ranks) are actively engaged in policy making as well as policy execution. It is usually the incumbents of the middle ranks, who are responsible for the actual drafting of bills and proposed amendments to existing legislations, compiling white papers, pointing out to their supervisors whether the implementation of existing policies meets with the laid down requirements or not and suggesting alternative strategies that need to be followed. In fact, they are actively involved in policy formulation, innovation, monitoring, and advice.

Depending on the leadership (management) style of the minister, the political sensitivity of the issue on hand, and the acceptance levels of the heads of the department, the middle level officials may have a greater or lesser impact in the making of the public policy, especially if they are to have direct access to the minister. For example, when the minister bypasses the head of the department to hold consultations directly with the middle-level bureaucrats or requests them to report directly to him, their involvement in policy making goes up. Normally, this position does not arise and all the policy proposals of middle level bureaucrats are

scrutinised by the top bureaucrats, who may accept them with or without alteration, or refer them back to the middle level for changes, adjustments, clarification, details, or an explanatory memorandum on the issue, that could be utilised by the minister while making a policy decision.

It is quite possible that the situation might arise, where the top-level officials (who are supposed to have the official policy formulation authority because of the posts they occupy) might do little more than to legitimate the policy proposals formulated at the middle levels of the hierarchy. If necessary, they would make only minor adjustments to the proposal submitted to them, and occasionally make a selection between the alternative courses of action as proposed by their subordinates (who are often responsible for the actual task of acquiring and interpreting information and for framing proposals in acceptance terms) before submitting the proposals to the minister concerned.

Role of Top Level Bureaucrats

The top echelons of bureaucracy have a significant role in the policy process. The idea should not be created that the top-level bureaucrats only serve as a sort of clearing house between the minister and middle level bureaucrats. The reality is far from that. True, the top level bureaucrats are in direct contact with the minister, but their function is to challenge the proposals put to them by their subordinates, to add their own knowledge and insight into the proposals, and above all to see to it that the proposals eventually put before the minister have taken cognisance of the policy of the government of the day.

The top echelons of bureaucracy have to also go into the political expediency of the proposed policy, and the viability of proposals in terms of economic conditions. They also have to ascertain the resources at hand, availability of manpower, and administrative practicability, i.e. to measure correctly the limits of what is possible and acceptable. It is often believed that expected expertise is of a bureaucrat, whilst the minister should exercise judiciousness. If the aforementioned functions of the top-level bureaucrats are taken into account, he is also expected to exercise judiciousness when dealing with proposals, which are to be put to the minister, *albeit* judiciousness is to be seen within the parameters laid down by the policy of the government of the day.

Even though policy is formulated by the ministers and the bureaucrats (top and middle levels), the bureaucrats being neutral, in theory, are not supposed to have much say. They serve the government and not the party in power. As such, the political executive, irrespective of their party, can depend upon the civil servants. But the civil servants or the bureaucrats have their own views about what is significant for the department and the country, and recognising the fact that they cannot act independently, look for strong ministerial leadership. Officials do not like political heads who are unable to exert influence. If a minister has a strong commitment to a policy, especially supported by a party ideology, the bureaucrat's influence is reduced considerably.

Jon Pierre (1995) states that it would be misleading to think that politicians and bureaucrats invariably share an adversarial relationship. On the contrary, policy makers and bureaucrats frequently develop networks promoting common sectoral interests. There are various models to describe the relationship between politicians and bureaucrats. The models range from the ideal mode of highly distinctive roles of politicians and bureaucrats to the model where the roles almost converge. This convergence model is called 'Pure Hybrid' model. The nature of the interaction between politicians and bureaucrats depends not only on systemic factors; but is also contingent on contextual factors. It varies between different policy sectors, over time and under political regimes of different ideological orientations.

There are numerous reasons for the growing role of bureaucracy in policy formulation. In fact, the very concepts of ‘delegated legislation’ and ‘administrative adjudication’ (about which you would be reading in the next Unit, i.e. Unit 13 of this Course) have emerged out of the accentuating significance of bureaucracy’s role in formulation of policies. Let us see how the bureaucrats are placed in the policy process and in what way does their position influence policy making. There are many factors that put bureaucrats at an advantage vis-à-vis policy formulation:

i) Information Base

Under the Indian Constitution, the higher civil servants or top echelons of bureaucracy have a Constitutional responsibility to advise on policy options. The secretaries to the Government of India, for example, advise the ministers to take decisions that arise within the framework of the existing laws or policy, which otherwise cannot be dealt with by routine procedures. Such decisions clarify the scope of a policy and finalise its application in new and special situations. Further, they are extensively involved in preparing explanatory material for ministerial use on the operation of existing policies. Thus, higher civil servants, particularly the secretaries to the Government of India and the state government play more than an advisory role in the public policy formulation process.

ii) Knowledge and Experience

Higher civil servants have a nearly total monopoly of the knowledge, which they have derived from their educational qualifications and their direct experience with the operation of public policies. The vast experience and knowledge enable them to argue from positions of great strength about the financial and administrative difficulties of policy proposals, the repercussions likely to be encountered from the affected groups, and many new methods of dealing with policy problems. They are the think tanks of the government. The very fact that they collect data for policy decisions, analyse the underlying problem and select policy alternatives has a bearing on policy making. By contrast, the new industrial and scientific technology places in the hands of modernised elite and State officials many new weapons of social control. The result is, as has been pointed out, that quite often bureaucracies and military, have usurped in the name of ‘tutelage’ played by legislators and party leaders.

iii) Permanence of Service

The bureaucrats’ position is further strengthened by their permanence in the administrative organisation as compared to the frequent rotation of a minister. The average time spent by a minister with a department is much less than the average time spent by a bureaucrat. Minister’s stay in the office very often falls short of the time required for a policy to be formulated, implemented and evaluated. Bureaucrats are normally appointed for a career in the public service. This puts them in the position to acquire vast knowledge of a specific public sphere. Due to their expert knowledge of the work done in their departments; of the results and impacts of existing legislation, and also because they can devote all their time to the administration of their departments, they are in the unique position. This is further strengthened by the fact that they know intimately what is feasible or not feasible and where innovation and creativeness could serve a positive purpose. They need not therefore wait for things to happen, but could initiate improvements and stimulate the development process more satisfactorily than their political bosses or the ministers.

iv) Advisory Expertise

To be implementable, a public policy must be realistic, which means that public official should provide the elected political office bearer with complete data and advice him on the possible implications of the specific policy alternatives. The mere fact that they present the political office bearer with alternative policy proposals is

indicative of their important role in anticipating the future and forecasting policy impacts. The quality of the policy advisory function of the bureaucrat is dependent upon the extent to which he connects with the policy of the government of the day, the views of the opposition parties; and the needs of the society.

B.Guy Peters (2001) talks of on ‘Agency Ideology’ in order to understand the bureaucratic response to policy intentions. The soft version of agency ideology is that the existing programme itself is a fit of ideas that are favoured by the bureaucracy, mainly due to familiarity. Thus, ongoing programme of a governmental agency is agency ideology. Ministers coming into positions of power over bureaucratic structures have invariably reported overt or covert resistance of bureaucrats and existence of “departmental view” about policy that limits the effectiveness of ministers. The “hard” version states that not only must the bureaucracy be interested in the preservation of existing policies of the agency, but it must also be interested in imposing a new set of policy priorities. Moreover, the bureaucrats do change their perceptions of good policy over time in view of their expertise, knowledge, attitudinal configurations and stay in the agency.

The bureaucrat should therefore not be indifferent to party politics. As has been pointed out, the senior civil servant should not be indifferent to the ends a government undertakes to serve. He should not refrain from pressing upon his minister his own conception of broad policy. He should not be coldly objective in indicating alternatives. He should not merely remain a repository of factual information.

Thus, the bureaucrat must provide factual advice on which policy to follow. In practice, this means that the bureaucrats dominates the “fact finding, analysis and recommendations side” of policy making, with the result that a minister with an extremely able group of bureaucrats as advisers will find that his personal impact on policy making will not be very great and the balance of ability could, in the end, be decisive of the balance of power.

It is, however, true that bureaucrats can influence only in so far as the elected political office bearers are willing to take their advice on the fact that a specific course of action is the best. In their policy advising function they thus have only an indirect impact. They could, nevertheless, tailor their advise to the minister to fit in with their views on policy, or give advice only in areas where the minister has no specific view.

12.4 POLICY IMPLEMENTATION AND THE ROLE OF THE BUREAUCRATS

Pfiffner and Presthus (1960) call bureaucracy the social instrument that could bridge the gap between legislative intent and its fulfillment. Bureaucratic influence over policy implementation is significant, ranging from virtual nullification of some legislation to the limited discretion involved in administering a detailed statute. But in every case discretion is involved.

Public policies are made, implemented and evaluated by public officials and by governmental institutions duly authorised or specifically established to do so. The relationship between the policy makers (the legislature or the ministers), and policy implementers (the bureaucrats as well as governmental and non-governmental institutions) is likely to affect policy implementation. The institutions established specifically for policy implementation, for example state departments, the courts and quasi-autonomous (or para-statal) institutions, have through their executive activities, a greater or lesser degree of direct contact with public.

The bureaucrats are considered to be the agency of government for getting the benefits of legislation to the public through implementation of various policies, which

are enacted by the governmental agencies from time to time. The implementation of policies by the bureaucracy helps in building the credibility of political executive in the eyes of common people.

Policy implementation involves a number of steps. The very first is to study and understand the policy statement and determine whether the executors should go ahead with implementation as prescribed. This entails several pertinent queries such as would the support staff and resources be adequate enough, would the staff be able to perform their tasks effectively, what additional resources and information would be required and what criteria would be adopted to evaluate and assess the policy outcomes. Implementation should be a fact-finding as well as a problem-tracing exercise. Though the bureaucrats are assigned the task of implementation, the political executive controls the process through control over policy finances.

The bureaucrats play a dual role of performing the ‘output’ functions of executing policies and programmes and also the ‘input’ functions, which relate not only to policy making but also influencing public attitude towards the government. The important duties of the bureaucrats are to: (i) Execute policies and orders, as prescribed by the government, (ii) Maintain and keep in order the overall administrative apparatus which lies within its official charge, and (iii) Give advice to the political executive regarding rules of procedure, regulation etc.

The public policy, owing to a lack of time, information or expertise, is sometimes framed in general terms. the executive institutions are therefore responsible for supplying the details pertaining to policy execution, with the result that the administrative process can be regarded as an extension of the legislative process, and as such puts bureaucrats at the centre of the arena. The problems that could be encountered in policy implementation, the resources that would be needed for execution, the work mechanism and nature of policy execution and agencies to be involved in are some pertinent issues that are decided during the policy making phase itself by the ministers and bureaucrats.

Public policy legislation becomes significant only when efficiently implemented, usually by the bureaucrat. His actions or inactions can, therefore, seriously make or impede the success of a particular policy. Successful implementation of policy depends on the insight of the official and whether he identifies himself with the policy aims of the legislator. In fact, he is supposed to do nothing that could prove to be embarrassing to the minister, but has to treat the aims of the policy as his very own and work towards achieving them.

The bureaucrats’ decisions pertaining to policy implementation are limited to decisions that correspond to the political policy of the government of the day. The decisions of the bureaucrats should, if possible, be those decisions, which the minister would have taken if he were personally implementing the policy. In other words, the bureaucrat is expected to implement policy with the same goodwill of the minister and is to render services in order to provide products to the public irrespective of personal prejudice or bias. Since the bureaucrat always executes his tasks in a political milieu, all his decisions are a mixture of political and administrative considerations, the bureaucrats cannot dissociate themselves from the political ideology of the government of the day; neither can they dissociate themselves from the policies embodied in legislation.

Apart from being the chief formulators of the bill, the bureaucrats are also, to a great extent, responsible for help and advice in the process of passing a bill through Parliament. Without the help and cooperation of the bureaucrats, the minister could find himself in a position where he is confronted with wide-ranging questions pertaining to policy related issues, which the bill deals with. Ministers and bureaucrats are thus partners in the passing of a bill.

When implementing policies, the bureaucrats have direct powers. Because of complexities of the modern government and administration, they are granted the right to exercise discretion in the execution of policy. The exercise of discretion gives them a chance to prevent the perusal of policy goals to which they are opposed. They are thus in a position to delay the implementation of policies, or only partially implement them. It is often found that both the political leadership and the citizens blame the permanent executive (the career bureaucrats) for the lack of proper execution of the policies. The bureaucrats, on the other hand, feel that they do not get the due support and infrastructure from the political executive. The bureaucracy makes the policy objectives clear to the citizens and persuades them to adhere to the policies. Such an attempt smoothens the task of policy implementation. The bureaucracy, especially at cutting-edge level, tries to be closer to the public and endeavours to placate the interest groups. By virtue of their position at the interface between citizens and the State, street level bureaucrats have significant opportunities to influence the delivery of public policies. These street level bureaucrats or the front-line workers are responsible for many significant tasks from determining programme eligibility, allocating benefits, judging compliance, imposing sanctions, and exempting offenders from penalties. They thus operate as important lynchpins that not only deliver but actively shape policy outcomes by interpreting rules and allocating scarce resources. The policies implemented by the street level workers are closest to the requirements of the citizens. (Meyers and Versanger, 2003)

As policy implementation is a complex process, bureaucrats have to take many policy decisions themselves. They also have to determine which decisions should be taken by the ministers themselves. The relationship between the minister and the bureaucrat and the political circumstances surrounding an issue will determine what is decided and by whom the final decision is made. In practice, it is accepted that the bureaucrat is the catalyst in policy implementation, whilst the final policy decisions are in the domain of the minister.

The continued exposure of the bureaucrats to political matters and their expert knowledge of specific public issues, helps them, in due course, to learn to answer questions related to policy in such a way that the material they provide to their ministers can be advantageously used to defend a policy in Parliament and elsewhere. In practice, this means that the bureaucrats participate in defending the policy of the government, irrespective of the party in power. The bureaucrat has, thus been referred to as a permanent politician, whose views are extremely important in modern-day government, and as an expert, he is a co-ruler in the administration. This could lead to a position where the minister is totally dependent on the bureaucrats, in that the minister is not fully conversant with all the aspects of policy either because of being new to the office, or because of not taking cognisance of the results of policy monitoring.

12.5 POLICY MONITORING FUNCTIONS

As has been pointed out earlier, drawing an absolute dividing line between policy advice and policy formulation is not possible. A similar point can be made when analysing the policy monitoring function by the bureaucrat. The basic purpose of policy monitoring is to obtain policy relevant information that will enable the bureaucrat to advise the minister on policy results for adapting existing policy or devising policy alternatives.

Policy monitoring mechanism uses various methods to obtain information about the causes and consequences (*what, why, how?*) of public policy and is usually concerned with facts pertaining to the policy after adaptation and implementation, i.e. with the

signs of what the implications of implementation are. Since the bureaucrat also has an important role in the policy monitoring function, he has to see to it that the State effectively serves the society, which means he has to compare the results with intentions of a policy and is the ‘eyes and ears’ of the minister in the department. Furthermore, it is the task of, especially the higher bureaucrat, to ensure that no conflict develops between the intentions of the policy makers, as embodied in legislation, and the practical execution of the policies by the staff in his department.

Thus, the purpose of policy monitoring is to ascertain that implementation of policies is in consonance with policy goals and objectives. Policy targets have to be achieved through adequate implementation. Policy monitoring is done by the ministers with the help, support and advice of the bureaucrats. Over here, the role of street level bureaucrats is again very pertinent as they oversee the implementation of policies at the field level along with the local level functionaries and non-governmental and self-help organisations.

Various methods in policy monitoring are taken into view depending on the nature of the policy being implemented. These are basically policy evaluation approaches as continuous policy monitoring is an integral part of policy evaluation. Some of the approaches are Front-end Analysis, Availability Assessment, Process evaluation Approach and Evaluation Synthesis approach. Policy monitoring could be piece-meal exercise, which means that it is either monitored on a monthly or a six monthly basis or it could also be done on an annual and long-term basis. Monitoring becomes easier if the targets of the policy are set in a definite and quantifiable terms. The more tangible and quantitative the policy goals, the more clear and meaningful would be policy monitoring.

When the output involves direct contact with citizens, the ability of supervisors to monitor and direct staff activities is even more constrained. The bureaucrats have to overcome these hurdles to ensure a smooth and efficient policy monitoring process. This is an area where bureaucrat’s role has come in for a lot of flak. They must play a more positive role in policy monitoring. The bureaucrats have a specific role in policy monitoring. They see to it that at the policy making stage itself, the magnitude of the problem is encountered, the target group of the policy, the processes and actors involved are all identified and segregated for the purpose of monitoring and evaluation.

12.6 BUREAUCRACY AND POLICY ANALYSIS

Policy analysis consists of not only examining and bringing improvements in the process of formulating policies but also evaluating the choices and outcomes of the policies. The quality and eventually the usefulness of a policy depends on a scientific, professional and detailed analysis of the existing or proposed policies. It is only when the public policy making bodies are supplied with the data regarding the causes, consequences, costs and implementability of a policy, with stress on its utilisation in policy adaptation, that the promotion of rationality in public policy making moves a step forward. Unfortunately, owing to constraints such as the restricted availability of information, exorbitant costs of gathering information, information overload, political considerations and ever-changing demands and priorities of the society, no systematic analyses of the public policy can provide all answers to policy defects. Nevertheless, through public policy analysis, information on priorities and certainties becomes available to the policy makers to serve as the basis for policy decisions.

Policy analysis could be descriptive, prescriptive or comparative. Its dimensions include purposes, interventions, political feasibility, beliefs, perceptions, and other determinants. In order to make a detailed and systematic examination of any policy, the analysts ought to be fairly clear about the meaning and goals of the policy under study. Bureaucrats have to see what policy choices have been made and why, what are the benefits and losses, what difference does the money make, what is the impact of policy; and how should the policies be evaluated. The bureaucrats thus have to keenly observe and evaluate the role of different structures and processes in policy execution. Again, as we read in the case of policy monitoring, systematic policy analysis is also dependent on adequate policy making.

Yehezkel Dror has listed nine standard features of policy formulation method, which can help in policy analysis. These are:

- i) There should be some clarification of values, objectives and criteria for policy making
- ii) The method should include identification of the alternatives, with an effort to consider new alternatives
- iii) The method should include preliminary estimation of expected pay offs from the various alternatives and a decision on whether a strategy of minimal risk or of innovation is preferable
- iv) There is a need to establish a cut off horizon for considering the possible results of the alternative policies and identification of the expected results, relying on available knowledge and institution
- v) Analysis of alternatives should deal with both quantitative and qualitative factors in order to overcome the limitations of current systems analysis and advance towards policy analysis
- vi) The method should include an effort to decide whether the issue is important enough to make more comprehensive analysis worthwhile
- vii) The composition of a mix of experience, rationality and extra-rationality should be relied on
- viii) Explicit techniques such as Simulation and Delphi should be used; and
- ix) The method should include explicit arrangements to improve policy making by encouraging intellectual effort.

After the crucial issues requiring urgent policy attention are identified, it has to be ascertained by the bureaucrats whether such issues could make for viable policies or not. The bureaucracy engages itself in analysing the pros and cons of the issue that is taken up for policy formulation. It frames and reframes policy proposals keeping in view its viability, future prospects, resources available and acceptability. It also has to see that Constitutional provisions do not get sidelined in framing of public policies. Thus, the bureaucrats prepare for policy analysis at the time of policy formulation itself.

The bureaucrats are often too hard-pressed by day-to-day cases and workloads to be able to reflect on new policy. The administration of existing policies generally occupies their major time. Forecasting expenditure, preparing explanatory briefs on current policy, negotiating with interest groups and administering of subordinate personnel often adds to the neglect of the policy-making function by the higher bureaucrats. The desirable role of senior civil servants in policy analysis is now receiving attention from policy experts in the developed and developing countries. Accepted patterns of senior civil servants' recruitment, training and careers are

increasingly being recognised as inadequate for meeting the changing needs of the day.

Policy analysis and policy management are demanding activities in which abstract (but evidence based) thinking must be applied to pressing issues. Therefore, intensive efforts are needed for appropriate training of bureaucrats in policy analysis and management. There is a need for preparation of suitable texts, training materials, and computer programmes etc. and this requires highly qualified and experienced trainers. These training needs raise serious difficulties; more so, as inadequate training efforts in policy management for senior bureaucrats may cause much more damage than benefit. Therefore, urgent action is needed to prepare adequate policy analysis for essential training activities. Improvement in the skills of senior bureaucrats does take time and is not only a matter of development, but of working arrangements, as well as organisational settings. Without political support and the willing cooperation of top administrators, little can be done. Furthermore, the all round improvement of the senior bureaucrats is only one dimension of the problems of policy analysis.

The bureaucrats as policy analysts have to view the policies in the light of the significance of the role of political executive in policy formulation. The role of ruling party, opposition parties and legislative committees has to be examined by the policy analysts in order to bring forth how a policy virtually comes into being. If politicians are the masters of policy ideas, then certainly, as has been observed, the bureaucracy is the master of routine and technique. It does not actually present feasible means to carry out policies but translates what is feasible into policy. The bureaucracy may wish to be innovative but is frequently limited by a dependency on accepted procedures for a definition of what can and should be done. If stress is on increased accountability; then bureaucrats would most certainly retreat behind a wall of procedures for protection, thus bidding good bye to the much desired flexibility and innovativeness (B. Guy Peters, *op.cit.*). Even the role of the judiciary in policy making should come under the purview of policy analysis.

The analysts of the policy have to also examine the implementation mechanism and the role played by governmental and non-governmental actors. Policy analysis has become more problematic in the contemporary context of governance against the backdrop of globalisation and networking among many agencies. With the coming of international agencies and taking over or contracting out of many public services such as power distribution, water supply and civil aviation by private operators, policy monitoring and analysis have become cumbersome exercises. The bureaucrats have a complex role in case of analyses of such public policies, which are being implemented in collaboration with national and international private and non-state actors. This is another area that requires systematic deliberation by the old as well as the new participants in policy analyses.

12.7 CONCLUSION

In the establishment and implementation of public policy, three sources could be identified; legislative institutions, bureaucrats and interest groups or other elements of civil society. Other policy-making bodies responsible for provision of information pertaining to policy are commissions of enquiry, staff units and public institutions. However, the ministers and the bureaucrats as primary and secondary policy makers are the most important participants. Political office bearers or ministers are responsible for decisions pertaining to the policy formulation, implementation or adaptation of policy, in conjunction with the public officials or bureaucrats.

In practice, top-level and middle- level public officials are actively engaged in the policy process: the middle levels entail officials who are actually responsible for the drafting of bills and the top level includes officials who are the go-between among their subordinates and the ministers. They are also involved in exercising their judgment in evaluating the proposals put to them, which in turn, they put before the ministers.

The bureaucrats are engaged in the policy process as innovators of policy; as advisors of political office-bearers on what course of action is best to follow; as formulators of draft legislation; as policy implementers advising the policy-maker on the outcome of particular policies; as policy monitors comparing the results of policies with the intentions of the policy makers; and also as policy analysts and evaluators analyzing policies to gauge their effectiveness. The policy process thus involves a close cooperation between the bureaucrats and the political executive. Gone are the days when the bureaucrats used to advice a little and implement a lot more. The changing norms of neutrality, commitment and anonymity are making them more and more involved in the entire policy process. We will read more about their role in our next Unit on the ‘Contemporary Context of Indian Bureaucracy’. This Unit has mainly focused on the role of the bureaucrats in the public policy process.

12.8 KEY CONCEPTS

Delphi Technique

It is one of the forecasting techniques developed in USA by N.C Dalkey and associates in the Rand Corporation. It gradually gained importance as a group decision-making tool. This involves a panel of experts drawn both within and outside the organisation examining a particular problem. Each expert is asked to make predictions about the problem and a composite feedback from the experts is secured. Based on the information available, forecasting or a decision is made. The forecasting made by each expert is revealed. A major key to the success of this technique lies in its anonymity.

Front End Analysis

It means the review of the kind of work which is being undertaken before a decision is taken to go ahead for framing a policy on a particular issue. The need and magnitude of the problem, nature and number of persons or groups to be affected, amount of costs, cost benefit feasibility etc. are some parameters, which are kept into view at pre-policy formulation stage.

(IGNOU Course Material. BDP Elective in Public Policy, EPA-06)

Para-statal Institutions

It literally means semi-autonomous or quasi- state institutions. These are institutions that are wholly or partially owned by the State.

Simulation Technique

Literally, simulation means an artificial situation and environment. As a training technique, it is a game that simulates a community or environment. It models real life situations and/or variables. Strategy war games mimicking historic battles are simulations; so are racing games that teach adjustment to different situations. It is also a technique of representing the real world by a computer programme. A simulation is an imitation of some real device or state of affairs. Simulation attempts to represent certain features of the behaviour of a physical or abstract system by the behaviour of another system

Street Level Bureaucrats

Political Scientist Michael Lipsky, in his book in 1980 invented the phrase “ Street level bureaucrats” to refer to ‘public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work’. The organisations that these functionaries work for include schools, public and welfare departments, lower courts and legal service offices etc.

(Arvind K Sharma, 2004, *Bureaucracy and Decentralisation*, Mittal, New Delhi)

Evaluation Synthesis Approach

The approach synthesises or reanalyses the result of findings from one or a number of evaluations for determining what has been known about a policy. It has a capacity to address various evaluative questions

(EPA-06, IGNOU BDP Material).

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12.10 ACTIVTY

1. Visit some nearby government office or a public sector undertaking and pen down your observations on the nature of interaction between top level bureaucrats and ministers as well as middle level bureaucrats and the political heads (be it a minister or a member of legislative assembly) at different phases of the policy process.

UNIT-13 CONTEMPORARY CONTEXT OF INDIAN BUREAUCRACY

Structure

- 13.0 Learning Outcome
 - 13.1 Introduction
 - 13.2 Characteristics of Bureaucracy
 - 13.3 Challenges to Weber's Concept of Bureaucracy
 - 13.4 Role of Bureaucracy in India
 - 13.5 Indian Context of Bureaucracy
 - 13.6 Towards Bureaucratic Reforms
 - 13.7 Conclusion
 - 13.8 Key Concepts
 - 13.9 References and Further Reading
 - 13.10 Activities
-

13.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Highlight the different characteristics of Weberian bureaucracy
 - Discuss the challenges to the Weber's concept of bureaucracy
 - Examine the Indian context of bureaucracy; and
 - Analyse the need for reforming bureaucracy in the contemporary scenario
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13.1 INTRODUCTION

In the recent times, the role of bureaucracy has undergone a lot of change for a number of reasons. The changing role of the State in the contemporary context has brought about significant changes in the profile of bureaucracy. With the opening up of the economy as well as the growing accent on privatisation and rightsizing, there have been attempts to reduce the size of bureaucracy. Also, there have been persistent demands for a responsive, accountable and efficient administration. Thus, in the light of the changing scenario, the bureaucracy must reform itself. There are many perspectives on bureaucracy, but none provides an alternative to the traditional bureaucratic paradigm.

The bureaucracy technically has been an efficient form of organisation but is seen to have exceeded its administrative powers due to its tendency towards self-aggrandisement, permanence in employment, and nearness to the political executive. The administration, which comprises the permanent and political executive, has taken up wider responsibilities with the emergence of the Welfare State; the interests of the citizens are now being accorded priority. The self-seeking bureaucrat is being replaced by the utility maximiser, and the traditional Weberian concept of hierarchic and rule-bound bureaucracy has come in for intense criticism from all sides. This Unit discusses the characteristics of a typical bureaucratic organisation. It highlights

the changing role of bureaucracy in the contemporary scenario. The Indian context of bureaucracy is also analysed with regard to its role of delegated legislation and administrative adjudication.

13.2 CHARACTERISTICS OF BUREAUCRACY

Before discussing the general characteristics of bureaucracy, which have traditionally been Weberian, we must delve into the defining features of bureaucracy. Herman Finer says that bureaucracy is a “Professional body of officials, permanent, paid and skilled”. Arthur K. Davis thinks bureaucracy is an “Integrated hierarchy of specialised offices defined by systematic rules, an impersonal routinised structure wherein legitimised authority rests in the office and not in the person or the incumbent”.

Harold Laski applied the term bureaucracy for a system of government, the control of which is so completely in the hands of officials that their power jeopardises the liberties of ordinary citizens. Marshall E. Dimock identified bureaucracy with institutions and large-scale organisations in society. He describes bureaucracy as the “State of society in which institutions overshadow individuals and simple family relationships; stage of development in which division of labour, specialisation, organisation, hierarchy, planning and regimentation of large groups of individuals either by voluntary or involuntary methods are the order of the day... Bureaucracy is simply institutionalism written large ...”

One perspective views bureaucracy as a generic organisational form. Defined in the Weberian sense, bureaucracy is both public and private. The Bureaucratic Pathology School also makes no distinction between public and private. It believes that bureaucracy stands as the enemy of egalitarian passions and is ridden with pathologies or ills. The second perspective views bureaucracy as public administrative agency. The bureaucracy tends to dissolve into ‘bureaus’ that interact with one another and with other actors. From a third perspective, the bureaucrats are the personnel who constitute permanent government (Rockman, 1992).

In the views of Max Weber to whom we owe the bureaucratic theory, there are three types of legitimisation, each corresponding to a particular type of domination namely: Charismatic, Traditional and Legal. His bureaucratic structure could be called the ideal type based on legal-rational authority system. Weber laid emphasis on division of work, rules and regulations, hierarchy, distinction between private and official, written documents and legal authority systems in his description of bureaucratic organisation.

Major characteristics of bureaucracy, in line with Weber’s definition are:

Hierarchy: In a bureaucracy, activities based on specialisation are assigned to specific positions. There is a clear-cut division of work, competence, authority, responsibility and other job components. Each lower office is under the control and supervision of the higher office.

Professional Qualities: All officials possess qualities of merit and are selected on objective criteria. They deal in an impersonal and formalistic manner in their relations with others and also in execution of their official duties. They enjoy a permanent career with reasonable opportunities of advancement with sufficient security of service.

Rules and Procedures: In bureaucracy, decisions are governed by a consistent system of abstract rules, regulations and procedures, which are written, rational and impersonal. A bureaucrat's behaviour is guided by discipline and rules of conduct.

Specialisation: Bureaucratic tasks are divided into functionally distinct spheres, each furnished with the requisite authority and sanctions. There is a functional specific division of labour.

Organisational Resources: The resources of the organisation are distinct from the bureaucrats who cannot use them in their individual capacity. Official revenues and private income are strictly separated.

The Weberian characteristics of bureaucracy have been found to be 'ideal' and hence not strictly implementable. Besides examining the dysfunctionalities of this bureaucratic model, questions have been raised as to whether 'bureaucracy' fits in with the management requirements of 'development'. Crisis in the State's functioning in terms of 'big bureaucracy' and its consequences for the finances, infrastructure and development goals has called upon the need for reforms. Accent on an efficient and effective delivery of services to the satisfaction of the citizens' has provoked a series of reform initiatives variously known as New Public Administration, New Public Management, Reinventing Government and Good Governance'. These themes are discussed in Units 14, 15 and 17 of this Course. Contextually, Indian administration has to be discussed differently, yet some of the changes of the Western developed States are having repercussions on the Indian administrative scene. Before we discuss the Indian context, let us look at the criticisms leveled against Weberian bureaucracy.

13.3 CHALLENGES TO WEBER'S CONCEPT OF BUREAUCRACY

According to Max Weber, "Bureaucracy is universal social phenomenon and the means of carrying community action to rationally ordered societal action". Bureaucratic organisation, Max Weber argued is the most technically efficient form of organisation. Many find this problematic, as it is possible to identify many anomalies in the Weberian ideal type. Limited and fixed jurisdiction can mean tunnel vision. Hierarchy can mean servile behaviour, as well as communication and information distortion. Knowledge of the files can mean routine and living by the book and so on (*Rockman, op.cit.*).

The Weberian claim of bureaucracy representing the highest extent of rationality did not fit in with the real life administration. The day-to-day administration is not merely guided by rationality but myriad of influences. The ideal paradigm of bureaucracy, as described by Weber, is viewed with some structural dimensions and an achievement of purpose i.e. it is meant to increase the efficiency of an organisation. But at the same time, it has been felt that it has facilitated the growth of capitalism as it helps to carry out special administrative functions. The bounded rationality has been described as irrelevant by the critics of Weber. The post-Weberian view has emphasised on decentralisation and bottom-up approach. The contemporary view is not a rigid model of administration; instead it aims at an administration, which is responsive, responsible, accountable, transparent and result-oriented.

Some of the criticisms leveled against Weberian bureaucracy point out its weaknesses as an organisational form. Its role in development administration has been questioned in this connection. The Weberian model, according to critics, is subject to the dysfunctional consequences of failing to take into account the individual or behavioural aspects of the people who work within the organisation system. It has been pointed out that the ‘mechanistic’ system of management closely resembles the Weberian model with its stress on division of tasks, hierarchy, role-specificity and vertical communications. The organic system, on the other hand, fits in well with unstable environmental conditions (Bhattacharya, 2003).

Exchange theories (Chester Barnard-Herbert Simon, H. Levinson), Group theories (Elton Mayo, Rensis Likert), Value theories (Chris Argyris, and William Blake), and Situational theories (Douglas McGregor, H. Leavitt) all critique Weber’s ideal type and try to evolve different forms of organisations that could provide an alternative to the legal-rational type (Kramer, 1973). Victor Thompson has summed up the negative aspects of Weberian theory with the term ‘bureaupathology’, a condition resulting from the interplay of Weberian organisational attributes and the need to control that is inherently embodied in the hierarchy principle (Rockman, *op.cit.*). Alvin Gouldner advances the thesis that bureaucratic techniques produce their own reactions. He found that organisational rules tended to define the minimum levels of acceptable behaviour. Robert Presthus is of the view that Weberian model is a product of alien culture, not quite suitable for transplantation in the developing societies (Bhattacharya, 2003, *op.cit.*).

Weber’s model is viewed as more suitable for routine and repetitive work. Robert K. Merton feels that reliance on rules in bureaucracy could lead to lack of flexibility and tendency to turn means into ends. Peter Selznick talks of goal displacement resulting out of bifurcation of interest between Central system and decentralised sub-units. The Marxists have been very critical of the Weberian model. Bureaucracy, according to Karl Marx, is the one that works towards private interests and not universal interest. Marx has put forth that bureaucracy with its specific characteristics does not lead to the transformation of particular interest to general interest. Instead of acting as a bridge between the State and the civil society, it leads to privatisation and liberalisation of civil society. Marx has described bureaucracy as a formal structure expressing the will of the State and not the individual. As per Marx, bureaucracy changes knowledge into secrecy and competence into mystery. On top of it, the bureaucracy hinders government opinion from reaching the people.

Another major critique of Weber’s bureaucracy has come from the Public Choice theorists. The Public Choice approach deals with the possibility of Institutional Pluralism in the provision of public goods and services. Plurality of government and public agencies is supported on the ground of consumer preferences. Vincent Ostrom, major proponent of the Public Choice approach lays emphasis on a concept of democratic administration. The Approach has questioned the self-aggrandisement nature of bureaucracy. It has demanded the pruning or downsizing or passing on of governmental functions to the private sector. It highlights individual preferences and describes bureaucrats as utility maximisers who first look at their own interests rather than those of the organisation.

The Public Choice approach believes that all bureaucrats are self-interest maximizers. Since the self-interest maximising bureaucrat and the vote maximising politician do not act in the collective interest of the society, the society suffers. The Public Choice approach has sensitised us to the hard fact that public agencies live and function in a

highly politicised environment. It also questions the paradigm of bureaucratically run administration. The pathologies of bureaucracy limited to a single centre and a source of power have been criticised. Public Choice perspective looks at the State from citizens' point of view i.e. if it is the case of production or delivery of public goods, then it should be left to the choice of public rather the administrator - politician combine.

Weberian bureaucratic theory has been criticised by Claus Offe who points out "Efficiency is no longer defined as following the ruler but as 'causing of effects'.... Welfare State's administrative policy becomes dependent on extra-legal legitimations...." Dennis F. Thompson observes, "Many of the values we associate with democracy stand sharply opposed to hierarchy, specialisation and impersonality we ascribe to modern bureaucracy (Cf Bhattacharya, 2002).

A significant post-Weberian development is the impact of Critical Theory on public administration. It seeks replacement of the stifling effect of techno-administrative domination of bureaucracy. It pleads for debureaucratisation and democratisation of administration through free flow of communication. Shah Martin's *Managing Without Managers* is also an important work, as it advocates a strategy of redistribution of 'managing' functions, and an increase in the frequency of doing functions (*ibid.*).

The idea of a sheltered bureaucracy employed for life has itself been challenged. The bureaucratic form of organisation having a monopoly over the provision of goods and services has been questioned, as the role of government need not necessarily confine to being a direct service provider in the globalisation context. The bureaucracy can operate indirectly with non-government and non-state agencies working for a wide range of activities.

Scholars like Warren Bennis, predict that bureaucracy is likely to go out of use, in the wake of new social system. This forecast is based on the evolutionary principles that every age develops an organisational form appropriate to its genius. The vacuum created will be filled up by temporary work-systems. As per Bennis, bureaucracy does not adequately allow for the personal growth and the development of mature personalities, it develops conformity and 'group-think', its systems of control and authority are hopelessly outdated, it does not take into account the informal organisation, and suffers from distorted communication, non-assimilation of Information Technology, non-utilisation of human resource etc. (Cf Bhattacharya, 2003, *op.cit.*). Even though Weber's model has been severely criticised, its major characteristics are still found in the developing countries like India who are yet to find an indigenous bureaucratic paradigm, which suits their context.

13.4 ROLE OF BUREAUCRACY IN INDIA

Bureaucracy thus is a much-criticised concept. All writings on bureaucracy are either in the form Weber's analyses of bureaucratic organisation or a critique of Weber's bureaucratic ideal type. Against this backdrop, the Indian bureaucracy also needs to be analysed. The growing impact of liberalisation, privatisation and globalisation, increased complexity in administrative problems, influx of Information Technology, and socio-cultural upheavals are bringing in a lot of changes in the complexion of Indian bureaucracy.

Some of the features of bureaucracy in India could be summarised as:

- Strong binding character
- Non-partisan advice to political leadership in the midst of political instability and uncertainties
- Administrative and managerial capacity of services
- Effective coordination between institutions of governance
- Leadership at different levels of administration
- Service delivery at the cutting-edge level
- Provision of ‘continuity and change’ in administration (Satish, 2004)

Before highlighting the changing complexion of Indian bureaucracy, let us first understand the major role of bureaucracy, especially in the policy process. We have studied about this in our last Unit. Over here, we will mainly discuss the role of bureaucracy with respect to delegated legislation and administrative adjudication. We have read in the previous Unit that certain characteristics of bureaucracy put them at an advantage vis-à-vis the political executive. As a result, policy making is merely drafted in the form of broad outline or framework. The details are left for the bureaucracy to be filled up as per their knowledge and expertise. Thus, legislation has come into the hands of bureaucracy. Let us discuss how and why it is so:

Delegated Legislation

It literally means the exercise of legislative powers by a subordinate authority. Over the years, there has been tremendous growth in the legislative powers of the permanent executive. Bureaucracy has been often described as the backbone of policy-making process. The bureaucracy in theory at least has no legislative function but it carries out certain legislative functions on the behalf of the authority given to it by the legislature. The permanent executive or the bureaucracy acts as delegates and carry out delegated authority. The legislature due to lack of time, pressure of work, and technical nature of policies is not able to provide the public policy with details; hence the rule making power is conferred on the bureaucracy, which is required to fill in the blanks. Though the delegation of legislation is observed in various technical areas, the process of delegation is not just concerned with technique but also the content.

There has been a tremendous growth of delegated legislation as it is inevitable in the modern society. But, it seems to be posing serious problems due to the increasing clout of the bureaucracy. The delegation of certain powers might lead to delegation of unlimited powers as the bureaucrats may begin to overlook what common people want and instead focus on requirements of the influential parties.

The chief argument against delegated legislation is that it may lead to despotism of the administrative authorities by vesting in them the power to legislate. It has been even termed as ‘New Despotism’, as it is felt that the bureaucrats may prefer administrative convenience over and above the concepts of fairness and justice for the people. Passing on of mere skeleton laws to the bureaucracy could then become detrimental to the general interests of people and the organisational goals. Rule making by bureaucracy may even overlook what is politically feasible and what is required in the view of social justice and equity. Thus, it is necessary to exercise

control over delegated legislation to the bureaucrats in order to eliminate the chances of abuse of power by them. Administrative adjudication is a method to control delegated legislation.

Administrative Adjudication

Just as the power to make rules and regulations under statutory authority is a quasi-legislative power in the hands of the administrative agencies, so is Administrative Adjudication a quasi-judicial power vested in them. Administrative Adjudication is not guided by definite legal precepts but by certain statutory standards of common good and public interest. The adjudicator is predisposed in favour of the policy that he has to apply. He can initiate inquisitional or regulatory action of his own accord.

The basic reasons for the growth of Administrative Adjudication are the same as that of Delegated Legislation. The greatest safeguard against arbitrariness of Administrative Adjudication is the powers of the judiciary to review. Along with the courts, various administrative bodies have emerged to carry out the function of adjudication. It has been recognised as a device to ensure justice to citizens due to enormous expansion of government functions.

The Administrative Adjudication in India comprises of:

- Administrative Tribunals
- Publicity and Consultation
- Parliamentary Scrutiny
- Judicial Review

i) Administrative Tribunals

The Administrative Tribunals have come up in order to maintain a balance between individual rights and public welfare. They are agencies created by specific executive enactments with the objective of discharging quasi-judicial duties. They help the common person to obtain cheap, fair and impartial hearing when adversely affected by an administrative action. As the powers of the bureaucrats have increased, cases of misuse of power are on the rise. In order to curtail this despotism and build accountability towards people, tribunals have been established. An Administrative Tribunal is empowered to exercise any adjudicating power of the State. The Tribunals help to attain speedy and cheap justice. However, the institution of Administrative Tribunal has been only a qualified success. They seem to be working only in a few areas of economic administration and have not extended their jurisdiction. Plus, they have been criticised for being secretive and protecting the interests of the government.

ii) Publicity and Consultation

The procedure of rule making should invariably provide for consultation with the public and the special interests affected. The techniques that could be used are:

- Obtaining the views of those going to be affected by the rule-making by submission of draft rules to the stakeholders

- Holding meetings and conferences after due notice to the interested individuals and organisations
- Giving public hearings to any interested person or party or stakeholder who wishes to testify

iii) Parliamentary Scrutiny

Scrutiny of Delegated Legislation is also done by Parliamentary Committees such as Parliamentary Accounts Committee, Estimates Committee, and Committee on Public Undertakings etc.

The Delegated Legislation could be laid:

- Before the Parliament with no directions
- In the Parliament subject to annulment of the rules in question by hostile resolution of either house within specified period.
- With the provision that rules shall not be operative until approved by resolution of both the Houses
- In the form of Draft for a prescribed number of days

iv) Judicial Review

The function of the courts is to see that the exercise of the delegated authority is not broader than the terms of delegation. Otherwise, rules made can be declared ultravires and void. Another test applied by the courts to the validity of delegated legislation is that of reasonableness. This confers on the courts a very wide discretion and power of scrutiny extending both to the factual background as well as legal issues involved in the rule making. We will read more on Judicial Review in Unit 18 of this Course.

13.5 CHANGING CONCEPT OF INDIAN BUREAUCRACY

Despite an elaborate system of Administrative Adjudication, bureaucracy in India has been criticised for being authoritarian in outlook and a monopoliser of power. The track record of bureaucratic performance has not been very good in India. Many scholars have pointed out the maladies afflicting it such as red tapism, corruption, hierarchy, insensitivity and insularity. The bureaucracy has been rather slow in adapting to the social, economic and technological transformation in the country.

