

Governance in States – ‘Dangerously Stable Equilibrium’

We have witnessed momentous developments during this week. The heinous Mumbai blasts killing scores of people and injuring many more, the collapse of the BSP-BJP coalition in Uttar Pradesh, and the report of ASI on Ayodhya – all these are events which could have far-reaching impact on our polity and society for some time to come.

In a well-functioning democracy, there are always problems and crises. But the system knows how to absorb the shocks and resolve the problems. The Los Angeles riots in the aftermath of the Rodney King verdict in 1993 caused enormous damage and scarred the American society. But the political system and constitutional ideals worked in favour of liberty and rule of law, and soon that pain was a thing of the past. American society learned valuable lessons and moved forward – as it did after the Civil War in the 1860s, and the Civil Rights movement in the 1960s. But if constitutional values and the operation of the political system come into conflict, resolution of crises is both prolonged and difficult.

The dilemmas posed by the political instability in Uttar Pradesh starkly expose the crisis in our political system. UP is obviously no ordinary state. UP and Bihar together are now dismissed as India’s political and economic backwaters, but with a combined population close to that of Western Europe, we can ill afford such neglect. Political fragmentation on caste and communal lines in UP has been the cause of political instability and mis-governance since 1989. But Bihar has seen remarkable political stability with Laloo Yadav’s RJD in power for the third successive term, a feat rivalled only by marxists in West Bengal among all major states today. Still, Bihar has become the very symbol of poverty and backwardness, with the lowest per capita income, poorest infrastructure and lawlessness.

In fact, UP and Bihar are no different from the rest of India. In every major state, there is a bit of UP and Bihar. The behaviour of the electorate in states is increasingly plebiscitary in nature. However, the Westminster model adopted by us recognizes executive power only by virtue of legislative majorities acquired by means fair or foul, often without reference to the public opinion or people’s mandate. As people’s mandate and power are easily divorced, the rulers are increasingly obsessed with survival in power at any cost. This led to several distortions in exercise of power, severely undermining the legitimacy of authority and effectiveness of executive functioning.

The legislative office theoretically gives the incumbent the power to make laws, and keep the errant executive under check through various parliamentary procedures. However, legislators are seen by the people, and themselves, as disguised executives. As the government is entirely dependent for survival on the support of the majority of legislators on a given day, most of the time, energy, attention and efforts of the government are concentrated on mere survival.

As huge investments in money are made to get elected, there is a natural propensity on the part of legislators to seek patronage and share the spoils. There is an implicit understanding that the support of the legislators to the government is contingent upon the political executive doling out favours to them. Rarely is this support based on principles, ideology or public opinion. Invariably there is a price extracted for such support in many forms. This is particularly true in states, where governance has direct impact on people's lives. Appointment of public servants in key positions, transfer of inconvenient employees, licensing, distribution of patronage in the form of subsidies and benefits to the poor, public distribution system, trade in liquor and commodities, transport, government contracts and tenders, mining licenses, permissions to exploit forest produce, crime investigation and prosecution, execution of public works – all these are often at the mercy of legislators.

In such a situation, even a well-meaning and honest political executive is helpless in enforcing high standards of probity, fairness, healthy competition or competence. The state government is captive in the hands of the legislators, on whose continued good will and support its survival depends. As a consequence, integrity in public office at the political executive level and survival in power are increasingly incompatible.

In such a climate, all governance is reduced to patronage, and transfers and postings of bureaucrats. As Robert Wade pointed out, there is a well-developed market for public office in India. Money habitually changes hands for placement and continuity of public servants at various levels. These public servants in turn have to collect 'rent' from the public. The hafta paid to a policeman, the mamool charged by the excise official, the bribe collected by the revenue functionary, or the corruption of a transport-officer are all part of an integrated, organized, entrenched system. This is a very resilient system, and as Wade called it, a 'dangerously stable equilibrium' is at work. Every segment of this vicious cycle of corruption is helpless in breaking the chain of corruption and mis-governance. Any individual – the citizen at the receiving end, the official, or policy maker – who attempts to resist it will find that the price paid for such resistance is several times the benefit that might accrue; soon, most people fall in line, several become passive bystanders, and a few are ejected or opt out of the system.

This pattern is seen in all states. UP and Bihar are simply the extreme manifestations of this complex crisis. The only tragedy is, UP and Bihar together account for a large chunk of humanity which cannot be wished away. If UP and Bihar die, India cannot survive.

We need to take a hard look at what is happening all around us, severely impeding growth, undermining basic public services, and diminishing the quality of life. This political and governance crisis has a direct impact on our economy. Power thefts and losses, poor infrastructure, abysmal public health, decline in state schools and even universities, criminalization of politics, breakdown in public order – all these are not mere accidents. They are inevitable consequences of our political and governance crisis. And they cannot be addressed effectively as long as we have the parliamentary executive fusing legislative office with executive power in states.

True, India still records an impressive 5 percent growth. But that is because of our small base and untapped potential. Given better governance, this rate will go up substantially. True, mere governance reform may not reverse the cycle in extreme situations like in Eastern UP and Bihar. Resolute and sustained action to restore rule of law and vast investments in infrastructure are required to give hope to the millions of sufferings Indians in the gangetic belt. But the starting point has to be political reform separating the executive from legislature at state and local level. Until we accomplish that, the fruits of development will be a distant mirage for an uncomfortably large number of Indians.

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