In India, as has been observed; bureaucracy still seems to be suffering from the hangover of the colonial era. Coming from a narrow social base, bureaucracy is unable to appreciate the problems of development, especially at the rural level. It has generally taken shelter under conservative neutrality (Bhattacharya, 2002). It is believed to be incapable of appreciating the problems of development and is averse to administrative requirements of rural areas. The study by Pai Panandiker and Kshirsagar has brought out some interesting findings about the relationship between bureaucracy and development administration that are relevant even today. It suggests:

- (i) Bureaucracies involved in the developmental tasks at the field level tend to be structurally less rigid and behaviorally more flexible than headquarter bureaucracies.

- (ii) Bureaucracies essentially in a regulatory and other non-development agencies will tend to be structurally more rigid and behaviourally less flexible (Cf Bhattacharya, 2000).

The bureaucracy in India suffers from certain strange paradoxes. It is a combination of rigid adherence to procedure and a low resistance to varied pressures, pulls and intervention. The Indian bureaucracy is characterised by increased self-importance, indifference and an obsession with the binding and inflexible authority of departmental decisions, precedents, or arrangements. The bureaucracy is often described to be ‘bloated’ and their size is believed to be disproportional to their contribution. It is felt that bureaucrats are a law unto themselves. They hide behind their papers and maintain secrecy on various public dealings. Due to which their misdeeds are never found and if exposed they take shelter behind the committees and commissions.

Unfortunately, bureaucracy in India is struggling to cope with certain maladies that have now inflicted the bureaucracy all around the globe. International studies on the functioning of bureaucracies point out the following problems:

- Endemic overstaffing and ill-equipped service, accompanied by unsustainable staffing expenditure
- Lack of performance culture and inappropriate performance appraisal
- Systemic inconsistence in promotion and empanelment
- Lack of adequate transparency and accountability procedures
- Political interference resulting in arbitrary and whimsical transfers
- A gradual erosion in public service values, ethics and morale (World Bank, 1994, (Cf Satish, *op.cit.*)

The specific maladies of the Indian bureaucracy include politicisation and communalisation of the civil services, dereliction of duty, wastefulness, lack of motivation for productivity. The functioning of bureaucracy has been replete with the failure to eliminate the colonial legacy, the failure to ensure efficiency and effectiveness, and the failure to invoke people’s participation and, at the top of it, the failure to eliminate corruption (See: Bava, 1997).

To rectify the situation, there have been many attempts at reforming the system. It was in 1949, when N. Gopalaswami Ayyenger suggested improvement in methods of transaction of government business. It recommended the setting up of an Organisation and Methods (O & M) Division in the Central government. A.D. Gorwala in his Report in 1951 pointed out that clean, efficient and impartial administration was the first condition to the success of democratic planning. He suggested reorganisation of the administrative machinery to ensure greater speed, effectiveness and responsiveness.

Paul Appleby in his Reports in 1953 and 1956 also dealt with reforming Indian administrative system through the setting up of an O & M Division in the government. Asoka Chanda in 1954 suggested ways to remove wastage and delay in execution of projects. In 1964, K. Santhanam Report came up with several recommendations to curb corruption. The Administrative Reforms Commission (ARC) in 1966 also made recommendations on specific aspects of administration.

The ARC has laid down the following norms:

- The obligation of every bureaucrat or public servant to implement faithfully all policies and decisions of the ministers even if these be contrary to the advice tendered by him
- The freedom of public servants to express themselves frankly by tendering advice to their superiors including the ministers; and
- The observance by public servants of principles of neutrality, impartiality and anonymity

The Economic Administrative Reforms Commission under L.K. Jha (1983) advocated the need for accountability so that greater importance was given to performance than mere adherence to rules and procedures. The objective was to introduce modern techniques of management in the areas of financial planning and human resource management. At the Conference of the Chief Secretaries of States/Union Territories on Effective and Responsive Administration in 1996 and at the Conference of Chief Ministers in 1997, it was recognised that governance has to extend beyond conventional bureaucracies and has to involve citizens at all levels to empower and inform the public and disadvantaged groups so as to ensure service delivery and programme execution through autonomous elected local bodies (Minocha, 1998).

The Fifth Pay Commission (1996) was a clear departure from the ARC, as it made a more thorough analysis of administrative set up by going deeper into the work methods, recruitment, promotion procedures, and pay structures of the civil servants. The Fifth Central Pay Commission gave several recommendations to enhance the work procedures, work environment and administrative structures of the bureaucracy. It suggested that the rightsizing of government and structural reforms of the bureaucracy could get off to a flying start if the government decides to privatise both public sector undertakings as also departmental enterprises within a strict time frame, while at the same time contracting out some of its own activities to the private sector. It laid emphasis on automation and computerisation to reduce paper work. Right to have access to information for all the citizens was also emphasised.

The reform process in Indian bureaucracy has also been precipitated by the Liberalisation, privatisation and globalisation scenario. The recent emphasis on New Public Management, e-governance, Good Governance, New Public Service has led to a shift in the thinking process on bureaucracy. The consequences are slowly beginning to show in India. The norms of neutrality and commitment are changing. The neutrality *versus* commitment debate has come to the fore. The neutrality doctrine is being redefined to meet the needs of civil service, where a bureaucrat is expected to combine substantive expertise with commitment. Neutrality, as has been observed, should not mean political naiveté, but a sufficient degree of political awareness and an ability to operate within the system without wearing a party label or party cap. Bureaucrats have to insist on more transparency and accountability in the government (Pinto, 1997).

The concept of commitment, which was introduced by Ms. Indira Gandhi, former Prime Minister of India, aimed at rectifying the insensitive attitude of bureaucracy to the developmental issues. The aim was to make the bureaucracy committed to the national objectives and goals with full sincerity. Ms. Gandhi described bureaucracy more as a stumbling block in the progress of the country. It was realised that the progressive goals of the government cannot be realised unless civil servants are fully committed to the demands of the people and political process.

Thus, the point to ponder over is the ‘foci’ of this commitment. Where should it lie? To the ruling party or to their own political ideology or national goals? Should they commit themselves to the views and philosophy of ministers in charge or should they independently focus on the requirements of the people. Commitment has to be identified with the public interest rather than the minister. The drive towards achievement of various socio-economic goals requires a strong commitment from the bureaucrat. The doctrine of commitment aims at diverting the bureaucrats from their leanings towards the politicians and guiding them towards the welfare of people (See: B. Guy Peters, 2001). In reality, however, this has proved to be a myth. Bureaucracy is still interested in feathering its own nest and inflating its own budget. The very premise of Public Choice theory still holds true. Self-aggrandising bureaucrats and self-seeking politicians make a mockery of the very basis of government. This analysis is not unfounded in the Indian context.

As we have read in our introductory Unit, the new trends in globalisation have brought about a major change in the role of the State, which has become a facilitator, enabler, coordinator besides being the provider of the structures and processes responsible for production of goods and services. In fact, the State with its changing role has become functionally loaded. This overload of State has resulted in an ever-growing, self-aggrandising, and self-seeking bureaucracy. But, the bureaucrat who has enjoyed security and anonymity at the cost of transparency, responsiveness and accountability until now is in for a face-lift. As we mentioned earlier, the scenario around is changing under the rubric of New Public Management (NPM) reforms where more emphasis is on rightsizing bureaucracy by making it transparent, efficient and accountable. We will read more on this in our subsequent Units 14, 15 and 16.

How far this reform package will be effective is the question only time will answer. Nevertheless, the progressive critics of bureaucracy direct their attacks primarily against the bureaucratisation of corporate big business. It is necessary to curb the power of the managerial oligarchy by government action. It is not limited to government. It is a universal phenomenon, present both in business and in government (Sunghan Im, 2001).

Meanwhile, there is a need to improve efficiency, morale, integrity and responsiveness of the civil service through a series of measures, which focus on:

- Agreement with the political leadership on institutionalised systems for stability of tenure and placement of officials
- Comprehensive assessment of various factors which have a bearing on motivation, incentives, productivity and working conditions of the civil services on the basis of recommendations of the Fifth Pay Commission.
- Steps to curb corrupt practices, prosecute offenders quickly, and to install a regime of self-regulation through a Code of Ethics for Public Services (Sundaram, 1997).

13.6 TOWARDS BUREAUCRATIC REFORMS

Bureaucracy plays a central role in socio-economic development and nation building. It has been observed that the prototypes of patronage, guardian and caste bureaucracy do not commend themselves for public administration today. We are still faced with the necessity of a basic choice. The choice is between the bureaucrat as a functionary and the bureaucrat as common person. Do we want a bureaucracy that

has the courage of its integrity or do we want a bureaucracy with its ear to the ground? (Rao and Mathur, 1999). This is a major issue that needs deliberation.

The bureaucracy has been the backbone of our system, which is undergoing transformation due to the enhancement of the role of the people in decision-making and the changing role of the State. Bureaucrats are confronted with new inputs from contemporary socio-economic and political scene. It is therefore impossible to adhere to the Weberian rigid, rule-bound, and hierarchical model of bureaucracy. Instead, the need of the hour is transparent and accountable bureaucratic system. The resources at the disposal of bureaucracy are new channels of information, power of decision-making and political support. These need to be directed towards the achievement of organisational and developmental goals.

Modernising the administrative system and reorganising the bureaucratic structure has been the two-dimensional strategy adopted by the political leadership in most developing countries to revamp their bureaucracy. The nature of bureaucracy in a single party dominant rule and in a coalition party system has to be different and contextual. It throws open the relevance of rational bureaucracy in the context of the Third World, as policies may be lost in the thicket of bureaucratic infighting or twisted out of recognition by the bureaucratic apathy, and misunderstanding of opposition. Creating and maintaining a responsive and responsible bureaucracy that caters to the general needs and specified goals of developing societies has thus become one of the most complex problems (Sharma, 1999).

The renewed role of bureaucracy must satisfy the dual requirement of ‘capacity’ and ‘control’. *Capacity* indicates the ability of an administrative unit to achieve its objective efficiently. *Control* refers to accountability due to ‘higher authority’, most particularly to elected representative in the legislative branch. The Contingency approach, it has been pointed out, seeks to understand the interrelationships within and among the subsystems as well as between the organisation and its environment, and to define patterns of relationship of variables. It recommends a continuous study to find out how changes in external environment are likely to influence the interdependencies among sub-systems and thus their functions (Halachmi, 1980). This approach needs to be explored further in order to draw its benefits for the functioning of bureaucracy.

An alternative to the market model as well as traditional models of bureaucracy needs to be sought. The recent reforms in Hongkong Civil Service could be emulated. In Hongkong, though the bureaucrats are recruited on a permanent basis, their continuation in the job is subjected to verifying the performance indicators from time to time. The performance of bureaucracy thus could be improved by introducing performance measurement, streamlining departmental enquiries, overhauling grievance procedures, linking performance with incentives, implementing Citizens’ Charters, bettering service delivery, involving people, implementing a code of conduct, encouraging decentralisation, devolving functions, and strengthening capacity building. The New Public Management and New Public Service approaches, about which you will read in Units 14 and 15, talk about reforming bureaucracy by highlighting these very features.

Fred Riggs had argued that the existence of career bureaucracy without corresponding strength in the political institutions does not necessary lead to administrative efficiency (Cf Bhattacharya, 2002, *op.cit.*). Thus, what is needed is all round structural, procedural and behavioural changes in the bureaucratic set up so that the

bureaucracy is able to function in a participatory, responsive and sensitive environment.

To make the bureaucracy adapt well to the development tasks, changes are needed both on structural and behavioural fronts. Structurally, de-emphasis of hierarchy has been suggested to get rid of the conventional organisational pyramid, the centralised set up and interpersonal conflicts. Behaviourally, as has been pointed out, the bureaucratic personnel need to be sensitised to the needs of the disadvantaged and weaker sections, motivated to take up new and innovative steps towards administrative reforms, and appreciated for their initiative and zeal. There is a need for development bureaucracy, which is not insular and inward looking in approach. Administrative changes are required to make the bureaucracy goal-centric, results-specific and people-oriented.

13.7 CONCLUSION

Bureaucracy is the backbone of Indian administrative system. Its complexion is changing with the change in the socio-cultural and economic scenario. The globalisation context has thrown open several questions that Indian bureaucracy must address in the right earnest. It must reinvent itself in the light of changing norms of neutrality and commitment, accent on NPM, Good Governance and New Public Service as well as rightsizing and responsiveness. Weberian ideal type has been subjected to severe criticism but an alternative to it is yet to be found. Traces of the traditional Weberian paradigm are thus found in all countries including India, which is grappling with many bureaucratic pathologies. The reform efforts have not been able to bear adequate fruits. The developing countries like India must find their own indigenous models of bureaucracy to meet the needs of their social and economic set up. This Unit discussed some of these issues.

13.8 KEY CONCEPTS

Charismatic Authority

Max Weber described charismatic authority as one of the three major types of authority in his bureaucratic set up. The other two being traditional and legal-rational. Charismatic authority is power, legitimised on the basis of a leader's exceptional personal qualities or the demonstration of extraordinary insight and accomplishment by the leader, which inspire loyalty and obedience from the followers.

<http://www.en.wikipedia.org/wiki/charismatic-authority>

Self-aggrandisement

An act undertaken to increase one's power and influence or to draw attention to one's own importance.

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13.10 ACTIVITIES

1. Make a list of the reform measures that have been undertaken to bring about changes in bureaucratic set up since independence.
2. Study the structures and processes of any government organisation near your place by interacting with its employees. Try to analyse the impact of privatisation and liberalisation on that organisation.

UNIT 14 IMPACT OF GLOBALISATION ON PUBLIC ADMINISTRATION

Structure

- 14.0 Learning Outcome
- 14.1 Introduction
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14.0 LEARNING OUTCOME

After going through this Unit, you should be able to:

- Explain the concept of globalisation
- Analyse the impact of globalisation on public administration
- Highlight the emerging challenges of public administration in the globalisation era; and
- Examine the reshaping of globalisation in the context of growing concern for global justice and accountability

14.1 INTRODUCTION

Globalisation, the buzzword in present times, stands for global spread of goods, services, technology, ideas and processes. Its important accompanying features are momentous changes in the nature of the States, governments and societies coming under its influence. Market forces are asserting a key role over the traditional functioning of the State and especially its welfare orientation. As the States are *de facto* getting economically, financially and culturally integrated, the public administrative system as

the central regulating mechanism of a country has been facing a novel situation, when it has to interact with a network of supra-national organisations and shed its traditional insularity to steer the State as one of the many members of an intensely interactive group. In this Unit, we will try to explain the concept of globalisation and examine its impact on public administration generally and on the developing countries particularly. The structural adjustments taking place globally are posing new challenges for public administration in several ways. These will be highlighted in the Unit. In the present context, changing notions about globalisation and increasing concern about how to reshape it have become prominent. This Unit will cover some of these issues with special reference to the question of global justice and accountability in an international situation that does not present a level-playing field for most of the weaker States.

14.2 CONCEPT OF GLOBALISATION

Globalisation is ushering in far-reaching changes in the political, economic, social, and cultural spheres across the world. Globalisation refers to the multiplicity of linkages and interconnections between the States and societies, which make up the present world system. It describes the process by which events; decisions and activities in one part of the world come to have significant consequences for individuals and communities in quite distant parts of the world. Globalisation can be understood in terms of two distinct phenomena: ‘scope’ (or stretching) and ‘intensity’ (or deepening). On the one hand, it defines a set of processes, which embrace most of the globe or which operate worldwide hinting at a spatial connection. On the other hand, it also implies an intensification of the levels of interaction, interconnectedness or interdependence between the States and societies, which constitute the world community. Accordingly, alongside the stretching, goes a deepening of global processes (McGrew and Lewis, 1992).

Globalisation, some consider, has received the boost due to technological developments and market-driven economic development. Globalisation is bringing about interdependence between Nation States. It is said to create a free atmosphere for administrative, political, socio-economic, cultural and technological changes. Globalisation involves domains of activity and interaction that include the economic, political, technological, military, legal, cultural and environmental. It implies, from an economic perspective, removal of trade barriers, and large-scale entry of multinational enterprises engaged in Foreign Direct Investment.

Sociologists perceive it as a multi-dimensional phenomenon, encompassing various processes in the arena of politics, culture, technology, economy and so on. Anthony Giddens (1999) defines globalisation as ‘new’ and ‘revolutionary’, and is mainly due to the ‘massive increase’ in financial and foreign exchange transactions. This has been facilitated by dramatic improvements in communication technology, especially electronic interchange facilitated by personal computers. The Organisation for Economic Cooperation and Development (OECD) (1995) has defined globalisation as a shift from a world of distinct national economies to a global economy in which production is internationalised and financial capital flows freely and instantly among countries.

There is a mixed response towards the impact of globalisation on different countries. The proponents consider the developments caused by globalisation including expansion of trade, production, markets, investment, and technology as giving a push to the economies. This is said to result in employment opportunities, better living standards, and prosperity, collaborative arrangements, networking and so on. The opponents point out its negative repercussions as high levels of poverty, job lay offs, lack of employment

for unskilled labour, increased economic inequality, subsidy cuts, and environmental problems, especially in developing countries. Hence the world over, we find stiff opposition from various social forums against globalisation. Income statistics from the US and the UN Development Programme indicate that the combined income of the 400 richest persons in the US is more than the combined national income of 20 African States totalling over 3 million people and is more than the total national income of the 146 million people of Pakistan. It is beyond doubt that global inequalities are on the rise, and are posing a serious concern.

Globalisation is giving rise to new societal expectations, changing value systems, altering the nature of State and governing systems. This is putting pressures on public administration to respond to the widely fluctuating shifts. It is resulting in major changes in the nature of the State. The Information Technology revolution is changing the complexion of tasks of administration. There is a widespread acceptance of the significant role being assigned to the corporate sector due to the removal of trade barriers. The managerial orientation in governmental operations and a change in the role of the State from being a direct provider to regulator as well as the provision of an enabling environment to private sector are also assuming pertinence.

Cerny (1994) observes “In a changing globalising-international and transnational environment, the State has been not only an agent of its own transformation, but also a major source of development of globalisation itself”. Neo-liberalism, as we have discussed in Units 1, 3 and 5 of this Course, favours privatisation, economic incentives, reduction of expenditure on public goods etc., which have expedited the process of globalisation.

Globalisation has affected public administration due to the impact of pressures generated on it by global institutions, information technology and increasing concern for efficiency and productivity. The pressures exerted by global institutions are immense. These are defined as the pressures exerted by a formalised institution with a global jurisdiction that has authority and power over individual countries in a given policy area (Welsch and Wong, 1998). The aid conditionalities imposed have wider repercussions as they increase the developing country’s financial, military, and political dependencies on the West. As David Korten (1995) observes, the “Bank-approved consultants often rewrite a country’s trade policy, fiscal policy, civil service requirements, labour laws, health care arrangements, environmental regulations, energy policy, resettlement requirements, procurement rules and budgetary policies”. In many developing countries, people, especially have been devoid of any choice of determining their own priorities, and policy preferences. Structural adjustment and stabilisation polices, pursued by several developing countries have been considered as a negation of local democracy.

14.3 IMPACT OF GLOBALISATION ON PUBLIC ADMINISTRATION

The globalisation wave is bringing about an unprecedented expansion of trade, finance, and investment accompanied by unparalleled technological innovations and high levels of consumer demands and expectations. The impact of globalisation on the economy is mixed, with benefits accruing due to competition along with economic crisis, weakened State apparatus, propagation of market-oriented values, and disturbing concentration of wealth leading to increasing levels of poverty, inequality, social crises, with significant repercussions on the development process.

Globalisation is resulting in a transition from centrally planned to market structures, and their integration with the global economy the world over. This has repercussions for the administrative framework and, the functioning of State machinery. The emphasis is on acquiring new skills and capabilities; and changing the mindset of personnel to adjust to the new environment. The nature and processes of public administration have been severely affected by the changing perceptions of the role of the State, managerial orientation in governance, market-driven approach to development, and increasing advocacy of the complementary roles of government, market and civil society.

Public administration, according to Jamil Jreisat (2004) is facing new challenges due to the impact of globalisation. These are:

- A growing need for negotiation skills among sovereign States
- Changed role of bureaucracy from managing to facilitating economic activities
- An organisational, managerial culture which stresses performance and result-oriented management (There is a demand for managerial skills of adaptability, cooperation and creativity)
- Focus on managerial leadership and expertise which has been necessitated by the demands of negotiations, mediation, and sensitivity to human rights and diversity
- Emergence of e-government, where all countries have been executing major initiatives to tap the vast potential of the Internet for improving and perfecting the governing process
- Need for a comparative perspective wherein, in response to the new global reality, public administration must effectively utilise a comparative outlook that incorporates non-western as well as more developed systems

The impact of globalisation has thus been a mixed one. In the view of Ali Farazmand (1999), due to globalisation, on the one hand, public administration seems to be moving towards protection of citizens' rights, accountability, ethical values, research and training. On the other hand, globalisation is leading to shrinking of public space, violation of human rights and commodification of citizens. Many others feel that it is also resulting in upsurge of democratic processes. The economic integration and technological changes is pushing the 'State' towards compliance of certain global standards and behaviour, while the internal social and political forces are attempting to assert the role of the State and its powers in protecting the interests of the governed. Hence, the State is undergoing a new transformative role and as a corollary, its impact on public administration has also been multi-dimensional. We will be discussing these factors now.

14.3.1 Changing Role of the State

The State has always been at the centre-stage of societal governance. Traditionally, many countries embarked on the concept of Welfare State – a political system with high degree of responsibility for the welfare of the population. The onset of globalisation has resulted in significant changes in this traditional role of the State. The market-based approach to public administration is leading to the emergence of a 'Competition State', which encourages public choice initiatives, deregulation, and privatisation, irrespective of the local, political and administrative cultures. Cerny (1997) describes the Competition State as one that has been transformed from a primarily hierarchical decommodifying agent into a primarily market-based commodifying agent.

This 'roll back' of the State propagated during the 1980s and 1990s, especially in the USA and UK, due to the influence of Neo-liberalism has resulted in deregulation,

privatisation and the introduction of market-oriented reforms in public services. This has led to a pro-market and anti-state philosophy of ‘private good’ and ‘public bad’. The new political economy of development is based on ‘market’ and not the State as the central actor, as privatisation is expected to release locked up social initiatives and the developing countries are supposed to turn outward to participate in the unfolding of the process of globalisation.

The market approach argues that the government is less efficient than markets over providing services to individuals. The market firms due to competition and profit motive make a more effective use of given resources than the government agencies, which lack similar incentives. Also, individuals can choose the services they want from the market, subject to their income, whereas government provision of services leaves them with little or no choice.

A powerful new paradigm of determining the scope and limits of government action that was dominant in Western democracies held the view that government should:

- Do less
- Reduce or relinquish their previous overburdening responsibilities
- Privatise public services or their delivery wherever practicable; and
- Reform their own operations in accordance with the market concepts of competition and efficiency

These beliefs in ‘Government by the Market’, opined by Peter Self (1993), rest upon the proposition that the market system is inherently a better method of satisfying human wants and aspirations than recourse to government. The *first* objective of this thinking has been to slim the State and liberate the market forces in a variety of ways such as deregulation as well as through suitable monetary and fiscal policies. The *second* objective has been to import market concepts and incentives into the operations of the government itself. The *third* objective is to take measures to reduce the relative size and expanse of public expenditure and also to cut down the range of functions that the government performs.

Globalisation, no doubt impacts heavily on the State, its policies, institutions, and personnel. The ‘public sphere’ and the space for citizens’ involvement have been shrinking and the Corporate State is making its presence felt. The biggest challenge for administration is to recast the role of the State. There is a need for evolving a new regulatory State with an expanded agenda. The State needs to be regulatory in nature, providing for mechanisms for ensuring efficiency, setting standards of service, removing market distortions, providing appropriate regulatory/legal framework for players in the market; and protecting the interests of consumers, employers, employees, and the other stakeholders.

Osborne and Gaebler (1992) in their work *Reinventing Government* have made a case for government having a key role in restructuring of markets through:

- Setting rules in market place
- Facilitating the provision of information
- Augmenting demand
- Catalysing private sector supplies and new market sectors
- Creating market institutions

- Risk sharing; and
- Regulating through application of market-oriented incentives

Effective economic governance demands the State to make efforts to provide a conducive atmosphere for market institutions to function and at the same time strives to make them socially responsive. For instance, the success of the East Asian economies of Japan, Taiwan, Korea, Hong Kong etc., which have been dependent on markets, was to a large extent due to the Governed Market (GM) paradigm. It has been pointed out that the essential kernel of the GM paradigm is State intervention with subsidies, with distortions of relative prices, and with control of credit markets; promoting economic choices and investment and production outcomes that would not have been possible through the ordinary working of the market. Necessary administrative support is required for promoting a competitive climate, and maintaining a stable economy (Sobhan, 1998).

A functioning market economy needs a sound and strong State geared towards evolving a legal and regulatory framework, which ensures predictability, stability, clarity and enforceability. The market-driven processes need to be directed towards achieving economic as well as social development. In Japan, the government, as observed by Okimoto (1989), has intervened directly in the market to:

- Establish sectoral priorities
- Mobilise resources to hasten their development
- Protect infant industries
- Issue guidance on investment levels
- Organise rationalisation and anti-recession cartels
- Allocate foreign exchange credits
- Regulate technological flows in and out of Japan
- Control Foreign Direct Investment
- Issue “administrative guidance”; and
- Publish white papers on mid-term and long-term visions of Japan’s future industrial structure

14.3.2 Responsiveness of State Institutions

The globalising State that is said to threaten the lives of common people, through promotion of elitist policies, can be counteracted by reasserting the role of the State institutions in becoming responsive to the needs of people. The World Development Report – 2000/2001 ‘Attacking Poverty’ asserts that public administration should implement policies efficiently, be responsive to the needs of the people and redistribute resources for activities that benefit the needy.

The World Development Report 2002 “Building Institutions for Market” has observed that “Weak institutions – tangled laws, corrupt laws, corrupt courts, deeply biased credit systems and elaborate business registration requirement – hurt poor people and hinder development”. Countries, which faced such problems, have dealt with them by creating relevant institutions suited to micro-needs that increase income and reduce poverty.

The public institutions can thwart the negative consequences of globalisation through suitable interventions. For instance in Korea, the government through employment insurance, public works programme, livelihood protection programme, provides

appropriate social protection by creating a base for a competitive and knowledge based economy. Similarly, in East Asian economies, measures have been taken to ensure that different sections of the society benefit economically from the growth strategies. The World Bank (1993) points toward several policy measures that have facilitated in providing the benefits of growth to a wide section of the population. These are:

- Provision of universal primary education with increased access to secondary and higher education
- Land reform measures in Japan, Korea and Taiwan have provided for a more egalitarian ownership of land, assistance to agricultural production both for domestic and export promotion, and provision of increased incomes to a broad group of land holders
- Promotion of small and medium sized enterprises (most exclusively in Taiwan, to a lesser extent in Japan)
- In addition, specific welfare measures such as investments in providing housing to low income households (in Hong Kong, Singapore and Indonesia) have also contributed to a lessening of poverty

The key challenge, to counteract the negative consequences of globalisation, is to strengthen and revitalise the public institutions in a manner to ensure their legitimacy and effectiveness in protection of public interests. The developing countries need to take concrete measures in this direction. According to James Wolfensohn, the then President of the World Bank (1999), development requires Good Governance meaning open, transparent, accountable public institutions. In a market economy, if growth is to be lasting, then it must be regulated - not over-regulated, but guided by public institutions and private professional conduct, which establish a foundation of transparency and fairness in economic life. Effective, accessible public institutions are not just conducive to, but a necessary condition for stable growth.

14.3.3 Management Orientation in Public Administration

Public administration, traditionally speaking, had the major obligation of promoting public interest. It had to assure representativeness and responsiveness to citizens. The managerial orientation in it is not a recent development, as it was prevalent earlier too but in varied form and content. The 19th century civil service reformers in the USA promoted managerialism in public service. It took the form of emphasising merit and fitness in public service appointments and selection and tenure of public servants based on efficiency and performance. This was precisely the reason for the advocacy of politics-administration dichotomy, as politics was considered to be the core factor of inefficiency. Later, the propagation of scientific management principles by F.W. Taylor wherein organisation was looked upon as a formal structure, with features of client orientation, and notions of impersonality etc. indicates that traditionally too, management orientation was considered necessary to promote efficiency, economy and effectiveness.

The new reform model in public administration, which emerged in the 1980s as New Public Management (NPM) approach has once again condemned the traditional public administration as a failure. It starts with the premise that the traditional, bureaucratically organised public administration (in the words of Al Gore) is, ‘broke’ and ‘broken’ and consequently, the public has lost faith in the government. The orthodox public administration which remained under attack for many years, has suddenly found a new reform replacement, as Edward Jennings observes, major initiatives to reform government processes are built around a shared set of notions. Government should now

be performance-oriented. The management of government has to be deregulated. Public agencies must be entrepreneurial, mission-driven, and service-oriented. Public managers are to be risk takers who welcome participation and reward performance. They themselves are to be adjudged on their performance.

These reform initiatives are targeted at the multiple performance failure of the government and the need to build public confidence. They are thus premised on the belief that traditional bureaucracies have become stumbling blocks to responsiveness, effectiveness and efficiency. The new reforms model that is the NPM model is based on certain postulates, which include:

- Focusing on achieving results rather than primarily conforming with processes
- Introducing market principles such as competition, and contracting out in the provision of goods and services
- Making public administration customer-driven to enhance service ethic and efficiency
- Assigning the role of steering activities to the government rather than rowing
- Relying on third parties such as non-profit organisations, and other levels of government in implementation of policies
- Deregulating the government activities to make them result-oriented
- Empowering the employees to serve the customers as it promotes teamwork; and
- Changing the overall public administrative culture towards flexibility, innovation, entrepreneurialism, as ‘opposed to’ rule-bound, process orientation
(Rosenbloom, 2002, Paraphrased)

NPM has emerged clearly as a major manifestation of the Competition State. This new paradigm, which has gained wider implementation on a variety of labels such as reinventing, reengineering, quality management, liberation management, focuses basically on the changes in the structure and processes of government. Research studies indicate a wider acceptance of NPM model across the world, about which we will discuss in our MA Course (012). A discussion on some of the features of NPM also forms a part of our next Units 15 and 16.

14.3.4 State-Market Cooperation

A consensus is gradually building up to create cooperation between the State and the market. Three kinds of interventions have been identified which are functional, institutional and strategic. Functional interventions seek to remedy market failures in so far as prices give the wrong signals. Institutional interventions seek to govern the market by setting the rules of the game for players in the market. Strategic interventions seek to guide the market, as these are interlinked across activities or sectors in an attempt to attain broader, long-term objectives of development. The State in order to facilitate market functioning needs to develop the physical infrastructure as well as create indispensable social infrastructure.

In 1994, some economists in India recommended evolving a paradigm of ‘Socially Responsible Market Economy’ (SRME), which seeks to: reorient the role of the State and planning through public sector and joint sector, strengthen economic and social service activities through building of human resources, skill development, employment generation; and develop infrastructure where private sector and foreign investment are not forthcoming.

The SRME paradigm emphasises on self-discipline, peer pressure and adherence to codes of conduct by all economic players. These codes are intended to be followed by all concerned sections of the society reflecting their socially responsible economic behaviour in a free market economy. The State is expected to play a balancing role in overseeing the achievement of people's welfare in a market driven economy.

The paradigm assumes importance as the State is always accountable to the people whereas the market is not. And if there is one thing to be learnt from the unfolding of the experiences of the post-Soviet reform, it is precisely this (Jain, 1996). A State, which pays little attention to the economic suffering and marginalisation of a significant proportion of its population, as has been rightly stated by Amit Bhaduri (2001), not only discredits itself but also the market process through which such marginalisation occurs. The importance given to the market forces in the present scenario might appear to give a reduced role to the State. But the State's role, as has been observed, has not diminished, since it has to reconcile the objectives of liberalisation and the pursuit of national interests and developmental goals. In the national context, the State must endeavour to create the pre-conditions for a more equitable development, bargain with transnational corporations to improve the distribution of gains from cross-border economic transactions, practice prudence in the macro-management of the economy so as to reduce vulnerability and intervene to minimise the social costs associated with globalisation. In the changing scenario, there has also gradually emerged a view that philosophy of 'individualism', which is embedded in the market and the government guided by market forces is not favourable to any society. Hence, States and markets need to have an institutional alternative in the form of non-state actors.

14.3.5 Civil Society as a Supplementary Democratic Model

Civil society, which refers to self-organisation of citizens in contrast to the State or government, is rooted in western rational decision-making and political culture. Civil society comprises the collective of those social organisations that enjoy autonomy from the State, and have as one important goal, among others, to influence the State on behalf of their members. Civil society organisations in the words of Harry Blair (1998) are networks of groups formed for pursuing special interests and include all local and externally financed private, charitable, social service, developmental and professional organisations.

The development of the civil society organisations is considered as a growth of Communitarianism. Whether attached to and promoted by the political Left or Right, Communitarianism, it has been observed, would emphasise the growth of the third sector, meaning the non-profit organisations other than those in the public sector, as a solution to many problems of contemporary society. As the markets are being driven by profits, and the State organisations are being mired in inefficiency and unresponsiveness, the civil society organisations, have gained prominence due to their participatory, flexible, less bureaucratic, cost- effective, accessible, and people-friendly characteristics.

Larry Diamond (1991) identifies at least six functions of civil society in shaping democracy. These are:

- Civil society is a reservoir of political, economic, cultural and moral resources to check the process of the State
- The diversity of civil society will ensure that the State is not held captive by a few groups

- The growth of associational life will supplement the work of political parties in stimulating political participation
- Civil society will eventually stabilise the State because citizens will have a deeper stake in social order. Further, while civil society may multiply the demands of the State, it may also multiply the capacity of groups to improve their own welfare
- Civil society is a locus for recruiting new political leadership, and
- Civil society resists authoritarianism

Civil society, which provides a single civic identity that is distinct, and belonging to various groups of citizens, acts as a mediating link between the State and the markets. Anthony Giddens in his book *The Third Way: The Renewal of Social Democracy* also makes a case for broadening of the democracy with government acting in partnership with agencies in civil society so as to combat civic decline. The established traditions of participative planning and community development can be complemented by experiments in direct democracy. The fostering of civil society, as has been observed, is an important task, for the State, with support for the ‘bottom-up’ politics of community renewal. This implies a greater role for service provision by non-profit organisations; more localised distribution channels; and a public sector that works to develop the capacities of local communities. We will discuss more about the role of the civil society in Unit 19 of this Course.

The State and market are considered as sources of remote decisions that might not have much of an impact on the lives of the community. The emergence of Communitarian movement, which is a new development, but is gaining momentum, provides a broader perspective on society as comprising new forms of community (local, voluntary, professional etc. working with the spirit of mutual concern and cooperation. The thinking that has gained coinage is that by delegating more of its functions to partly or semi-autonomous local agencies, communities and cooperatives, the State is promoting democratic decentralisation.

It is beyond doubt that market techniques such as privatisation, customer orientation, entrepreneurialism, and performance orientation are aimed at improving the efficacy of public administration. The clash of private interests with public sector values precipitates the problem. Above all, as has been pointed out, there is a thing called ‘public interest’, which lies at the heart of government operations, and it is irreplaceable by any market philosophy (Cf Bhattacharya, 2001).

Privatisation, which is being pursued as a key instrument of globalisation has been criticised by Peter Drucker, when he says, “We are learning very fast that the belief that free market is all it takes to have a functioning society or even a functioning economy – is pure delusion”. The transition from a centrally planned to a market economy, especially in developing countries, in the last two decades has led to several doubts being raised about the efficacy and relevance of the State, importance of market forces; and ways of striking a balance between the State, market forces and the people. Even the Western liberal ideas, which earlier downplayed the significance of the State have started acknowledging the need to take into cognisance the positive aspects of governance such as providing for effective and transparent legal, judicial, regulatory mechanisms, evolving market friendly forms of State intervention, and mobilising social capital in pursuance of public policies and programmes.

The ultimate goal of development, whether it is pursued by the State or the market is to build human capabilities, and enlarge human choices, to create a safe and secure environment where people can live with dignity and equality. Globalisation is said to affect communities, and their participation in managing their affairs. The biggest challenge to administration lies in not simply strengthening the processes and institutions of government, but also looking at the governed, making them partners in the process of development, strengthening their capacities and empowering them. There is a rapid shift towards a societal approach to development, with an emphasis on centrality of ‘social capital’ to development.

Peter Evans (1998) in his analysis of East Asian economies has given a new orientation to the theory of ‘Embedded Autonomy’, whereby he emphasises that a significant factor responsible for their economic growth, is the presence of concrete set of social ties that bind these States to their surrounding societies. The State-society interaction that facilitates gauging the society’s response to policies formulated by the State is important. Hence, he emphasises the need for a tie-up between the State apparatus and its societal constituencies.

A perusal of the structural adjustment policies imposed on the developing countries by the donor agencies indicates that the aid conditionalities have contributed to social damage in the form of rising inequalities, unemployment, insecurities and so on. Hence to minimise these effects globally, efforts are on towards strengthening local economies through rebuilding of communities. For instance, in Britain, there is an enormous range of entities which constitute ‘community economic action’ wherein nearly, one-and a half million people participate. It takes the form of community enterprises run by local people, credit unions, development trusts working towards economic, environmental and social regeneration of an area, community recycling schemes and so on.

Developing bottom-up participatory processes shall enable the community to have control over their own needs and resources. In Brazil, as per the World Development Report 2000/2001, the involvement of beneficiaries in the process of disbursing development funds has facilitated better interaction with local administration. The Municipal Councils have 80 per cent representatives from the user communities. If they feel that Municipal Councils treat them unfairly, they can apply for funds directly from the State government.

In India, in the State of Andhra Pradesh, micro-financing has enabled many families to rise above the poverty line. Women form small Self-help Groups (SHGs) and avail loans at no or low interest rates to start income generating activities and build a savings corpus. This type of micro financing is considered as a viable solution to the livelihood problem, where poverty is the overriding factor. The State government is already in the forefront of the micro-financing sector. Activities such as afforestation programmes, multi-crop cultivation, setting up of seed-bank, raising of nurseries etc. are being undertaken.

Building synergy between the State and society needs appropriate strategies to:

- Develop, strengthen and sustain collaborative and participative processes
- Foster institutional development that facilitates resource mobilisation, coordination and networking
- Ensure transparency, empowerment, accountability; and
- Strengthen human capacities

14.4 IMPACT OF GLOBALISATION IN DEVELOPING COUNTRIES

The impact of globalisation on public administration in developing countries is, on several fronts, posing serious challenges. The impact of market forces on public services is bringing about adverse repercussions. The privatisation of public enterprises, especially the loss making units are unable to get suitable buyers and are hence being sold at low prices. The situation prevails in India also, where the privatisation is being faced with a lot of resistance. As Self (2002) observes “Privatisation came at a cost in the form of increased unemployment (especially among older workers), that put pressure on the welfare budget, human effects (in loss of pride and purpose among workers made redundant), and increased economic inequality (with a rise in profit and fall in wage in the privatised industries)”.

The contracting out process is also open to corruption and mismanagement. The process becomes immensely complex and difficult to manage as the need for constant monitoring and supervision adds to the already heavy load of work and cost of the public agencies. While the cost for service provision could be reduced, the quality of service remains lower in some of the countries. These problems offset some of the financial gains achieved by marketisation for increased managerial responsibilities.

The introduction of user fees goes against the principles of equity and ability to pay. In developing countries, this approach is likely to lead to higher cost of essential services that a larger section of the impoverished population may be unable to afford. The consequence could be a deepening of the already existing inequities and intensified dissatisfaction and dissent among the citizens. Many developing countries including India are being pressurised by World Bank to increase tariffs and withdraw subsidies across a number of areas.

As Huque points out, the process of marketisation of the public sector in developing countries leads to several associated problems. *Firstly*, the highly publicised gains in efficiency and reduction in public expenditure is often surpassed by the extremely high indirect costs and artificial enhancement of productivity, small savings in terms of money and manpower are attained at the expense of some of the fundamental principles of public service as well as loss of confidence of the public in the competence of the government and its agencies. *Secondly*, there is an erosion in the power, credibility and legitimacy of the governments. Weak governments in developing countries have little bargaining power in their dealings with the resourceful, organised and highly competent service providers from the private sector as well as the influential international agencies and multinational corporations. *Thirdly*, consumers of public services are already in a weak position in developing countries due to inadequate protection from the government and the existence of regulations tilted in favour of the service providers. As a consequence, the consumers emerge as the weakest party after the introduction of marketisation in public administration.

The developing countries are yet to arrive at a stage of development where the provision of public service can be handed over to private providers without the risk of major disruption or threat to the interest of the consumer plans. Privatisation will not appeal to the citizens unless the costs and benefits are carefully calculated and demonstrated to benefit them. The marketisation of public administration at the insistence of donor agencies has led to a host of undesired outcomes. Instead of making governments more economical and efficient and consumers more powerful and conscious, marketisation of public administration in developing countries has eroded the power of the consumers

and the governments, while contributing to a stronger position for the private sector and international agencies.

Globalisation and associated changes are facilitated by the establishment of knowledge based societies and a certain level of sophistication in information technology, but most developing countries talk about the basic features necessary for performing public administration functions. In spite of promises and pressures towards marketisation, corporatisation, privatisation, customer-orientation and development of the third sector, the results are far from satisfactory in the developing world. At the same time, the methods and mechanisms for establishing a system of democratic governance, characterised by accountability and transparency are yet to be materialised.

However, it is not to be construed that market-oriented reforms are not suitable for improving public services in developing countries. There is, in fact, a need for initiating reforms in the basic social, political and economic activities that would prepare the grounds for the introduction of reforms to roll back the State, recover costs from users and expose public service providers to the market forces in order to bring out the best in them.

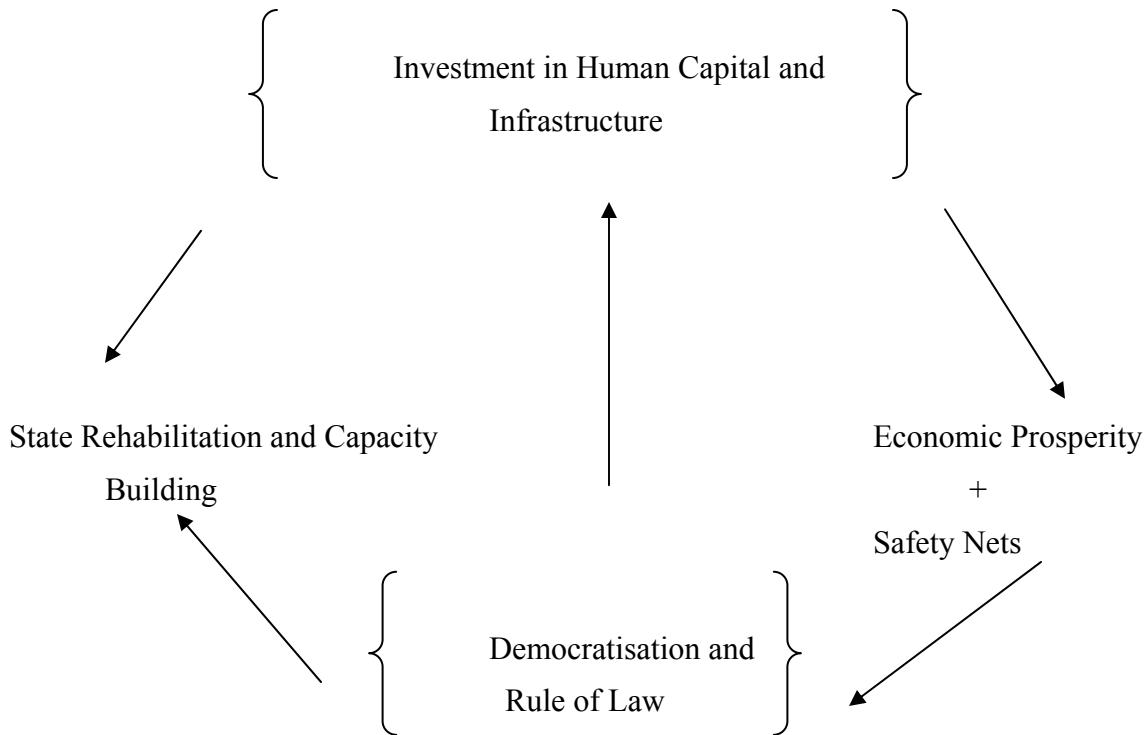
Globalisation has come to stay and as Tony Blair, the British Prime Minister, once commented, it is, irreversible and inevitable. Presently, one observes that globally the new managerial forms such as reinventing, reengineering, structurally adjusting etc, designed and propagated by the corporates are gaining prominence. At the same time, there are counter pressures generated by citizens who are demanding participation, transparency, efficiency, social justice and democratisation.

It is being felt that globalisation has benefited only a few, and the majority, especially in developing countries, continues to live in deteriorating levels of poverty. This is mainly due to the increasing powers being exercised by multilateral financial institutions in these countries, which is reflected in their economic and social policies. Hence, time and again, there have been anti-globalisation protests the world over voicing concern for the decreasing democratic norms. Joseph Stiglitz (2002) comments. “If globalisation continues to be conducted in the way that it has been in the past, if we continue to fail to learn from our mistakes, globalisation will not only succeed in promoting development, but will create poverty and instability”.

A three day Congress of political personalities from around the world in Sao Paulo, Brazil in October (27-29) 2003, passed a Declaration which called for “Reshaping globalisation, which favours rich countries and corporations to the detriment of the Planet’s poor”. The declaration decried attempts to dismantle all forms of global governance to: minimise the role of the United Nations, undermine multilateral institutions, promote unilateralism and the consecration of the market; and impose the will of the powerful to decide the future of the mankind.

The predominant viewpoint of the developing world is that the process of globalisation, needs to be active, orderly and cooperative to serve the common interests. It is being widely asserted that the concept of development needs to undergo transformation through effecting changes in policies and institutions. The Neo-liberal argument, which gave prominence to market forces, has been supplemented by renewed accent of the World Bank, IMF, and WTO on poverty reduction, equity, participation, human rights and partnership. This new trend is called the Pragmatic Neo-liberal Development Model. This Model favours market-oriented reform accompanied by investment in human capital, infrastructure, safety nets, democratisation and rule of law. The Pragmatic Neo-liberal Development Model can be diagrammatically presented as:

Pragmatic Neo-liberal Development Model



Source: Atul Kohli, Chung-in-Moon, George Sorensen, 2003, *States, Markets and Just Growth*, United Nations University Press, Tokyo.

This paradigm features a market-based strategy with the following features:

- It is holistic as it encompasses political and social in addition to conventional macro-economic dimensions
- It is synergistic as these dimensions are complementary and mutually reinforcing
- It is complex as efficient market systems are deemed to require the supportive action of effective Nation States.

Joseph Stiglitz (*op.cit.*) also advocates developing and using more policy instruments to pursue broader objectives of development, including sustainable, egalitarian and democratic development. He argues that the new paradigm for development should seek to explore ways to achieve an overall transformation of society effectively. He prescribes a crucial role to government to promote competition and act as a referee in the market economy, and encourage provision of public goods by the private sector.

Globalisation process has taught some lessons (positive as well as negative), especially to the developing countries. It has brought to the fore the need to appreciate the significance of indigenous local systems of administration and governance, as well as adapt them in accordance to the new trends in globalisation. The process of globalisation, in the context of developing countries, has to bring in political, economic and social empowerment to the local level so that they may achieve sustainable participatory development in an equitable and just environment.

Any discussion on creating an adaptive environment to the new trends in globalisation has to give prominence to the concept of Good Governance about which we shall be discussing in Unit 17 of this Course. It is Good Governance that can foster democracy, fairplay, justice and equity. Good Governance must ensure sustained development opportunities for the poor and deprived people of the world. It entails, among many other things, new economic policies and institutions, as well as new life styles and preferences. Above all, as has been pointed out, it must be able to reconcile individual advantage nurtured by the market with a tolerant concern for all.

14.5 CONCERN FOR GLOBAL JUSTICE AND ACCOUNTABILITY

As the inexorable processes of globalisation proceed, there are bound to be major issues of global justice that need to be faced. Stiglitz (*ibid.*), for instance, talks of ‘more humane, effective and equitable globalisation’ and suggests five high-priority goals in this context: ‘honesty, fairness, social justice (including concern for the poor), externalities (protection of life and promotion of security), and responsibility (individual decision makers to take responsibility for their own actions and for the consequences of their actions). Similarly, special emphasis has been laid on ‘participation’ in the sense that the agencies responsible for global level decision-making must allow people to voice their views and opinions in respect of the decisions that affect their lives.

A direct appeal for value-based and justice-oriented approach has been made by John McMurtry (1998) in his *Unequal Freedoms: The Global Market as an Ethical System*. He has given a call for establishing and elaborating a moral framework for globalisation and a system of justification. McMurtry focuses on the underlying values that drive globalisation, including what he refers to as the value programme in which assertions such as “We must compete in the new global marketplace” are seen as given, natural, unalterable. As he argues, in a value programme:

‘All people enact its prescriptions and functions as presupposed norms of what they should do. All assume its value designations and value exclusions as givens. They seek only to climb its ladder of available positions to achieve their deserved reward as their due. Lives are valued, or not valued, in terms of the system’s differentials and measurements. All fulfil its specified roles without question and accept its costs, however widespread, as unavoidable manifestations of reality’.

The value programme, as McMurtry bluntly states, underlying the global market system consists of “Efficiency of factor allocation, comparative advantage, increased export earnings, rise in market share, increased Gross Domestic Product (GDP) performance and annual incomes, and, above all, vastly increased returns on investment in an area of chronic underinvestment”. The major assumption is that the global market system is superior to any other. The underlying premise is that the private sector is efficient and the government is inefficient. Thus, “Whatever the market does is good, and whatever government does is bad, unless it can be shown to serve the market”. So, what is clearly evident is that the value programme of globalisation is a closed system of choice; the acquisition of money drives society, and the impact on the civil commons is either ignored or discounted. But, as McMurtry asks, if the common interest is not protected and advanced by the State, then the State loses the justification for its existence.

Globalisation involves decisions by a network of organisations whose coordination seems nobody’s business. Crucial decisions are being taken by a variety of international actors whose accountability remains an unanswered question. In this context, the insightful

observation of Joseph Stiglitz (*op.cit.*) deserves to be quoted: "Unfortunately, we have no world government, accountable to the people of every country, to oversee the globalisation process in a fashion comparable to the way national governments guide the nationalisation process. Instead, we have a system that might be called 'global governance without global government', one in which a few institutions -the World Bank, the IMF, the WTO - and a few players - the finance, commerce and trade ministries, closely linked to certain financial and commercial interests - dominate the scene, but in which many of those affected by their decisions are left almost voiceless."

The United Nations Development Programme (UNDP) report on 'Accountability in Global Governance' has also reinforced this notion: globalisation poses a real problem, particularly for the Third World countries who are vitally affected by international decisions, which they are often unable to influence and in which they are not always participants. The UNDP points out that it: "It is easy to imagine that if all governments in the world were both democratically elected and equally represented in international organisations, there would be far less of a problem of accountability in global governance. However, it is worth noting immediately that even in such an ideal world, the capacity of people to hold international institutions to account would still be very limited.

In the first place, there is an unavoidable 'democratic deficit' in international organisations because people do not get directly to elect (nor to throw out) their representatives on the WTO, the IMF, the World Bank or the United Nations Security Council. Instead, those who live in democracies get to elect politicians some of who form a government, which appoints ministers who represent and choose delegations to represent a country. For this reason, even in an ideal, universally democratic world, international economic governance is removed from representative government. Even if they so wished, citizens could not use their votes effectively to influence, restrain or hold to account their government in its actions in an international organisation. And even less directly in countries with highly developed systems of parliamentary accountability such as the United Kingdom, the oversight by Parliament of international institutions is weak. In most developing countries it is yet weaker. Thus, globalisation leaves the question of 'accountability in global governance' wide open.

14.6 CONCLUSION

The process of globalisation is indeed irreversible, but we need to work towards fighting the apprehension that there is no other alternative to it. It is beyond doubt that globalisation has promoted technological advancements, foreign exchange flows, export growth, Foreign Direct Investment, development of multinational enterprises and so on. There have been attempts globally to evolve a uniform approach in promoting service values and delivery mechanisms. The uniqueness of culture and environment is likely to produce varied results in developed and developing countries. Especially, in the developing countries, this has serious repercussions. But the most important factor that we need to take cognisance of is to counter the imbalances, isolation, and inequality that it has created and make the environment more humanistic. The instability and insecurity that globalisation has brought about can be reversed through social cohesion, and cooperation which neither the State nor the market can solely provide. This leaves the doors open for hybrid organisations that are neither State nor market.

Thus, the debate of State vs. market is no longer valid. Neither a Liberal State nor an interventionist State can ensure development. The conventional public administration has undergone a metamorphosis by integrating three critical players i.e. ‘State’, ‘market’ and ‘civil society’ in governance. The need for a collaborative action amongst the three has been reiterated strongly in the late 1990s. The significance of all three sectors in the management of public affairs, has been recorded with a requirement that there be a ‘balance’ in State-market relations, ‘legitimacy’ in the State interactions with the citizens, and ‘partnerships’ between the State and the institutions of civil society. In the present administrative scenario, what is needed is not less government, but a better and a different type of government. Public administration needs to gear up to the challenges of:

- Redefining the respective spheres of State and non-state actors, building mechanisms for better interaction, and cooperation
- Framing suitable laws and regulations that provide necessary stability, confidence, enforcement; and
- Building a professionalised civil service possessing necessary competence, skills, public service, participatory, and a pro-citizen ethic

As Denhardt and Denhardt (2000) suggest, “In a democratic society, values such as efficiency and productivity should be placed in the larger context of democracy, community and public interest. There is a need to evolve the concept of a New Public Service which focuses on serving the citizens than steering, thinking strategically, acting democratically, valuing citizenship and public service above entrepreneurship, and ensuring accountability not just to market but to Constitutional law, community, citizens’ interests, and professional standards”. This Unit discussed the trends in globalisation and their impact on public administration, especially in the developing countries. The changed ambience in which administration operates needs an interactive relationship between the State, market and civil society in order to achieve Good Governance and an accountable, transparent and efficient provision of goods and services. The transformation of this type has to be accompanied by a concern for global justice and humane development. These issues have been highlighted in this Unit

14.7 KEY CONCEPTS

Corporate State

The concept of Corporate State developed under the context of Fascism in Mussolini’s Italy as a means of regulating industrial relations. The theory divided society into a limited number of corporations. This system then functioned as a means of control and a channel for government intervention.

[en.wikipedia.org/uk/Corporate state](https://en.wikipedia.org/wiki/Corporate_state)

Deregulation

It is the process of lessening the monopolies of only a few in the economic sectors by opening those sectors to other players also. The reforms ushered in India since 1990s, have thrown open certain sectors of the economy such as banking, telecommunications, civil aviation etc. to competition in order to provide better service at lower prices and greater choice. These sectors have been given more autonomy, free from stringent rules and regulations.

Structural Adjustment and Stabilisation Policies (SA&SP)

During the 1980s, it was increasingly felt that poverty and economic stagnation, especially in the developing countries was the result of the State undermining the operation of market forces. The need for structural adjustment and formulation of policies to stabilise growth in major economic sectors as well as reduction in the role of the State in economic development came to be regarded as indispensable. This led to SA & SP, a package of reform measures promoted by Bretton Woods Institutions (IMF and World Bank), US Congress Treasury and several think tanks, which aimed to address the economic crisis, especially of Latin American countries. The Programme emphasised the need for sound macro-economic and financial policies, trade and financial liberalisation, privatisation and deregulation of domestic markets. This strategy promoted minimal State that refrains from economic intervention and focuses on sound monetary policy by letting the markets work, getting the prices right, privatising, budget rationalising, and integrating the domestic economy into the global economy.

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14.9 ACTIVITIES

1. On the basis of newspaper clippings and magazines, prepare a list of Public Sector Undertakings that have been privatised in the recent past.
2. Make a list of the changes that globalisation process has brought about in the areas of State-market ventures, civil society initiatives, and public sector disinvestments and debureaucratization.

UNIT 15 CHALLENGES TO TRADITIONAL BUREAUCRATIC PARADIGM

Structure

- 15.0 Learning Outcome
- 15.1 Introduction
- 15.2 Bureaucratic Administration: Characteristic Features
- 15.3 Contemporary Bureaucratic Paradigm
 - 15.3.1 New Public Administration
 - 15.3.2 New Public Management
 - 15.3.3 Organisational Humanism
 - 15.3.4 New Public Service
- 15.4 New Tasks Ahead
- 15.5 Conclusion
- 15.6 Key Concepts
- 15.7 References and Further Reading
- 15.8 Activities

15.0 LEARNING OUTCOME

After studying this Unit, you will be able to:

- Understand the characteristics of traditional bureaucracy
- Discuss the features of the contemporary bureaucratic paradigm; and
- Explain the challenges and new tasks for bureaucracy based on the approaches of New Public Administration (NPA), New Public Management (NPM), and New Public Service (NPS).

15.1 INTRODUCTION

State, society and administration have assumed new roles and responsibilities in the wake of changes induced by the processes of globalisation, liberalisation, and privatisation. State has changed from an Administrative State to a Cybernetic State. The governments today have to work under greater pressures emanating from the global reforms as also under pressures from within their countries. The reforms and pressures call for a new role for the State and bureaucracy. They are no longer the single and direct provider of goods and services. They are now required to be the facilitators and regulators. Multi-stakeholders: citizens, communities, community based organisations, non-profit organisations, private agencies, corporate bodies are all involved in public service delivery. The role of the administration today is to foster public dialogue, collaboration, partnership, decentralisation, and citizens' involvement in day-to-day governance.

These changes have been enunciated by the approaches of New Public Administration, New Public Management, Organisational Humanism, and New Public Service. These approaches, which are an integral part of effective administrative reforms, have necessitated a reassessment of the traditional role and

responsibilities of the public servants. They have thrown open new tasks and challenges before the bureaucracy, calling for a shift from the conservative and stereotypical traditional role. Bureaucrats have to now adopt new roles and display flexibility, openness, accountability, responsiveness and citizen-orientation.

The Weberian concept of bureaucracy and its critique have already been discussed in Unit 13 of this Course. The contemporary context of bureaucracy with special reference to India, has also been analysed. This Unit would therefore not touch upon these pertinent issues. Instead, the focus in the following sections will be on how the approaches such as NPA, NPM, and NPS have challenged the traditional public administration paradigm and set new tasks before the bureaucracy. To set the stage for this discussion, we will briefly highlight the traditional features of bureaucratic administration, and explain the reasons that call for a paradigm shift.

15.2 BUREAUCRATIC ADMINISTRATION: CHARACTERISTIC FEATURES

Bureaucracy is a systematic organisation of tasks and individuals into a pattern, which most effectively achieves the desirable ends of the collective efforts. It is a regulated administrative system organised on a series of interrelated offices. The concept was first coined by Vincent de Gourney in 1765. Later, it was fully developed by Max Weber, who referred to it as a sociological concept, pervading all societies- capitalist or socialist. According to him, bureaucracy was the rationalisation of collective activities. In an attempt to develop the concept, Weber laid down the structural and behavioural features of bureaucracy. The main features of bureaucracy can be identified as under:

- i) Specialisation of tasks and division of labour for accomplishment of goals
- ii) Consistent system of abstract rules for uniformity and coordination
- iii) Principle of hierarchy marking accountability for one's actions and also subordinates' actions to a higher-level officer
- iv) Impersonal and formal conduct
- v) Employment on the basis of technical qualifications and protection against arbitrary dismissal
- vi) Promotions on seniority and merit

Bureaucratic organisation will thus be based on the structural principles of:

- Division of labour
- Hierarchy
- System of Rules; and
- Role Specificity

It is meant to display the behavioural patterns of:

- Rationality
- Impersonality
- Rule Orientation; and
- Neutrality

Based on these features, Weber considered a bureaucratic organisation technically superior to all other forms of organisation. Division of labour led to professionalism and specialisation in the organisation. With technical qualifications, there came more precision, speed, and reliability in functioning. Hierarchy led to a better distribution of authority and responsibility, and provided for effective supervision. Adherence to rules and regulations left no scope for personal prejudices whims and nepotism. Equally, behavioural features of rationality led to orderliness, objectivity, and stability in the organisation. Impersonality created an unbiased bureaucracy that worked in the public interest.

Thus, Weber tried to create an ‘ideal’ type of bureaucracy. Despite the envisioned qualities, as laid down by Weber, critics have drawn attention to many of its dysfunctional ties witnessed in its practice. Some of the criticism of Weber’s concept has already been discussed in Unit 13, let us look into a few more problems that Weberian bureaucracy has thrown up. The principle of division of labour and hierarchy led to bigger organisations and hence greater delay in work. This also led to deviation of responsibility with no one accepting responsibility for any action or inaction. Bureaucrats started indulging in empire building. Strict adherence to rules and regulations made them inflexible. Robert Merton found problems with the feature of strict rule application. Selznick (1943) pointed out that civil servants were too much obsessed with the rules.

The bureaucrats were not accountable to the people as their accountability lay only towards the political executive. Mayntz (1965) criticised bureaucracy for its inability to appreciate informal organisation. Bureaucrats did not even appreciate social values in policy making. Thus, policy making became a mundane activity. Even though, the bureaucrats were governed by conduct rules, and code of ethics, actual adherence to these was rare. Hence, corruption became rampant. There was no self-discipline and self-control. They lacked conscience tiousness of performance. People viewed them as dishonest and unreliable. Organisational humanism, feelings of shared interests, dialogue, discourse, coordination, leadership, and communication were found lacking in bureaucratic organisations. They were criticised for being centralist, hierarchical, authoritative, and stereotyped.

Moreover, bureaucracy due to its permanent tenure, superior merit, knowledge, professional competence, technical know-how, experience and expertise, has got involved in all aspects of policy cycle. With the legislature lacking the necessary time and expertise, functions pertaining to legislation, issuance of necessary directives and guidelines, etc, have become the responsibility of bureaucracy. It has perfected the technique of rule application, rule interpretation, and rule adjudication, and has become so rigid that it has gradually culminated into an over-powerful entity. Since Unit 13 has already highlighted these features, we will not elaborate these aspects over here. Instead, our focus will be on the alternative approaches to reform bureaucracy.

Approaches of New Public Administration (NPA), New Public Management (NPM), Organisational Humanism, and New Public Service (NPS) despite having specific concerns converge on one pertinent theme. This necessitates that administrators shed their overpowering and elitist character, and change their rigid behaviour. Instead of being engrossed in self-interest, they are called upon to empathise with people’s problems. They are urged to change their mind-set and attitude. Besides being just politically accountable, it is felt that they should also be accountable to multiple stakeholders. They are expected to operate in a transparent fashion and not remain insular and confined to the watertight compartments anymore. It was also expected of them to take the people along, and address their problems through close interactions.

These approaches have set forth new tasks for bureaucracy and have challenged the traditional paradigm. The objective is to usher in a new work culture that would help bureaucracy to go beyond the traditional norms of public service neutrality, anonymity, political accountability, and rationality. We will now have a detailed discussion on these new tasks that have signalled a shift in the traditional ways of bureaucratic functioning.

15.3 CONTEMPORARY BUREAUCRATIC PARADIGM

Based on participation, interaction, and coordination with people, these new approaches have opened up distinct possibilities of rebuilding and restoring a culture of public accountability and public trust in bureaucracy. These approaches are:

- New Public Administration (NPA)
- New Public Management (NPM)
- Organisational Humanism, and
- New Public Service (NPS).

15.3.1 New Public Administration

NPA was an outcome of the movement of a group of scholars who gathered at the Minnow brook Conference in the late 1960s in USA. The movement challenged the tenets of the old public administration and came up with alternatives to the traditional bureaucratic administration. It laid emphasis on openness, trust, and communication within such organisations, which were essentially characterised by centralisation, hierarchy, authority, control, and secrecy. NPA called for a qualitative transformation of bureaucracy, which had to be:

- **Relevant**

Public administration should be relevant to the changing times. It has to cope with the environmental changes. Bureaucrats cannot be status quo-oriented anymore; rather they have to address the realities of public life. They have to take into view the contemporary problems and issues in policy making. To be relevant, they have to be guided by the political, social, and moral implications of their actions.

- **Value-based Administration**

Bureaucracy has to be based on norms and values. It cannot be value neutral and follow the methodology of Logical Positivism. It has to be concerned about the problems of the society and has to respect democratic values, and ethics in official functioning. The bureaucratic actions have to be evaluated and judged on the basis of values. In the words of George Frederickson, an administrator has therefore to be more ‘public than generic; prescriptive than descriptive; client-oriented than institution-oriented, and normative than neutral’.

- **Equity**

George Frederickson considered equity to be the underlying factor in all political and administrative decision-making. It is necessary for a public servant ‘to develop and defend criteria and measures of equity and to understand the impact of public services on the dignity and well-being of citizens. Bureaucracy has to rise above partisanship and nepotism, and be proactive to major social issues (Cf Marini, 1971).

- **Change**

NPA called for change-orientation on the part of public servants. They should not be status quo-oriented but should undergo an attitudinal change. They have to shun over-centralising and over-expanding tendencies. The public servants should be open and flexible enough to upgrade their knowledge and skills in order to improvise and excel.

15.3.2 New Public Management

As we read in Unit 14, NPM is a reform movement calling for management reforms in the public sector organisations. It gained momentum in the developed countries like the UK, New Zealand, and Australia, and in no time spread to developing countries as well. It was argued that bureaucracy's enormous structures and cumbersome procedures had been inhibiting action and change. The movement questioned the rigidity of the bureaucratic organisations and their lack of responsiveness to the citizens. It called upon the public administrators to be entrepreneurs performing market-based functions and compete with diverse providers of services. Public administrators are expected to redefine the clients as customers and offer them choices. They have to work towards achievement of efficiency, economy, and effectiveness. They have to focus on results, profits, and outcomes, than just inputs and processes. NPM aims at restructuring administrative organisation by downsizing, privatising, and opening up. While fixing standards of integrity and conduct, NPM aims to make the civil servants accountable to the customers. The public servants have to decentralise and encourage participation in management. Emphasis is laid on appropriate training in order to strengthen the professional competence of the public servants.

While applying NPM reforms to the higher-level bureaucracy, four significant tasks that the bureaucracy should perform have been suggested:

- Development of a vision
- Disaggregation of the administrative structure
- Downsizing of the civil services
- Decentralisation of powers/functions
- Service delivery

We will now discuss them one by one:

Development of a Vision

The bureaucracy should have a mission statement entailing its vision on organisation and development. This will spell out for them the national goals, role and responsibilities, quality standards, levels of efficiency, incentives for creativeness, innovation in public service delivery; and direction of the bureaucracy.

The development of a vision will help them to: respond to the changing environment, clearly understand the government's objectives, comprehend the roles they have to perform in pursuance of national goals, and act as professional managers with greater freedom of operation, and discretion. They will be more concerned with results and outcomes rather than just the inputs and processes, as in the traditional form of administration. There will be fixed performance standards and measures, which will make them more accountable as their work will be assessed in quantitative terms. They have to be now responsive to the customers and work towards fetching them

maximum satisfaction. Mission statement will make them proactive rather than only reactive. The mission driven public administration will enhance performance management and delivery. It will also develop a sense of belongingness in the administrators.

Disaggregation of the Administrative Structure

NPM promotes breaking up of a large administrative organisation into several decentralised units with requisite autonomy, independent budgets, and maintaining an ‘arms length’ relationship with each other. Illustratively, The Department of Personnel and Training (DOP&T) in the Ministry of Personnel, Public Grievances, Pensions and Pensioners’ Welfare, Government of India could be entrusted with the functions of promotion and, selection, while the placement of the officials of the rank of Joint Secretary may be given to the UPSC. The vigilance matters may be disaggregated to Central/State Vigilance Commissions. Thus, the DOP&T will be a strategic centre for the policy functions relating to officials. This will clarify the roles of officials, and also strengthen their accountability. A greater degree of merit, transparency, and professionalism would be achieved through such institutionalisation of promotion, placements, and transfers.

Downsizing of the Civil Services

NPM reforms aim at a meaningful review of the cadre and ex-cadre posts, abolition of redundant posts, readjustment of the intake of the new entrants as per the socio-economic requirements, and undertaking of refresher programmes to prevent stagnation. The Indian Administrative Service has to put up at least fifteen years of service in the field to qualify for the secretariat. The secretariat levels should be reduced. These could comprise senior executives, executives, and supervisory/supporting staff. This will reduce the unnecessary delays in functioning. Voluntary retirement should also be enforced. This will induce young entrants into the system.

Decentralisation of Powers / Functions

With decentralisation, the bureaucrats have to transfer local functions to the state and local governments. This will bring the centres of decision-making nearer to the people and empower the local administration in solving the civic problems. There will be lesser levels and lesser political intervention, and hence there will be lesser delays, lesser corruption, lesser overheads, leading to an efficient service delivery. This will result in empowered communities who will develop a conducive mind-set for participation, and motivation. The commitment of civil servants to the administrative goals will also be strengthened.

Service Delivery

NPM advocates the use of computerised monitoring of the public grievance redressal machinery for ensuring its effective functioning. Bureaucrats who have public dealings should be given training in customer orientation. They should be publicly accessible through the ‘formal and informal channels of feedback’. This will make them customer-driven and citizen friendly. The quality of public services will improve, and this will restore the public accountability of the bureaucrats.

Equally, the rules and regulations should be simplified and the public services should be made hassle-free. Bureaucrats should work towards institutionalising change by instilling values, and building capabilities of employees in service delivery. Alternate mechanisms of service delivery, such as the market and civil society organisations

have to be involved to give wider choices to the citizens. User fees for use of water, health, education can be charged to improve quality and accountability for these services. Besides, contracting out of services, public-private partnership, partnership with non-profit bodies etc. have also to be adopted by the administration for economical and easy delivery of services to the people. Network governance is thus emerging as a new approach as distinguished from the traditional bureaucratic way of administration with the help of hierachic, insular and input oriented (not output oriented) structures and processes. We will read more on network governance in unit 22 of our MA course (013)

NPM propounds the use of Information and Communication Technology (ICT) as a revolutionary mode of service delivery. The bureaucrats have therefore to make use of interactive digital equipments, interactive on-line services, Internet, Intranets, and Extranets to improve organisational efficiency. To improve the service delivery, Citizens' Charters should be displayed in public offices. Necessary and useful information should be imparted through Television, Radio, Newspaper, and Internet. Computerised information should be made available at the office reception. Information counters have to be set up in public institutions and offices like schools, post offices, village health centres, railway stations, hospitals, which can act as one-stop-consolidated information-shop. All office records should be computerised, and important rules and procedures should be electronically published.

Public servants should make use of Management Information System (MIS) in decision-making. With MIS, they can monitor and implement various developmental programmes. The use of hot lines and e-mail facility will enable the citizens to bring cases of bureaucratic delay, corruption and other misdemeanour to the forefront. Administrators can also get feedback from the people on developmental programmes. We shall be discussing the significance of MIS in detail in Unit 15 of MPA (013).

The performance of these tasks will lead to:

- Better communication between the administration and the citizens
- Informed decisions and improved service delivery
- Quick and smooth access to useful information
- Empowerment of citizens
- Openness and transparency in administration
- Monitoring and accountability
- Clean administration

15.3.3 Organisational Humanism

Traditional bureaucracy placed limitations on the role of informal organisation and human relations. It placed emphasis on formal structures based on hierarchy, unity of command, centralisation, authority and control. But now there is a shift to the larger needs and concerns of the people, both inside and outside the organisation. Today, administrators have to give importance to informal structures in the organisations. According to Chris Argyris, organisational humanism requires administrators to develop and employ skill in: self-awareness, effective diagnosing, helping individuals grow and making them more creative. According to Denhardt and Denhardt, it is required of the public servants to provide an organisational climate for open discourse and dialogue. Bureaucracy has to take into account variations in human behaviour. Formal relations have to be supplemented by informal relations.

Administration devoid of values and informal relations evokes the rational bases for bureaucratic functioning. This does not promote individual and organisational growth. Rather, administrators have to adhere to democratic values and open interaction in policy making. This will replace the authoritative structure with a participative structure. Then, each employee will contribute his/her knowledge and competence to the best of their abilities. An environment of self-discipline also has to be created to make employees self-managing and self-governed. This will help in individual growth and organisational development. Organisational humanism also extends to policy making. When the public servants or the bureaucrats formulate the policies, they have to be humanistic enough to incorporate the democratic values of equity, justice, and fairness. Likewise, they have to ensure implementation with full honesty and integrity so as to enable the benefits to reach the needy and the deprived sections of the society.

15.3.4 New Public Service

Contribution to this movement mainly came from Robert B. Denhardt and Janet V. Denhardt, both of whom propounded the basic tenets of New Public Service (NPS), in total contrast to the traditional bureaucratic administration. This approach focused on- serving the public interest- as the primary role of public servants. The public servants have to shun their over-centralising and elitist tendencies, and work with people. Denhardt and Denhardt have argued for a model of New Public Service based on citizenship, democracy and community service in the public interest as an alternative to the dominant models based on economic theory and self-interest. Let us now throw light on the major tenets of NPS.

Democratic Citizenship

According to Denhardt and Denhardt (2003), theory of democratic citizenship is based on public interest. The theory bases itself on the concepts of community and democratic values. The theory advocates that people are not self-centred, but are guided by the feelings of community values. The citizens take a broader view of public affairs and actively participate in matters of community interest. They develop a sense of belonging, a concern for the whole, and a moral bond with the community of which they are a part. Hence, bureaucracy has to abide by this spirit of democratic citizenship. It has to promote democratic values of fairness, integrity, honesty, responsiveness, equity, justice, commitment, accountability, trust, sharing, public interest, leadership, dialogue, participation, collaboration, and empowerment. This will be fulfilled by seeking public involvement in governance. Here, bureaucracy has to set grounds for people's involvement and participation in decision-making. They have to help citizens grow as vibrant and responsible members of the society. Administrators have to now see, as King and Stivers (1998) put it, citizens are citizens rather than voters or clients or customers, and should share authority and reduce control, and should have trust in the efficacy of collaboration. They have to decentralise authority, and share it with people. They have to be responsive and believe in joint responsibility in problem solving. They have to facilitate and create forums; spread awareness; and educate and train people to work in collaboration. They have to be guided by the feelings of community, and public interest and be people-centred rather than only work-centred. This will enhance public trust and public accountability.

Community Approach

According to Denhardt and Denhardt (*op.cit.*), community is seen as a conglomeration of human beings where everybody tends to associate with each other

for common good. It enables one to pursue one's goals and also adjust to the social system. Community incorporates diversity and teaches one to share values. It promotes mutual trust and care, facilitates teamwork, renders effective communication through dialogue and discussions, resolves conflicts, works for public interest, promotes trust, encourages education and participation, and connects individuals with the larger community concerns.

Bureaucracy has to work towards building communities. Administrators have to work towards developing relations among and within the communities. They can hold meetings, discussions, and dialogue through face-to-face interactions and convince them to participate and decide about things. By maintaining a continuous and consistent dialogue, bureaucracy can promote participation of the community. This will help administration to know, understand, and take cognisance of their needs. Administrative policies benefit from the inputs of the community.

The forming of social capital, and networks among and within the communities has to be given impetus. Even the grass roots movements have to be seriously considered. This will make the administration aware of the basic problems faced by the communities. They have to disseminate requisite and timely information about development programmes. Information and facilitation counters, and community centres should be set up to provide easy accessibility to information. By jointly participating in public service delivery, connectivity is established. With community monitoring evaluation, and implementation of policies, administration is able to get concrete feedback. This also leads to education and mobilisation of the masses.

Now, we will explain the new tasks for bureaucracy as propounded by NPS.

15.4 NEW TASK AHEAD

Network Management

Bureaucracy has to undertake governance reforms like partnerships, interactive policymaking and network management to deal with complex interdependencies between public and private actors. Today, bureaucracy has to work with multiple actors- political parties, Constitutional and electoral bodies, private sector, interest groups, and the civil society to arrive at decisions. Instead of directly designing and delivering services, the bureaucrats have to assimilate the views and interests of multi-stakeholders in designing and delivery. They have to create platforms of expression to varied interests and groups and make them share and appreciate each others' interests. Instead of just following politically defined objectives, they have to pursue varied objectives of multiple stakeholders when it comes to designing policies.

Thus, public servants are network managers. They have to interact, debate and discuss with multiple actors/interests to shape up public policies. This is contrary to the traditional policy making, where the policies emanated as a result of decision making, between the legislature and the bureaucrats. Now, bureaucracy has to set the direction, and act in concert with the multiple groups in understanding issues, setting joint solutions, and also implementing them jointly.

Bureaucracy has to move beyond the hierarchical control in the light of 'decentralisation of policy interests'. It has to be a negotiator and a facilitator. It needs to create the platform, set the agenda, invite various groups to participate, and generate commonly agreed solutions. Thus, policies and decisions emerge as a consensus representing multiple interests.

Thus, the bureaucrat has to be:

- i) Articulator and integrator of interests
- ii) Conciliator, mediator, and adjudicator, and
- iii) Contributor of expertise, skills and resources

Articulating Public Interest

Public interest is vital and necessary for the sustenance of bureaucracy. Public interest is no longer a definition of political leaders, but it has to be, as we just read, an outcome of people's dialogue and participation. It has to be the major aim of the bureaucrats. For achieving it, they have to create unrestricted settings for the people in which they can come together and involve in real process of dialogue and discourse. This will help people and bureaucrats to understand each other, address the common issues, agree on joint solutions, and implement in the public interest. This will also set the direction for the development of community, society and nation. Thus, public interest will not emerge as a by-product of administrative action, rather it will emerge out of the collective and shared actions of the people and the bureaucrats. It will not emanate from individual choices, rather it will spring out of shared feelings, and joint actions of the community. Public servants or the bureaucrats have to therefore ensure that the entire process of decision-making, and solutions emerging out of such interactions fulfils the democratic norms of justice, fairness, and equity.

A bureaucrat has to be a 'leader, steward and emissary of public interest'. In the pursuance of public interest, the bureaucrats have to:

- i) Create settings for dialogue
- ii) Design specific steps to enable everyone to move towards the same direction of goal achievement
- iii) Lay down roles and responsibilities
- iv) Provide civic education in community interests and community responsibility
- v) Create civic leaders
- vi) Reinstate and encourage a sense of civic pride and responsibility
- vii) Support groups and individuals with community feelings
- viii) Be open, accessible and responsive

Multi-dimensional Accountability

Under the traditional system, bureaucrats were accountable to the political executive, and to their superior officials. They implemented the decisions of the political leaders, and adhered to the rules and regulations in the conduct of their work. They followed the organisational norms, and abided by the directives of superior officials. They exercised very limited discretion and performed duties delegated to them. As there was no people's involvement in policy making, bureaucrats did not owe much accountability towards them. They were directly accountable only to the political leaders and officials.

Under NPS, public accountability of the bureaucrats has become multifaceted. Their accountability has become democratic. They are responsible to the multiple actors including the community. Today, administration has to participate and work together with the people in fulfilling their wants. They are answerable to the people in the

exercise of discretion. The bureaucrats have to be responsive to them. Thus, their accountability is not just one-dimensional but it is now multi-dimensional.

Multi-dimensional accountability makes them legally, democratically, professionally and politically responsible. They must respect and follow the Constitution of the country. They are subject to the law of the land. They have to abide by the democratic values of justice, fairness and equity. Moral values and ethical norms have to be accounted for. Thus, they have to go beyond the traditional role of public service neutrality, anonymity, and ministerial responsibility. Multi-faceted accountability and public trust have to be instituted and built.

Therefore, today the accountability of the bureaucrats is quite exacting. They have to:

- i) Work under the controls exercised by legislature, executive, and judiciary
- ii) Adhere to professional standards
- iii) Give priority to citizens' preferences
- iv) Abide by values and ethics
- v) Win public legitimacy
- vi) Respect public law; and
- vii) Balance public interest.

Vinzant and Crothers (1998), and Terry(1993) have put it that public servants 'are called to be responsible actors in a complex governance system, in which they may play the roles of facilitators, reformers, interest brokers, public relations experts, crisis managers, analysts, advocates, and most importantly, moral leaders and stewards of public interest'.

Shared Leadership

The traditional bureaucracy worked on the basis of a top-down approach. Bureaucratic leadership, and their authority and control were not a shared one. The policies were formulated without citizens' participation. Bureaucracy was hierarchical, centralised, and controlling. But today when we talk about networks and citizens' participation in governance, bureaucracy has to share its leadership. They have to share leadership with the employees of the organisation they partner with and also with the multiple stakeholders. Thus, they have to evoke:

- i) Multi-stakeholders' interests, values, and goals characterised by mutual respect, accommodation and support in policies
- ii) Values and interests of individual members of the organisation in decision-making
- iii) Responsibility, participation, partnership, and civic-mindedness in the employees and citizens
- iv) Consensus building
- v) Two-way communication, and information sharing
- vi) Passion, commitment, and perseverance

Strategic Management

Bureaucrats have to be strategic managers. They should take recourse ? strategic management to form partnerships. This will be especially useful when they deal with multi-stakeholders, as it will help them to negotiate and arrive at a consensus in policy

making. This tool will also help the bureaucrats to make improvements in their organisations by guiding and conditioning the behaviour of the employees. They can also place their organisations to cooperate and partner in joint ventures with other organisations. The bureaucrats will thus be able to develop an intellectual foresightedness about public services and appreciate planning and participation in public service delivery. They will also be able to cope with the changing environment and innovate to stay in tune with the changing times.

15.5 CONCLUSION

An alternative to the traditional approach to bureaucracy can be found in the new perspectives of NPA, NPM, Organisational Humanism and New Public Service. These type of concepts, if carefully implemented could make bureaucracy more accountable, efficient and transparent. This Unit discussed these aspects which would ensure that the public servants or the bureaucrats are no more guided by the conventional or traditional norms. Rather, they are able to understand the need to focus on the following when it comes to decision-making:

- Public interest, not individual interest
 - Serving citizens, not just clients/customers
 - Timeliness, reliability, and responsibility in service delivery, not delay
 - Fiscal responsibility, not manipulation/corruption
 - Joint partnership with people, not centralisation
 - Shared values and interests with the people, not neutrality and anonymity
 - Participation with citizens and employees
 - Adherence to democratic, Constitutional, and professional values, not sidelining the Rule of Law
 - Transparency in disseminating information
 - Responsiveness to multiple and conflicting norms, not just political accountability
 - Creation of forums of dialogue and consensus building
 - Mutual listening and mutual learning
 - Leadership, and
 - Civic education
-

15.6 KEY CONCEPTS

Citizens' Charter

Citizens' Charter came into being on the initiative of Common Cause in the U.K. in 1991 to make the administration more accessible, responsive, transparent, and efficient. The aim of the Charters is to make available to the citizens all relevant information. Citizens have a right to demand accountability, quality and choice of services by the government departments; this is facilitated by Charters. Citizens' Charters promote the citizens' entitlement to easy, unhassled, quality, efficient and transparent access to public goods and services. It is a positive step towards a citizen-friendly administration.

Cybernetics

Norbert Wiener, a mathematician and social philosopher, coined the word ‘cybernetics’ from Greek word meaning steersman. He defined it as a science of communication and control in the animal and the machine. The concept grew out of Shanon’s information theory, which was designed to optimise the transfer of information through communication channels and the feedback concept used in engineering control systems. A Cybernetic State is the one that makes use of multiple channels of Information and Communication Technology for all its governance strategies and programmes.

www.indianonline.com/bisc/fama/jmma.htm
and, pespmc1.vub.ac.be/ASC/cybernetics.htm.

Extranet

It refers to an intranet that is partially accessible to authorised outsiders. Whereas an intranet is accessible only to people who are members of the same company or organisation, an Extranet provides various levels of accessibility to outsiders. One can access an Extranet only if one has a valid username and password, and one’s identity determines which parts of Extranet one can view. Extranets are becoming very popular means for business partners to exchange information.

Management Information System (MIS)

It is an information system, typically computer based that is used within an organisation. It is also described by the World Net as “A system consisting of the network of all communication channels used within an organisation”. An information system comprises all components that collect, manipulate and disseminate data or information. It usually includes hardware, software, communication system and the data itself. As an area of study, it is commonly referred to as information technology management

See: <http://www.bournemouth.ac.uk/library/subjects/web-sites-ism.htm>.

15.7 REFERENCES AND FURTHER READING

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15.8 ACTIVITIES

1. Visit a public office in your city and pen down your experiences pertaining to public relations, employees' behaviour and organisational dynamism in that particular office.
2. Visit any nearby government office and try to note down your observations about the changes that you can see in the traditional bureaucratic set up of that office.

UNIT 16 EMERGING CONCEPTS: NEW PUBLIC MANAGEMENT, REINVENTING GOVERNMENT AND BUSINESS PROCESS REENGINEERING

Structure

- 16.0 Learning Outcome
- 16.1 Introduction
- 16.2 Theoretical Foundations of New Public Management
- 16.3 Internationalisation of Public Governance
- 16.4 State and Markets: A New Relationship for Business Process Engineering
- 16.5 Assessment of Business Process Engineering
- 16.6 Conclusion
- 16.7 Key Concepts
- 16.8 References and Further Reading
- 16.9 Activities

16.0 LEARNING OUTCOMES

After reading this Unit, will you able to:

- Appreciate the theoretical foundations of New Public Management
- Throw light on the internationalisation of public governance
- Examine the relationship between the State and the market; and
- Analyse the concept of Business Process Engineering

16.1 INTRODUCTION

New Public Management (NPM) is the new thrust of administrative reforms sweeping through the world. The term has been in use in recent times to describe a management culture that emphasises the centrality of the citizen or customer, as well as accountability for results. Its other important dimension relates to structural or organisational choices that promote decentralised control through a wide variety of alternative service delivery mechanisms, including quasi-markets with public and private service providers competing for resources from policy makers and donors. It is wrong to assume that NPM claims that government should stop performing certain tasks. The central spirit of NPM is about getting things done better.

Market has emerged as the central determining entity for solving most jurisdictional problems emerging due to the rise of multi-actor domains in public service delivery. NPM has also become an ideological tool to balance devolution and globalisation on the one hand and government and wider society on the other. The straightjacketed administration-people relationship is now a broad based and multifaceted interlinking of several spheres of authority looking after collective interests. NPM has transformed the former public administration to the latter as governance. Jon Pierre and B. Guy Peters (2003) refer to governance as the changing role of the government in society and its changing capacity to pursue collective interests under severe external and internal constraints. NPM is assumed to be a tool for Good Governance in the present times. This Unit will give us a broad outline of the theoretical underpinnings of NPM and will throw light on the internationalisation of public governance. It will also make an attempt to bring about the relationship between the State and the market in the light of the concept of Business Process Engineering.

16.2 THEORETICAL FOUNDATIONS OF NEW PUBLIC MANAGEMENT

NPM emerged as a critique of bureaucratic model of Max Weber. The failure of the first and the second development decades during which United Nations had focussed upon developmental issues of the Third World turned out to be lost decades. Bureau-pathologies such as red-tapism, nepotism, alienation from people and corruption acted as speed breakers to progress. Consequently, international markets also failed to brighten up and therefore the recessionary trends continued to bring into it the commodity price crashes. The impact of these dangerous market trends threatened not only the Third World markets due to comparatively high tariffs on their goods but also the developed countries for the fact that stagnation and protectionism together prevented the entrepreneurship embedded in their market system. Thus, the initiatives of international financial agencies like the World Bank and United Nations Development Programme (UNDP) to move out of the existing system, which asphyxiates the virtues of free trade, became integral to the aid strategies around the world. The theoretical foundations of NPM have therefore been borrowed more from economic rather than political and administrative theory. Cost-effective governance would mean a system, which reduces the element of public choice, lowers agency maintenance cost and the cost of transacting business.

As the World Bank document clarifies: “NPM was conceived as a means to improve efficiency and responsiveness to political principals. Its origin were in parliamentary democracies with curiously strong executive powers, centralised governments and little administrative law. In this archetypal setting, NPM seems to embody the idea of a cascading chain of contracts leading to a single (usually ministerial) principal who is interested in getting better results within a sector portfolio over which he or she has significant and relatively unchallenged authority”.

NPM has emerged as the new hope against inefficient and deficit loaded governments and opaque governance. Citizens derive manifold discounts on State services and governments are slated to be more accountable and people-oriented. This mission driven approach to governance is described as the one which is not dogmatic about the protectionist boundaries of State action but is more open to collaborative work and about networking for better service provisions which may cut costs and perform more efficiently. While cost cutting is one major aspect of this reform mantra, it is not the only one. It seeks efficiency, accountability, people’s participation and debureaucratisation through increased entrepreneurship in society and public-private

partnership. NPM, thus, becomes a hybrid of early managerial approaches like the scientific management, human relations and the modern welfare participative State models.

The characteristic of the traditional model, which has come under sharp attack is described as ‘Big solutions meant nationwide and uniform social programmes, planned and administered in a centralised fashion by big, hierarchically organised government agencies and financed out of all-purpose tax funds.’ Thus, NPM has its foundations in economy management on the pattern of market management and by virtue of it, is embedded into economic theories of Public Choice, Agency Cost and Transaction Cost Analysis. The rise of the New Right literature is an indicator that State activity is under sharp attack and there is a concerted drive to reduce its burden of activities by making it function like a market.

Public Choice perspective as provided by Buchanan (1986) *Liberty, Market and State* directs the strongest accusation against bureaucratic model of government in its wastefulness because politicians and public servants have no incentive to minimise spendings. *First*, they are influenced by special group demands; *second*, the bureaucracy remains self-serving, and thus is most collaborative with politicians who are self-aggrandising; *third*, efficiency is subjected to electoralism and not rational calculation. Niskanen (1971) argues that the bureaucrat tends to expand production of public services beyond the socially optimum level.

Agency Cost theory, as explained in Williamson’s *Markets and Hierarchies* (1990), treats one party as an agent which carries out work on behalf of the principal. Their interests do not necessarily coincide and when this is aligned with the principal’s inability to monitor the agent then there arises an incentive to underperform. Agents would design contracts in a manner, which may shift responsibility to factors, which may appear to be outside their control. Thus, the argument of Williamson that best contracts are the ones, which are self-enforcing, stands reaffirmed.

Transaction Cost Analysis is also well explained in Williamson’s work. He suggests that the most efficient form of institutional governance is the one in which transaction costs are controlled and minimised. A transaction cost is the cost of exchanges undertaken to transact work. This is dependent upon factors such as uncertainty, bounded rationality, complexity, opportunism and asset specificity. Whether hierarchies or markets, transaction cost better managed on the basis of the institutional capacity to control is the above factors is a crucial query, which needs deliberation.

Thus, a theory of government failure has been brought forth in the last phase of the decade of 80s. Wolf (1988) tried developing the theory of government failure like the theories of market failure to establish that this would lead these public services to inefficiency and wastefulness. Globalisation and the new ‘knowledge society’ has increased the demand and the concomitant growth of public goods. As a consequence, there would be oversupply of public services, their uncontrollable expansion, lack of performance appraisal mechanisms and therefore the resultant downfall of the bureaucratic State.

Management of public services on the basis of market mechanism has brought back the managerialist traditions in public administration, which were given by F.W.Taylor, Luther Gulick, L.Urwick, Herbert Simon and J. March. The only difference between the ‘old managerialism’ and the ‘new managerialism’ is in that the latter one is based upon the new institutional approaches in which institutions are justified on economic rationale rather than their ability to provide public welfare.

16.3 INTERNATIONALISATION OF PUBLIC GOVERNANCE

The failure of the first and the second developmental decades of the 1960s and the 1970s was followed by an unprecedented commodity price crashes in the international market in the earlier part of the decade of 1980s. This trend generated a wave of displeasure against the governments all over the world. This displeasure was more focussed and issue-based in the developed world. By contrast, the developing world passed through an unmanageable economic crisis due to failure of expensive but failed poverty eradication programmes, unstable politics and arbitrary trends in the international market. The message was loud and clear that the State was too large to be manageable and there must be more freedom for private parties to manage areas where the State has been seemingly failing. Greater entrepreneurship and open competition became the watchwords of reforms. The supply and delivery of goods and services started getting transferred from the government to private agencies. The complete turnaround of the traditional model was dictated by the requirements of the market, and endorsed by the international donor agencies.

This change started featuring in the aid programmes in which the donor agencies started emphasising on decentralisation, liberalisation, performance appraisal mechanisms, privatisation and cost-effectiveness of the poverty eradication programmes undertaken in developing countries. An explicit statement of intent is reflected in the World Bank Report 1996 entitled *From Plan to Market*. It indicates two changes in the prospective programmes of governance; *first*, that failed decades of planning provides the rationale for marketisation. *Second*, that market could take over wherever the State has failed to provide.

Thus, the new reform drive was pushed by donor agencies like the World Bank, International Monetary Fund (IMF), Organisation for Economic Cooperation and Development (OECD), and UNDP. The impetus was cost saving and meaningful performance audits. There appeared a sense of urgency in bringing reforms because of the market stagnation settling in the developed industrialised countries because of practised protectionism in the developing world. A huge storehouse of beneficial transactions was blocked for both the international investors as well as developing countries because of stringent and arbitrary rules of the market controlled by bureaucracy, which was proved to be wasteful and self-aggrandising. The purpose was to eliminate this iron halo of the bureaucratic State, reduce the element of public choice; and set the markets free in a manner that the flow of capital from one place to another is enhanced with smooth and simple market rationality rather than big plans, which only add to public deficits.

The international aspect of NPM has facilitated its easy conversion into the concept of ‘Good Governance’. Since then the same reform package based upon management-oriented approaches has been propagated by the OECD (1995, 1996 and 2000), Department for International Development (DFID) U.K. 1997, and the UNDP (1996, 1998). Despite the abundance of failed stories about the implementation of these reform drives, the multilateral donor agencies receive widespread publicity to stray and sundry stories of minuscule successes in the form of reports titled as “Mauritius: Managing Success and East Asian Miracle”. It would be interesting at this point to elaborate the ten propositions of policy reforms given by Williamson (*op.cit.*) which manifest the changes most likely to influence the nature of the State and which became the notorious *Washington Consensus* prescription for reforms all over the world. The suggested propositions laid accent on:

- Fiscal discipline
- Redirection of public expenditure priorities towards fields offering both high economic returns and the potential to improve income distribution, such as primary health care, primary education and infrastructure
- Tax reforms to lower marginal rates and broaden the tax base
- Interest rate liberalisation
- Competitive exchange rate
- Trade liberalisation
- Liberalisation of inflows of Foreign Direct Investment.
- Privatisation
- Deregulation to abolish barriers to entry and exit
- Secure property rights.

These propositions reflect the Neo-liberal agenda of the World Bank. Together they ensure efficiency and economy in administrative functioning. According to a UN document 1998 ‘The bashing of the State characterised the policy thrust of the Washington Consensus’. Another commentator even equated it with new imperialism. However, a well-deserving explanation has been given by Williamson (*op.cit.*) who coined this term ‘Washington Consensus’ in 1989, “My version of the Washington Consensus began with the proposition that the inflation caused by lack of fiscal discipline is bad for income distribution. In the mid-1990s, there has been a realisation about the need to adapt global practices into local norms and community institutions”.

The management approach to public administration in USA, in 1990s, gained pace several due to liberalisation of economy. There have been attempts towards government renewal. Renewal aims at bringing transformation in the existing situation to meet the contemporary demands. A significant development in the NPM movement has been government renewal; with a view to make the government function optimally, effectively and efficiently. Governmental renewal has been considered a conscious and organised process formally initiated by the government, to transform internal and external political and administrative structures and policies, to promote optimal public management in the light of dominant values of Good Governance (Bemelmans, 1999).

In 1992, the transformation of governmental systems found shape in the concept of ‘Reinventing Government’ by David Osborne and Ted Gaebler. In their work ‘Reinventing Government, How the Entrepreneurial Spirit is Transforming the Public Sector’, they made an elaborate case for transforming the bureaucratic government into an entrepreneurial government. By reinventing government, they envisaged a government, which is never static, but adaptable, responsive, efficient and effective, it is said to be more market oriented providing quality goods and services that respond to citizen’s preferences.

Reinventing Government is said to assume ten different forms namely catalytic, community-oriented, competitive, mission-driven, result-oriented, customer-driven, enterprising, anticipatory, decentralised and market-oriented. We shall be discussing these in detail in Unit of MPA-012. The reinventing government model presented by Osborne and Gaebler is a wider exercise in the NPM. It reaffirms the reform agenda of increased efficiency decentralisation, accountability and marketisation. The

influence of U.K. ideas led to the exercise of National Performance Review (NPR) under the leadership of the then Vice-President Al Gore. The basic objective has been to transform the culture of federal organisations, by making them performance-based and custom-oriented. This has also been discussed in Unit of MPA-012.

The Commonwealth Association of Public Administration and Management (CAPAM) Conferences in 1994 on “Government in Transition” and on “The New Public Administration: Global Challenges-Local Solutions” in 1996 also attempted to focus upon the new role of public managers in providing high quality services that citizens’ value and tried to bridge the gap that occurs between the global demands and local experiments. The Conferences advocated the new paradigm, which is explainable under five components:

- i) Delivery of high quality services
- ii) Increased managerial autonomy
- iii) Rigorous performance measurement of individuals and organisations
- iv) Managerial support services to facilitate achievement of policy target
- v) Receptiveness to competition.

The new paradigm indicates a strong alignment and partnership between public and private spheres. This change is visible even in the Terms of Reference of India’s Fifth Pay Commission 1998, which marks a conscious departure from the Administrative Reforms Commission of 1966. The Pay Commission laid emphasis on the need to “Examine the work methods and work environment as also the variety of allowances and benefits in kind that are presently available to the aforementioned categories in addition to pay structure, and to suggest rationalisation and simplification thereof with a view to promoting efficiency in administration, reducing redundant paperwork and optimising the size of the government machinery”. The changed paradigm gives priority to the fact that the functions of the government should first be defined, accounted for and their transaction costs assessed. It was expected that NPM would inspire this scientific approach in governance to replace the arbitrary monopoly administration by the State and by doing so the flow of international capital from one country to another would lead to growth of markets and thereby international prosperity.

This international element of NPM was a clean break from the older bureaucratic State model that survived upon protectionism, rule-orientedness and secrecy of transactions. The new model was, however, based upon simplistic assumptions about the social and anthropological features, ethnic complexities and ecological variations in different societies. Thus, the most valid criticism against NPM was that ‘this one size does not fit all’.

16.4 STATE AND MARKETS: A NEW RELATIONSHIP FOR BUSINESS PROCESS REENGINEERING

The relationship between the State and the market has become more intricate in the present times. The transformation of reform mechanism from a centralised, monopoly business conducted by welfare based bureaucratic system to a competitive market mechanism involves a fundamental change in institutions of governance. It is also not very clear whether the introduction of this mechanism would overcome the inherent problems of public sector organisations. Keiron Walsh (1995) warns of a danger that if care is not taken then one would find public sector adopting those private sector

approaches to their management precisely at the time when they are being abandoned as ineffective in private sector. Therefore, the whole cycle of business transformation has to seriously consider developments in law, economics and organisation theory before going the whole hog of reengineering the processes.

Business Process Reengineering or BPR is always the resuscitation exercise for a sinking firm or company. Thus cost-cutting and capacity building is put at the core of reengineering. It is a device to meet increasing competition in the market through qualitative improvement and standardisation of products in terms of global requirements. Because BPR, in the present context, has risen along with globalisation and increased transnational businesses, the reengineering efforts have unintentionally fallen into the lap of perceived successes of information technology. Most international companies like Ford, and IBM have been able to downsize and prevent wastage through the application of information technology. Thus, BPR has mistakenly got clubbed with the expansion of cyber technology although it is a much wider and more comprehensive concept than what is assumed by management theorists.

BPR has been in use since F.W.Taylor's time. In his epoch making book *The Art of Cutting Metals*, Taylor tried to seek the best way out and in his later book *Scientific Management*, he provided the best way to reengineer business processes. Thus, the usage of 'reengineering' has become synonymous with 'finding the best or the most efficient way for conducting business'. NPM also shares this objective for managing government business to produce more efficiency and productivity.

Henri Fayol was the real progenitor of 'reengineering' and he traced it to the concept of 'optimum advantage from all available resources'. This has found place in the modern impact assessment methodologies for business under the name of 'cost-benefit approaches'. Lyndall Urwick and Luther Gulick improved the concept by adding a subjective human resource element of 'workers' empowerment' when they wrote 'It is not enough to hold people accountable for certain activities, it is also essential to delegate to them the necessary authority to discharge their responsibilities.' NPM shares the following fundamentals of BPR:

- Customer is placed at the centre
- Organisational barriers are broken down by increased decentralisation, public-private partnership and networking
- Work processes are designed to suit the organisational goals and not vice versa
- Role of the leader or the manager as a guide, who facilitates, coordinates and inspires entrepreneurship amongst employees is encouraged
- Decision making has to go down to the local level to push innovations from bottom upwards
- Appropriate information system has to be facilitated to make information available to everyone, since initiatives are expected to emerge from local levels,
- Performance appraisal systems have to be revamped in a manner that productivity and profits are linked to bonuses

This whole new BPR system is designed to overcome the contingencies of the globalising world and the stability of capital investments. Hence, it rests upon the reliability of a flawless information and communication technology system. This is where it differs from Taylor's system in which lack of this technology prevented the

networking and clustering approaches from reaching the big business processes. In the present context, this technology system has proved to be a great cost-cutting device and a tool for strategic management of business.

16.5 ASSESSMENT OF BUSINESS PROCESS REENGINEERING AND NEW PUBLIC MANAGEMENT

BPR like NPM is considered to be a transient concept as every era has applied some form of BPR system to withstand the changes in the socio-economic circumstances and productive techniques. Thus, BPR is just a technique and not a theory, which can be traced to its scientific laws. Therefore, it is considered in management literature as ‘old wine in new bottles.’ Organisational theorists who extended the human relations literature after the Hawthorne Experiments such as R.M. Cyert and J.G. March have criticised BPR as a paradoxical approach for the reason that on the one hand it promotes workers’ empowerment and local initiative while on the other, it strengthens the concept of an omnipotent team manager who can be ruthless and play havoc with the career of his team-mates. Thomas H. Davenport in 1995 raised a vital question, “Will participative makeovers of business processes succeed where reengineering has failed?” He criticised both the design as well as the information technology aspect of it and suggested that a more appropriate approach to business should be “ethnographic” for designs and “ecological” for information systems. It means that if applied in terms of ethnographic and ecological perspectives then business would fulfil the requirements of participativeness by increasing communication and understanding amongst team members. Business and information set up should be contextual and in consonance with the needs and demands of the particular system.

NPM was born out of the disappointments with Weberian bureaucratic State model. The reasons have been many; consistent failures of planning programmes, high cost implementation, unaccountable expenditures, rising corruption and increasing deficits. There were some pathological symptoms, which got embedded into the system itself. They were secrecy, centralisation, monopoly business practices leading to license–quota regime, inward-looking administrative system and an alienated bureaucracy, which could not strike a chord with people. Unit 14 of this Course has also dealt with some of the characteristic features of NPM. You will read about NPM in detail in Unit 1 of our Course (012) on Administrative Theory.

NPM was therefore provoked by the failure of the Welfare State model based upon Keynesian economics. The annoyance of researchers and practitioners was manifested in bureaucratic bashing which characterised administrative literature of 1980s and 1990s. Margaret Thatcher in UK and Ronald Reagan in USA became the whistle blowers for a change towards greater orientation for adopting business like practices in administration. Two most revolutionary changes that occurred were, *first* introduction of outsourcing administrative responsibilities and *second* introduction of competition. Suddenly, bureaucracy catapulted its performance to protect itself from downsizing and gradual elimination. Administrators became conscious about factors of speed, transparency, people’s participation, new technology and customer accountability that were completely non-existent in the previous system.

The changes primarily strived to improve service delivery system to people and win back their confidence. Thus, wherever administrative departments were found lacking in training and technological usage, the services were outsourced to private parties and public-private partnerships became the new symbol of Good Governance. NPM laid down the indicators for Good Governance and good business. Since NPM

evoked cost-effective implementation, investments in technology became a new drive for governments. Foreign Direct Investments were encouraged to inspire competition in public lives and sick public assets were sold off to bidders from transnational businesses. Liberalisation led to privatisation of public assets and NPM indicated a new Business Process Reengineering (BPR), which could help attain the objective of the new paradigm change in administration.

However, the NPM type changes were neither new nor people-friendly. They were also laden with several paradoxes which mesmerised the understanding of public administration and business administration. BPR, as we read before, had been in use since the time of F.W.Taylor and H.Fayol. The adoption of business principles were the prime demand of both the Jeffersonians and Hamiltonians but none had actually tried to confuse a customer with the citizen, or State with a business enterprise. NPM's focus on letting a government function in a businesslike fashion has led to the exclusion of the poor, deprived and handicapped citizens who are not able to meet the criteria of competition and neither do they have the assets to be a customer. Many services formerly arriving to them in cheaper manner like education, health and food have now become expensive due to transnational companies undertaking these State run responsibilities.

Moreover, BPR has also not served the purpose of developing and transitional countries for the simple reason that they are not oriented to the huge mass of people waiting for welfare to overcome their subsidence under the poverty line. Poverty eradication programmes are now donor agency based and the interest of the donors becomes more important than the needs of welfare recipients. Technological upgradation in BPR practices has favoured the home countries of technology transfers rather than the host ones. More so, the sustainability of NPM and BPR rests upon a parallel reform mechanism for law, economics and electoral system. Failure of most governments in setting up a social security net for increasing number of socially excluded people, a legal framework for defining property rights and right to education, and provision of medical services and employment has disillusioned people in developing countries and thus opposition to the State is being directed against NPM and BPR.

16.6 CONCLUSION

The public administrative organisations have always taken recourse to administrative reforms to meet their goals of efficiency and productivity with the advent of market as a major player in governance; the administration has gone in for NPM and BPR type of managerial reforms to put its house in order. Problem with this type of reform model is that it is not new and indigenous. In developing countries where more than half the population is poor, where institutions are not equipped to handle change and where social and legal network is wanting, these NPM and BPR initiatives are not sustainable.

Despite the embeddedness of these principles in the New Right agenda and their leanings towards the business-like State, they supposedly have the potential to work better with changes in other legal parameters protecting the poor in developing and transitional countries. However, most governments with unstable political regimes have failed to undertake the desired changes. Thus, NPM and BPR have turned out to be more forced and 'coerced' administrative reforms rather than a home-made and situation-specific sustainable change model for attending to the authentic and need

based requirements of the developing countries including their capacity to compete with the developed world. The purpose of this Unit has been to highlight some of the features of NPM Reinventing Government and BPR, and discuss the constraints in their applicability to situations in the developing countries.

16.7 KEY CONCEPTS

Foreign Direct Investment

Investment made by a foreign individual or company in productive capacity of another country, be it purchase of land, equipment or buildings or constructions of new equipment by foreign company. Foreign Direct Investment or FDI also refers to the purchase of controlling interest in existing operations and businesses. The multinational firms, which seek to tap natural resources, access lucrative or emerging markets and keep production costs down by accessing low wage labour pools in developing countries are FDI investors.

www.halilaxinitiative.org.bhp/resources-glossary.

Knowledge Society

Literally defined, it is a society that creates, shares and uses knowledge for the prosperity and well being of its people. The term ‘Knowledge Society’ has been coined by Peter Drucker. Today’s society is defined as the “Information Society”, a society in which low cost Information and Communication Technology are in general use. The most valuable asset is investment in intangible human and social capital and the key factors are knowledge and creativity. This new society presents great opportunities in the form of employment possibilities, new tools for education and training, easier access to public services, increased inclusion of disadvantaged people or regions

europa.eu.int/comm/employment-social/knowledge-society/index-en.htm.

New Rights Agenda

It draws its sustenance from the Neo-liberal perspective, which propagates State minimalism. The agenda is to strip government of all social welfare functions and all economic regulatory activity. Instead, government would revert to the sole role of protecting property and sovereignty through the use of its police/military power. New Right is used in several countries as a descriptive term for various forms of conservatism that emerged in the mid-to-late 20th century. Once called laissez-faire-unrestricted freedom-particularly in business, New Right is essentially the label given to New Zealand’s Rogernomics policies and its overseas equivalents of Reaganomics and Thatcherism. We have also explained New Right Philosophy in the key concepts of Unit 1.

Steven E. Miller, June 13, 2003 [Common Dreams.org](http://CommonDreams.org), and
www.embassy.org.nz/encycl/n2encyc.htm.

Old Managerialism and New Managerialism

Old Managerialism is basically Taylorism. It is based on the tenets of scientific management as propounded by F.W. Taylor and endorsed by many thinkers like Lyndal Urvick, Luther Gulick, and J. March etc. It believed in ‘one best way of doing work’ and ‘science of a work methods’. Based on management principles to improve productivity and efficiency of output. The New Public Management (NPM) along with Reinventing Government and Entrepreneurial Government revisits the efficacy

of managerial principles once again. NPM lays stress on transparency, efficiency outcomes, and incentives to transform governance just as the old managerialism. The difference is that new managerial philosophy unlike its old ‘avatar’ is based on economic rational of market efficacy and confuses citizen with customer and government with business enterprise.

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16.9 ACTIVITIES

1. Graphically trace the theoretical foundations of NPM on a chart paper.
2. Visit some Public Sector Undertaking that has recently opened up to the private sector and pen down your observations in terms of the relationship between NPM and BPR strategies being implemented in that Undertaking.

UNIT 17 CONCEPT OF GOOD GOVERNANCE

Structure

- 17.0 Learning Outcome
- 17.1 Introduction
- 17.2 Towards Good Governance
- 17.3 Concept of Good Governance
- 17.4 Governance and Good Governance
- 17.5 Significance of Good Governance
- 17.6 Good Governance: Characteristics
- 17.7 Good Governance Initiatives: The Indian Context
- 17.8 Promoting Good Governance
- 17.9 Critique of Governance Discourse
- 17.10 Conclusion
- 17.11 Key Concepts
- 17.12 References and Further Reading
- 17.13 Activities

17.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Explain the shift of focus in public administration from New Public Management to Good Governance
- Trace the genesis of Good Governance
- Throw light on the concept of Good Governance
- Distinguish ‘Governance’ from Good Governance
- Highlight the significance and key characteristics of Good Governance
- Discuss the ‘Good Governance’ strategies in the Indian context; and
- Analyse the important factors promoting ‘Good Governance’.

17.1 INTRODUCTION

Public administration, as we all are aware, is not a new activity. As a field, it has been there since time immemorial. Public administration is a major constituent of the State as it is an instrument through which the goals and objectives of the State are accomplished. The major goal of the State is and has always been ‘governance’. Now the question that arises is: since ‘governance’ has always been crucial to the State’s performance, why has it suddenly assumed a prominent place in recent times. Isn’t governance the activity of

the government and if we assume that it is, then how is it different from the traditional public administration?

As we discussed in Units 1, 2 and 3 of this Course, the role of the State has been undergoing many changes in terms of the structure, functions, processes, goals and orientation. The entire complexion and nature of public administration is undergoing a change in the present times due to the impact of as ‘globalisation’. The process of globalisation accompanied by removal of trade barriers, large-scale entry of multinational enterprises, and drastic developments in information technology, is affecting the different domains of our system, be it social, economic, political, or technological. The area of public administration is also not unaffected by this impact.

The impact of globalisation is leading to new managerial orientation in administration. Along with the developed countries, the developing countries including India have introduced managerial reforms in the form of disinvestment, corporatisation, outsourcing of certain activities, reduction of subsidies, and shrinking of the government’s sphere of activities, which is gradually concentrating on core activities. As you are aware, traditionally, the practice of public administration has been dominated by the government playing a key role in provision of goods and services. The instrument of bureaucracy has always occupied a predominant place in administration. Slowly, the inadequacies in governmental operations have started focusing attention on looking for alternative modes of service delivery. As a result, the ‘public ness’, which is distinct to public administration, is getting sidelined.

Due to impact of market, a single mode of operational sing good and services to the citizens, is giving way to a larger collaboration between government, market and civil society. The interaction between the various key actors has started influencing the decision-making process, making it more broad-based. There has been a gradual shift from ‘government’ to a broader notion of ‘governance’. Governance that encompasses the collectiveness of the State, Government, market and community has become dominant. the concept of Good Governance has also gained prominence. This has been a global phenomenon. In this Unit, we shall unfold the various facets of the concept of governance and good governance, by underlining its characteristics, components and key concerns.

17.2 TOWARDS GOOD GOVERNANCE

The recent accent on New Public Management (NPM) has, undoubtedly, triggered the intellectual discourse about evolving ways of optimising resources, and looking at alternative market mechanisms for delivery of public services with a focus on performance measurement, efficiency, economy, and value for money. The State as we all know has come to be regarded as unaccountable and ineffective in discharging developmental activities. The plea for roll back of State, and an increased role of private sector have raised the fears of the skeptics who dread that social concerns and public welfare may be given a rhetorical regard now. But, it is early to give in to such an argument as the element of ‘public interest’ cannot be over looked. The earlier Minimalist State approach has slowly given way to establishment of complementary roles to government, market and the people in the form of civil society organisations.

While government is much narrower in scope, which refers to a fixed agency, or department, governance is broad in nature. As Rosenau (1992) explains “Governance is a more encompassing phenomenon than government. It embraces governmental

institutions, but it also subsumes informal, non-governmental mechanisms whereby those persons and organisations within its purview move ahead, satisfy their needs, and fulfill their wants ...Governance is thus a system of rule that is as dependent on inter-subjective meanings as on formally sanctioned constitution and charter it is possible to conceive of governance without government – of regulatory mechanisms in a sphere of activity, which function effectively even though they are not endowed with formal authority". It is not just about the organs of government, but is concerned more about the quality of the functioning of various governing organs.

There is, no doubt, a distinction between NPH and governance approaches which needs to be put in a perspective. NPM focuses more on processes with a view to achieving efficiency and performance, while governance emphasises on interaction amongst government, market forces, civil society organisations, cooperative endeavours in realising desired outcomes. Both the approaches, however, aim at improving quality aspects. While the former is narrow in focusing on service delivery aspects, the latter aims at enhancing the quality of life. NPM reforms focus on market led growth prescribed by international agencies. Here, the concern is to reform the State institutions but the citizens are considered consumers of services who are to benefit mainly through economic and efficiency concerns. The governance reforms, on the other hand, assign a significant position to the citizens, their collective participation in decision making processes, their experiments with several forms of public service provision and so on.

The public management reforms focus on the achievement of the objectives of efficiency and economy and an explicit emphasis upon the dominance of individual over collective preferences, whereas governance is intended to reflect broader concerns over and above efficiency and economy. This includes:

- Establishing accountability between the State and people
- Treating people not merely as customers or consumers, but as citizens who have the right to hold their government accountable for their actions
- Protecting citizens' rights, their voices, values and preferences
- Facilitating the participation of people in the governance processes
- Empowering people towards better development; and
- Ensuring responsiveness of public as well as private institutions to the people

Governments have always been entrusted with the task of governing or managing. The traditional approach to governance was based on the premise that the government was solely responsible for formulating and implementing policy decisions. There has been excessive reliance on bureaucratic forms of organisations, hierarchy, adherence to rules and regulations, notions of permanence and neutrality, and citizens have been treated as passive acceptors of goods and services. But the current notion implies greater participation by the citizens in the affairs of the government to strengthen the quality and effectiveness of policy making and outcomes. There is an increasing realisation that State power is immense and hence to check its abuse, effectiveness and efficiency need to be brought into the State institutions and processes. Governance intends to achieve this objective.

Jamil Jreisat (2004) opines that governance refers to two of the most basic questions posed by political scientists since the foundation of their discipline: These are: 'who governs' and 'how well?' The first question focuses on the issues of distribution of power and resources in the society. The second question is primarily concerned with

'good government' judged by such elements such as effective institutions, efficient methods of operation, and equitable policy outcomes.

Globalisation, which has ushered in changes in the economic, political and social systems the world over, has resulted in not only significant improvements in communications, information technology, science and technology, infrastructure development and so on, but has also led to certain uncertainties, finding manifestations in the form of unemployment, social security, widening gap between income and capabilities and so on. The role of the State has also been in question due to the failure of government in promoting certain priority areas. Hence, this has resulted in government enabling the private sector as well as the civil society organisations to expand their activities. Governance, which earlier remained a closed system, has acquired a wider connotation to take advantage of globalisation in making efforts to provide a stable and secure social and economic domestic environment.

By governance, we do not mean that all the so-called bread and butter issues on the NPM agenda have become irrelevant. Governance should not be interpreted as anti-NPM. Governance is rather the recognition that seemingly technical issues are highly political and may only be tackled by taking a wider political perspective. Moreover, behind all public issues, there is a question mark about the relative role of the decision making through democratic means, through managerialist systems or through professional expertise. In the governance framework, it is not assumed that management solutions are emotionally more rational but, on the other hand, it is also not assumed that democratic decision making channels are always the most appropriate (Bovaird and Loffler, 2002). Governance is broader in nature as it encompasses political, economic, social aspects of the governing systems. It brings within its domain, not just the public authorities, but also the other players in the society such as private sector, interest groups, voluntary organisations, religious groups, mass media and community etc.

17.3 CONCEPT OF GOOD GOVERNANCE

The concept of governance, which assumed significance since 1989 with the advocacy by the World Bank, is considered by some as not a new term. Pierre and Peters (2000) consider that the term was first used in France in the 14th century where it meant 'a seat of government'. The World Bank is said to have reinvented it, in a different context, as a new approach to development. Globalisation has resulted in generation of global pressures exerted by institutions such as the World Bank and International Monetary Fund (IMF), in the form of economic reforms programmes to be adhered to, especially by the developing countries. The aid given to these countries is accompanied by certain market-oriented reforms.

It has been observed that after a certain period of time, the results as expected out of this new thinking, have not been forthcoming or the growth has been slower than originally anticipated. The failure of Structural Adjustment Programme, ineffective utilisation of public funds, increasing corruption, the collapse of centrally planned economies, mounting fiscal debt etc. have raised critical questions about governance system. This has actually made the World Bank examine and publish its first major analyses based on the experience of Sub-Saharan Africa in 1989. The Bank published its document entitled "Sub-Saharan Africa: From Crisis to Sustainable Growth", which brought to light the key factors that thwarted the implementation of successful market-oriented reforms. The major factor was considered to be the failure of public institutions, which has been

responsible for weak economic performance. As a result, the need for Good Governance was emphasised. The Bank considered Good Governance as sound development management. It, as per the Bank, has four main dimensions: a) Public Sector Management, b) Accountability, c) Legal Framework for Development; and d) Transparency and Information Accessibility.

For the first time, the concept of ‘Good Governance’ was formulated by the World Bank in 1992. It was defined as the “Manner in which power is exercised in the management of a country’s economic and social resources for development”. In the Report titled ‘Governance and Development’, Good Governance was considered central to creating and sustaining an environment, which fosters strong and equitable development and is an essential component of sound economic policies.

Three distinct aspects of governance were identified:

- Form of political regime (parliamentary, presidential, military or civilian)
- Process by which authority is exercised in the management of a country’s economic and social resources; and
- Capacity of governments to design, formulate and implement policies

The problems, faced especially by developing countries in the process of governance were highlighted. These include:

- Improper implementation of laws
- Delays in implementation of policies, programmes and projects
- Lack of clarity about the rules, regulations to be adhered to by the private entrepreneurs
- Absence of effective accounting system; and
- Failure to involve beneficiaries and others affected in the design and implementation of projects leading to the substantial erosion of sustainability.

The World Bank outlined the need for Good Governance, which is necessary for economic, human, and institutional development. This was to be achieved through key governance activities and processes. Its conceptualisation of Good Governance included:

- Political accountability
- Freedom of association and participation by different groups in the process of governance
- An established legal framework based on rule of law and independence of judiciary to protect human rights, secure social justice, and guard against exploitation
- Bureaucratic accountability with emphasis on openness and transparency in administration
- Freedom of information and expression needed for formulation of public policies, decision-making, monitoring and evaluation of government performance
- A sound administrative system leading to efficiency and effectiveness; and
- Co-operation between the government and civil society organisations.

The concepts of governance and good governance have gained prominence and presently occupy a key place in promotion of sustained all-round development. Let us now discuss the characteristic features of these concepts.

17.4 GOVERNANCE AND GOOD GOVERNANCE

In general, governance is associated with efficient and effective administration in a democratic framework. It involves the exercise of political, economic and administrative powers in managing the country's affairs, and includes the processes of formulation as well as implementation of decisions. But as discussed in the preceding Section, over the past decade, the concept of governance has become wider in complexion integrating a number of key elements and principles. Governance is being propagated to promote good government. Government is considered to be effective and good if it is able to fulfill its basic commitments efficiently, effectively and economically. The basic goal of governance is to establish quality relationship between 'good government' and the 'governed' or citizens. Good government has been defined by John Healey and Mark Robinson as a high level of organisational effectiveness in relation to policy formulation and the policies actually pursued, especially in the conduct of economic policy and its contribution to growth, stability and popular welfare. Good government also implies accountability, transparency, participation, openness and the rule of law.

'Governance', in the present context is an attempt to widen the scope of public administration by stretching beyond formal 'governments'. It is broader in nature extending upto the private sector, non-governmental mechanisms along with governmental institutions. Collective problem-solving is taking the place of individualised decision-making. There are many forms of community organisations, voluntary, and collective self-help groups through which people are organising themselves to achieve common goals and objectives. It intends to make public administration more open, transparent and accountable. According to the UNDP (1994), the challenge for all societies is to create a system of governance that promotes, supports and sustains human development especially for the poorest and the marginal.

According to Kettl (2001), "Government refers to the structure and function of public institutions. Governance is the way government gets its job done. Traditionally government itself managed most service delivery. Toward the end of the 20th century, however, government relied increasingly on non-governmental partners to do its work, through processes that relied less on authority for control". To Kettl, governance, as an approach to public administration, has primarily to do with contracting out and grants to sub-governments.

The process of governance has gained a transformative perspective in recent times due to the changing nature of the concept of 'development'. Development has now acquired a wider meaning; it is not just confined to growth in Gross National Product or increase in national income, or per capita income as was the notion earlier. Development is no longer determined by economic growth, but progress in all spheres-political, social, environmental, and cultural. It encompasses all aspects of human life. The first Human Development Report (HDR) 1990, included three distinct components – longevity, education and income per head as indicators of Human Development Index (HDI).

The HDR 2001, indicated that human development means much more than the rise or fall of national incomes. It is about creating an environment in which people can develop their full potential and lead productive and creative lives in accord with their needs and

interests. People are the real wealth of nations. Development is about expanding the choices people have in order to lead lives that they value. It is thus much more than mere economic growth.

Development, is being thus looked upon as a process of creating a suitable enabling environment for people to lead long, healthy, productive, and creative lives. In facilitating this, the governance processes need to be effective and efficient. This leads us to the crucial aspect of governance, which is called Good Governance. According to Leftwich (1993), Good Governance involves an efficient public service, an independent judicial system and legal framework to enforce contracts; an accountable administration of public funds; an independent public auditor responsible to a representative legislature; respect for the law and human rights at all levels of government, a pluralistic institutional structure and a free press.

While governance, on the one hand, deals with collaborative partnership, networking which is necessary for policy formulation, and implementation, Good Governance on the other hand, attempts to make this activity not just efficient and effective but also more accountable, democratic and responsive to the public needs. Through good governance, an attempt is being made to establish an all encompassing relationship between government and the governed. We shall be discussing the mechanisms and processes of governance in detail in our Course (013) on Public Systems Management.

17.5 SIGNIFICANCE OF GOOD GOVERNANCE

Good governance aims at achieving much more than efficient management of economic and financial resources or public services. It is a broad reform strategy to make government more open, responsive, accountable, democratic, as well as strengthen institutions of civil society and regulate private sector. Good Governance is a combination of efficiency concerns of public management and accountability concerns of governance. Good Governance as a prerequisite for promoting people-centred development is assuming importance.

Good Governance aims at:

- Improving the quality of life of citizens
- Enhancing the effectiveness and efficiency of administration
- Establishing the legitimacy and credibility of institutions
- Securing freedom of information and expression
- Providing citizen-friendly and citizen-caring administration
- Ensuring accountability
- Using Information Technology-based services to improve citizen-government interface
- Improving/enhancing the productivity of employees; and
- Promoting organisational pluralism – State, market and civil society organisations for governance.

Good Governance, hence, relates to the quality of governance through attributes such as participation, empowerment, accountability, equity and justice. Adherence and

promotion of these attributes provides avenues to the citizens, especially the poor and the marginalised to articulate their interests, to exercise their rights and improve their living standards. Good Governance includes the capacity to formulate and implement sound policies by the government with due respect for citizens. From this framework, governance can be construed as consisting of six different elements. These are (1) Voice and accountability, which includes civil liberties and freedom of the press, (2) Political stability, (3) Government effectiveness which includes the quality of policy making, and public service delivery, (4) Quality of regulations, (5) Rule of law, which includes protection of property rights and an independent judiciary, and (6) Control of corruption (Jain, 2004).

Good Governance aims at enhancing the quality of life and entails governing processes which strive for maximum good for the maximum number of people. Tony Bovaird and Loffler (2003) consider Good Governance as the negotiation by all the stakeholders in an issue (or area) of improved public policy outcomes and agreed governance principles, which are both implemented and regularly evaluated by all stakeholders. Presently, efforts are on globally to provide for evaluation of Good Governance initiatives on several parameters. We shall be discussing this later in this Unit.

17.6 GOOD GOVERNANCE: CHARACTERISTICS

The goal of governance initiatives should be to develop capacities that are needed to realise development that gives priority to the poor, advances women's issues, sustains the environment and creates necessary opportunities for employment and other livelihoods (UNDP, 1994). A strong viewpoint that has emerged is that globalisation could provide the necessary impetus for bringing about efficiency, effectiveness and accountability in the government and administrative system. Hence, efforts are on in several countries to reexamine, assess and remove dysfunctionalities threatening the governance system.

Good governance relates to enhancing the quality of governance through empowerment, participation, accountability, equity and justice. Without transparent and accountable institutions and the capacity to develop the policies and laws to enable a country to manage its markets and its political life in an open but just way, development is not sustainable (Brown, 2000).

Researchers, policy makers, international institutions have attempted to conceptualise the concept of governance and identify its basic characteristics. These include:

Participation: This is considered to be the core of Good Governance. Governments aiming to ensure the requisite freedom to the citizens in order to participate in the decision-making process, articulate and represent their interests, which get reflected in policies and programmes.

Rule of Law: Governance does not imply arbitrary use of authority. Any type of governance to be effective needs to be supplemented by a fair legal framework. This should be supported by appropriate enforcement machinery, independent judiciary, which instills confidence in the people.

Transparency: This is based on the premise of free flow of information and its accessibility to those affected by the decisions taken in the governance process. People, especially shall be in a position to understand as well as monitor governmental and other

sectors' activities, on the basis of information that is accessible to them within reasonable limits.

Responsiveness: The earlier governance mechanisms lacked in their approach of bringing all the stakeholders in their ambit. In the present times, the emphasis is more on institutions being responsive to the needs of all those who are going to be affected by their actions.

Equity: Since governance structures and mechanisms aim at participation, they have to promote equity. A society's well-being and development depends on ensuring that all the members have a stake and role in it and are not excluded from the mainstream activities.

Effectiveness and Efficiency: Good Governance and, NPM need to aim at effectiveness and efficiency in usage of resources in consonance with the societal needs and demands. Result-orientation needs to be the key concern.

Accountability: This occupies a central place in Good Governance. The norm of accountability has to ensure answerability as well as proper enforcement of correct procedure in case of violation of certain laid down norms. Not only the public institutions, but also the private sector and the civil society organisations need to be accountable to the public at large and to the other related institutions and stakeholders.

These characteristics reinforce each other. A proper governance strategy needs to take cognisance of these features. Many countries in the present times, are trying to bring about administrative reforms to foster Good Governance. The World Bank has also outlined certain basics of Good Governance. These include:

- Operation of rule of law, which involves adequate laws to ensure personal security and to facilitate the functioning of the market. The laws need to be adequately enforced through an independent and predictable judiciary in an ambience of absence of official corruption.
- A policy environment, which facilitates economic growth and poverty reduction. This includes sound macro-economic and fiscal policies, sound budgetary institutions and good prioritisation of government expenditure as well as predictable and efficient regulation of the private sector, including the financial sector.
- Adequate investment in people (particularly through public expenditures on basic health and education) and in infrastructure, involving good allocation of public expenditures between and within different sectors.
- Protection to the vulnerable through affordable and targeted safety nets and generally ensuring an appropriate 'pro-poor' emphasis in public expenditure.
- Protection of the environment assuring that economic growth does not cause environmental degradation (Shand, 2001).

Governance, with its emphasis on rule of law, human rights, empowerment, and participatory development, attempts to provide a countervailing force to the excessive managerial orientation. The World Bank (1992) observes "Governance is a continuum and not necessarily unidirectional, it does not automatically improve over time. It is a plant that needs constant tending. Citizens need to demand Good Governance. Their ability to do so is enhanced by literacy, education and employment opportunities. Governments need to prove responsive to their demands. Neither of these can be taken

for granted. Change occurs sometimes in response to external or internal threats. It also occurs through pressures from different internal groups, some of which may be in the form of populist demands. Although lenders and aid agencies and other outsiders can contribute resources and ideas to improve governance, for change to be effective, it must be rooted firmly in the societies concerned and cannot be imposed from outside”.

In a UNDP Workshop on Governance for Sustainable Human Development, (1994) certain characteristics of Good Governance were identified. These include:

- Participation
- Responsiveness to people
- Development of resources and methods of governance
- Mobilisation of resources for social purposes
- Operation by Rule of Law
- Enabling and Facilitative Environment
- Regulation rather than Control
- Service-orientation
- Sustainability
- Acceptability to people
- Promotion of equity and equality
- Promotion of gender balance
- Accountability (Sobhan, 1998, *paraphrased*)

Bovaird and Loffler (2003) postulate ten characteristics of ‘Good Governance’ which have recurred frequently both in the literature and in the political and practitioner debates on the subject.

These include:

- Citizens’ engagement
- Transparency
- Accountability
- The equalities agenda and social inclusion (gender, ethnicity, age, religion, etc.)
- Ethical and honest behaviour
- Equity (fair procedures and due process)
- Ability to compete in a global environment
- Ability to work effectively in a partnership
- Sustainability; and
- Respect for the Rule of Law

17.7 GOOD GOVERNANCE INITIATIVES: THE INDIAN CONTEXT

In India, efforts are afoot and have also in some respects gained momentum in the direction of Good Governance reforms. The major administrative reforms in our country during the 1950s and 1960s were basically structural in nature with a view to improving the administrative machinery. With the nature of administration undergoing a change in the 1990s (from traditional bureaucratic to responsive, citizen – oriented), the reforms are also now geared in this direction. Evolving a citizen-centred bureaucracy, ensuring transparency and right to information, streamlining the public grievances machinery, providing for code of ethics, and citizens' charters are some landmarks in this effort. The 73rd and 74th Constitutional Amendments are important reform measures fostering empowerment and participation of people in the governance process.

The current changes in government under the impact of reinvention are often considered to be the market-oriented neo-liberal approach, and initiatives towards furthering this are visible in both developed as well as developing countries. The role of the government, which was earlier direct in nature, is now assuming a facilitating and indirect role. Good Governance, as a strategy in the context of managerial reforms, assigns a steering and regulating role to the government vis-à-vis the private sector and a productive partnership between the government and societal organisations.

In India, efforts have been initiated since independence to improve the governmental functioning. Several measures were taken in this direction as the then administrative system suited the British government's needs of revenue; and law and order administration. The post-independence scenario was more in favour of Welfare State in order to ensure responsiveness to the needs of People. The adoption of the Constitution, Fundamental Rights, Directive Principles of State policy, planning as the means of achieving social and economic development made the reorientation of the administrative machinery imperative. The governance structure, and systems had to undergo a major revamping from revenue collection and maintenance of law and order towards socio-economic development, social welfare and citizens' satisfaction.

During 1950s and 1960s, in order to ensure responsiveness, several committees were set up which went into systematic review of the organisational structure and functioning of the Government of India. These include Secretariat Reorganisation Committee (1947), Gopalaswamy Ayyangar Committee on Reorganisation of Government Machinery (1949), and Gorwala Committee (1951). In 1953, on the Government of India's request, Paul H. Appleby of Syracuse University, USA submitted two reports on reforms in Indian administration. Based on these recommendation in 1964, a separate Department of Administrative Reforms was set up in the Ministry of Home Affairs.

The most comprehensive set of recommendations including that of administrative efficiency, were made by the Administrative Reforms Commission (ARC) set up in January 1966. It examined the entire gamut of administration at the Centre as well as the states and submitted twenty major reports during its working of nearly four and a half years. Based on the recommendations of ARC, a Department of Personnel was created in 1970, which was later transformed into a full-fledged Ministry of Personnel and Training, Administrative Reforms, Public Grievance, Pensions and Pensioners' welfare.

Several institutions, such as, Central Vigilance Commission, Central Bureau of Investigation, Lok Pal and Lok Ayukta have also been created. These reform measures

basically attempted to look into the structural changes that were desired at that time to strengthen and streamline the administrative machinery.

As we have discussed in the earlier sections, since the '80s, globally, many changes have taken place in social, economic and political spheres. Even in India also, the realisation has dawned that the bureaucracy is inaccessible and indifferent to common citizens and is more bothered about adherence to procedures, rules and regulations. Hence, there is a need for administration to be more efficient, responsive and accountable for promoting Good Governance. It is now perceived that governance structure has to extend beyond traditional bureaucracy and involve citizens, consumer groups, local bodies, etc.

The Conference of Chief Secretaries and Chief Ministers of all the Indian states and Union Territories in 1996 and 1997 deliberated on the issue of improving governance, and an action plan was formulated to bring about accountable and citizen-friendly government. In accordance with this, several initiatives were taken by the Union and state governments. Let us highlight some of these measures in the following section:

Citizens' Charters

The concept of Citizens' Charters originated in Britain. Citizens Charters are formulated by all those public organisations providing different kinds of services to the people. These Charters are statements that provide information to the general public about the nature of services being provided by that organisation, procedures, costs involved, mechanisms for lodging complaints in case the citizens are not satisfied, time taken for its redressal and so on. Nearly 68 organisations at the Central government level in India have formulated Citizens' Charters. These are being done by state governments also. Next time you visit any government organisation, including a hospital, municipal body, you can have a look at their Citizens' Charters.

Redressal of Citizens' Grievances

The machinery for getting redressal of any grievance that the citizen has against any government organisation has been strengthened. A Directorate of Public Grievances has been set up in the Cabinet Secretariat in 1988 to examine complaints relating to various ministries and departments which have direct public dealings. Also, the organisations keep a track of the complaints or grievances the citizens have lodged. You can also notice certain counters set up by government organisations as Information and Facilitation Counters (IFCs) including "May I Help You" counters. These help the citizens get the necessary information to facilitate their work done.

Use of Information Technology

Good Governance gives importance to use of Information Technology (IT) for efficient and effective service delivery. As you know, train, airline, bus reservations are now computerised and at the village level also computerisation of land records, registration of births, deaths, and application for necessary documents from district headquarters is making the tasks easier for the community. For example, in the State of Madhya Pradesh, the Gyandoot Programme launched in Dhar District has been a tremendous success. It has even won the Stockholm Award in 2000. Under this, initially, computers in 31 villages have been set up in Gram Panchayats which provide user-charge based services to the people. The services include agriculture produce, auction centre rates, online public grievance redressal information regarding the government programmes. Also, one-stop services are being offered to the people in some state governments where supply of ration card, registration of vehicles, payment of property tax, electricity bills,

issue of land holding certificates, etc. are done at one place. The Government of Andhra Pradesh has started many ‘e-seva’ centres. Maharashtra has set up Setu Project in Thane for this purpose.

Right to Information

It has been increasingly felt that secrecy and lack of openness in government operations results in administration using powers arbitrarily in their dealings with people. Hence, efforts have been on in recent years to ensure and bring about greater transparency in administrative decisions to enable people to have an easy access to information except those related to national defence and security. After several efforts, a “Freedom of Information Bill” was introduced in the Parliament, which aims to provide freedom to every citizen to secure access to information under the control of public authorities. This Bill has been passed by the Parliament in 2001 and several state governments including Rajasthan, Madhya Pradesh and Karnataka have passed the Right to Information Acts. At the central level the, Right to Information Act 2005 was passed by the Parliament on 11 May, 2005. You will be learning more about the Right to Information Act in Course (013) on Public Systems Management.

People’s Participation and Decentralisation

The government is ensuring people’s participation in governance through the 73rd and 74th Constitutional Amendments by which Constitutional status is conferred on rural and urban local bodies. These bodies are given necessary powers and authority to function as institutions of self-government. State governments have passed necessary legislation to this effect by providing for the constitution of these bodies, functions, conduct of elections, devolution of resources, etc.

These are, in brief, some of the key initiatives taken by Indian government in fostering responsive governance. Any reform measure to be effective, has to be sustained in the long run. Similarly, Good Governance can bring results by concentrating on certain key concerns that can ensure its longevity and success. Let us now throw light on these issues.

17.8 PROMOTING GOOD GOVERNANCE

Good Governance, in the context of market-oriented reforms, assumes a new form that harnesses the efforts of varied economic, political, social, and administrative players in the society, which strive to create something new by establishing a balance between different problems and desired ways of resolving them. Governance has assumed a prominent place in the present changing scenario. It involves, as we have discussed earlier, not just the executive, legislature and judiciary, but also the private sector and civil society organisations. The objective of Good Governance is to promote an effective framework, which is democratic, participative and responsive. Modern government is striving towards not just achievement of economic objectives but also attempting to bridge the gap between citizens and administration. Governance, to be effective, needs Good Government. It has to pay attention to several key issues in political, economic and civil spheres.

Political governance needs to be strengthened through appropriate decentralisation measures, making elected representatives responsive and accountable to the citizens, increasing their capacities through education, awareness and training, holding regular periodic and fair elections, ensuring an impartial judiciary as well as improving the functioning of the civil service. Economic governance needs to be given importance through sufficient budgetary allocations to socially prioritised areas such as education,

health, housing, appropriate taxation and subsidy systems. This also requires the government to promote private sector development through sound business practices, creation of stable economic environment, appropriate regulatory framework and protection of interests of all concerned including employees, consumers and society at large.

Civic governance includes harnessing the self-initiatives of people, improving their capacities to govern their lives; creating awareness in them, and enabling them to play an active role in democratic governance processes. Pursuing Good Governance by any country requires measures in ensuring a proper balance in the role of public, private and civic sectors, economic development and social justice. The State, private sector and civil society, in pursuit of Good Governance, need to strike an appropriate balance in their roles in order to ensure people-oriented development.

Good Governance requires reforms on several fronts such as political, economic, social, and administrative. Pursuing of Good Governance is a multi-pronged strategy, which includes:

- Reorienting the priorities of State through appropriate investment in the human needs, provision of social safety nets for the poor and marginalised
- Strengthening the State institutions
- Introducing appropriate reforms in the functioning of parliament and increasing its effectiveness
- Enhancing the civil services' capacity through appropriate reform measures that matches performance and accountability
- Forging new alliances with the civil society; and
- Evolving a new framework for government-business cooperation.

Good or effective governance being pursued by several countries at different levels for the last few years is raising certain key concerns. Measuring the quality of governance is assuming importance; while New Public Management is considered to focus on processes of public service delivery, good governance is said to ensure effective outcomes. Governance outcomes are basically intended to be measured, to assess the policy outcomes, whether they have made any difference to the quality of life of all involved stakeholders. This could include several issues such as health, social well-being, environment, conditions of work and so on. An important approach, in this direction is the Human Development Report which since 1990s has developed important composite indices for human development that include Human Development Index (HDI), Gender Related Development Index, Gender Empowerment Measure and the Human Poverty Index. Similarly, Transparency International brings out the Corruption Perception Index (CPI) which ranks countries on the basis of prevalence of corruption.

Another organisation, Governance International, has introduced the governance international health check, which involves an assessment by organisations and their key stakeholders in the public and non-profit sectors, and evaluation of the achievement of key governance principles and policies on the basis of focus group sessions with key stakeholders such as citizens, politicians, third sector representatives, business sector, media, etc.

Pursuing Good Governance by any country requires measures to ensure proper balance in the roles of the public, private and civic sectors, economic development and social

justice. The State, private sector and civil society with their strengths and weaknesses, in pursuit of Good Governance, need to strike an appropriate balance in their roles to strive toward people-oriented development. Good Governance attempts to integrate political elements, economic aspects and social processes to foster holistic development. If managed well, the interplay between globalisation and Good Governance could become a transformative process to stabilise society. Such type of stabilisation can be achieved through:

- Improvement in public security, economic management and public administration
- Shared system of values through core public and private sector institutions
- Development of civil society and indigenous executive, legislative, judicial and administrative institutions; and
- Good governance, democratic development and an effective capacity for development (Kiggundu, 2002).

17. 9 CRITIQUE OF ‘GOVERNANCE’ DISCOURSE

Good governance has to be understood contextually. The circumstances giving birth to this idea are a mix of Neo-liberal thrust in governmental arrangement and the impact of ‘globalisation’ – or a socio-economic integration of the world propelled by economic, technological, and political considerations. There are many views of ‘Good Governance’ seeking to prove as a panacea for ‘bad governance’ in a changing world demanding more dynamic, result-oriented, transparent, and accountable government on the one hand and a networking of formal institutions of government, the market and the private sector, and the civil society on the other.

As it has been rightly cautioned, Good Governance also has its pitfalls, as the tendency seems to ‘depoliticise’ government and bring in more technicism and expertise at the cost of citizen’s age-old and hard fought, democratic right to govern politically. The concern with Good Governance in international development arose out of a particular politics at a time when there were major arguments regarding the need to downsize the State. Throughout the ‘governance’ discourse, references are made to the current approaches to improving governance that is calculated to reduce the act of governing to an apolitical and technical exercise. A key issue, however, is that governance is about power and politics. As various forms of confrontations and people’s struggles for their ‘rights’ in various parts of the Third World clearly point out, for democracy to survive ‘governance’ has to be seen as a project of continuous struggle for social construction, which includes issues of inclusion, equity and equality.

George Frederickson, in his seminal paper “Whatever happened to Public Administration? Governance Governance’s Everywhere” challenges the validity and usefulness of the concept of governance, on five grounds. *First*, much of the governance literature, as Strange (1983), argued (1983), is a rehash of old academic debates and it is not clear whether something new is brought to the discipline of Public Administration. *Second*, the concept, does not have an agreed upon meaning and is imprecise, wooly, and when applied, so broad that virtually any meaning can be attached to it. *Third*, the concept of governance is freighted with values. Some models of governance reflect anti-bureaucratic and anti-governmental sentiments, while other models are deeply contextual, based on Constitutional, legal, organisational and political influences. This perspective

on governance in public administration makes the subject both bigger and grander, a kind of un-public administration.

Fourth, scholars who use the word governance, particularly in Europe, claim that the concept is primarily about change, reforms and getting things right. Investment in the prevailing institutions, cities, states, nations and their established governments, as well as the accomplishment of the institutions, are devalued. Order stability and predictability are likewise undervalued. It is felt that despite the rhetoric of reforms governance is mostly about order and has politicians and bureaucrats adapt in orderly ways to changing circumstances and values. For example, most of elements of governance – networks, inter-organisational and inter-jurisdictional cooperation, power-sharing federations, public-private partnerships and contracting out are terms of institutional adaption in the face of increasing interdependence. *Fifth*, governances often centered on non-state, institutions, both profit and for profit contracts, non-governmental organisations, parastatals, third parties etc. It is a general feeling amongst the advocates for governance that there can be governance without government. But it is still the States and their sub-jurisdictions that deal with the vexing problems of race, poverty and justice.

Governance, in-spite of certain weaknesses, is the most useful available concept that attempts to explain the powerful forces at work in the world. Frederick son suggests that the application of governance to public administration would be improved by narrowing the scope of the subject. There needs to be a fundamental distinction between public administration as the internal day to day management of an agency or organisation on the one hand and public administration as governance, the management of the extended state on the other.

17.10 CONCLUSION

The concept and practice of governance, with several interpretations including Good Governance has gained prominence over the past decade. While, in a narrow sense, it focuses on improving public administration structures, processes, institutional development, broadly speaking, it places emphasis on qualitative improvements in the administration. Hence, principles such as accountability, transparency, participation, and empowerment are emphasised to make governance good or effective, to enable the development move towards new and productive directions. Good Governance, as we have observed, is bringing about creative intervention, and participation by not just a sole actor, but by various key players to enhance the legitimacy of public realm. Good Governance emphasises the involvement of institutions, actors from and beyond government, encouraging flexibility in public service provisions and cost-effective policy outcomes.

Globalisation has positive as well as negative repercussions. It is for the country concerned, to adopt locally specific governance strategies to exploit the benefits of globalisation and work towards sustainable development. The market forces continue to play a key role but the State cannot be wished away. What is needed, in the present scenario, is a coordination of efforts amongst the State, market and civil society organisations with an aim on long-term stability.

17.11 KEY CONCEPTS

Human Development Index

Measurement of human progress introduced by the United Nation Development programme (UNDP) in its Human Development Report 1990. By combining indicators of real purchasing power, education and health, the Human Development Index provides a more comprehensive measure of development than does the Gross National Product alone

lcweb2.gov/frd/cs/chile/cl-glos.html

Organisational Pluralism

It is a multi-paradigmatic approach to organisation's functioning. It talks of multiple organisations in a specific area and the impact of varied organisations on a particular field .It all organisations ranging from government private sector, NGOs and other non-state actors pursuing development objectives.

User Charges

These are charges imposed for providing services or sale of products in connection with government activities. These are paid by the citizens for consumption of goods and services and do not include capital fees.

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17.13 ACTIVITIES

1. Visit your near by municipal or any other local body responsible for civic governance of your area and enquire about governance measures introduced in recent times.
2. Talk to your neighbours, shopkeepers, and business community in your area and elicit their opinions and views on the effectiveness of prevailing governance strategies; pen down your observations.

UNIT-18 GOVERNMENTAL INSTITUTIONS: TOWARDS REFORMS

Structure

- 18.0 Learning Outcome
- 18.1 Introduction
- 18.2 Legislative Reforms
- 18.3 Reforming the Political Executive
- 18.4 Judicial System: Towards Reforms
- 18.5 Relationship among the Legislature, Executive and Judiciary
- 18.6 Conclusion
- 18.7 Key Concepts
- 18.8 References and Further Reading
- 18.9 Activities

18.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Examine the case for reforming the legislature, political executive and judiciary ; and
- Discuss the various reform measures suggested by the different committees and commissions to bring about changes in these governmental institutions

18.1 INTRODUCTION

We in India have adopted the parliamentary system of government. In this system, the Parliament is the supreme body as it is vested with the governmental authority of the country. It consists of two Houses, namely, Lok Sabha and Rajya Sabha. The Lok Sabha is the Lower House consisting of the elected representatives of the people. The Rajya Sabha is the Upper House, also known as the House of Representatives from the states. The Lok Sabha is more powerful, as it enjoys financial powers.

The members of various political parties who win the elections are the members of the Parliament. The political party, which gets the majority in the Parliament, forms the government, that is, the political executive and stays in power till it enjoys the confidence of the Parliament. The executive has to place all the bills before the Parliament for its approval. Bills can be placed in either House but the financial or money bills can be presented only in the Lok Sabha. Bills become laws after being passed by both the Houses of the Parliament, and after getting the President's assent.

In the parliamentary system, the political executive is made up of Council of Ministers with Cabinet forming the top rung. Then there are state ministers and deputy ministers. The Cabinet is headed by the Prime Minister. There is a Prime Minister's Office, and also a Cabinet Secretariat to aid and assist the Prime Minister and the Cabinet respectively. There is a permanent executive or the civil servants as well, which plays an important role in policy making. It assists the political executive

with necessary information and expertise, and provides details to the political executive in the formulation and evaluation of policies, delegated legislation, ordinances etc. We have discussed the role of the permanent executive or the bureaucracy in Unit 12 of this Course. Over here, we will only highlight the need for reforming the political executive.

There is also the judiciary, which is the guardian of justice and law. It protects the Fundamental Rights of the citizens. The Supreme Court is the apex court in the country performing significant role of balancing the relation between the Union and the state/s. It has the power of Judicial Review by which it can review the validity of the laws enacted by the Parliament. It is the interpreter of the Constitution and any policy that violates the spirit of the Constitution is declared null and void by it. It can also issue directions and orders to the executive and legislature on matters of public interest. Besides the Supreme Court, there are high courts in the states, and district and sessions courts at the local level.

The Constitution has, thus, provided a separate and independent jurisdiction to these governmental institutions. At the same time, it has provided checks and balances through various Articles and sub-clauses to prevent these institutions from overstepping or misusing their powers. However, time and again, one finds that these bodies have not performed as desired and have violated the spirit of Constitutional democracy. In this light, this Unit will assess the need for reforms in these governmental institutions. An attempt will also be made to throw light on the problem areas, and examine the steps that could be taken for reforming these key institutions.

18.2 LEGISLATIVE REFORMS

Legislature represents the people's will in a democracy. It is, therefore, necessary that the real and genuine representatives of the people are selected by the political parties and then elected by the people on the basis of a free and fair voting system. This is with regard to the formation of the legislature. The legislature needs to function in such a manner that its rules and procedures as well as its policies and legislations duly reflect people's expectations.

We will discuss certain pertinent issues connected with the legislative system in India and the measures that can be taken to reform it. These reforms aim at making legislators professional and more accountable, and the whole system responsive to the people of the country. Criminalisation of politics is playing havoc with the governance processes. Hence, reforms are necessary to break the strong nexus that exists between the politicians and criminals. We find members with criminal antecedents entering the election fray and getting elected to the legislative bodies. Some reforms could be initiated to change the scenario. These are:

State Funding of Political Parties

State funding of political parties and elections is a significant step in the direction of reforms. This can weaken the nexus between electoral expenditure and criminalisation of politics. It has to be accompanied by a proper maintenance of accounts of the party funds and their systematic audits. Khandwala (1999) points out that state funding to the registered political parties can be in the form of maintenance subsidy and electioneering expenditure. The funds may cover establishment costs, costs of grass roots work, training of cadre, media costs, and costs of organising meetings and rallies. Funds may be provided through Election Commission. It is required of the political parties that they maintain accounts, get them audited, and file the audited

accounts with the Election Commission, so that they are then open to public scrutiny. It is also necessary that political parties elect party office bearers in a democratic and transparent manner, and put up their election candidates in the same way. They have also to disclose donations and contributions received. All this will restrict criminalisation and provide for greater financial transparency and intra-party democracy.

Representative Legislature

The legislature as the supreme policy making body is expected to represent the interests of the people. The legislators sometimes do not reflect the preferences of the people. The one who is elected may not even have a majority when the contest is multi-cornered. Even if a candidate gets a majority, the representation is faulty because a very visible minority still goes underrepresented (*ibid.*). Sometimes the party getting two-thirds majority may not represent the votes of various states, regions, and communities. It may just have the majority from particular places and particular communities. Thus, when such a party forms a government, and tries to bring changes, then democracy gets respected only in letter, and not in spirit.

Presently, the number of candidates contesting elections per constituency is increasing. This is leading to fractured votes. Earlier, this was not the case, because the number of candidates was limited to three or four from each constituency. Today, we have 15-20 contestants from a parliamentary seat. Thus, preferences of a majority of the electorate are not represented. It gets divided into the large number of contestants. Moreover, there has been a rise in the regional parties contesting elections. Thus, the chances of one party getting a full majority have declined. For instance, in the 9th, 10th, 11th, 13th, and 14th general elections, no single party managed to get the majority because the votes always got divided between multiple political parties.

In such a situation, coalition government can be considered the need of the day. Based on the principles of consultation and consensus, it is said to provide a fairer representation. There can be a provision of rotation for the post of Prime Minister and Cabinet. We have had coalition governments in India for the past decade and the trend is likely to stay. Proportional representation, as Khandwalla suggests, can also be an appropriate step. Under such a system, each constituency will elect not one but more than one legislator depending on the size of the constituency. So each political party can put up more than one candidate from one constituency, and there will be more than one winning candidate as per the number fixed for each constituency. The winning candidates will reflect the preferences of the voters. So in case a constituency is required to elect three candidates, then the top three candidates with highest number of votes from the entire list of candidates of the constituency will go to the legislature. Thus, instead of one, three candidates will get a chance to become legislator, and they will reflect the preferences of majority of the voters from the constituency.

Stable Coalitions

The Indian political scene is presently characterised by coalition governments. Coalitions are formed in a situation when no party gets a full majority to form the government single-handedly. Hence, different political parties get together form groups in order to weave a coalition government. But, this formation sometimes gives rise to instability in the government. The members of the coalition have their individual ideologies and self-interests, which often clash with each other. The leader of the government has to work more towards pacifying and appeasing the allies, than focusing on the development policies. In case, where the interests of the allies are not met, the allies withdraw their support from the coalition. This results usually in the falling of the government.

To stabilise coalitions, all defections and splits should be avoided. For this purpose, all grey areas of Anti-defection Act should be removed. In case any party pulls out of the coalition without genuine reason, legal action should be taken. The coalition should work on the basis of consensus and mutual consultation. Coalition government should draw up a Common Minimum Programme and every member should work towards it in the larger interest. We have now the example of National Democratic Alliance (NDA) that has completed its full term as coalition. Perhaps this could set an example for future coalition governments.

Khandwalla (*op.cit.*) suggests that there should be a system of recognition and reward for the politicians who show achievements. Those who are punctual in meetings, and attendance, those who render effective suggestions, and those who work efficiently, should be duly appreciated. Equally, there should be some disincentives for those not attending the House regularly. Fines should be imposed for misconduct. There can be a panel of senior legislators, jurists, and citizens to perform a qualitative audit of the work of Legislative Committees.

Responsive Parliamentary Procedures

The National Commission headed by former Chief Justice M. N. Venkatachaliah, that was set up in 2000 to review the working of the Indian Constitution. It came up with several recommendations to improve the working of the legislature, executive and judiciary. It observed a decline in the quantity and quality of the work done by the Parliament and state legislatures. The number of days on which the houses sit to transact legislative and other business has come down very significantly. It drew attention to the falling standards of debate, and discussion, frequent adjournments, erosion of moral authority and unseemly incidents. It suggested that the Parliament has a decisive role to play if it wishes to continue as a representative, responsible, and responsive institution to the citizens. Parliament can play this historic role only if it consciously reforms its procedures and prioritises its work methods.

The Vohra Committee commonly known as the Ethics Committee also came up with many suggestions to reform the governmental institutions. It expressed its serious concern over the increasing trend of disorderly proceedings in the legislature. Behaviour of some of the members inside the House leads to interruptions of its proceedings. The unruly behaviour of some of the members put an avoidable financial burden on the national exchequer, which our economy can ill-afford. The Committee called upon the leaders of the political parties to cooperate effectively with the presiding officers of the legislature in enforcing discipline. They should enthuse their members to faithfully adhere to the norms of discipline and decorous behaviour in the House.

The Ethics Committee viewed that government has to be more responsive and accommodating towards the opposition in allowing it to raise matters of urgent public importance in the House. Equally, the opposition in turn has to be aware of its responsibility to ensure that proceedings in the House are conducted uninterruptedly in accordance with the rules, established procedures, and conventions of the House.

Strong Committee System

The National Commission recommended the strengthening of the Committee System of the Parliament. The most important of Committees of the Parliament are the Departmental Standing Committees. They are set up to provide the Parliament with the wherewithal to handle complex economic and social issues with competence and sophistication. It is in these Committees that the demands for grants of the ministries and departments can be examined in depth in an atmosphere of objectivity and freedom from partisan passions. It is here that the legislative proposals of the

government can be scrutinised to ensure their consistency with the policy objectives and their suitability to serve the societal goals. But, more energy and effort would have to go into the task of making these Committees work. Given the enormous importance of these Committees for the effective functioning of the Parliament, it is obvious that conscious, coordinated and sustained reforms of the Committee system need to be taken up. The National Commission therefore recommended:

- Streamlining of the functions of the Parliamentary and Legal Affairs Committee of the Cabinet
- Making more focussed use of the Law Commission
- Setting up of a new Legislation Committee of Parliament to oversee and coordinate legislative planning; and
- Referring all bills to the Departmental Parliamentary Standing Committees of the Parliament for consideration and scrutiny after public opinion has been elicited and all comments, suggestions and memoranda are in.
- Rescheduling of public hearings, if necessary, and finalising with the help of experts the second reading stage of the bill in the relaxed Committee atmosphere.

18.3 REFORMING THE POLITICAL EXECUTIVE

The scene at the political executive level is of growing corruption at the ministers' level, which has led to the decline in the values of governance. The ministers are found to be involved in kickbacks, embezzlement, and frauds. There is increasing criminalisation in the executive as some of its members come from a criminal background. In a coalition, the political executive remains under constant fear of withdrawal of support by the allies. Also, the political executive finds it difficult to function due to non-cooperation and walkouts by the opposition in the House. Then there are demands of the civil society that exert pressure on the executive constantly. In such a situation, it is essential to take some revamping measures:

Educational Qualifications for Legislators

Legislators should have a basic knowledge of current affairs. Hence, as Khandwala (*op.cit.*) suggests, they should have minimum educational qualifications, such as a graduate degree to contest parliamentary elections, matriculation to contest assembly elections, and primary school education to contest local elections. This will make way for literate and informed candidates to the legislature. Once they are elected, training should be imparted to them regarding their duties and responsibilities; entitlements, and rights; Constitutional provisions; working of the government; legislative process; legal procedures; and important political, social, economic institutions-agencies. A National Training Academy can be set up for this purpose. It could inculcate professional work culture in the legislators. Besides, they have to be made professionally competent to use Information and Communication Technology (ICT) to assess the performance of government, gauge people's needs and interests, and provide effective services to them.

Norms for Elected Candidates

According to the National Commission, the parliamentarians must voluntarily place themselves open to public scrutiny through a parliamentary Ombudsman, supplemented by a code of ethics. The Ethics Committee suggested the imposition of one or more of such penalties as censure; reprimand; suspension from the House for a

specific period; and any other penalty considered appropriate by it to ensure ethical conduct by members.

Further, while recommending for a better and more institutionalised arrangements to provide professional orientation to the newly elected members, the National Commission called for preparing effective curriculum that should include, among other things, adequate knowledge of the: political system, Indian Constitution, rules of procedure and conduct of business, practices and precedents, mechanisms, and modalities of working of the Houses and Parliamentary Committees, rules of parliamentary etiquette, and, what is even more important, unwritten rules of parliamentary conduct and speech. The emphasis, the National Commission felt, should be on imparting practical knowledge and skills on how to be an effective member of the legislature.

Candidates of criminal background should be barred from contesting elections as per the National Commission. Today, as high as forty per cent of legislators have criminal records. Candidates with criminal cases against them should be asked to furnish their antecedents before the elections. Fortunately, now the Supreme Court has upheld the right of people to know about the antecedents of the electoral candidates so that they are able to make the right choice. This right has been inserted in Article 19(1)(a), as the right to vote is a part of right of freedom of speech and expression of the people. Because of this right, a citizen is entitled to know the antecedents of the candidates so that he can make a proper choice.

The Supreme Court in its ruling has also barred the convicted legislators from contesting polls. In its ruling, it has stated that appeal against conviction is irrelevant and inconsequential. If, on a given date of filing nomination, the conviction existed, then a person, whether he was a sitting MP/MLA or not, would be debarred from contesting the polls. A subsequent decision in appeal or revision setting aside the conviction or sentence or reduction in sentence would not have the effect of wiping out the disqualification which did exist on the date of filing of nomination. Under Section 8(4) of the Representation of People Act, sitting MLAs and MPs, if convicted and sentenced to more than two years imprisonment during their tenure, can continue if their appeal against the order of conviction is pending with a higher court and if the sentence has been stayed (*The Hindu*, Jan 12, 2005). This will ensure better candidates to the legislature as well as greater transparency, integrity, and accountability on the part of candidates.

Anti-defection Measures

Legislators get votes from the people on the basis of the party they contest from. But what is seen is that they defect after the poll results. This switching of party membership is a major factor behind destabilising governments. Defection depicts the lack of ideological and social commitments, and also deterioration in values of the members. This also amounts to betrayal of the sentiments of people.

The new Anti-defection Act passed in 2004 was seen as a sign of relief. But sooner, there emerged certain grey areas, as the defiant members have rarely been punished. The Act refers to the Tenth Schedule of the Constitution, which lays down that an elected member of the House is a member of the party, which fields him as a candidate for the elections. But he ceases to be a member of the House if he votes or abstains from voting in contravention to the direction of the party on whose ticket he contested and won the election. He has to seek prior permission of the party authority to abstain from voting or indulge in negative voting. In case he does not, the defiance has to be condoned by the party within fifteen days from the date of voting to prevent the disqualification of the defiant member. Again, those members who join any other

political party after their election shall also be disqualified from the membership of the House.

Hence, members have to be guided by the party leader in the party. No member can go against party leadership or decision. But this did not happen in the case of Jharkhand. The elections to the state assembly called for a hung house. Both the NDA and United People's Alliance (UPA) staked claims to form the government. But both these parties had a common name in the list of supporters submitted to the Governor. What transpired was that while the member gave his support to the NDA, his party leader gave a letter of support to the UPA. The member acted in contravention to his political leader. Here is where the Anti-defection Act was rendered ineffective. The Speaker should have disqualified the member immediately to give effect to the Act (*The Hindu*, March 13, 2005).

The National Commission was of the opinion that almost everyone dealing with this subject agree that defections flout people's mandate and cannot and should not be permitted, neither singly nor in a group. The fact is that most candidates get elected on the basis of the party that has given them a ticket. Defections allow these candidates to theoretically go to the polls against the very party they contested from, which is not the basis on which people elected them. Simply because no accountability *vis-à-vis* the people is ever felt, such a practice continues unabated. Defections encourage corruption at the highest levels. Defectors, in fact, are rewarded with political positions and other such privileges so openly that it really makes a mockery of our democracy.

The National Commission recommended that the provisions of the Tenth Schedule of the Constitution should be amended specifically to provide that all persons defecting - whether individually or in groups - from the party or the alliance of parties, on whose ticket they had been elected, must resign from their parliamentary or assembly seats and must contest fresh elections. The vote cast by a defector to topple a government should be treated as invalid. The Commission further recommended that the power to decide on questions of disqualification on ground of defection should vest in the Election Commission instead of in the Chairman or Speaker of the House concerned.

Code of Conduct

The Ethics Committee called for a Code of Conduct for the members of Rajya Sabha, keeping in view the special needs and circumstances, in the Indian context. The Committee recommended the framework of a Code of Conduct, which prescribes certain dos and don'ts for the members of Rajya Sabha. The members are required to work diligently to discharge their mandate for the common good of the people, and hold in high esteem the Constitution, the Law, the parliamentary institutions, and above all the general public. Members must not do anything that brings disrepute to the Parliament, and affects their own credibility. They must utilise their position as members of Parliament to advance general well being of the people.

In case of a conflict between personal interests and the public trust, it should be resolved in a manner that the private interests are subordinated to the duty of the public office. Members should never expect or accept any fee, remuneration, or benefit, for giving or not giving a vote on the floor of the House, for introducing a Bill, for moving a resolution, or desisting from moving a resolution for putting a question, or abstaining from asking a question, or for participating in the deliberations of the House or a Parliamentary Committee. They should not take a gift, which may interfere with the honest and impartial discharge of their official duties. If they are in possession of any confidential information owing to their being members of Parliament or members of Parliamentary Committees, they should not disclose such information for advancing their personal interests. They should not

misuse the facilities and amenities made available to them. They should not be disrespectful to any religion and work for the promotion of secular values. In all, they should keep uppermost in their mind the fundamental duties listed in Part IV A of the Constitution, and maintain high standards of morality, dignity, decency, and values in public life.

Training and Performance Review

The political executive generally does not have firm grounding in policy making and managerial skills. Most of the members that political executive do not have professional backgrounds that enable them to take strategic decisions. As a result, they are not able to bring technical, economic, and social reasoning into policies. This affects the decision making process. Hence, it is necessary, as Khandwalla (*op.cit.*) observes, to give them training in areas of public policy, analysis, human resources management, financial management, e-governance, and law. They need to be trained in developing a vision and a mission for their ministries. They should be made proficient in goal setting, planning, control, coordination, motivation, communication, and leadership skills. Professional help and expertise from specialists, such as economists, statisticians, scientists, and technologists should also be provided in the policy making process. Likewise, they need to be adept in public relations.

The performance of each minister/department should be assessed annually on the basis of its laid down targets/ goals. Each minister has to propose the goals and targets for the coming year. The Prime Minister and cabinet ministers will examine and assess the minister's performance on the basis of these targets/goals. Such a 'diagnostic review and performance audit' will not only improve the performance, but has also ensure ministerial accountability. The Finance Minister recently introduced 'outcome budget' to set 'measurable' and 'monitorable' physical targets for funds allocated for each plan project under various ministries and departments. Such innovative steps towards reforms need to be encouraged and sustained.

18.4 JUDICIAL SYSTEM: TOWARDS REFORMS

Judicial system in our country is overburdened with a large number of cases. When cases are not disposed in time, justice is delayed. Judges deliberately adjourn, and postpone decisions, hence cases get delayed for years. There has been an increase in judicial activism, which has made the courts more powerful than the executive and legislature. One finds that even the public confidence in the judiciary has decreased in the recent years. Hence, some pro-active reforms have to be initiated to improve the judicial system.

Speedy and Time-bound Disposal of Cases

The Indian judiciary is plagued by many problems. It has more than five million cases pending for judgement because of lack of judges and courts in the country. Hence, it takes years for the existing courts to dispose off the backlog. Further, new cases keep adding on to the existing bulk. Steps have to be taken to improve the existing system. Time limit has to be prescribed for arguments. Worthless cases should be dismissed in the initial stage itself. The number of 'appeals' and 'stays' should be reduced. Software should be generated to segregate similar cases, so that a single judgement relevant to such cases can help in disposing all of them in one go without delay. Khandwalla (*op.cit.*) points out that efficient system of grievance redressal should be in vogue in the public and private institutions so that the disputes arising between employees and employers are resolved within the institution. This will

reduce the number of disputes coming to the courts and will enable timely disposal of significant cases.

The Supreme Court gave a ruling to lessen the burden of cases pending with the courts. It observed that superior courts can dismiss an appeal if they are convinced that there is no merit in the case in terms of fact or law, and such an appeal is a wastage of time and money. However, before dismissing appeals, it is necessary that the Court passes an order making it clear that it has deliberated on the pleas and found them devoid of any merit or substance (*The Hindu*, March 25, 2005)

The institution of ‘Lok Adalat’ or public court has gained importance for the above reasons. Lok Adalats are trying to ensure speedy justice and share the burden of the regular courts. Their decisions are based on mutual settlement and so there is no appeal to the superior courts. The decisions are also binding and have the legal force. There is no court fee and procedural laws are not followed in the strictest sense. The parties to the disputes though represented by their advocate, can interact with the Lok Adalat judge directly and can explain their stand in the dispute and the reasons behind it, which is not possible in a regular court of law. Hence, it is a worthy step to be taken in order to reduce the burden of the courts and ensure quick and cost-free justice.

The National Commission recommended that each high court should, prepare a strategic plan for time-bound clearance of arrears in courts under its jurisdiction. The plan may prescribe annual targets and district-wise performance targets. The high courts should establish monitoring mechanisms for progress evaluation. The purpose is to achieve the position that no court within the high court’s jurisdiction has any case pending for more than one year. This should be achieved within a period of five years or earlier.

The National Commission also suggested that the Supreme Court and the high court judgements should ordinarily be delivered not later than ninety days from the conclusion of the case. If a judgement is not rendered within such time, it is possible that the complexities of the case might compel greater and larger judicial consideration and contemplation. The case must be listed before the court immediately on the expiry of ninety days for the court to fix a specific date for the pronouncement of the judgement. This will lead to the quick disposal of cases.

The Seventh Law Commission that was set up under Justice M. Jagannadha Rao in 2003 contemplated that the Gram Nyayalayas could process 60-70 per cent of rural litigation leaving the regular courts in districts and sub-divisions to devote their time to complex civil and criminal matters. With participatory and flexible machinery available at the village level, the rural people will have a fair, quick, and inexpensive system of dispute settlement. Only jurisdiction pertaining to revision on civil matters and that also on questions of law may be left to the district courts.

It suggested an alternative method for bringing down the pendency of cases. It recommended the model of Conciliation Court along with a participatory model where a professional judge interacts with two lay judges and evolves a reasonable solution. In such a case, there would not be any appeal against the decision and only a revision petition will be permissible on questions of law to the District Court.

User-friendly Courts

The privilege of contempt of court enjoyed by the judiciary is almost in negation to the Fundamental Right of Freedom of Speech and Expression enjoyed by the citizens of India. It has been stated that ‘the definition of contempt is so elastic and open to subjective interpretation, and the process itself is so unfair that a person charged has little chance of getting away with anything other than an apology’ (*The Hindu*, March

10, 2005). Thus, the media and the citizens prefer to stay away from lodging complaints against judges for fear of contempt. Cases of corruption go unreported and the privilege of contempt of court prevails over truth.

The National Commission considered the need to bring about an appropriate change in the Contempt of Courts Act in this area. A total embargo on truth as justification may be termed as an unreasonable restriction. It would be ironical if the courts could rule out the defence of justification by truth. It suggested that an appropriate amendment by way of addition of a provision to Article 19(2) of the Constitution was needed. The amendment should be to the effect that, in matters of contempt, it shall be open to the Court, on satisfaction of the bona fides of the plea and of the requirements of public interest, to permit a defence of justification by truth. Hence, this Act has to be modified and truth has to prevail over the threat of contempt.

The UPA government has moved a bill to modify the Contempt of Courts Act in the public interest. Hence, it is necessary for the judiciary to focus on qualitative judgements than demanding respect under the threat of contempt. The courts have to be user-friendly. Some of the laws that have become redundant should be repealed, or modified. The State of Karnataka has taken first such step to reinvigorate the judiciary by setting a State Human Rights Commission with the courts in every district (*Outlook*, March 21, 2005). The Commission will not only look into matters of violation of human rights but also the provision of civic amenities, health, education, employment, environment, etc. to the people. This is going to help the courts in their extended activity of setting the policies to provide the right to better and dignified life to the people.

Equally, to provide speedy justice to the citizens, the National Commission felt that the system of ‘plea bargaining’ could be adopted to dispose off a good number of pending cases. An accused can file an application for ‘plea bargaining’ in the Court in relation to an offence pending against him for trial, provided that the offence is other than an offence for which the punishment of death, or of imprisonment for life, or of imprisonment for a term exceeding seven years, has been provided under the law in force. The application shall contain a brief description of the case including the offence to which the case relates, and shall be accompanied by an affidavit sworn by the accused stating therein that he has voluntarily preferred. ‘Plea bargaining’ in his case and that he has not previously been convicted by a Court for a similar offence. The proceedings that follow have to be examined in camera and if found not guilty, the victim should be given necessary compensation by the accused.

Judicial Reforms and Accountability

Today, the Indian judiciary has become self-appointed and powerful. The superior courts are not accountable and there are allegations of misconduct against the judges of these courts. There is no system to investigate complaints against judges for deviant behaviour. At the most, the Chief Justice of India can appoint a committee to investigate and report. However, there is no legal sanction to this and the defiant judge may not register such a committee investigating his or her conduct.

The Constitution of India has provided for the removal of the errant judge/s through impeachment. However, the entire process of impeachment is tedious. To set forth the impeachment motion, it is required that the charges levelled should be signed by at least 100 MPs. Again the MPs do not have the power to investigate the charges. Only there are official agencies, which are authorised, but they have to seek written permission of the Chief Justice of India to do so. Recently, as it has been pointed out, the judiciary has opposed any move to come under the purview of the Lok Pal. Even setting up of a National Judicial Commission has been resisted. The judiciary does not want to be accountable to any external or outside independent institution. Thus,

corrupt judges walk away freely. Punishment becomes difficult. So far only two high court judges have been prosecuted on corruption charges, but before they could be impeached they were made to resign (Bhushan, 2005).

Thus, judiciary still remains an elusive institution, keeping itself away from the principle of accountability. There is a need to re-look and re-examine its powers and privileges, and as we have mentioned before, especially vis-à-vis the power of contempt of court. When checks and balances prevail, it is not only judiciary that will keep a check on the misuse of power by other organs of the government, but even the other two organs will reciprocally keep a check on the misuse of power by the judiciary. But it rarely happens. At present Bhushan (*ibid.*) observes that judiciary has culminated into an institution that ‘can hold everyone to account and be accountable to none’.

There is a need to set up a body like Judicial Council to look into cases of misconduct and deviant behaviour of judges. The Council will comprise judges and will take actions against a defiant judge. The Council can reprimand the judge, recommend for voluntary retirement, or resignation, and withdraw cases dealt by such a judge. If it considers removal of a judge as necessary, then it sends the records to the Lok Sabha for impeachment. It will also provide opportunity to the defendant judge to defend himself.

Recently, the ‘Conference of Law Ministers and Law Secretaries’ of different states proposed to set up a National Judicial Commission with the Chief Justice of India as the Chairman, and other Supreme Court Judges, and Chief Justices of high courts as members. The Commission will look into matters of favouritism, partiality, and discrimination on part of the judges, and will also take into account their properties and assets. The Conference also came out with ‘Shimla Resolution on Judicial Reforms and Accountability’, with an aim to deliver justice to the poor effectively. Such measures will help in making the judiciary publicly accountable, and will act as a deterrent to the misconduct and misbehaviour of the judges (*The Hindu*, June 13, 2005).

18.5 RELATIONSHIP AMONG THE LEGISLATURE EXECUTIVE AND JUDICIARY

The Constitution of India has provided for separation of powers and assigned fairly independent jurisdiction to each of the three organs of the government, that is, legislature, executive, and judiciary. The legislature and executive are concerned with enacting policies and legislations. The judiciary is concerned with protecting the law of the country. All the three organs are independent and autonomous in their respective spheres, but the system operates on the basis of mutual checks and balances.

No Constitution can function if the autonomy of each of the organs of the government is not respected. Over the years, the balance of emphasis in these matters has shifted with the courts acquiring a greater judicial review over the President, governor and the legislature (Dhawan, 2005). In recent years, the relationship of the judiciary with the executive and the legislature, particularly with the executive, has been a cause for concern in many quarters. It has been alleged that in many instances, the judiciary has overstepped its role as the custodian and interpreter of the Constitution and has become a virtual policy maker. It has time and again issued directives and orders to the executive and legislature to follow. The reasons are:

- 1) The executive and legislature do not formulate and implement laws in true faith. Criminalisation of executive and legislative branches of government is increasing due to many reasons, but mainly because of failure on the part of the executive and legislature to formulate and implement laws in the right earnest.
- 2) Lack of political will and sensitivity on the part of the executive and legislature.

The Supreme Court can well direct the executive to take actions on matters of public interest. We have seen as to how the Supreme Court has been giving directives on matters of ecological conservation, shifting of polluting industries, cleaning of River Yamuna, child labour, etc. Thus, everything cannot be construed as a negative ascendancy of the Supreme Court. Efforts like these have made civic life better. But, as V. Kumar (2005) suggests, the ‘inter-institutional continuity’ has to be maintained and respected. Articles 122 and 212 of the Constitution provide that ‘no officer or member of Parliament who is vested with the power of regulating the procedure or conduct of the business in the House or in the matter of maintenance of order in the House, shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers’.

The Supreme Court’s ruling on reservation in private education institutions is a clear case of the absence of laws leading to the Court’s intervention. Some feel that the government needs to frame clear-cut laws to enforce its policy rather than expect the judiciary to uphold its executive circulars. The tendency of the government to bypass the legislature has to be curbed. It must build support cutting across party lines to push these laws in the legislature. The judiciary should be made to confine itself to technical interpretation of the law (Jindal, 2005).

National Commission observed “Constitutional adjudication have an inevitable legislative element. But then, they need great wisdom and restraint on the part of the judge in wielding the high power lest they erect these own prejudices into principles” (C f *The Hindu* April 29, 2005). Thus, it is required of the three institutions that they abide by their jurisdictions and do not overstep. If judges cannot be discussed in the legislature for their acts, the superior court also cannot subsume executive functions. The Constitution is above the three branches and it has to be respected. Therefore, each of these institutions has to exercise restraint and work within one’s assigned jurisdiction. They have to uphold the supremacy of the Constitution that delineates their respective roles and jurisdictions.

18.6 CONCLUSION

Effective governance depends very much on the smooth and sound functioning of the basic institutions of the government. If these institutions overstep their jurisdictions and misuse their powers, they would then be guilty of violating the spirit of Constitutional democracy. Therefore, there is a need for systematically conceived and implemented reforms of these Constitutional bodies to insure effective governance. This Unit highlighted some of the reform measures. Some steps necessary for revamping the governmental institutions could thus be:

- Strict implementation of Representation of People Act
- State funding of elections
- Amendment to Anti-defection Act
- Amendment to Contempt of Courts Act

- Setting up of Judicial Council
 - Implementing the concept of User Friendly Courts
 - Use of Technology
 - Training and Performance Review
 - Use of knowledge and skills in governance
 - Promotion of a responsive work culture
 - Encouraging public scrutiny
 - Strengthening political will
-

18.7 KEY CONCEPTS

Judicial Activism

The view that the Supreme Court can and should creatively interpret or reinterpret the texts of the Constitution and the laws in order to serve its judges' own contemplated estimates of the vital needs of contemporary society, especially when the elected 'political' branches of the Central and state governments seem to be failing to meet these needs. This view holds that judges should not hesitate to go beyond their traditional role as interpreters of the Constitution and laws given to them by others in order to assume a role as independent policy makers or independent 'trustees', on behalf of the society. (Paul M, Johnson 'A Glossary of Political Economy Terms').

Judicial Review

It is the power of the Supreme Court to review a law or an official act of a government employee and declare it ultra vires or null and void, if it is not in consonance with the basic Constitutional principles. The Court through its jurisdictions has the power to strike down the law, overturn the executive act or order a public official to act in a certain manner, if it finds the act or law to be unconstitutional.

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18.9 ACTIVITIES

1. Study the Report of the National Commission to Review the Working of the Constitution and pen down your observations
2. Go through some books and articles on the Indian Constitution and Role of Governmental Institutions. Try to write a note on your observations on the relationship between the three branches of the government. Substantiate it with examples.

UNIT 19 THE ROLE OF CIVIL SOCIETY ORGANISATIONS

Structure

- 19.0 Learning Outcome
 - 19.1 Introduction
 - 19.2 Evolution of Civil Society
 - 19.3 Relationship among the State, Market and Civil Society
 - 19.4 Contemporary Context of Civil Society
 - 19.5 Relevance of Civil Society for Governance and Development
 - 19.6 Challenges Before the Civil Society
 - 19.7 Futuristic Perspective
 - 19.8 Conclusion
 - 19.9 Key Concepts
 - 19.10 References and Further Reading
 - 19.11 Activities
-

19.0 LEARNING OUTCOME

After regarding this Unit, you will be able to :

- Understand the concept of civil society
 - Throw light on the relationship among the State, market and civil society
 - Analyse the contemporary context of civil society
 - Appreciate the role of civil society organisations in the globalisation context of ‘governance’ and ‘development’
 - Discuss the various challenges before the civil society; and
 - Examine the changing role of the civil society
-

19.1 INTRODUCTION

The role of civil society in its many forms has assumed significance in recent times under the Neo-liberal doctrine of ‘downsizing’ the State and the World Bank touted ‘governance’ concept. The present ‘globalisation’ discourse has also tended to reinforce the role of civil society in the management of many socio-economic areas that hitherto belonged to the State. The State is now being projected as a facilitator and coordinator of the private and non-government sectors involved in governance. Various new developments have given rise to different types of civil society associations that are beginning to influence policy decisions. These include a fundamental change in the State’s commitment to welfare, reduction of social security provisions, and disenchantment of people with government policies. Other contributing factors are the disintegration of East European States following the Velvet Revolution, global accent on State minimalism, growing role of multiple actors in governance; and success of voluntary initiatives as well as corporate ventures. As a result, the civic sector or civil society sector is emerging as a viable proposition to supplement or complement the functions of the State and the market.

The contemporary meaning of civil society, as an integral part of society, and a kind of sphere outside and distinct from the political or market sphere, is slowly emerging in the globalisation context. Civil society organisations have a specific relevance in the present globalisation era , where market forces are trying to hijack the traditional State-owned areas. The growing emphasis on ‘State minimalism’ has created a space, which needs to be filled by the civic institutions that could function with welfare, social justice, economic equity and humane development as their goals. Civil society is steadily emerging to facilitate and promote non-state activities under the Neo-liberal doctrine of State roll-back. In the context of developing countries, the civil society is making its presence felt to promote and facilitate participative development projects and create conditions for people’s empowerment and deepening of democracy.

The most crucial problem arises due to the ambiguity surrounding the meaning of civil society, which is sometimes contrasted with the State as well as the market, but sometimes the State itself is seen as comprising the civil society. The term ‘civil society’ is generally defined as a particular group of society with a clearly demarcated purpose, functions, organisation and means in pursuit of its agenda. It is, however, a rather broad concept that is hard to outline. The debate continues about what civil society means and this spills over into its relationship with the State and the market.

The civil society actors have come to be known as the civil society organisations or the institutions of civil society. They could be considered as a country’s ‘social capital’, which refers to the capacity of the States or societies to establish a sense of community that leads a significant proportion of the society in voicing their concern , seeking active involvement in the affairs of the community, and also sharing the benefits of community action. Other terms used to describe civil society organisations are ‘civic institutions ‘social movements’, ‘non-governmental organisations’, ‘non-profit organisations’, ‘third party sector’, ‘private voluntary organisations’, and ‘independent advocacy groups’.

The civil society, thus in common parlance, refers to networks and relationships of those groups that are not organised or managed by the State. It is expected to identify major problems in society, articulate current issues, empower the disadvantaged, serve as an independent voice in strategic debates, and provide a constructive forum for exchange of ideas and information between the key actors in the policy process. The civil society encompasses enormous diversity. In terms of membership and constituents, it includes just about all types of associations. For example, academic institutes, community based organisations, consumer protection bodies, environmental campaigns, human rights’ forums, labour unions, relief organisations, professional bodies, religious institutions, women’s networks, youth campaigns and sometimes even business associations could fall under civil society. The viewpoints on the composition of civil society are varied and debatable in the absence of a consensus on its nature and scope.

The meaning of civil society organisations can be best understood in the light of the relationship of civil society with the State as well as the market. In the contemporary context, both State and the market determine the complexion of civil society. This Unit aims at addressing the issues pertaining to the role and domain of civil society organisations in the contemporary ‘governance’ and ‘development’ contexts. It throws light on the problems and constraints in conceptualising their role. The Unit also traces the evolution of the concept of civil society, and tries to give a perspective on the futuristic role of the civil society organisations.

19.2 EVOLUTION OF CIVIL SOCIETY

Right from times of scholars like Aristotle and Cicero, until the appearance of John Locke and others on the political scene in the 17th century, the term civil society was used interchangeably with political society and the State. The self-conscious and self-confident bourgeois class was known as civil society. To these classical philosophers, as has been pointed out, “To be a member of a civil society was to be a citizen – a member of the State” (Karlson, 2002). Originally, civil society is a European phenomenon. The earliest development of civil society as a non-political identity is associated with complex social and economic forces at work in the 18th century, as the power devolved from monarchs to popular assemblies. The philosophers of the Scottish Enlightenment first articulated the idea of civil society. These philosophers were able to bring out the universality of civil society as a solution to the particularity of the market sphere that was increasingly responsible for redefining the then estates system of feudal society (Baker, 2002).

Hegel was the first philosopher to develop a recognisably modern notion of civil society in his philosophy of rights. He sought to resolve the contradictions that existed in civil society as a result of its peculiarity by reference to the universal State. It is only at this point that the State and the civil society came to be regarded as separate spheres (*ibid.*). To Hegel, however, civil society was identical with the private and the particularistic, and characterised by the conflicting and avaricious striving of individuals and classes for largely materialistic ends, while the State was seen as the embodiment of universal ethical values and rational civilization (Karlson, *op.cit.*).

It was Antonio Gramsci, who isolated civil society as a category of importance in its own right. Gramsci characterised civil society as the realm of culture and ideology, or more concretely as the ‘associational realm’. Gramsci rejected the dichotomous view in which the State is counterposed to civil society and in which the latter embraces all non-state and non-public relations. For Gramsci, civil society exists as a kind of intermediary, linked both with the economic structure and with the State (Cf Baker, *op.cit.*)

Various Schools of thought have added to the understanding of the concept of civil society. The Relative Autonomy approach of Neo-Marxists has underlined the limitations of State-centric theory that has led to a definitive shift from State to civil society. The other influences have come from Pluralists and Neo-pluralists. Robert Putnam’s Social Capital approach, which will be discussed later in this Unit and the New Communitarian perspective of Amitai Etzioni and Vincent Ostrom have added immensely to the vast literature on civil society discourse. The New Communitarians seek to restore the ailing institutions by changing people’s values, attitudes and behaviour, thereby rendering major structural reforms less necessary. They aim to develop a ‘responsive community’, by striking a balance between the community and autonomy, and empowering community structures. The New Communitarian concepts, as has been pointed out by Brathwaite (2001), are said to ‘derive from grass roots activity providing local communist activists with conceptual horizons that reflect cumulative activist wisdom’.

The evolution of the concept of civil society encompassing various perspectives attempts to define its meaning and scope with relation to the State and the market. Therefore, any discussion on civil society without an analysis of the role of the State and the market and also their relationship with civil society is fraught with problems. They all define, limit and complement each other. We have briefly discussed this aspect in Units 2, 8 and 14 of this course. This Unit examines this issues further. The

historical growth of civil society, as we have seen, has outlined the functions of civil society institutions in terms of its association with the State and private associations. The modern meaning of civil society has to take off from here and locate itself broadly within the relationship among the State, market and civil society in the ‘governance’, ‘development’ contexts in the backdrop of globalisation.

19.3 RELATIONSHIP AMONG THE STATE, MARKET AND CIVIL SOCIETY

The contemporary relationship between the State and civil society originates from classical Liberalism. Liberal theory considers civil society to be a necessary condition for democratic States. Central to Liberalism, it has been observed, is the distinction between the public and the private spheres. The public sphere is based on representative government and the Rule of Law. The private sphere is that area of individual action, contract, and market exchange, which is protected by and yet independent of the State (Barber, 1996).

A highly articulated civil society with cross-cutting cleavages, overlapping memberships of groups, and social mobility is the presupposition for a stable democratic polity, a guarantee against permanent domination by any one group and against the emergence of fundamentalist mass movements and anti-democratic ideologies. As Joel Migdal (2001) observes the State is hemmed in – indeed transformed- by these internal forces, just as it is by international forces. He adds that the society is also transformed by the State. Social organisations, and the structure of society as a whole, are moulded by the opportunities and impediments that the State presents, just as they are affected by other social organisations and by the openings and limitations posed by the world economy.

It has been observed by Neera Chandhoke (1995) that the site at which society enters into a relationship with the State can be defined as civil society. It is accordingly conceptualised as a space or public sphere where people can pursue self-defined ends in an associational area of common concerns. A space, which nurtures and sustains its inhabitants through discussion rather than controls them and their relationships. The other implication is that it is desirable that this discussion is public in the sense of being accessible to all. The third implication is that a space should exist outside officially prescribed channels of communication provided by the State, where this ‘free’ public discussion and debate can take place. The inhabitants of this space are linked together by social bonds created out of new identities and new institutions.

Civil society comprises the social realm in which the creation of norms, identities, institutions, and social relations of domination and resistance are located (Cohen and Arato, 1994). The contemporary civil society, however, is more in tandem with the State. Even the concept of civil society generated by new social movements, as has been rightly observed, does not necessarily deny or undermine the validity of modern State apparatuses. The new social movements have no desire to question the legitimacy of the State or directly take over the State (Gupta, 1999).

What is noticeable about civil society is its supposed interchangeability with the NGOs. Even though the NGOs are the major constituents of civil society, they still do not make for the entire gamut of civil society organisations. As NGOs constitute a major part of civil society organisations, their organisation needs to be looked into. In the globalisation scenario, we should know how these NGOs operate at the local, regional and international levels. Julie Fisher(1998) talks of two major types of

NGOs: i) Locally based Grass Roots Organisations (GROs), and ii) Nationally or regionally based development assistance organisations called Grass Roots Support organisations (GRSOs). GRSOs are usually staffed by professionals who channel international funds to GROs and help communities other than their own to develop.

In addition to these vertical connections between GROs and GRSOs, there are two other types of NGOs in the Third World defined by their horizontal connections with each other-GRO networks linking local communities to one another, and networks of GRSOs. The two most common types of GROs are local development associations, such as village councils or neighbourhood associations that represent an entire community, and interest associations that represent particular groups within a community. A third type of GRO includes borrowers groups, pre-cooperatives, and cooperatives, which may or may not make profits (*ibid.*).

In recent years, the NGOs have begun to look beyond their local and regional roles and have become increasingly adept at bonding together in common purpose. By pooling resources and co-ordinating their actions, they have even strengthened their presence in international deliberations on a range of global issues. Thus, there is now what we can term an emerging 'International civil society' (Callahan , 2002, *op.cit.*). The concept of global civil society is hardly new, although the term has come into widespread circulation recently. Over the past few years, efforts to strengthen cross-border links among NGOs have run parallel to the far more visible crusade to create International Government Organisations (IGOs) that could bring the Rule of Law to global affairs. The early 1990s have produced attempts to institutionalise global civil society, especially in the United States and Europe.

Some scholars, feel that globalisation has contributed to the weakening of the abilities of the States and inter-governmental organisations to govern, especially in the economic sphere, while strengthening civil society in many countries in the world and planting the seeds for an evolving global civil society (Schechter, 1999). The democratising function of civil society has assumed a higher profile, and NGOs have been identified as a possible point of contact with its building blocks, namely civil associations. Coupled with these changes has been an increasing awareness among NGOs of their own potential role in the wider development picture, which as we will discuss later, has come to denote the most conspicuous face of civil society.

The process has been spurred on by the United Nations (UN), which has moved to the fore in promoting civil society as a development issue. United Nations Development Programme (UNDP) and United Nations Children Emergency Fund (UNICEF) have introduced procedures to provide voluntary associations with greater access to their systems. Assumptions about the nature of NGOs have allowed the issue of 'access' by the voluntary sector to dominate discussions about civil society within the UN (Whaites, 2000).

While discussing the relationship between the State, market and civil society, in the globalisation context, one of the important questions that crops up relates to just what exactly should civil society constitute. Should markets be included in the notion of civil society? Classic Liberals tend to regard markets as crucial institutions of civil society, and contemporary Liberals see productive and commercial associations and networks as part of civil society. By contrast, the Left emphasises equality and democratic control over the market economy. Many are wary of the dangers of markets and separate them from civil society in their tripartite model, which incorporates the civil society, the State and the market sector. As a corollary, it is

also debatable whether multinational firms can be regarded as part of the emerging global civil society (Baogang, 2002).

Sometimes, civil society is referred to as the third sector. The third sector concept has been developed to help distinguish non-profit NGOs from the State sector and private profit sector or to characterise what has been described as “The space that is neither government nor business, occupied by citizens who take actions responsive to their needs” (McGann and Weaver, 2000). The Civil society comprises collectivity of those social organisations that enjoy autonomy from the State and have as one important goal among others to influence the State on behalf of their members. A strong civil society directly supports democratic participation, ensures the rights and probity of the citizenry, and contributes towards the deepening of accountability for policy decisions.

Based on freedom of association, civil society provides a check on and a balance to the other two sectors (government and the market) via citizen societies, Non-governmental Organisations (NGOs), and other associations (Callahan, 2002, *op.cit.*). Clearly, the precise boundaries of non-governmental activity are a matter of debate. Nevertheless, it is generally agreed that civil society lies outside the public sector of official governance. Second, civil society is not the market, it is a non-commercial realm. No doubt, there are borderline cases, but it is generally agreed that civil society lies outside the private sector of market economy. But again anything that is non-governmental or non-commercial cannot be called civil society (Scholte, 2000).

There is, thus, no agreement on the constitution of the civil society. It has been stated that the definition of civil society depends on the ‘philosophical vantage points’. The structure, relationships, activities and environment of civil society all qualify as the parameters of its definition (Rahman *et al.*, 2000). In the globalisation context, its domain still remains hazy. The present day civil society has to be different from its earlier counterparts, as it does not have to so much deal with only the national and regional problems. It has to now adjust itself to the global influences that come not in the form of ‘choices’ but ‘diktats’. The overlapping of market, State and civil society boundaries may conflate the purpose of civil society, which appears to have reemerged with a defined agenda of an enabler and a facilitator.

19.4 CONTEMPORARY CONTEXT OF CIVIL SOCIETY

The contemporary meaning of civil society, as we just read, regards it as a non-commercial sphere that works in tandem with the market and the State. Its aim is not to dislodge the State or the market, but better their condition through applying pressure on the State and the market in the form of protests, participation, mediation and information. The current meaning of civil society, it has been felt, is more in tune with the Cosmopolitan rather than the Pluralist or Elitist view of democracy that does not curb the State or restrict the civil society. In fact, it talks of enhancement of non-state and non-market solutions in the organisation of civil society as well as increasing the role of global civil society. It is believed that civil society can constructively contribute toward building a positive relationship between the State and the market.

The recent reemergence of civil society has been more of a response to excessive Statism in East European nations. The social movements in Poland were characterised as the rise of ‘civil society against the State’. And the Polish movement was defined as the ‘rebirth of civil society’. It is being seen as the salvation of both socialist and capitalist societies suffering from an overdose of bureaucratic rationality (Chandhoke,

1995, *op.cit.*). The concept of reconstruction of civil society has also been revived in the West. In the former West Germany, the Welfare State is seen as a mechanism by which to repoliticise the economy and dissolve the sharp boundaries between the State and the society. In France, there has been a totalitarian expansion of capitalism, which engulfs all spheres of social activity under single dimension of economic activity (Baogang, *op.cit.*).

Robert Putnam's 'Social Capital' has brought the age-old issue of civil society to the forefront. Rahman Sobhan (1998) feels that Putnam actually attacks the social science tradition that views "The actors of the State and society locked in a zero-sum game and argues that highly active civic associations are strongly associated with effective public institutions. Norms and networks of civil engagement have actually promoted economic growth instead of inhibiting it". Robert Putnam, as has been pointed out, shows that the regions of Italy that have both flourished economically and suffered less corruption are those that have fostered social capital formation. These are regions where citizens are more trusting of one another in civil society (Brathwaite and Strang, 2001).

Rahman Sobhan (*op.cit.*) also adds that Putnam's approach is essentially society-centred. The nature of distribution of power in the society and the quality of civics will determine whether a vicious or virtuous circle dominates the governance structure. The role of the State is seen as a dependent variable. Putnam emphasises a symbiotic relationship between the State and the community. The State's action or policy contributes to the development of trust and networks of civic engagement among members of the community and they in turn become sources of discipline and information for the public agencies as well as dependable agencies for implementation of public projects.

There are many other reasons for the renewed interest in civil society. The civil society, it has been put forth, has become a theme of compelling interest throughout the world, as citizen activism and democratisation encounter post-cold war realignment of religious fundamentalism, economic development and other forces. Public fatigue with tired party systems has sparked interest in civil society as a means of social renewal. Especially, in the developing world, privatisation and other market reforms offer civil society the chance to step in wherever the governments have retracted their reach. Finally, the Information and Technology revolution has provided new tools for forging connections and empowering citizens (Callahan, 2002, *op.cit.*).

In the globalisation context, the growing role of the NGOs and the global civil society has also characterised the reemergence of civil society. Bilateral and multilateral aid donors have switched significant fractions of their budgets from national governments to NGOs (Pearce, 2000). The 1990s has seen a surge in civil society as well as global society organisations. The proliferation of NGOs throughout the world has spurred interest in what has been called "the space of uncoerced human association" (Fisher, *op.cit.*).

In recent years, the social capital concept appears to have been caught on with the influential global institutions such as the International Monetary Fund (IMF) and the World Bank. The idea of civil society has now taken on a political dimension as some donors have become preoccupied with 'Good Governance' about which you have read in Unit 17 of this Course. This tendency has acquired an economic as well as moral rationale with the World Bank in its 1991 Report, democracy projecting as not only ethically desirable but also more efficient (Whaites, *op.cit.*). The World Bank is beginning to recognise that civil society plays a critical role in helping to

amplify the voices of the poorest people in the decisions that affect their lives, improve development effectiveness and sustainability, and hold governments and policymakers publicly accountable. The success stories of the sustained voluntary efforts need to be taken note of in order to strengthen the civil society.

19.5 RELEVANCE OF CIVIL SOCIETY FOR GOVERNANCE AND DEVELOPMENT

In the globalisation context, ‘governance’ is not just confined to either State or market. Instead these two actors are collaborating with each other to provide goods and services. With the reappearance of a vibrant civil society, this process has now become multiple actor-centric with NGOs, CBOs, Self-help groups acting as responsible stakeholders with the State and market in the process of governance and development. The two ways of governance – Keynesian Welfare State and Neoliberalism have not produced the desired results, points out Anthony Giddens (2001), as he observes “A fundamental theme of third way politics is rediscovering an activist role for government, restoring and refurbishing public institutions. Reforming the State is far from easy in practice, but the aim should be to make government and State agencies transparent, customer-oriented and quick on their feet”.

Reform of government and the State is the first priority. The State should not dominate either markets or civil society, only regulate the both. The core role of the civil society has to be realised. Without a developed civil society there cannot be an effective market system or well-functioning government (*ibid.*). Let us now look at the various endeavours in the area of civil society and see how these can be tapped to facilitate development and governance.

There is an urgent need for the government, civil society and private sector to work as partners in crucial areas of participatory development. Without a civil society to nourish engaged citizens, it has been observed, politicians turn into ‘professionals’, out of touch with their constituencies; while citizens are reduced to mere antagonists or turn into ungrateful clients of government services that they readily consume without being willing to pay for (Barber, *op.cit.*).

Market-State endeavours have overwhelmed the economy in the recent past with many public sector enterprises divesting and opening up to private entrepreneurs. There have been successful ventures between the State and civil society, especially in the areas of Information Technology and resource management. It has to be seen how market can fruitfully associate with the State as well as civil society in the future. The convergence between NGOs and informal profit-oriented enterprises, as has been observed, offer some promise for building a different model of society. Since profits generated within this new ‘non-profit-for profit’ nexus are invested in public as well as private goods and services (Fisher, *op.cit.*).

Recent decades, points out Scholte (2000), have brought a general retreat from centralised governance with trends toward devolution, regionalisation and globalisation. Governance has shifted from a unidimensionality of Statism to a multidimensionality of local, national, regional and global layers of regulation. Although large-scale globalisation has not dissolved Nation States, this form of collective identity is slowly losing its previous position of primacy. In the late 20th century, world politics is also being deeply shaped by sub-state solidarities like ethno-nations and by non-territorial, transborder communities based on class, gender, race and religion.

There is a strong emphasis on community not as a social or geographical construct, but as a virtual space of shared cultural and moral affinities that express the ethics of self-governance. As per the Human Development Report (1999), the focus is on the fair, rights-based, practical shaping of daily institutional practices in each sphere of individual life. Informal community initiatives are now being organised all over South Asia, with or without government help, and they have often succeeded in serving those vulnerable sections of society that governments find quite difficult to reach. By opening spaces for civic engagement, Civil Society Organisations, households, businesses and the media can contribute to governance processes for human development in general and an improvement in the lives of local communities in particular. The emergence of the self-instituted civil society as an independent social partner alongside formal political and economic structures has a potential for thoroughly modifying governance systems.

In July 2002, the World Civil Society Forum met in Geneva to discuss issues that would help in strengthening international cooperation between civil society and international organisations (Callahan, 2002, *op.cit.*). The implications of this type of global civil society are not so clear but encouraging nevertheless. Some ponderables could be: (i) Will huge networks and coalitions of citizen activists come to rival international governmental organisations (IGOs) in the next century as leading vehicles of transnational cooperation, (ii) Will new democratic processes arise at the worldwide level that can offset the clout of global capital, and (iii) Will national public policy debates increasingly be influenced by social and economic norms that hold sway globally (Callahan, 1999).

NGO's and social movements must keep in mind that their influence on the process of global governance will remain quite limited unless they succeed in effectively channelling their national governments' action as well as influencing the allocation of resources mobilised by governments and multilateral institutions. The new trends in globalisation cannot be a remedy for all ills. Socio-economic development has to be indigenous, contextual and innovative. Especially, in the developing countries, where community plays a pertinent role in production of goods and services; more so, at the micro-level, the solution lies in what has been called 'glocalisation'. There is a need for more research in the areas of community building, democracy and citizenship, role of global civil society and collaborative networking among the NGOs. It has been pointed out that Village Councils in which women and dalits have a central place will be a genuine indigenous institutional innovation. They can give a new lease of life to democracy in India (Beteille, 2002).

An alternative paradigm that treats citizens as equal partners in development with due regard to goals of equity and social justice is therefore needed. The retention of high levels of autonomy and self-organisation will be important if these agencies are not to be flooded by distorting State power. Established traditions of participative planning and community development can be complemented by experience in direct democracy (Ferlie and Fitzgerald, 2002). With the recent formation of the Confederation of NGOs in rural India, several hundreds of NGOs working in the remote areas can now express their ideas, suggestions and grievances on institutionalised lines. The Council for Advancement of People's Action and Rural Technology (CAPART) is playing the role of facilitator in this regard with emphasis on transparency, expeditious disposal, flexible and innovative approach towards projects for the poor in rural areas through NGOs. These NGOs will have representation at the district, state and national levels. In a number of countries, we can witness strong political efforts to reaffirm the position of the citizen in relationship to public administration such as Citizens' Charters in Britain, Charter for

Right and Freedom in Canada and new Chapter in Constitution on Human Rights in Sweden. We have discussed various Civil society endeavours earlier in Unit 14 of this Course. These are important efforts in the areas of participatory governance.

In a sincere bid to open up a new democratic terrain, it has been rightly pointed out that the core justificatory principle is that major arenas of social, economic and political power (power over people's lives and power that shapes the life of society itself) should be harnessed to a doctrine of democratic responsibility. This is a responsibility that acknowledges a framework of obligations and accountability, recognises a range of legitimate stakeholders and seeks ways in which these stakeholders can have an effective voice. An approach of this kind will not be serve the purpose if attempts to construct iron walls between 'public' and 'private' centres of power, are made instead want to apply the doctrine of responsibility should be applied to both (Barber, *op.cit.*).

This new thinking should not be seen as a shift in power from the State to civil society, but rather as the natural evolution of the relationship between those who govern and those who are governed. Couched in positive terms, governments are learning to govern better through heeding the popular voice; and citizens are learning to be better citizens through exposure to the regular rules and disciplined practices of associations of civil society. The private sector has a large stake in the expansion of civil society because civil order fosters economic growth. The synergies arising out of the emerging relations between the State, private sector, and civil society must thus be put to practical use (Rahman, *et al*, *op.cit.*). This is a relevant but difficult goal to achieve. Civil society organisations are necessary in the present context to ensure effective, responsive and efficient governance based on viable State-society and Society-market partnerships. But, there are many constraints and challenges that it must face to deliver the desired results.

19.6 CHALLENGES BEFORE THE CIVIL SOCIETY

The growing importance of civil society has also brought with it a variety of constraints and pressures. In reiteration of some of the maladies that have inflicted civil society, it can be pointed out that the civil society has not been conceptualised tightly, that is why varied perspectives on its meaning, nature and composition have come to camouflage its very essence. It has been observed by Neera Chandhoke (1995, *op.cit.*) that just as the attention paid to the State has failed to account for civil society, the focus on civil society fails to comprehend its complex relationship with the State. For instance, in India, civil society is seen by most theorists as a volatile association of social groupings, which are based on caste and kinship linkages, or on religious mobilisation as much as on voluntary social associations. The problem with this kind of formulation, she maintains, is that it fails to distinguish between counter-civil society movements. Society, in this perspective, is collapsed into civil society. The civil society is thus being treated as a residual category, as an authentic collection of everything that is not the State. It has become a conceptual ragbag, consisting of households, religious denominations, and each and every activity, which is unconnected with the State.

Community identities, as has been observed, have always been fluid in India. This fluidity gives considerable scope for political entrepreneurs to reshape the boundary and the concerns of the identity of a community. In recent years, the process of modernisation and participatory politics and access to media, and other technological devices have actually increased the mobilisation potential and sharpened the self-

image of splinter ethnic groups and sub-national identities, quite contrary to homogenising efforts of modernising elite (Bardhan, 1999).

When civil society is seen as tradition, the internal contradictions between communities and within communities are completely overlooked. Andre Beteilli (2000) argues that the well-being of modern institutions can be guaranteed only if civil societies are understood as comprising truly autonomous bodies. In the view of Dipankar Gupta (1999), there is a need to be wary of giving in to traditional solidarities and associations, as they are unfavourable to the modern institutions.

Civil society by itself therefore, observes Neera Chandhoke(2004), has no teleological virtue, unless it is accompanied both by an interrogation of the sphere of civil society itself and a project for democratising civil society. And a call for rolling back the State has no particular virtue, unless it is accompanied by a determination that the oppressions of civil society will be dismantled. The ability of civil society to prevent the State from exercising absolute control is an essential but not a sufficient condition for democracy. The existence of civil society as a sphere of participation, deliberation, dialogue and contestation is no indication of the capacities of individuals to participate in all these activities.

Critics have even pointed out the various limitations of the idea of ‘social capital’ in explaining State-society interactions in the context of developing countries. It has been felt that there are a few potential problems associated with the development of civil society institutions that would nurture social capital. Looking at the State-civil society institutions develop in an authoritarian environment and what the State can do in enabling the growth and expansion of those institutions, the emphasis is on the ‘recursive cycles’ of interaction between the State and civil society actors. Putnam’s work is derived from the historical experience of Italy that suggests that a country’s stock of social capital is inherited. Social capital with Putnam’s framework thus cannot be accumulated (Sobhan, *op.cit.*).

As we have read earlier on in this Unit, the civil society organisations are generally equated with NGOs. This tendency limits our understanding of a broad process of interaction among different types of organisations. The concept of civil society points out Alan Whaites (*op.cit.*) has been ‘grabbed’ by NGOs as one relating closely to their own natural strengths. On the surface, civil society is intimately connected with the role of local community associations or groups, and with the indigenous NGO sector. In the globalisation scenario, it needs to be kept in view that among the donor agencies, the interest in civil society has been associated with the evolution of the conditionality of aid in the 1980s. Donors have begun to re-appraise the role of civil society in providing a foundation for sustainable democracy. The combination of donor, NGO and UN interest provides the background to what has been termed as the civil society ‘grab’.

The States, as has been observed by He Baogang (*op.cit.*), are adopting new strategies, using NGOs for their own purposes. Some critics see the recent quests for community control as little more than a State-orchestrated managerial reform to take over institutions. Other critics view it as an interpretation between the State and community spheres that is more than genuine community control. Still others portray it as an attempt to redress profound crises that is now confronting capitalist classes. Both State-centred and society-centred approaches are now proving problematic and inadequate. Importantly, it is believed that the civil society approach is itself problematic if it does not take cognisance of global civil society.

The idea of global civil society combines elements of both anti-state and anti-nation positions. The growing size, sophistication, and influence of the Global Civil Society Organisations (GCSOs), have been facilitated and actively encouraged by one major factor—the Neo-liberal consensus that emerges from the power centres in the West. Among other things, the consensus dictates: a) The State, particularly in third world countries, should withdraw from the social sector, b) The market should be freed from all constraints, and c) Communities in civil society should organise their own social and economic reproduction and well-being. The State has been liberated from its traditional responsibilities of providing the conditions of human flourishing (Chandhoke, 2002). This stance is particularly problematic in context of ‘governance’, as the State has to assume the role of facilitator and catalyst in bringing about just and egalitarian governance. We have already read in the earlier Units of this Course that the Neo-liberal State’s roll back ideology is misplaced in the context of developing countries like India.

The vision of civil society *sans* a well-defined role of the State is thus replete with serious consequences, which not only weakens civil society, but also jeopardises the future of GCSOs. It has been pointed out that by drastically reducing the importance of proximity, the new technologies change people’s perceptions of community. The potential for building global civil society might come at the expense of weakened identity with one’s State and with the civil society within one’s country (Schechter, *op.cit.*). In the absence of a global public space and an opportunity for dialogue, robust global community may remain a distant dream.

There is a need to look into the role of media too in building civil society. It has been seen that instead of a positive role, the media many a time camouflages important issues. The mediascape, for instance in India, seems to give its subscribers a sense of collective identity and participation in public affairs. At the same time, it also reduces the discussion of vital issues to simple caricature, leaving people interconnected but dangerously uninformed. The mediascape has the power games to displace the substantive with the symbolic (*The Hindu*, March 23, 2003).

The developments in administration such as Public Choice approach and now the New Public Management (NPM) make an endeavour to provide alternatives to bureaucratic hegemony. But while the Public Choice perspective seeks to reduce individuals to utility maximisers and focuses on individual interest, it does not provide the mechanism for arriving at a collective general interest. The NPM, on the other hand, treats the citizens as mere clients and consumers. The Pluralistic, Communitarian, New Public Administration and Network Agency perspectives give due regard to community, non-bureaucratic institutions and values, but do not attempt to develop the idea of autonomous, self-reflective, humane and conscientious civil society with an accent on genuine public interest.

Francis Fukuyama in his original essay ‘The End of History’ (1989) offered a vision of a world purged of ideology, in which history has come to an end because there are no alternatives to the institutions of the present representative democracy and the market. The future would, be the endless repetition of more of the same, with politics centred in bureaucratic problem-solving, limited social engineering and liberal compromise (Cf Hirst, 1994).

This indeed is a very pessimistic projection of the socio-economic and political reality. If one goes by it, the alternatives to absolute State or market control over production and provision of goods seem almost elusive. A ray of hope could be democratic decentralisation, participative decision-making, and community

management of resources through different civil society organisations which can surely solve the problem to some extent. Voluntarism and associationalism have been a part of the culture in the developing countries, their pertinence needs to be harnessed, more so, in the globalisation context. The very fact that the number of community organisations, voluntary agencies, self-help groups, and non-public, non-market associations has grown tremendously in the last decade is a step in the right direction.

19.7 FUTURISTIC PERSPECTIVE

The reappearance of civil society institutions has historically heralded the advent of democracy. In fact, to a large extent how we conceptualise and evaluate civil society, as has been observed, depends on how we visualise democracy, the converse also holds true. Democratic political theory privileges civil society because it assumes that the existence of democracy is inextricably linked with the life of civil society (Cohen and Arato, *op.cit.*).

The increasing labelling of civil society as NGOs and vice versa needs to be addressed. For some NGOs, the labelling of all potential partner groups as ‘civil society organisations’ reflects the continued acceptance of a universalistic view of civil society. As has been pointed out, when civil society is referred to as ‘sphere of public debate’, its meaning goes beyond the synonymous treatment with NGOs that it receives. For instance, newspaper readership is used by Robert Putnam as one of the indicators for contrasting the strength of civil society in Northern Italy with its weakness in the South. Questions that need to be taken up are: How do NGOs separate beneficial from non-beneficial civil society, how do they maintain autonomy and accountability, what type of self-regulation do they follow; and how do they weave a strategy for nurturing civil society into a strategy for building the capacity of the State (Eade, 2002, *emphasis added*).

Given the importance that donors and NGOs attach to the concept of civil society, it matters a great deal, as cautioned by many, that NGOs do not slip into the divide over the meaning of civil society, particularly where societies are heterogeneous and divided. The ways in which NGOs perceive civil society, and consequently plan projects to facilitate the work of civil associations, can have a significant effect on the extent of devolution of civil society in the countries in which they work. The NGOs should try to explore the full theoretical implications of civil society and clearly articulate their own interpretations of its nuances (Whaites, *op.cit.*).

T.K. Oommen (2004) feeds that looking at civil society in India from the vantage point of religion, caste and language, it is clear that the associations and movements anchored to them are instruments of establishing equality between the privileged and the deprived groups. But mobilisation by the underprivileged social categories are geared to bring about dignity and emancipation for them. In contrast, mobilisations by the dominant categories are efforts to reinforce their hegemony. Both these tendencies should be recognised as different aspects of civil society.

The post-modern discourse, observes Neera Chandhoke (1995, *op.cit.*) has been helpful in understanding the role of local narratives and marginalised groups in civil society. It has been brought out that the political solution to the crisis of representation offered by post-modern politics has been to privilege difference over reductive unity and identification, historical plurality over political monism, and multiplicity of representations over collective projects. The collective projects based upon priorities and preferences have been rejected, and the argument that multiple

social struggles articulating specific, local and personal issues should be prioritised, has been promoted.

To be usable today, the category of civil society must be reconstructed. “Reconstruction,” could be defined in the non-systematic sense, as “Taking a theory apart and putting it back together again in a new form in order to attain more fully the goal it has set itself.” (Cohen and Arato, *op.cit.*). The ‘resurrection of civil society’ that pushes the democratisation process forward is possible in either case, with or without surviving forms of recognised association, and with or without memories of earlier mass mobilisation. What is needed is a civil society, which is seriously engaged in self-reflection, is preoccupied with the means used to accomplish its tasks, and which brings about slow and incremental but substantial changes in the State (Chandhoke, 1995, *op.cit.*).

In the words of Neera Chandhoke (*ibid.*), what is needed is a civil society that is accessible and responsive to the subalterns, marginal and the radical. A critical narrative of civil society has to include those features of the sphere, which make it vulnerable to class oppression. Critical theory has to look at the oppressions of civil society itself. It has to see how this sphere needs to be democratised by social movements before it can become the basis of supportive structures and communitarian self-help organisations. Political forms, John Urry (1981) opines, need to be understood in their relationship with the anatomy of civil society.

In the view of Jurgen Habermas the institutions of civil society must act to protect the autonomous development of public opinion in the public sphere from being undermined by State bureaucracy and economic power of the market. He observes that public opinion that is worked up via democratic procedures into communicative power in civil society cannot rule itself, but it can certainly steer the use of administrative power in specific directions (Baker, 2002, *op.cit.*). In fact, this viewpoint renders the contemporary civil society different from its earlier counterpart.

Habermas makes a distinction between symbolic and system-integrating functions. The earlier symbolic aspects of family and interpersonal relations based on consensus have been taken over by the system-integrating functions that relate to political power and economy. The present day civil society is concerned more with rectifying the market and State through empowerment of the marginalised (Gupta. *op.cit.*). Alexis de Tocqueville, the predecessor of the Pluralist approach, talks of civil society as a defensive counterbalance to the increased capabilities of the modern State. It provides a realm in which society interacts constructively with the State, not to subvert and destroy it, but to refine its actions and improve its efficiency. Unless a positive and complimentary relationship between State administration and society is conceived, civil society’s role in governance and development will not produce constructive results.

19.8 CONCLUSION

Community endeavours have become more pertinent with the receding of the State from certain areas and the influx of market associations at the national and international levels. To understand the transformative role of the civil society, its undertones have to go beyond its interlinkages with NGOs and other CBOs. Various other indicators of civility, it has been pointed out, have to be sought. A well-informed and well-informing media could bring in the necessary change. All institutions in society, as has been put forth by many, cannot be called civil society organisations. They must have a specific purpose, a clear-cut agenda, an organised

modus operandi, an autonomous functioning mechanism and a self-reflective evaluation capacity.

Again, as Neera Chandhoke (1995, *op.cit.*) rightly observes, what needs to be seen is that the civil society organisations do not assume anti-democratic, fundamentalist and oppressive proportions. Clarity on their boundaries, access, role and functions is a precondition for their success. A country rooted in strong civil society traditions could ensure all the prerequisites of Good Governance namely transparency, efficiency, accountability, participation and responsiveness are adhered to. This is possible only if conditions for a mutually advantageous existence of the State, market and community are nurtured and sustained in the present globalisation context. Civil society is relevant for public administration as the concept of governance has become multi-actor centric with civil society playing an important role along with State and market in governance and development. This Unit has tried to bring out the evolution of the concept of civil society, its present context, and its relationship with the other actors viz., State and the market. It has highlighted some of the factors that influence the delicate balance between these three actors and has discussed the role of civil society in the years to come.

19.9 KEY CONCEPTS

Social Capital

It refers to trust, networks and shared norms between individuals in a society. It means associational diversity. It includes the relationship, attitudes and values that govern the interactions among people. Social capital theory proposes that social connectedness has a strong impact on those societal outcomes which depend on coordination of action.

(Sussane Hoeber Rudolph and Lloyd I. Rudolph “The Coffee House and the Ashram” and Neera Chandhoke “The ‘Civil’ and ‘Political’ in Civil Society” Carolyn M. Elliott, 2003, *Civil Society and Democracy: A Reader*, OUP, New Delhi).

Teleological

A system of morality in which the proper choice among two or more options is based on their practical consequences. Whichever choice has the best (or least worse) outcome is the moral decision. Antonym is deontological.
www.religioustolerance.org/gl_t.htm

Velvet Revolution

The six week period between November 17 and December 29, 1989 is called Velvet Revolution. It brought about the bloodless overthrow of the Czechoslovak Communist regime. There were mass protests, led by playwright Václav Havel, that culminated in the fall of communism in that country. As one of the results of the Velvet Revolution, the first democratic elections since 1946 were held in Czechoslovakia in June 1990. It brought the first completely non-communist government to power in over 40 years.

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19.11 ACTIVITIES

1. Visit some nearby NGO or a Community Based Organisation or a Self-help Group. Pen down your observations on the nature of their interactions with the government or private organisations.
2. Based on Activity One, make a list of the nature of activities that your organisation under study takes up independently or with the help of other government and non-government bodies, be it private or non-state.

UNIT 20 REDEFINITION OF CONFLICT RESOLUTION

Structure

- 20.0 Learning Outcome
- 20.1 Introduction
- 20.2 Changing Nature of Conflict
- 20.3 Conflict Resolution at the Micro Level
 - 20.3.1 Conflict Resolution at Intra-organisational Level
 - 20.3.2 Inter-organisational Conflict Resolution
- 20.4 Conflict Management at the Macro Level
- 20.5 Conclusion
- 20.6 Key Concepts
- 20.7 References and Further Reading
- 20.8 Activities

20.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Analyse the significance of conflict resolution
- Understand how conflict is used by groups as a strategy to bring about desired changes in the organisation
- Discuss the methods of conflict resolution between the organisations; and
- Highlight the fact that organisations may use conflict as an opportunity for systemic changes.

20.1 INTRODUCTION

The aim of theoretical analysis of conflict is to develop an understanding of the variables, processes, strategies and techniques that interact to form the basis of conflict resolution. These enable us to analyse, understand, explain and predict the nature of conflict, and the mechanisms that contribute to its resolution. Behavioural movement has focussed on the significance of human relations in the organisations. An organisation as “A system of consciously coordinated activities of two or more persons” (Barnard, 1938), thus faces the challenge of maintaining equilibrium between divergent personnel needs and organisational goals. This situation has the potential to create conflict. One definition of conflict is that it occurs when two people try to occupy the same ‘space’ at the same time. Loomis and Loomis (1965) have observed “Conflict is an ever-present process in human relations”. Conflicts are often an integral part of social dynamics and the engine of social and political development. Mack (1969) suggests, “Conflict may define, maintain, and strengthen group boundaries, contributing to the group's distinctiveness and increasing group solidarity and cohesion.” He adds, “Conflict promotes the formation of groups. Conflict also destroys groups, both in the sense of realignments resulting from shifts in the distribution of power...and in the ultimate sense of the extermination of an unsuccessful party to conflict.” This

Unit will discuss the nature of conflict in organisations as well as their resolution at the micro and macro levels. It will try to examine the fact that the organisations may use conflict as an opportunity for bringing about changes in the system.

20.2 CHANGING NATURE OF CONFLICT

The earlier literature focused on the organisations and, to a limited extent, to the environment of the organisations, mainly because the industrialisation process emphasised the ‘efficiency’ and ‘productivity’ of enterprises. Conflict at workplace can hamper both and so it is in everybody’s interest that conflict is resolved effectively. However, with the advent of globalisation, the impact of transnational decision-making structures is being increasingly felt. New arrangements for regulatory, administrative and trade policies are evolving for determining terms of exchange. It is not that earlier there have been no such structures. We have had Structures like United Nations (UN) or General Agreement on Tariff and Trade (GATT) that have been guiding the international decision-making and have proved to be useful platforms for conflict resolution. However, most of the conflicts have been over political or military issues. But, increasing interdependence or linkages between economies and growing concern for issues like environment and human development have expanded the areas of conflict zones as well as of mutual cooperation.

The policies are no longer made in isolation. Concerns of international community are reflected in the policy process of any country. For example, the carpet industry in India needs to get a certification from authorities in the form of a mark to be able to export products to European countries, which are concerned about the abolition of child labour. So, if the country is party to a treaty, it will have to incorporate those concerns in its policies, even if they are not in the interests of a particular group or community. Even a country’s interests may be affected by a grouping of some other countries. For example, economic considerations have forced countries to form associations like G-20, G-8, ASEAN or SAARC, where members have certain privileges over the other non-signatory countries. Consequently, interests of one group may be in conflict with the other.

At the national level also, divergent needs and aspirations could create conflicts. For example, a dam on Narmada river may have economic benefits associated with it, but environmentalists see a danger to the ecology in such a project and sociologists espouse the cause of rehabilitation of displaced communities. Thus, there is a potential for conflict everywhere, be it at an organisational level, between the organisations, between the countries as well as between the Centre and the states within a particular country. Even at an individual level in the organisation, conflict potential cannot be ruled out.

Potential for Conflict

The conflicts may be on a small or large-scale; they may occur within and among groups, communities, or nations; and, they may be triggered by ethnic, racial, religious, or economic differences, or arise from differences in values, beliefs, and attitudes regarding issues. The potential for conflict depends on the degree to which needed resources must be shared, the amount of dependence among individuals and groups, and differences over goals. The “Process leading to conflict is dynamic, because of the constantly changing nature of goals” (Schmidt and Kochan, 1972). The pertinent question is: How could these varied concerns be reconciled? To be able to devise any mechanism, we need to understand the dimensions and phases of conflict.

The Dimensions of Conflict

Robinson (1972) has identified two dimensions of conflict: (i) Threats or disputes over territory, whether the boundaries of the territory are physical, social, or work boundaries; and (ii) Threats to values, goals, and policies, as well as to behaviour. Ostrom (1990) has suggested that there should be clearly defined boundaries. Threats to ‘physical boundaries’, as he calls them, often involve property disputes or controversy over use of natural resources by different groups. ‘Social territories’ help in establishing access to certain resources. Community affiliations set limits regarding who can join the group. The boundaries are limited by considerations like religious affiliation or value structure. Often social boundaries exist, even if they are not considered ‘right’ or justifiable.

‘Work Boundaries’ may create problems when threats to work boundaries arise over job descriptions. Incompatible or unclear lines of work responsibilities can lead to conflict within organisations. Disputes over work territory may also come about in situations where overlapping services and agencies exist. Jurisdictional disputes too have potential for conflict. Groups tend to ‘protect’ their territories and maintain their boundaries by excluding others, rewarding and/or punishing group members to the extent that they adhere to group norms and defend the territory in question, and by holding ethnocentric beliefs. Mack (1969) contends that ethnocentrism is an important source of as well as a contributing factor to the continuity of conflict.

Conflict can involve ‘Threats to Values’. Such issues as the environmental concerns as seen in granting ‘right to land’ to tribals in forest areas, international trade agreements as noticed in World Trade Organisation (WTO), and the content of public education as alleged in saffronisation of education may threaten individuals and groups with different value orientations. Conflict may arise over ‘Incompatibility of Goals’. For example, political parties may differ on how much of the country’s budget should be allocated to social sector or defence. Most conflict is the result of incompatibility of goals. However, sometimes the means to attain goals are also questioned.

There could be ‘Conflict over Policies’. For example, Conservationists are concerned about the degradation of forests and sociologists are concerned over social division if the Bill on Scheduled Tribes (Recognition of Forest Rights) 2005 is passed. At the same time, the Ministry of Tribal Affairs may proclaim that the Bill links issue of livelihood to granting of lands to tribals. “Threats to Behaviour”, opines Robinson (1972), “When values, policies and goals are changed, when territories are redefined, one must develop new behaviour skills.” One recent behavioural change, for instance, involves the emerging role of women in all facets of our society.

Phases of Conflict

It has been noticed that conflicts have a cyclical repetition of different phases of highs and lows. Understanding these different phases is useful in planning for conflict prevention. Once the course for preventive action has been defined, the knowledge of the phase of conflict in which decision has to be taken has important policy implications. Donald Rothchild and Chandra Lekha Sriram (2003) have identified four phases of conflict. They are:

- **Potential Conflict Phase:** In this phase, the conflict is present at a very low level of intensity. Structural factors and underlying causes create division among groups along socio-economic, cultural, and political lines. Mobilisation of collective discontent starts but is not organised at this stage. Preventive action at this point is not risky and has high potential payoffs.

- **Gestation Phase:** Consolidation of the mobilisation is the characteristic of this phase. Inter-group relations are politicised and popular mobilisation puts pressure on decision-making elites to address popular discontent. Polarisation between groups increase. However, issues are still negotiable. The costs of preventive actions increase but the potential payoffs are still positive.
- **Triggering and Escalation:** A real or perceived change in the groups' economic, social, or political conditions can trigger the escalation of conflict. Inter-elite ties break down and social interactions focus on organised reaction as political exchanges fade. Conflicting parties loose confidence in each other and feel they cannot compromise. Intervention in this phase becomes risky and costly.
- **Post-conflict:** In the post-conflict scenario, preventive interventions aim at re-establishing communication channels between the conflicting groups, in order to avoid a new round of conflict.

Conflict has no clear trajectories, implying that distinct phases do not follow one another in a precise or linear order. Intervention in the initial stages is less costly and more effective, but parties often lack the information and the incentives to act sooner than later. Now, we can analyse the conflicts and the mechanism for their resolution at different levels.

20.3 CONFLICT RESOLUTION AT THE MICRO LEVEL

20.3.1 Conflict Resolution at the Intra-organisational Level

There are three basic types of conflict within the organisation: ‘task conflict’, ‘inter-group conflict’, and ‘procedural conflict’. Disagreement about the ‘communication’ (order) is called ‘Task Conflict’. Group members may disagree about facts or opinions from authorities. Orders may lie outside the ‘Zone of Acceptance’. The interpretation of evidence may be questioned. Barnard (1938) says that normally, the authority of communication is not denied, as people realise that it is a threat to all individuals who benefit from the organisation. But if a system results in inadequate, contradictory and inept orders, it may create ‘task conflict’. The leadership in such cases needs to ensure that the orders are understood by all. It can use various communication methods to ensure this. According to Mary Parker Follett, there are three ways of resolving conflicts:

- i) *Domination:* It is a victory of one side over the other. The chances are that the conflict will emerge at a later date at the time convenient to the suppressed party.
- ii) *Compromise:* In this situation, each side loses some and wins some. Though widely accepted, people rarely want to compromise and the party, which may have an upper hand, may again create the same situations.
- iii) *Integration:* In this type of situation, neither side sacrifices. This method has some advantages as it leads to emergence of new values. However, integration requires high intelligence and the leadership needs to have a sufficient knowledge base to deal with the conflicts. Sometimes, resource constraints may jeopardise the process.

Another potential area for conflict is the ‘Inter-group Conflict’ that deals with the relationships within the organisation. Inter-group conflict may be inevitable and must be managed for optimal group maintenance. A six-step process has been described by experts:

- i) Recognition and acknowledgement that conflict exists
- ii) Analysis of the existing situation
- iii) Facilitation of communication
- iv) Negotiation
- v) Provision for necessary adjustments, reinforcements, confirmations
- vi) Realisation of living with conflicts as all conflicts cannot be resolved

'Procedural Conflict' exists when group members disagree about the procedures to be followed in accomplishing the group goal. New procedures may be formulated and a new agenda suggested. Even the group goal may be modified. 'Procedural Conflict', like 'Task Conflict', may be productive (Barker *et al*, 1987). For example, Administrative Reforms Commission in India has dealt with the issues of procedures in the past and suggested many modifications that have been implemented to some extent.

20.3.2 Inter-organisational Level Conflict Resolution

Conflict resolution at the inter-organisational level has two aspects. *First* is the environment of a particular organisation. The other organisations with which it has linkages may have conflict over goals. In the example of Scheduled Tribes (Recognition of Forest Rights) 2005, while Ministry of Environment and Forests may be concerned about the reduction in the forest cover, the Ministry of Tribal Affairs may be tackling the livelihood issues of the tribals. Incompatible goals thus may create conflict. Moreover, this may give rise to jurisdictional conflicts as well, as the issue would be control over areas given to tribals.

The *Second* aspect stems from 'Institutional Pluralism'. In an effort to reinvent government or effective governance, many service delivery agencies, both public and private, operate in the same domain. They are actually in competition with each other. However, competition and conflict are two different concepts. We need to understand the distinction. Conflict and competition have a common root because in each case, individuals or groups are usually striving toward incompatible goals. The major difference exists in the form of interference that hinders the attainment of the goal. In competition between groups working toward the same goal, the competitors have rules (formal and informal guidelines) that limit what they can do to each other in attempting to reach their goals. In conflict between groups, there are no such norms or rules.

20.4 CONFLICT MANAGEMENT AT THE MACRO LEVEL

Stratified structures with functional specificity are concomitant with development process. The differing goals of such structures may create a conflicting situation. A glaring example that came up recently can be mentioned to understand the complexities. The decision of Jharkhand Governor to install a government was challenged in the Supreme Court of India, which gave certain directions for the trial of strength in the legislative assembly of the state. The intervention by Court was considered an interference in the assembly affairs by the parliament speaker and the issue was raised to discuss the propriety of Court in this matter. Point is that if conflicts of such nature emerge, then who has the authority to intervene in order to safeguard the Constitution. Similarly, civil society movement is gaining ground in India. The sector raises various issues concerning citizens at the policy level. Apparently, macro-level conflict management is crucial. Herein, policy level intervention is required.

Policy Making as Conflict Resolution

Nurturing of democracy is the best option for some scholars. Of the range of tools available to conflict resolution practitioners to manage intractable conflicts, none of them is arguably more durable over the long-term than the creation and nurturing of democracy. Democracy is promising because the principles, institutions, and rules associated with democratic practice seek to manage inevitable social conflicts in deeply divided and less conflicted societies alike. Policy process itself includes the voicing of interests by interest groups. Thus, democracy as a system of political decision-making is in many ways a system of conflict management in which the outcomes are unknown but the fundamental rules of the game provide a safe arena in which to compete. Though the evidence of effectiveness of democratic institutions is a mixed one as the level of trust is weak, the issues are emotionally strong, the parties are faction-ridden and incoherent, and much is required of outside parties to guarantee a settlement, it has its advantages as mentioned earlier on.

Towards Proactive Conflict Resolution

Boulding (1962) says, “The biggest problem in developing the institutions of conflict control is that of catching conflicts young. Conflict situations are frequently allowed to develop to almost unmanageable proportions before anything is done about them, by which time it is often too late to resolve them by peaceable and procedural means.” For any system to be effective and efficient in achieving its goals, the people in the system need to have a shared vision of what they are striving to achieve, as well as clear objectives for each team/department and individual. We also need to create mechanisms for recognising and resolving conflict amongst people, so that conflict does not become so serious that co-operation is impossible.

Mary Parker Follett accorded an important place to the problems of conflict. She advanced the idea of ‘constructive conflict’, that “Conflicts should be regarded as a normal process in any activity of an organisation by which socially valuable differences register themselves for the enrichment of all concerned”. By implication, they are neither good nor bad and have to be assessed objectively. Only conflicts that turn violent are disruptive and harmful. Proactive conflict management aims at preventing conflicts. This requires certain steps which are mentioned below:

Integrated Conflict Management Systems

Attempts should be made to have integrated conflict management systems. Effective integrated conflict management systems share five characteristics. These relate to:

- i) Making available options for preventing, identifying, and resolving all types of problems including ‘non-hierarchical’ disputes between employees or between managers to all persons in the workplace
- ii) Fostering a culture that welcomes good faith dissent and encourage resolution of conflict at the lowest level through direct negotiation
- iii) Providing multiple access points to enable employees to readily identify and access a knowledgeable person whom they trust for advice about the conflict management system
- iv) Opening-up multiple options to employees to resolve the conflicts, to look for an opportunity to adopt a problem-solving approach, to seek determination and enforcement of rights, or to do both

- v) Facilitating necessary systemic support and structures that coordinate access to multiple options and promote competence in dealing with conflict throughout the system

Strengthening Institutions

Institutions are characterised by formal rules and informal constraints as well as efficacy of their implementation. Clearly defined roles and responsibilities would ensure that they do not step on each other's shoes. Weak institutions have often been blamed for the system's woes and both policy makers and practitioners tend to avoid the institutional reform agenda. This may not only compromise the conflict management capacities of the institutions but also give rise to conflicts. So, if the legislature does not have effective control over the executive, the latter may escape the scrutiny of its actions. Consequently, the non-performance of service delivery functions may induce discontent among the beneficiaries. Therefore, institutions need to be strengthened, which would also ensure the legitimacy of their actions among the stakeholders.

Central Coordinating Point

Every system has its coordinating points of resolving conflict. The Prime Minister's Office is a good example of such a systemic support. In case of a dispute between ministries, it intervenes to resolve the conflict. Joint Consultative Machinery at the national, regional or departmental levels is another coordinating point. Based on the Whitley Council of Britain, these resolve conflicts between the government and its employees. The central coordinating point spurs the development and implementation of the system, administers some of its resources, and monitors the implementation. It ensures that the system is responsive to information it produces and also to the changing circumstances. However, it also needs to ensure that costs are allocated in a manner that gives incentives to managers and employees or other stakeholders to deal with conflict early and effectively.

System Evaluation and Monitoring Mechanisms

Communication – upward, downward and horizontal, is the essence of the organisation. Feedback loops ensure that there is a connection between conflicts, resolutions, identification of the need for systemic change, and assessment of trends. Harmonious communication requires that each stakeholder knows the entire system and any change that takes place in the system. Evaluation is the key to a system's success, as it informs the organisation of the strengths and weaknesses of its design, thereby allowing the opportunity for continual improvement. The coordinating point may ensure adequate communication process for the purpose.

Capacity Building

Changing environment and continued systemic pressure on the organisations requires that stakeholders are capable of coping with the increased demands of the tasks. Meeting the changing expectations of society calls for radical changes in attitudes and behaviours in the public administration systems. A Capacity Needs Enhancement Assessment from time to time may enable the managers in taking timely steps toward capacity building of stakeholders. For example, the Ministry of Agriculture before contemplating a subsidy on any item needs to be aware of implications of any such subsidy in World Trade Organisation (WTO).

People's Participation

Some experts argue that conflict may stimulate participation in the decision making process but provide only a temporary stimulus and prevent the

development of a permanent foundation for participation. Many individuals who find conflict distasteful may be repelled. However, people's participation may be used to deal with conflict situations more effectively when they arise. One indicator of participation is the extent of decentralisation. Decentralisation not only deepens the democracy, it also facilitates the people to get their voices included in the policy process, which in the longer run would result in support of communities in identifying and resolving conflicts.

Civil Society Organisations

There are thousands of Civil Society Organisations (CSOs) throughout the world at the global, regional, and national levels. These CSOs include NGOs, trade unions, faith-based organisations, Self-help Groups indigenous people's movements, and foundations. As we have read in our previous Unit, they have emerged as a strong force in recent times. For example, it was at the instance of CSOs (both Indian and global) that Gujarat Chief Minister Mr. Narendra Modi was denied visa for a visit to the U.S.A., as he was thought to be a perpetrator of genocide of members of a particular community. Similarly, there are many examples of active partnerships of CSOs in the areas of forest conservation, AIDS vaccines, rural poverty, micro-credit, and other aspects of development. They are now important stakeholders and have the potential to create or resolve conflicts. Their inclusion in the policy process not only strengthens the institutions, but also enables community participation, as they have great capacity to mobilise people on various issues.

International Organisations

International Conflict Management is a dynamic interdisciplinary field, constantly evolving as a response to problems in International Relations. Theoretically located between social and behavioural science, it is the point at which these perspectives meet and sometimes clash. Conflicts in the international arena are no longer confined to problems of violence. Socio-economic and environmental concerns have occupied the centre-stage. However, realising the significance and potential of conflicts to disrupt the process, conflict resolution mechanisms are now an integral part of the arrangements being put into place.

Several Multilateral Environmental Agreements (MEAs) have been signed by various countries. These have not been built under one international organisation, but are scattered over many organisations and agreements. Several of them restrict trade in various items. For example, Montreal Protocol restricts trade in Ozone Depleting Substances (ODS). At the same time, WTO facilitates trade and makes it contingent upon members to grant "Most Favoured Nation" status to each other except under circumstances agreed to by all the parties. Problem arises when a country, which has not signed the Montreal Protocol, wants to sell ODS to a party member to the Protocol. Denial by the other party may infringe upon the exporting country's right and it may go to the Dispute Settlement Committee of WTO. Potential of such conflicts forced the WTO secretariat to set up a separate committee to resolve the matter.

Again, increasing globalisation has expanded the scope of activities of Multinational Corporations (MNCs). They have bases in many countries. Often the interests of a company may come in conflict with the country where it has a base. For example, Dabhol Power Corporation had set up a power plant in Maharashtra, but failure of its operations created conflict among the three stakeholders – Enron Company, Maharashtra State Government and the Central Government. Finally, arbitration is being resorted to solve the matter.

So, we find that there are three major mechanisms that help resolve the conflicts:

- **Negotiation:** This is the process where mandated representatives of groups in a conflict situation meet together in order to resolve their differences and to reach an agreement. It is a deliberate process, conducted by representatives of groups, designed to reconcile differences and to reach agreements by consensus. The outcome is often dependent on the power relationship between the groups.
- **Mediation:** When negotiations fail or get stuck, parties often call in an independent mediator. This person or group tries to facilitate settlement of the conflict. The mediator plays an active part in the process, advises both or all groups, acts as an intermediary and suggests possible solutions. However, mediators act only in an advisory capacity - they have no decision-making powers and cannot impose a settlement on the conflicting parties.
- **Arbitration:** It means the appointment of an independent person to act as an adjudicator (or judge) in a dispute and to decide on the terms of a settlement. Both parties in a conflict have to agree about who the arbitrator should be, and that the decision of the arbitrator will be binding on them. Arbitration differs from mediation and negotiation in that it does not promote the continuation of collective bargaining. The arbitrator listens to and investigates the demands and counter-demands and takes over the role of decision-maker. People or organisations can agree on having either a single arbitrator or a panel of arbitrators.

There are organisations established by international treaties between or among national governments. United Nations (UN), World Health Organisation (WHO), International Court of Justice etc. are international organisations and the signatory countries are bound by the rules and regulations of these organisations. They help in resolving conflicts between the countries. So, if a country feels that its interests are threatened by some actions of another country, it resorts to conflict resolution mechanism created under these organisations.

We have also often heard of the phrase ‘global village’ that refers country to increasing inter-dependence of societies and economies. Several companies have simultaneous presence in many countries. Many times, these private companies enter into an agreement with the sovereign country. In case of conflict of interests, they resort to agreed conflict resolution mechanism.

In such a situation, decision-making or the policy process in a country is influenced by such treaties or agreements. The State needs to ensure that conflicting policies are not formulated in order to avoid situations that demand conflict resolution. But if they are, then a systematic conflict resolution provision has to be there.

20.5 CONCLUSION

Thus, we can conclude that conflict is bound to occur in any situation or place where interests or goals collide. Conflict resolution has to be an integral part of any organisation, agency and government. Conflict could have positive as well as negative consequences. Ranging from micro to macro levels, conflict resolution is managed in a systematic and legal manner.

Conflict can also be used as a strategy in social change. Narmada Bachao Andolan used conflict, as a strategy, to achieve its goals and change the existing conditions. It did not avoid conflict. Through the conflict, the people associated with the movement, wanted those in charge at the higher level in the power structure to address their problem. In order to effectively approach such situations, it is necessary to understand how conflict can be used as a strategy in

social change. One of the necessary ‘tools’ in conflict management is an awareness and understanding of the strategies that agitators use in generating conflict. Often the basic strategy of the agitators is to organise community and neighbourhood groups to “Establish a ‘creative tension’ within the establishment” (Robinson and Clifford, 1974). Whether the tension is creative or not, tension is frequently ‘created’. The tactics may range from Gandhian method of non-cooperation to protests, boycotts or sit-ins or even violence.

Properly managed, conflict can be associated with a range of positive effects. It can cause problems to surface and be dealt within a group, clarify varying points of view, stimulate and energise individuals, motivate the search for creative alternatives, provide vivid feedback, create increased understanding of one's conflict style and extend the capacities of group members, and provide a mechanism for adjusting relationships in terms of current realities. There are many possible negative results that emanate from conflict, including reduced cooperation, trust, and motivation. As Parker (1974) notes, “Conflict not managed will bring about delays, disinterest, lack of action and, in extreme cases, a complete breakdown of the group. Unmanaged conflict may result in withdrawal of individuals and an unwillingness on their part to participate in other groups or assist with various group action programmes.” The goal of conflict management, then, is to increase the positive results, while reducing the negative ones. This Unit discussed the major issues involved in conflict resolution.

20.6 KEY CONCEPTS

ASEAN

The Association of South-East Asian Nations or ASEAN was established on 8th August 1967 in Bangkok by five original member countries – Indonesia, Malaysia, Philippines, Singapore and Thailand. The ASEAN Declaration states that the aims and purposes of the Association are:

- i) To accelerate the economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-East Asian Nations; and (ii) To promote regional peace and stability through abiding respect for justice, and the Rule of Law in the relationship among countries in the region and adherence to the principles of the UN Charter.

The Treaty of Amity and Cooperation (TAC) in South-East Asia, signed at the First ASEAN Summit in 1976 declared that in their relations with one another, the High Contracting Parties should be guided by certain fundamental principles which include mutual respect, non-interference in settlement of differences over the internal matters of a particular country, and effective cooperation.

Creative Tension

It is the tension that comes through the predictable stage in the creative process. These stages are ‘preparation’ for identifying a problem, concerted effort’ to use resources, ‘frustration’ if no solution is found, ‘withdrawal’ putting aside the problem, ‘insight’ emanating from a spontaneous moment in work and ‘follow through’, implementing ideas into action. Creative Tension craves resolution. The essence of increased productivity in life is to learn how to generate and sustain creative tension in your workday and not tension stress. Enhancement of creative tension would include steps such as setting aside time for the hardest work, permitting your thoughts to be chaotic, taking short break for ideas to flow, and implementing ideas instantly.

(Karla Brandau “Tension Stress or Creative Tension: New Breakthroughs in Personal Productivity”

<http://www.sensiblesoftware.com/articles/a/www.turnforresults.com>

Group of Eight G-8

It is considered to be the global public making body at the highest level. The G8 includes the Group of Seven countries along with Russia. The other countries include Canada, France, Germany, Italy, Japan, the United Kingdom and the United States. The representatives from these countries meet to discuss economic issues, and other international and monetary matters.

Group of Twenty Forum G-20

This is a block of developing nations which came into being at the 5th Ministerial WTO Conference held in Mexico in September 2003. This includes finance ministers or central bankers from Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Asia, South Korea, Turkey, UK and US along with representatives of the IMF, European Union and World Bank. This group attempts to discuss and negotiate on key economic and financial policies issues among these economies and promote co-operation to achieve sustainable economic growth at the global level.

Montreal Protocol

It is an international agreement to drastically reduce the production of chlorofluoro carbons. The Protocol was adopted in Montreal in 1987 and amended in 1992 in Copenhagen. It governs stratospheric ozone protection and research and production of ozone deleting substances.

<eobglossary.gsfc.nasa.gov/library/glossary.php3>

Ozone Depleting Substances (ODS)

Depletion of ozone has become a major concern for the environmentalists. As per the Wikipedia, ozone depletion refers to the phenomenon of reduction in the amount of ozone in the stratosphere. Since the ozone layer prevents most harmful wavelengths of ultraviolet light from passing through the Earth's atmosphere, observed and projected decreases in ozone have generated a worldwide concern. Ozone depleting chemicals called the chlorofluoro carbons have been banned by the Montreal Protocol

Spoils System

The ancestral home of the Spoils System was the USA. Its essence was to make the public offices the spoils for the party winning at the polls. When a new party came to power, it dismissed all the employees appointed by its predecessor and filled the vacancies with its own supporters.

(M.P. Sharma & B.L. Sadana, 1998, (37th Ed), *Public Administration in Theory and Practice*, Kitab Mahal, Allahabad)

SAARC

It is the South Asian Association for Regional Corporation, established on December 8, 1985, It is an association of seven countries of South Asia namely Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. The goal of the SAARC is to promote economic, technical and cultural cooperation between its member countries and provide a forum for the discussion of South Asia's political problems.

Whitley Councils

These were first created in 1917 in the industrial field as a result of the recommendation of a Committee presided over by Mr. Whitley (the then Speaker of House of Commons) as a grievance redressal mechanism. In 1919, the scheme was approved by civil services also. The Whitley organisation in the civil service consists of a National Council, Department Councils, District Office or Work Committees. The government representatives are from the officer class, while the staff representatives are from the among government representatives and the Vice-Chairman is from the staff. The object of Whitley Council are to:

- (i) Provide machinery for the ventilation and discussion of governance as to the conditions of service
- (ii) Determine general principles regarding the same
- (iii) Utilise the ideas and experience of staff for improvement in office machinery and organisation
- (iv) Encourage further education of the staff; and
- (v) Secure greatest possible measure of cooperation between the State as employer and general body of civil servants.

(Source: M.P Sharma and Sadana, 1997, *op.cit.*)

Zone of Acceptance

This concept has been coined by Herbert Simon. According to him, an order given by a superior to a subordinate is accepted due to four basic factors of motivation in addition to the authority exercised by the superior. These include

- a) Rewards and sanctions
- b) Legitimacy
- c) Social approval
- d) Subordinates' confidence in the superior's ability

An order given by a superior, accompanied by any of the above four factors is said to be accepted by the subordinates.

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20.8 ACTIVITIES

1. Attempt penning down a case study on conflict resolution involving Multilateral Environmental Agreements or WTO Agreements or UN Policy Resolution about which you have read recently.
2. How would you proceed if you are in the middle management cadre and your subordinates refuse to accept one of your orders? You can conjure up any conflict-ridden scenario.

UNIT 21 ETHICAL CONCERNS IN PUBLIC ADMINISTRATION

Structure

- 21.0 Learning Outcome
- 21.1 Introduction
- 21.2 Ethics: Meaning and Relevance
- 21.3 Evolution of Ethical Concerns in Administration
- 21.4 Context of Ethics and its Significance for Public Administration
- 21.5 Issue of Ethics: Foci and Concerns
- 21.6 Pertinence of a Code of Administrative Ethics
- 21.7 Nature of Work Ethics
- 21.8 Towards New Dimensions of Ethics
- 21.9 Obstacles to Ethical Accountability
- 21.10 Future Perspective
- 21.11 Conclusion
- 21.12 Key Concepts
- 21.13 References and Further Reading
- 21.14 Activities

21.0 LEARNING OUTCOME

After reading this Unit, you will be able to:

- Discuss the meaning of the term ‘ethics’
- Bring out the evolution and context of ethics and relate it to public administration
- Throw light on the foci and concerns pertaining to the issue of ethics
- Understand the nature of work ethics and the necessity to evolve a Code of Ethics; and
- Analyse the obstacles to ethical accountability

21.1 INTRODUCTION

‘Ethics’ is a difficult term to define. The meaning, nature and scope of ethics have expanded in the course of time. ‘Ethics’ is integral to public administration. In public administration, ethics focuses on how the public administrator should question and reflect in order to be able to act responsibly. We cannot simply bifurcate the two by saying that ethics deals with morals and values, while public administration is about actions and decisions. Administering accountability and ethics is a difficult task. The

levels of ethics in governance are dependent on the social, economic, political, cultural, legal-judicial and historical contexts of the country. These specific factors influence ethics in public administrative systems. This Unit will discuss the meaning, evolution, foci and concerns of ethics. It will bring out the different dimensions of ethics and their relevance for public administration. The significance of an ethical code for administrators will be analysed and the nature of work ethics will be discussed. This Unit will also examine the obstacles to ethical accountability.

21.2 ETHICS: MEANING AND RELEVANCE

‘Ethics’ is a system of accepted beliefs, mores and values, which influence human behaviour. More specifically, it is a system based on morals. Thus, ethics is the study of what is morally right, and what is not. The Latin origin of the word ‘ethics’ is *ethicus* that means character. Since the early 17th century, ‘ethics’ has been accepted as the “Science of morals; the rules of conduct, the science of human duty.” Hence, in common parlance, ethics is treated as moral principles that govern a person’s or a group’s behaviour. It includes both the science of the good and the nature of the right.

The ethical concerns of governance have been underscored widely in Indian scriptures and other treatises such as *Ramayana*, *Mahabharata*, *Bhagvad Gita*, *Buddha Charita*, *Arthashastra*, *Panchatantra*, *Manusmriti*, *Kural*, *Shukra Niti*, *Kadambari*, *Raja Tarangani*, and *Hitopadesha*. At the same time, one cannot ignore the maxims on ethical governance provided by the Chinese philosophers such as Lao Tse, Confucius and Mencius.

In the Western philosophy, there are three eminent schools of ethics. The *first*, inspired by Aristotle, holds that virtues (such as justice, charity and generosity) are dispositions to act in ways that benefit the possessor of these virtues and the society of which he is a part. The *second*, subscribed to mainly by Immanuel Kant, makes the concept of duty central to morality: human beings are bound, from a knowledge of their duty as rational beings, to obey the categorical imperative to respect other rational beings with whom they interact. The *third* is the Utilitarian viewpoint that asserts that the guiding principle of conduct should be the greatest happiness (or benefit) of the greatest number (Hobson, 2002). The Western thought is full of ethical guidelines to rulers, whether in a monarchy or a democracy. These concerns are found in the writings of Plato, Aristotle, Thomas Jefferson, Alexander Hamilton, Thomas Penn, John Stuart Mill, Edmund Burke, and others.

Rawl’s theory of justice revolves around the adaptation of two fundamental principles of justice, which would, in turn, guarantee a just and morally acceptable society. The first principle guarantees the right of each person to have the most extensive basic liberty compatible with liberty of others. The second principle states that social and economic positions are to be: (a) To everyone’s advantage, and (b) Open to all. A key issue for Rawls is to show how such principles would be universally adopted, and over here his work borders on general ethical issues. He introduces a theoretical ‘veil of ignorance’ in which all ‘players’ in the social game would be placed in a situation, which is called the ‘original position’. Having only a general knowledge about the facts of ‘life and society’ each player is to make a ‘rationally’ prudential choice concerning the kind of social institution they would enter into contract with. By denying the players any specific information about themselves it forces them to adopt a generalised point of view that bears a strong resemblance to the moral point of view. This view point revolves around moral conclusions can be reached without abandoning the prudential standpoint and posting a moral outlook merely by pursuing one’s own prudential reasoning under certain procedural bargaining.

The gist of wisdom on administrative ethics is that the public administrators are the “guardians” of the Administrative State. Hence, they are expected to honour public trust and not violate it. Two crucial questions raised in this context are “why should guardians be guarded? And “Who guards the guardian?” (Rosenbloom and Kravchuk, 2005). The administrators need to be guarded against their tendency to misconceive public interest, promote self-interest, indulge in corruption and cause subversion of national interest. And they need to be guarded by the external institutions such as the judiciary, legislature, political executive, media and civil society organisations. These various modes of control become instruments of accountability.

21.3 EVOLUTION OF ETHICAL CONCERNS IN ADMINISTRATION

It is essential to recognise that the discipline of Public Administration has been broadly influenced in the initial stages of its growth, by Political Science and the science of Management. While the philosophical premises of Public Administration were influenced primarily by Political Science, its technological facet was designed by Management Sciences. The early Political Science was taught as Moral Philosophy and Political Economy, while its current curriculum is the product of secular, practical, empirical and scientific tendencies of the past century. The American students of Political Science, in the early years of the last century, were dismayed at the inadequacies of the ethical approach in the Gilded Age. As a result of their interaction with the German universities and the influence on their thinking by scholars such as J.N Burgess, E.J. James, A.B Hart, A.L Lovell, and F.J Goodnow, they sought to recreate Political Science as a true science. They became increasingly interested in observing and analysing ‘actual governments’. Natural and Social Sciences substantially influenced their ideas and approaches.

Later, Logical Positivism of the Austrian School influenced scholars such as Herbert Simon and thus there emerged a booming faith in developing a Science of Politics and a Science of Administration that would be able to ‘predict and control’ political and administrative life. As Dwight Waldo comments, the old belief that good government was the government of moral men was thus replaced by a morality that was irrelevant and that proper institutions and expert personnel were the determining factors in shaping good government. ‘The new amorality became almost a request for professional respect’.

The eminence of Behaviouralism until the mid-1960s further marginalised the ethical issues in the study of Political Science and Public Administration. It was only after the advent of Post-behaviouralism in Political Science and of the accent on New Public Administration in Public Administration that the scientific methods of Behaviouralism and humanistic (read ‘ethical’) values struck a homogenous chord with administration and the dispute between facts and values was resolved substantially.

The current discipline of public administration accords primacy to the ‘values’ of equity, justice, humanism, human rights, gender equality and compassion. The movement of Good Governance, initiated by the World Bank in 1992, lays stress, *inter alia*, on the ethical and moral conduct of administrators. While the New Public Management movement is more concerned with administrative effectiveness, the New Public Administration focuses on administrative ethics in its broader manifestation. Both the movements are complementary to each other. This complementarity of foci

is as truer today as it was a hundred years ago when the industrial world was experiencing the rise of Scientific Management amidst a strong acceptance of the notion of administrative responsibility. John Kennedy, during his Presidency (1961-1963) had averred: "No responsibility of government is more fundamental than the responsibility of maintaining the higher standards of ethical behaviour.

The ideal-type construction of bureaucracy, propounded by Max Weber also highlighted an ethical imperative of bureaucratic behaviour. Weber (1947) observed: In the rational type, it is a matter of principle that the members of the administrative staff should be completely separated from ownership of the means of production and administration. Officials, employees and workers attached to the administrative staff do not themselves own the non-human means of production and administration.... These exists, furthermore, in principle complete separation of property belonging to the organisation, which is controlled within the sphere of office, and the personal property of the official, which is available for his own private uses".

Weber's analysis underscores the need to prevent the misuse of an official position for personal gains. Although his ideal-type construct on bureaucracy is not empirical, yet it has an empirical flavour, for it appears to have taken into account the existential reality of bureaucratic behaviour. From a normative angle – knowing that Weber was not normative in his ideal type constructs – also, the message is clear: Don't misuse official property for personal benefit.

Most critics of real-world bureaucracies, including Harold Laski, Carl Friedrich, Victor Thompson and Warren Bennis, have criticised bureaucrats for violating the prescribed norms of moral conduct. Even Fred Riggs, while discussing the traits of a prismatic society like 'formalism' and 'nepotism' points out the yawning gap between the 'ideal' and the 'real' in administrative behaviour. The deviations from the norms and mores have been too glaring to be ignored. Immoral behaviour thus has become an integral component of 'bureaucratopathy'

21.4 CONTEXT OF ETHICS AND ITS SIGNIFICANCE FOR PUBLIC ADMINISTRATION

Ethics, whether in an entire society, or in a social sub-system, evolves over a long period of time and is influenced, during its nurturance and growth, by a variety of environmental factors. Administrative ethics is no different. It is the product of several contextual structures and it never ceases to grow and change. Let us now look at some of these contextual factors that influence ethics in the public administrative systems:

The Historical Context

The history of a country marks a great influence on the ethical character of the governance system. The Spoils System in the USA during the initial phase of the American nation vitiated the ethical milieu of the American Public Administration. "To victor belong the spoils" asserted American President Jackson. Things would have continued the same way had not a disgruntled job seeker assassinated President Garfield in 1881. Garfield's assassination spurred the process of civil service reforms in the USA, and the setting up of the US. Civil Service Commission in 1883 was the first major step in this direction.

India has witnessed a long history of unethical practices in the governance system. Kautilya's *Arthashastra* mentions a variety of corrupt practices in which the administrators of those times indulged themselves. The Mughal Empire and the Indian princely rule were also afflicted with the corrupt practices of the courtiers and

administrative functionaries, with ‘bakashish’ being one of the accepted means of selling and buying favours. The East India Company too had its share of employees who were criticised even by the British parliamentarians for being corrupt.

The forces of probity and immorality co-exist in all phases of human history. Which forces are stronger depends upon the support these get from the prime actors of politico-administrative system. What is disturbing is that a long legacy of unethical practices in governance is likely to enhance the tolerance level for administrative immorality. In most developing nations having a colonial history, the chasm between the people and the government continues to be wide. In the colonial era, the legitimacy of the governance was not accepted willingly by a majority of population and therefore, true loyalty to the rulers was a rare phenomenon. Although the distance between the governing elite and the citizens has been reduced substantially in the transformed democratic regimes, yet the affinity and trust between the two has not been total even in the new dispensation. Unfortunately, even the ruling elite does not seem to have imbibed the spirit of emotional unity with the citizens. The legacy of competitive collaboration between the people and the administrators continues to exist. The nature of this relationship has an adverse impact on ‘administrative ethics’.

The Socio-cultural Context

Values that permeate the social order in a society determine the nature of governance system. The Indian society today seems to prefer wealth to any other value. And in the process of generating wealth, the means-ends debate has been sidelined. Unfortunately, ends have gained supremacy and the means do not command an equal respect. A quest for wealth in itself is not bad. In fact, it is a mark of civilisational progress. What is important is the means employed while being engaged in this quest.

We seem to be living in an economic or commercial society, where uni-dimensional growth of individuals seem to be accepted and even valued, where ends have been subdued by means, and ideals have been submerged under the weight of more practical concerns of economic progress. Can we change this social order? Mahatma Gandhi very much wanted to transform the priority-order of the Indian society, but there were hardly any takers or backers of his radical thinking that was steeped in a strong moral order. To put it bluntly, ever since Gandhi passed away, there has been not a single strong voice in independent India challenging the supremacy of ‘teleology and unidimensionalism’. Neither have our family values questioned this unilinear growth of society nor has our educational system made serious efforts to inject morality into the impressionable minds of our youth. We have starkly failed on these fronts. The need is to evolve fresh perspectives on what kind of the Indians we wish to evolve and how? Till then, efforts will have to be focused on the non-social fronts.

The issues of morality may or may not be rooted in the religious ethos of a society. Indian religious scriptures do not favour pursuit of wealth through foul means. Interestingly, Thiru Valluvar’s *Kural*, written two thousand years ago in Tamil Nadu, emphasises that earning wealth brings fame, respect and an opportunity to help and serve others, but it should be earned through right means only. Can this dictum form the basis of our socio-moral orientation?

The level of integrity among Protestants and Parsees is believed by some to be relatively higher when compared to other religions and one can find the roots of such integrity in the well-ingrained mores of these religions. Nevertheless, it is only one point of view, as there are several other religious and secular groups, which are known for their high moral conduct. The cultural system of a country, including its religious orientation, appears to have played a significant role in influencing the work ethics of its people. For instance, the stress on hard work, so characteristic of the Protestant ethics, has helped several Christian societies to enhance their per capita

productivity. While Judaism has valued performance of physical labour by its followers, the Hindu and Islamic societies, on the other hand, have generally considered physical labour to be of lower rank than the mental work.

Work ethics may or may not be linked with religious moorings. These are subjective issues but make for an interesting study. The family system and the educational system are influential instruments of socialisation and training of the mind in its impressionable years. If the values inculcated through the family and the school have underscored honesty and ethics, the impact on the mind-set of citizens is likely to be highly positive and powerful.

Legal-judicial Context

The legal system of a country determines considerably the efficacy of the ethical concerns in governance system. A neatly formulated law, with a clear stress on the norms of fair conduct and honesty, is likely to distinguish chaff from grain in the ethical universe. Conversely, nebulous laws, with confusing definition of corruption and its explanations, will only promote corruption for it would not be able to instill the fear of God or fear of law among those violating the laws of the land and mores of the society. Besides, an efficient and effective judiciary with fast-track justice system will prove a roadblock to immorality in public affairs. Conversely, a slow-moving judiciary, with a concern for letter rather than the spirit of the law, will dither and delay and even help the perpetrators of crimes by giving them leeway through prolonged trials and benefits of doubt.

Likewise, the anti-corruption machinery of the government, with its tangled web of complex procedures, unintendedly grants relief to the accused who are indirectly assisted by dilatory and knotty procedures. In India, there is hardly any effective anti-corruption institution. As we have read in Unit 7 earlier on in this Course, the Lok Pal is yet to be established, Lok Ayuktas are feeble and toothless agencies, while the state vigilance bodies are low-key actors. The consequences are too obvious to warrant any explanation.

The Political Context

The political leadership, whether in power or outside the power-domain, is perhaps the single most potent influence on the mores and values of citizens. The rulers do rule the minds, but in a democracy particularly, all political parties, pressure groups and the media also influence the orientation and attitudes on moral questions. If politicians act as authentic examples of integrity, as happens in the Scandinavian countries, or as examples of gross self-interest, as found in most South Asian countries, the administrative system cannot remain immune to the levels of political morality.

The election system in India is considered to be the biggest propeller to political corruption. Spending millions on the elections 'compels' a candidate to reimburse his expenses through fair or foul means – more foul than fair. While fair has limits, foul has none. It is generally argued that the administrative class – comprising civil servants at higher, middle as well as lower levels – emerges from the society itself. Naturally, therefore, the mores, values and behavioural patterns prevalent in the society are likely to be reflected in the conduct of administrators. To expect that the administrators will be insulated from the orientations and norms evidenced in the society would be grossly unrealistic.

The argument, propounded here, has a convincing logic, yet there can be a counter-point that the rulers are expected to possess stronger moral fibre than the subjects. Since there are hardly any instrumentalities to protect and nurture administrative

morality vis-à-vis the general social morality, such an expectation remains at the most an elusive ideal. Hence, there is an obvious need to go deeper into the problem.

The behaviour of politicians has a demonstration effect on civil servants. Besides, the capacity of the less honest political masters to control civil servants is immense. It is ironical that the moral environment in a country like India is designed more by its politicians than by any other social group. The primacy of the political over the rest of systems is too obvious to be ignored. If the media is objective and fearless, its role in preventing corruption can be effective. It can even act as a catalyst to the promotion of ethical behaviour among administrators. Hence, those who own and manage the media should understand their wider social and moral responsibilities. The trend in this direction is visible now with many television channels regularly airing their 'expose' on malpractices in the system. This role of the media is important if performed with intent of social responsibility rather than sensationalism.

The Economic Context

The level of economic development of a country is likely to have a positive correlation with the level of ethics in the governance system. Even when a causal relation between the two is not envisaged, a correlation cannot be ruled out. A lower level of economic development, when accompanied with inequalities in the economic order, is likely to create a chasm among social classes and groups. The less privileged or more deprived sections of society may get tempted to forsake principles of honest conduct while fulfilling their basic needs of existence and security. Not that the rich will necessarily be more honest (though they can afford to be so), yet what is apprehended is that the poor, while making a living, may find it a compelling necessity to compromise with the principles of integrity.

It is interesting to note that with the advent of liberalising economic regime in developing nations, there is a growing concern about following the norms of integrity in industry, trade, management and the governance system on account of the international pressures for higher level of integrity in the WTO regime. This is what Fred Riggs would call 'exogenous' inducements to administrative change.

21.5 ISSUE OF ETHICS: FOCI AND CONCERNS

An important question arises in connection with the moral obligation of an administrative system. Is the administrative system confined to acting morally in its conduct or does it also share the responsibility of protecting and promoting an ethical order in the larger society? While most of the focus on administrative morality is on the aspect of probity within the administrative system, there is a need to consider the issue of the responsibility of the governance system (of which the administrative system is an integral part) to create and sustain an ethical ambience in the socio-economic system that would nurture and protect the basic moral values. Moral political philosophy assumes that the rulers will not only be moral themselves, but would also be the guardians of morality in a society. Truly, being moral is a prerequisite to being a guardian of wider morality. Both the obligations are intertwined.

It is a truism that the crux of administrative morality is ethical decision-making. The questions of facts and values cannot be separated from ethical decision-making. Thus, the science of administration gets integrated with the ethics of administration. And in this integrated regime, only that empirical concern is valued, which respects the normative concerns in the delivery of administrative services.

Which are the essential concerns in regard to administrative ethics? There can be a long list of values that are considered desirable in an administrative action. However, in being selective, one has to focus on the most crucial values. Let us now concentrate on the values of justice, fairness and objectivity. Woodrow Wilson, "The Study of Administration" (1887), in his inaugural address averred that justice was more important than sympathy. Thus, he placed justice at the top of value-hierarchy in a governance system. Paradoxically, there has been a lot of discussion on the formal-legal aspects of administrative law since then, but very little analysis has been made of the philosophical dimension of administrative justice.

The other two issues of ethical decision-making, viz. fairness and objectivity are, in fact, integral components of administrative justice. When administrators are true to their profession, they are expected to be impartial and fair and not get influenced by nepotism, favoritism and greed while making decisions of governance. Objectivity should not be misconstrued as a mechanical and rigid adherence to laws and rules. From the decision-making angle, it has undoubtedly wider ramifications encompassing a set of positive orientations.

Currently, the notion of ethics has expanded itself to involve all major realms of human existence. Let us attempt to outline certain salient aspects of ethics in public administration. Broadly, they could be summarised as following maxims:

- **Maxim of Legality and Rationality:** An administrator will follow the law and rules that are framed to govern and guide various categories of policies and decisions.
- **Maxim of Responsibility and Accountability:** An administrator would not hesitate to accept responsibility for his decision and actions. He would hold himself morally responsible for his actions and for the use of his discretion while making decisions. Moreover, he would be willing to be held accountable to higher authorities of governance and even to the people who are the ultimate beneficiaries of his decisions and actions.
- **Maxim of Work Commitment:** An administrator would be committed to his duties and perform his work with involvement, intelligence and dexterity. As Swami Vivekananda observed: "Every duty is holy and devotion to duty is the highest form of worship." This would also entail a respect for time, punctuality and fulfillment of promises made. Work is considered not as a burden but as an opportunity to serve and constructively contribute to society.
- **Maxim of Excellence:** An administrator would ensure the highest standards of quality in administrative decisions and action and would not compromise with standards because of convenience or complacency. In a competitive international environment, an administrative system should faithfully adhere to the requisites of Total Quality Management.
- **Maxim of Fusion:** An administrator would rationally bring about a fusion of individual, organisational and social goals to help evolve unison of ideals and imbibe in his behaviour a commitment to such a fusion. In situation of conflicting goals, a concern for ethics should govern the choices made.
- **Maxim of Responsiveness and Resilience:** An administrator would respond effectively to the demands and challenges from the external as well as internal environment. He would adapt to environmental transformation and yet sustain the ethical norms of conduct. In situations of deviation from the prescribed ethical norms, the administrative system would show resilience and bounce back into the accepted ethical mould at the earliest opportunity.

- **Maxim of Utilitarianism:** While making and implementing policies and decisions, an administrator will ensure that these lead to the greatest good (happiness, benefits) of the greatest number.
- **Maxim of Compassion:** An administrator, without violating the prescribed laws and rules, would demonstrate compassion for the poor, the disabled and the weak while using his discretion in making decisions. At least, he would not grant any benefits to the stronger section of society only because they are strong and would not deny the due consideration to the weak, despite their weakness.
- **Maxim of National Interest:** Though universalistic in orientation and liberal in outlook, a civil servant, while performing his duties, would keep in view the impact of his action on his nation's strength and prestige. The Japanese, the Koreans, the Germans and the Chinese citizens (including civil servants), while performing their official roles, have at the back of their mind a concern and respect for their nation. This automatically raises the level of service rendered and the products delivered.
- **Maxim of Justice:** Those responsible for formulation and execution of policies and decisions of governance would ensure that respect is shown to the principles of equality, equity, fairness, impartiality and objectivity and no special favours are doled out on the criteria of status, position, power, gender, class, caste or wealth.
- **Maxim of Transparency:** An administrator will make decisions and implement them in a transparent manner so that those affected by the decisions and those who wish to evaluate their rationale, will be able to understand the reasons behind such decisions and the sources of information on which these decisions were made.
- **Maxim of Integrity:** An administrator would undertake an administrative action on the basis of honesty and not use his power, position and discretion to serve his personal interest and the illegitimate interests of other individuals or groups.

There could be many more tenets added to the above catalogue of maxims of morality in administration. However, the overall objective is to ensure 'Good Governance' with a prime concern for ethical principles, practices, orientations and behaviour. There are no dogmas involved in defining administrative ethics. The chief concern while doing so is the positive consequence of administrative action and not just ostensibly rational modes of administrative processes. In the following Section, a few of the salient concerns and foci of ethics are being dealt with briefly.

21.6 PERTINENCE OF CODE OF ADMINISTRATIVE ETHICS

The concept of ethics has been a latecomer in the realm of public administration. For too long, doing one's duty well was considered to be an equivalent of bureaucratic ethics. Interestingly, in the United States, the original city managers' and federal code of ethics placed notable stress on efficiency as ethical concept. In the early 20th century, the perspective began to change. In 1924, the International City/Country Management Association adopted the public sector's first code of ethics that reflected anti-corruption and anti-politics facets of the municipal reforms movement.

In 1958, the US Congress imposed a code of ethics on the Federal Government and in 1978, founded the Office of Government Ethics as an upshot of the Ethics in Government Act of 1978. In 1992, the Office of Government Ethics released the Federal Government's first comprehensive set of standards of ethical conduct, comprising standards pertaining to gifts, conflicts of financial interest, impartiality, misuse of office, seeking outside employment, and outside activities. Almost all the American states have also promulgated their respective codes of ethics, though compared to the federal initiative, they are less comprehensive.

Today, codes of ethics, ethics boards, and ethics training have been accepted as integral aspects of public administration in the U.S. Moreover, ethics education has also permeated the discipline of public administration. The National Association of Schools of Public Affairs and Public Administration has made ethics education a required component of a Public Administration Programme for its accreditation and has prescribed that all introductory text-books in public administration should include a discussion on ethics (Browman, Berman and West, 2001). Eminent professional associations of public administration also offer training programmes on ethical conduct for public managers.

In India, there are a few training programmes on administrative ethics offered by the Indian Institute of Public Administration and other institutions for civil servants, but there is hardly any similar initiative taken up in the realm of education in Public Administration. The American Society for Public Administration (ASPA) had adopted in 1984 a Code of Ethics for its members (comprising intellectuals as well as practicing administrators). It was revised in 1994. Certain salient points of the ASPA's Code of Ethics are as follows:

- Exercise of discretionary authority to promote public interest
- Recognition and support to the public's right to know the public business
- Exercise of compassion, benevolence, fairness and optimism
- Prevention of all forms of mismanagement of public funds by establishing and maintaining strong fiscal and management controls, by supporting audits and investigative activities
- Protection of Constitutional principles of equality, fairness, representativeness, responsiveness and due process in protecting citizens' rights
- Maintenance of truthfulness and honesty and not to compromise them for advancement, honour, or personal gain
- Guarding zealously against conflict of interest or its appearance: e.g. nepotism, improper outside employment, misuse of public resources or the acceptance of gifts
- Establishment of procedures that promote ethical behaviour and hold individuals and organisations accountable for their conduct

There are several other 'commitments' that form a part of the ASPA's Code of Ethics. The document can serve as a model for various public sector organisations in India and other countries, which can draft and follow similar codes of ethics. In fact, it would be ideal if all public administrative agencies – ministries, departments, boards, commissions, public enterprises, urban administrative authorities, rural administrative organisations and other public institutions – adopt and honour such codes of ethics, allowing minor variations in view of the specific nature of their functional areas and

organisational requirements. The whole thing has to turn into a movement, which will certainly take some time to muster popular acceptance and credence.

In this context, it has been pointed out that even though no ethical code can provide a sure shot answer for every decisional dilemma, such a code can certainly provide broad guidelines while dealing with critical moral paradoxes in administrative decisions and actions (Dhameja, 2003). Surely, it may not be possible to draft comprehensive or exhaustive ethical codes for administrative decision-making, yet efforts can be made to make them as inclusive as possible. More importantly, such codes should be drawn up by the administrators themselves and not imposed from above. These have to strike a balance between what is ideal and what is possible. Extremities are generally resisted in the empirical world of human affairs.

The conduct rules should not be confined to the ‘don’ts’ of administrative behaviour but should also be helpful in resolving ethical dilemmas. Cases and illustrations can be helpful in guiding administrators in complex decisional situations. However, no conduct rule can be absolutely specific. Certain generalities will always enter the drafting of such rules. But what is of importance is to scan and scrutinise them at regular intervals and modify them in tune with the changing social imperatives, revised economic parameters and the prevailing cultural milieu. A code that is impractical or archaic is rarely honoured in practice (*ibid.*). We are not advocating laxity in the enforcement of codes of ethics, but only highlighting the essentiality of ‘realism’ while defining morality. A judicious blend of ‘ought’ and ‘possible’ will make an ethical code a helpful instrument in sustaining an ethical order.

21.7 NATURE OF WORK ETHICS IN PUBLIC ADMINISTRATION

An important dimension of ethics in public administration is work ethics. It represents a commitment to the fulfillment of one’s official responsibilities with a spirit of dedication, involvement and sincerity. It also implies that a government functionary would love his work and not treat it as a burden or a load. And that efficiency, productivity and punctuality will be the hallmark of his administrative behaviour.

Efficiency has been a constant concern of administrative analysis and good governance. The notion, transcending the Classical School, has permeated the New Public Management philosophy. Efficiency implies doing one’s best in one’s job, with a concern for maximum possible utilisation of human, material and financial resources and even for time to achieve the prescribed and desired objectives (Arora, 2004).

Let us take a fresh look at the notion of efficiency. Can we treat efficiency as ‘ethics’? Truly yes, for a genuinely efficient person has a regard for the higher goals of governance, including public welfare and he devotes himself to the expeditious achievement of those goals. Thus, an ‘efficient person is also an ethical person. He or she possesses administrative morality that is essentially rooted in a conviction in the desirability of ethical conduct. Here, we are not equating efficiency with mechanical productivity but with higher levels of performance that juxtaposes the ideal with the applied facets of organisational functions.

This raises another question. Why is that the quality of services and goods produced by the government organisations relatively poorer than normally observed in non-governmental sector? Government schools, government dispensaries and government offices provide an unsatisfactory look and render dissatisfactory services. In fact, the overall work culture in public systems in India is relatively lower than that prevailing

in the public sector and that existing in the government systems in most developing countries. Even when we compare India with China, South Korea and Japan, we have staggeringly low per capita productivity. The answer might lie in systemic flaws – poor infrastructure, sloppy monitoring, lackluster control and evaluation and almost an absence of reward and punishment system. Yet, the major factor behind the poor quality of output of public systems is the carelessness and callousness on the part of government functionaries. Most of them do not have a feeling of ‘one-ness’ with their organisation and their job. They do not put in their best in their work and are half-heartedly involved in their duties. Resultantly, there are unrealistic policies, irrational decisions, erratic changes in government systems and an indifference towards the beneficiaries of the system. All this may not be illegal, yet it is grossly immoral. In rendering public service, sometimes even being amoral is being immoral.

Once we agree that work ethics is important to organisational morality and once we accept that sound time management and a respect for punctuality and promptness (as against procrastination) in work disposal is a valued attribute, we should device strategies for improving work ethics in developing countries including India. A few corrective steps may be considered in this context. There should be prescribed specific norms of productivity and work performance for organisational units and even individuals. A comprehensive and inclusive performance appraisal system should be adopted. This would be feasible only if job is descriptive and role and responsibilities of each position are specified. There should be maximum delegation of powers at every level with a concurrent system of effective monitoring and work audit.

Punctuality and promptness in administrative affairs must be valued and along with the quality of work performed; these should become the criteria for reward and punishment in organisations. The seniors should lead by setting an ethical example. They should motivate their juniors to take initiative, and responsibility, and also be enterprising and efficient. Conversely, those suffering from indolence, indecision, inefficiency and dishonesty should be punished. This would set an example and create a healthy work culture for those who conduct the public business. The same spirit pervades the pronouncements of public leaders at the helm of governments in most nations.

Thus, ethics has regained its status as a distinctive characteristic of Good Governance. The trend is not likely to reverse in the foreseeable future. Hopefully, there would be a greater concern for quality in public affairs and public service, and the movement of Total Quality Management (TQM) will pervade the governmental functioning and influence the performance of governmental structure. Ethics means good service and this maxim applies most to public systems.

Public administration is designed to serve ‘public’. By its very nature, it ought to be people-oriented and even people-centred. While bureaucracies are expected to be guided by laws and rules, it is not necessary to make them mechanistically rule-centric. Public administrative organisations are human organisations and they ought to be humane in their policies, decisions, orientation and behaviour. Being responsive to people’s needs enjoins upon civil servants to be responsive to their psychological needs of being cared for, nurtured, and helped. It is in this context that administrators ought to evolve and demonstrate a higher level of emotional as well as spiritual intelligence that would make them empathetic as well sympathetic to feelings of a common person.

Despite all the visible prosperity in India, one cannot ignore massive and deplorable poverty in the country. As long as there is a single poor person in this country, the moral responsibility of administration remains to help him. But the larger issue of

empathy and compassion is not confined to demonstrating positive behaviour towards the less-privileged sections of society. It transcends this orientation. In fact, anyone having access to administration should be meted out a treatment of respect. This treatment should not be just ostensible, but real, authentic and profound. Ethical behaviour emanates from a pure and kind heart, and therefore, those who are in the business of serving people should train their heart to be sensitive and compassionate.

Compassion involves a sense of empathy. It does not end with pity. It invokes sensibilities to understand and even feel the pain of others and motivates one to be truly helpful in overcoming this pain. Hence, administrative ethics in public affairs envisages that the domain of feelings and the universe of rationality should find a happy blending in thought as well as actions of civil servants.

A positive and healthy approach to services entails courtesy and politeness in administrative behaviour, a desire to help resolve their problems, and satisfy them even when, extra help cannot be rendered and matters have to be disposed off in accordance with the legal and formal requirements of the system. A citizen-centric administration would be strengthened through such an attitude.

Two areas where administrators ought to show an attentive and caring attitude is to provide correct and useful information to clients when they need it and to redress satisfactorily the citizens' grievances. Even when a grievance cannot be redressed, at least a citizen needs be given an explanation as to why it cannot be redressed. What is important is a positive approach in dealing with people and being helpful to them, and not avoiding them or considering them as burdensome. Ethics entails a respectful attitude to the citizens.

21.8 TOWARDS NEW DIMENSIONS OF ETHICS

Fostering "sunshine" in public administration is one of the finest methods of ensuring higher standards of administrative ethics. Openness is the enemy of corruption. Almost all countries of the world have Freedom of Information or Right to Information Acts. In the U.S., at the federal level, freedom of information and open hearing provisions are an integral part of the Administrative Procedure Act. In India, the Freedom of Information Act of 2002 was redesigned as Right to Information Act, which was enacted in 2005. Besides, a number of state governments including Goa, Rajasthan, Tamil Nadu and Maharashtra have enacted legislations that help in securing accountability of public employees through this device.

Legislation alone is not enough. Its enforcement would require a will on the part of the State, willingness on the part of administrators and an initiative coupled with courage on the part of citizens themselves. The State machinery should be ready to punish those civil servants who obstruct the implementation of Right to Information Act. The age-old orientation to treat every information, as 'secret' must give way to greater openness and transparency. This would require a substantial transformation of the mind-sets of administrators in order to reorient the thinking of administration at all levels, more particularly at the cutting-edge level.

The movement for the Right to Information cannot succeed unless people themselves become motivated to ask for the fructification of this Right. Even though, it has culminated in the Right to Information Act, there are miles to go before we can ensure its effective implementation. People's groups, such as the one led by Aruna Roy, will have to continue to take initiative on a massive scale. Even the educational system and the media will need to play a purposive role in this realm.

In the American system, ‘whistle blowing’ by public employees is considered as legitimate and statutorily protected. Public employees are expected to use their voice to protest administrative activities that are illegal or immoral. They can even resort to resignations from their positions to give vent to their protests. And these acts are considered moral and appropriate.

In the American federal government, there functions a hotline, called ‘Fraud Net’, for preventing fraud, waste and abuse. Through this hotline, employees and others can anonymously report instances of misconduct for investigation to the General Accounting Office. Besides, the American public employees enjoy Constitutional protection on speaking out on matters of public concern like dangers to public health or safety.

In Britain, a new appeals procedure for civil servants has come into effect. Under this procedure, a civil servant could raise concerns, confidentially, with an individual outside his normal hierarchy. When he believes that the response is not satisfactory or reasonable, he may report the matter to the Civil Service Commissioner. The Constitutional Review Commission in India considered the possibility of whistleblowing a statutory activity, but it was not accepted as a viable choice. The need is to develop a fresh perspective on this issue.

21.9 OBSTACLES TO ETHICAL ACCOUNTABILITY IN PUBLIC ADMINISTRATION

Accountability and ethics are closely related. Effective accountability helps the achievement of ethical standards in the governance system. Legislative or parliamentary control through questions, debates and committees provide ample opportunity to the people’s representatives to raise, among other things, issues of ethics and morality in the governance system. More particularly, the Public Accounts Committee in India, which gives its comments on the report of the Comptroller and Auditor General of India in its reports, raises matters that directly or indirectly relate to ethics and good governance.

In the USA, the Office of Government Ethics, an independent agency, helps the Senate in the process of confirming or rejecting Presidential appointments, particularly in matter of financial decisions. “Ethics can be considered a form of self-accountability, or an ‘inner-check’ on public administrators’ conduct” (Rosenbloom and Kravchuk, 2005). Self-accountability and external accountability are interrelated for it is the latter that imposes expectations on the former. However, there are certain time-tested norms of moral conduct that determine the nature of self-accountability. These precepts of moral philosophy may be considered as internal checks. Essentially, however, it is the synthesis of external as well internal checks that determine the parameters of administrative ethics. The higher the level of ethics, the lower the need for strong instruments of external accountability and control. Conversely, lower the level of ethics, higher the need for potent external means for ensuring accountability.

Max Weber had maintained that the outside (extra-agency) checks on public administration were inadequate. Hence, the value of self-accountability is immense. The desire to be ethical in one’s profession should spring from within. Seventy years ago, John Gaus in his book, *The Frontiers of Public Administration* (1936) had remarked that public employees were expected to exercise an “inner check” rooted in professional standards of administration and ideals. This type of emphasis needs to be seriously reasserted.

David Rosenbloom and Robert S. Kravchuk (*op.cit.*) raise a pertinent question: “Why is it difficult to guard the guardians?” There are certain intrinsic features of the administrative system that make it difficult for the external regulating institutions to control it and also ensure its accountability. A few of these imponderables are discussed below:

Special Expertise and Information

Public administrators are often experts in their specific area of functioning and it is difficult for any outside agency to surpass them in their areas of specialisation. Moreover, they generate and control crucial information that may be difficult to be accessed or even comprehended by law regulators, much less by the common citizens. Although the Right to Information Act (or similar legislations) is there in most countries, there is cost to be paid for obtaining information and verifying its authenticity. The administrators do not easily part with such information and are too keen to let their citadels remain impregnable.

Full-Time Status

Most public administrators are full-time, while outsiders cannot devote equal amount of time in overseeing their activities – legislators, judiciary, Comptroller and Auditor General of India and even the media have relatively less time to keep a watch over the actions of administrators. They cannot seek all the crucial information from administrators and even if they get it, they do not have sufficient time to process and use it effectively.

Massive Expansion of Bureaucracy

In a country such as India, the role of public administration has been increasing incessantly. Its regulatory, developmental, promotional and entrepreneurial responsibilities have been multiplying and with that also its size. The number of public personnel as well as the agencies they work for have gone up so much that it is difficult for the political executive or the legislature to exercise effective control over them. Likewise, in large-sized organisations like Public Works Department, Income Tax Department, Police Department, etc., it is impossible for higher officials to keep an eye on the conduct of their subordinates. The geographical distribution of government agencies also makes the span of control too wide to be handled effectively. Even computerisation of all personnel records cannot ensure surveillance over the conduct of all personnel.

Lack of Coordination

The number and kinds of agencies to ensure probity in public administration have also been increasing continually. In India, for instance the Central Bureau of Investigation, the Central Vigilance Commission, State Lok Ayuktas, State Vigilance Bodies and Anti-Corruption Departments are co-existing *sans* effective coordination among them. There are lacunae in the working of the vigilance machinery and absence of harmony among the variegated anti-corruption agencies. For years altogether, the permission to prosecute government officials is not granted to the Anti-Corruption Departments. The Lok Pal is yet to be appointed at the national level and there is no agency that is doing the job supposed to be undertaken by him. The judiciary is slow and there are no fast-track courts for dealing with cases of corruption.

As mentioned already, in the United States, the Ethics in Government Act of 1978 created an Office of Government Ethics (OGE) in the Office of Personnel Management. The Ethics Reforms Act of 1989 strengthened the OGE, now an

independent agency within the executing branch. No such institution exists in India or in other developing countries.

Excessive Security

Most countries grant protection to civil servants and refrain from punishing them for the common lapses in the performance of their duties. Besides, there are no punishments prescribed for non-performance or for low productivity. Article 311 of the Indian Constitution makes it almost impossible to remove a civil servant. A sense of over-security pervades the personnel system and the inquiry system is so dilatory and cumbersome that it is devoid of any threat or fear. Resultantly, a low level of discipline in most government organisations is witnessed. And when corruption permeates all the echelons of administrators in the organisations, the potential efficacy of internal control becomes woefully meager.

Misinterpretation of Role and Obligation

Civil servants frequently engage themselves in actions that are unethical and against public interest. Over time, they get used to defining their role and responsibilities in a parochial manner that is either self-centered, group-centred or organisation-centred and never people-centred. Since all-important professional groups, including the politicians, also adopt a tunnel vision in perceiving social reality, there are hardly any countervailing forces for the prevention or correction of a parochial interpretation of public interest by the administrative personnel. As a result, both ethics and accountability suffer.

There is a general tendency among administrators to view public interest from a narrow angle and tunnel vision. Their specialisation and the specific goals of their organisations prompt them to focus on the achievement of narrow organisational goals. In this process, the issue of public interest may get submerged under organisational interest. The Excise Department of a state, for example, may be interested in opening more wine and beer shops in order to earn more revenue and thus may ignore the impact this expansion of sale network of intoxicants will have on the physical and moral health of citizens.

The political pressures imposed from above also colour the vision of administrators. Occasionally, one notices that the Police Department, because of pressure from its political bosses is caught between the compulsion of hierarchy and the obligation of duty. The police officials generally succumb to political pressures in order to save their own interests and that of their families. Occasionally, 'inconvenient' civil servants are punished with transfers to 'difficult' locations or postings that may cause problems to their families.

Orthodox Loyalty

In India and in most developing countries, public employees are socialised into developing loyalty towards the organisation that they serve and to the superior authority under which they work. It is customary in the Indian society to show respect to the superior and to refrain from criticism of one's boss in a public organisation. Any voice against the superiors is considered as an act of insubordination. In such a cultural climate, even the honest and conscientious employees do not speak out against unethical practices of their peers and seniors. And the undue compassion occasionally shown to the subordinates on their errors of omission and commission also tend to strengthen the sinews of a 'soft state'. All this represents a misplaced loyalty and magnanimity that eats into the vitals of the ethical order in public administrative system. As the Indian democracy becomes more mature, it is hoped that whistle blowing will be considered a legitimate and rational activity in the future, and will be protected under the laws and rules.

Trivial and the Substantive Ethics

The conduct rules for civil servants emphasise upon meticulously following the norms of good conduct. Some of these rules have remained unchanged since long and now appear to be ridiculous. No wonder, these are ignored by all. Likewise, there is a stress that official property; equipment and stationery should not be used for personal purposes. These relate, *inter alia*, to the use of official vehicles and phone. Such rules are ‘conspicuous, more in their violation than in their enforcement, and compared to broader issues of ethics and morality, these are at best, examples of trivial or petty morality. Not that they should be ignored but they must not be permitted to replace the more crucial ethical concerns of duty, fairness, objectivity and commitment. In matters of administrative ethics, occasionally we tend to be ‘penny wise and pound foolish’. It means we delve into the trivial rather than more pertinent and serious issues of ethics. We need to guard against this trend.

Employees’ Unions

Another impediment in the way of enforcing discipline and codes of conduct is the tendency of employees’ unions to resist the managerial action against their members even when they have blatantly violated ethical norms. Assertive or aggressive unions can throttle any action, even a legitimate one, against their members. As a result, the supervisory level leadership in public systems gets exasperated and starts ignoring the unethical actions of their subordinates. In a political system, where employees’ unions are aligned with powerful political parties – whether in power or in opposition – administrative leadership refrains from taking a tough stand even against the culprit employees for fear of compulsive back-tracking or humiliation. It has been observed that collective bargaining agreements seriously jeopardize the authority of managers to discipline their employees. Occasionally, the courts also show greater concern for the protection of the so-called ‘Constitutional’ rights of the workers than those of the citizens irrespective of the ethical issues involved.

Corruption

Corruption is the abuse of official authority for personal gains. It is betrayal of public trust for protecting private interests. Corruption is currently viewed as a universal phenomenon, although the nature and quantum of corruption differ from nation to nation. The international and the Indian national press is replete with instances of corruption in government. Politicians and administrators are generally in league with each other in perpetuating corruption. Citizens thus become the victims of immorality in governance. It also denotes the existence of corruption in cross-national settings.

In the Middle East and in India, because of the Mughal influence, *baksheesh* is a tip that is used to seek the favours of an administrative functionary at the lower level; Its name changes to *dash* in Western Africa. ‘Speed money’ in India implies a fee to expedite the processing of a governmental favour; *la mordida* or ‘the bite’ are popular forms of bribes in the Latin America; *shtraff* is the Russian version of a small bribe; *la bustarella* cannotes a little envelope (containing bribe) in Italy; while in Israel, ‘*protekzi*’ refers to the exploitation of personal contracts to achieve a favourable treatment from administrators (Rosembloom and Kravchuk, op.cit). In the United States – a country rated high on the integrity index of the Transparency International, one comes across strange term such as Watergate, Iran-Contragate and White-Watergate which refer to carrying favours and bribery.

Unfortunately, in India the standards of ethics in the governance system have differed staggeringly in proclamations and in practice. The Constitution, laws, policies, manifestoes of political parties and speeches of politicians are replete with direct or indirect references to ethical basis of governance, but in practice, however, there is a gross violation of moral precepts in the functioning of the politico-administrative system. The critical reasons behind administrative corruption are scarcity of what people want from public administrators and the inconveniences involved in the normal channels of administrative decisions. As Michael Johnston (1982) explains:

The demand for government's rewards frequently exceeds the supply, and routine decision-making processes are lengthy, costly, and uncertain in their outcome. For these reasons, legally sanctioned decision-making processes constitute a 'bottleneck' between what people want and what they get. The temptation to get around the bottleneck – to speed things up and make favourable decisions more probable – is built into this relationship between government and society. To get around the bottleneck, one must use political influence – and corruption, which by definition cuts across established and legitimate processes, is a most effective form of influence.

Because of the scarcity of what people want from the government, they are willing to pay bribes in exchange for jobs, land, licences, quotas, admissions, passports, utility service connections etc. or even for getting them speedily or illegitimately. They may also bribe administrators for escaping arrests, punishments, fines or major inconveniences. All these are examples of a transactional corruption. This acquires frightening proportions when it becomes an accepted trait of the socio-cultural system.

President Dwight D. Eisenhower who was the American President from 1953 to 1961, had once warned his nation of the existence of a 'military-industrial complex', which promoted a culture of 'transactional corruption' based on *quid pro quo*. C. Wright Mills in his monumental work *The Power Elite* (1956) had also broached the issue of such alliances and their impact on government decision-making. In India, B.B. Vohra, the then Home Secretary of India, had presented in 1995, a report on the activities of crime syndicates/mafia organisations which had developed links with or were being protected by government functionaries and political personalities. The conclusions of the Vohra Committee reflect a moral crisis in the Indian governance system. Not that the decline is irreversible, strong and honest efforts can sincerely halt the process of decline. Certain Asian countries have already proven that it is possible to combat and curb corruption. It requires effective political and administrative will to do so.

Almost all kinds of political systems are affected by administrative corruption. (Heidenheimier, 1970). In totalitarian societies and military regimes, corruption might get concentrated at the higher echelons of party, military or civilian bureaucracy, while in democracies, it might spread throughout the system. In 'Soft States' particularly, political as well as administrative corruption has greater potentiality of percolating the governance system. Weak control and supervisory mechanisms cannot prevent corruption and consequently, these become its catalysts.

In a civic culture or democratic society like India's, politicians who get elected on people's support and vote, are primarily concerned with strengthening their constituencies, and thus are keen to dole out benefits to those who are their supporters. Administrators, on the other hand, are keener to follow the prescribed procedures. In situations of conflict between the politicians and administrators, there is either a stalemate, or eventually, the politicians win. But the most convenient course for the politician is to win over administration to their side and make them partners or collaborators in corruption. With the protective hands of politicians above them and with a temptation for gaining extra (illegitimate) benefits,

administrators consciously align with their political masters and indulge in corruption. Very rarely, do the honest and strong administrators stand up to the politician and refuse to succumb to politicians' pressures and cajoling. Likewise, there may be only a few politicians who actually apply brakes to the bandwagon of administrative corruption.

One can often witness 'Weather-cock' syndrome in relation to government corruption. When the top rung of the political or administrative executive gets tough on corruption, the middle and lower level hierarchy in both the systems get cautious about issues of ethics. Greed is curbed by fear but only as long as fear is genuinely feared.

Subversion

While corruption is endemic in government organisation, there is another ethical blemish that afflicts, though rarely, the administrative system. Certain government servants, working in sensitive organisations like ordinance factories, nuclear energy establishments and defence forces, may pass on critical secrets to enemies in exchange for pecuniary benefits or for the sale of extra-territorial loyalty. In contemporary times of global competition, even economic subversion is possible. There may be, within the government, attempts to subvert friendly relations with foreign countries. In extreme cases, civil servants may subvert certain government programmes like family planning or prevention of illegal migration. There can be many other cases involving ethical issues in public administration. Attempts should be made to devise strategies to combat such subversions.

New Public Management: A Counterview

The traditional Public Administration had laid great emphasis on efficiency and economy. Likewise, conventional Management Science was greatly concerned with productivity and performance. The New Public Management, with its Neo-Taylorism orientation, has focused almost exclusively on performance and results.

During Bill Clinton's presidency, Al Gore, the U.S. Vice President, advocated through the National Performance Review's (NPR) version of the NPM, that ethics implied achieving high degree of customer satisfaction. It believed that people – in government or outside – were basically honest and well intentioned and there was no need for wasting time and energy on focusing on corruption. Trusting them is bound to lead to a favourable climate for ethical behaviour. The cost of deterring corruption is too high in terms of red tape that such efforts create. The NPR underscored that reinventing government required innovations, which in turn implied deviations from the grooves of tradition. Distrusting and accusing people for their creative initiatives dampens their enthusiasm for innovation. Trusting the employees as well as the people they serve would help carve a more effective administrative system in the self-governing democracy (Gore 1993; 1995).

Al Gore seems to have transcended even Douglas McGregor's 'Theory Y' and created an image of a human being who is creative and honest. Naturally, such a person in government would not need measures of external control over him for he has internalised very well the canon of self-accountability. Even if we consider Al Gore's portrayal of government personnel to be too idealistic, it has a lesson to offer. Should we not question our excessive concern with prevention of corruption and instead adopt a more balanced perspective on the issue of ethics? Does not an over-concern with corruption take our attention away from the more crucial issues of people's welfare through innovative measures and well-intentioned initiatives on the part of public employees?

In other words, there are high costs of combating corruption that we should be conscious of. No doubt, such awareness should not cause a laxity in tackling corruption. Instead, it should help appreciate the value of promoting greater trust in public system. Trust begets trust. Optimum vigilance is a requisite to the reinforcement of a climate of trust for they are complementary and mutually supportive. It would appear that such an emphasis on trust and de-emphasis on control would be more applicable to societies having a higher level of integrity and probity in public life than to those, which have low standards of morality. Thus, there cannot be any uniform approach to tackling corruption in the governance system. Much would depend upon the levels of morality and rectitude prevailing in each society.

Training

An important aspect of bureaucratic socialisation is training. As is well known, there are three kinds of training that an administrator undergoes. Here, we are not discussing pre-entry training such as provided in the professional educational stream. We are primarily concerned with training that is imparted and obtained after a person enters the administrative service. *First* is the induction training comprising foundational, institutional and field training organised soon after an administrator's career starts. The *second* is in-service training that is imparted throughout the service career in the form of refresher courses, orientation programmes, seminars and conferences. The *third* is on-the job training that is subtly provided by job performance and observation. What is paradoxical is that despite a great deal of talk on ethical aspect of administration, the stress on ethical training in the induction training as well in-service training is woefully meager.

There is a pervasive feeling in the administrative circles that morality cannot be taught through training. May be this is true, but there is no way to prove or disprove it, since no concrete organised research has gone into it. We must not however abandon the option of ethical training and hence not take systematic initiatives to make ethics an integral and prominent part of induction as well as in-service training. Already, national and international training institutions have prepared modules on this theme. The need is to establish our faith in this kind of training and execute the idea with appropriate acumen and skill.

As for the on-the-job training, the impact on the mind-set of a government functionary of the immediate work-environment around him is immense. Principled and honest superiors and members of the peer group are bound to promote morality in the conduct of a government servant. Conversely, if the official ambience encourages ethical laxity and compromises, it becomes easier for the personnel to join the bandwagon of immorality. No wonder, certain departments such as Income Tax, Excise, Customs, Commercial Taxes, Public Works Department and Police are infamous for their low ethical standards, for the countervailing and corrective forces therein are feeble.

The question, which needs deliberation, is that can this situation change? No doubt, it can. The will and the efforts, however, must match the challenge. This is a tall order, but not too formidable to be real. Many nations, whether Kamal Pasha's Turkey or contemporary South Korea have shown resilience in transforming their bureaucratic order and its attendant mind-set. Other countries can also follow suit, and they must.

The Media

In an open society, media can play an important role in highlighting unethical practices in the governance system. The role that *Washington Post* played in exposing the Watergate Scandal in USA earned laurels from all sections of society. In India,

The Indian Express, *The Hindu* and a few other newspapers have performed like active watchdogs over public affairs. Vernacular press has also acted responsibly in this respect. Recently, the sting operations by a few TV channels on the Commercial Taxes and Public Works Departments in Delhi have also brought the issues of cutting-edge level corruption to the centre-stage. The best part is that the government, the legislature and even the judiciary have started taking note of such reports and even action on most occasions has been initiated. What is needed is a rigorous follow-up of the action taken on such revelations by the media itself.

21.10 FUTURE PERSPECTIVE

When A.D.Gorwala presented his report on *Public Administration in India* in 1951, he had emphasisd that integrity was one of the cardinal philosophical premises of good administration. It is paradoxical that despite visible decline of moral standards in public life, the mainstream reports on administrative reforms have not focused on ethical issues. Except for the Santhanam Committee report on the Prevention of Corruption in India in 1964 and a specific segmented report on the theme, the Railway Corruption Enquiry Committee by Acharya Kriplani in 1955, there have been no major efforts at recommending strategies for integrating moral values with the administrative system at various levels. True, the ARC report on Lok Pal and Lok Ayukta was published in 1966, but that again was confined to structural changes rather than bringing about a new ethical order in public systems.

In 2005, with the announcement of the intention of appointing a second Administrative Reforms Commission by the Manmohan Singh government, ethical concerns of public services are likely to be accorded a respectable place in the emergent inquiry on administrative reforms in the country. The need is to go beyond the general statements of administrative morality and be more meticulous in recommending modifications in laws, rules, structures and behavioural patterns in the specific context of individual departments or organisations. The issues of ethics in the Police Department, for instance, carries a distinctive character and possible solutions than, say, in the Education Department. This would further require a rigorous modification in the laws and procedures pertaining to specific functional areas.

How is the administrative ethics of the twenty-first century likely to be different from that of the twentieth century? The answer is to be found in the increasing convergence of ethical concerns at the cross-national level. Globalisation of the economic order is likely to pave the way for the globalisation of governance issues. Not that there would be universally uniform configurations of the governance systems, much less the bureaucratic systems. But with the mitigation of chasm among nations in the realm of the goals, philosophy and strategies of governance, the ethical concerns are likely to transcend international boundaries.

These will reflect the classical concerns of public administration like efficiency, responsibility, accountability and integrity along with the emergent beliefs in equity, justice, openness, compassion, altruism, responsiveness, human rights and human dignity. Hopefully, this would be instrumental to the blossoming of a new citizenship committed to the sustenance of administrative morality. Even for nurturing such a positive citizenship, public administration institution will have to act as facilitators and educators. That is the biggest challenge as well as an opportunity for the administrative system in the times to come.

21.11 CONCLUSION

Ethics is a comprehensive concept, encompassing all facets of administration. Emphasis on moral and ethical norms has been an integral part of our tradition. Though vices of corruption, malpractices and bureaupathologies have slowly crepted in our system, the combat measures have not been very effective. Administrative reforms measures have to be holistic enough taking into their purview questions on nature of work ethics, various dimensions of ethics, foci and concerns of ethics and also the nature of obstacles to ethical accountability.

For any governance system to be transparent, accountable, efficient and sensitive, a Code of Ethics in the form of service rules, procedural norms, and administrative strategies the requirement of the day is. It is not possible to bring into force a Code of Ethics if it is self-serving and is subject to constant external interference and manipulation. A certain degree of autonomy is a pre-requisite for any code to be successful. We are witnessing a change in the pattern of authority, obedience and discipline. Moreover, globalisation trends have brought in a kind of universalisation of ethical norms and values. Philosophy of governance has transcended international boundaries. Almost every rung of administration is involved in decision-making. The conflict between individual values, organisational standards and societal norms is clearly visible. Though the code may not reflect a consensus of opinion on ethical issues, it can still provide direction and advice with regard to ethical conduct and assist the administrators in analysing their options and alternatives in the right perspective. This Unit highlighted these very pertinent features.

21.10 KEY CONCEPTS

Bureaupathologies

The major ills of bureaucracy such as red tape, conflict, duplication, waste and corruption could be called the pathologies of bureaucracy. Victor Thompson termed the negative aspects of Weberian theory of bureaucracy as ‘bureaupathologies’.

Logical Positivism

It is a general philosophical position, also called logical empiricism, developed by members of the Vienna Circle on the basis of traditional empirical thought and the development of modern logic. It confined knowledge to science and used verificationism to reject metaphysics not only as false but meaningless. The importance of science led leading logical positivists to study scientific method and to explore the logic of confirmation theory, which talked of solving the problem of induction (inductive knowledge).

www.filosofia.net/materials/rec/glosoen.htm.

Post-behaviouralism

It refers to the developments that took place as a protest against Behaviouralism. It is an approach to psychology based on the proposition that behaviour is interesting and worthy of scientific research. Behaviouralism as articulated by Easton, tries to organise research in political science on model of natural sciences. It emphasises the need to develop a pure science of politics, giving a new orientation to research and theory building exercises within the discipline. This movement remained prominent till 1960s. The Post-behavioural movement of 1970s rejected the behavioural tendency to stress on what could be easily measured rather than what might be theoretically important. The tendency in Behaviouralists to concentrate on phenomena that were readily observable rather than studying the profound structural factors that

contribute to change and stability within the political system was criticized by Post-behaviourism.

Quid pro quo

Thing given as compensation

Utilitarianism

Jeremy Bentham (1748-1832) made an attempt to create a liberal ethical philosophy called Utilitarianism. The case of this philosophy is the utility principle, which means greatest happiness of the greatest number is good. It is the belief that i) Value of a thing or an action is determined by its utility, and ii) All actions should be directed toward achieving the greatest happiness. This philosophy judges everything in terms of its utility or usefulness. It holds that actions are right in proposition, as they tend to promote happiness and wrong, as they tend to produce the reverse of happiness. By happiness, is intended pleasure and absence of pain and by unhappiness, presence of pain and the deprivation of pleasure.

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21.12 ACTIVITIES

1. Pick up the latest newspapers and scan for write-ups / articles on ‘Ethics in Public Administration’.
2. Based on Activity One, try to pen down your observations on the changing profile of ‘Ethics’ in public organisations.

