

Book Review 2***From Government to Governance A Brief Survey of the Indian Experience by
Kuldeep Mathur (New Delhi : National Book Trust, India, 2015.)*****Debajit Goswami**

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Introduction / Theme

In this book Professor Kuldeep Mathur introduces the conception of Governance and examines the changing state of affairs in India, particularly post the liberalization of Indian economy in 1991, whenceforth the momentum of public policy stressed on the tools of governance and reforms in governance for the achievement of policy goals. Mathur presents a concise view of the overall system and introduces the readers to the variety of institutions involved in governance (constitutional as well as non- constitutional) with a succinct yet elaborate criticism on the structure, functioning and performance of these institutions. The book explores the way cooperative networks of state, market and society are taking over roles that were, before the liberalization period, confined to the state alone. On one hand Mathur suggests that the existing institutions of governance need to be so strengthened that they are able to tackle the different demands coming to the system, one the other hand he also prescribes the creation of new institutions that can fulfil the functions of coordination, control and regulation. The book provides a whole new perspective over the transformation in the statecraft machinery of the country. At the same time, it provides critical analysis of the institutions of governance as well as the government. The journey of the Indian state from a centralized development accelerator that is dependent on control-command of the system to a liberalized-management based public-private cooperative system, and finally to tri party (state, market & civil society) inter-dependent mechanism is aptly highlighted along the lines of critical evaluation of the different institutions, processes, networks and partnership of governance and the discourse on public policy.

Chapter-wise Summary

Chapter I- Introduction: Emergence of the concept of Governance traces the rise in the popular usage of governance along with redefining the role of the state. The chapter highlights the how the centralized state machinery was the main driving force behind growth and development in the post second world war period, but its performance was poor and the failure of its policies led to the demand for better institutions and policy frameworks. In this backdrop, the World Bank for the first time in 1989, suggested the failure of the governmental programmes were caused due to ‘crisis of governance’ and then onward started the journey of creating a more apolitical, technical strategy of efficient administration through the tools of governance. With the focus now shifting from government to governance, governmental social spending was reduced and privatization, liberalization and dependency on the market to deliver public services became more popular. In this new world order, which emphasized on effective Governance,

the State remained an important actor, but did not remain the most prominent development initiator anymore. Markets got prioritized in public policies and the advent of globalization further reduced the arena of the state. Rather Governance was recognised as the dominant capacity to address the development of efficient governing styles without relying on the power of the government to derive its authority. In this context, Mathur identifies the interrelationship between state, market and civil society, as the key focus of governance, whereby a power dependence is developed between the network of relationship among these three actors. Mathur points out that the western notion of governance promotes neo-liberal policies and entails civil service reforms, development of legal frameworks, accountable government, transparent government with free flow of information. However, in India, governance gained prominence with the liberalization in 1991 and the Eighth Five Year Plan laid the plan for the restructuring of the public sector to accommodate private initiatives, public participation, and increased role of other agencies like panchayats etc. By the Tenth Five Year Plan, the issues of devolution of power, transparency, civil service reforms, empowerment of groups, eradication of corruption, became major issues of Governance, as highlighted in the National Human Development Report. However, Mathur acknowledges that all of these transformations require a political will, as, at the end of the day, reforms remain a political activity, and the political decision making presents a challenge for the working of good governance.

Chapter II- Constitutional Institutions of Governance primarily focuses on the formal framework of institutions that were adopted by the Indian constitution and the examination of these constitutional institutions of government. Here, Mathur identified how the power relations between the Centre and the States are shaped by the nature of India's federal system. The division of powers do put the Centre at a more powerful position vis-à-vis the states, but the nature of the political parties in power of the union and state governments, and the relationship between them also have a major impact on the centre-state relations. After the long dominance of the Congress at both the centre and states, with the emergence of different parties ruling at the centre and various states, the difference and conflicts have become increasingly blatant and on top of it, the rise of regional parties and coalition governments, have put regional demands more prominently at the center of national politics. The author particularly identifies how federal relations have deteriorated over the years on the issues of financial freedoms and unfair distribution of fiscal resources have further fuelled this disparity. Although the Finance Commission and Planning Commission play a role in the dispersion of investments across various sectors, the states are still wary of the centrally sponsored schemes whose allocation is dependent on the discretion of central ministries. The states mistrust the schemes as political outreach efforts of the centre and they suffer from lag in implementation.

Mathur points out the breakdown of Congress hegemony and rise of regional parties as one of the reasons why the federal framework has come under stress. On the other hand, he also views the Executive Head, i.e. the President as handicapped when it comes to assertion of their views due to the nature advice coming from the PM and the council of ministers. On the flip side, the Ministers perform a greater role of maintaining political collectivity as well as performing as efficient managers of their respective departments. He also critiques the convention of the Prime Ministers superimposition on the functioning of other cabinet ministries, which largely result in a 'one man show'. Mathur notes that the Indian parliamentary system is being replaced by prime ministerial system of government where the role of the parliament in addressing critical issues have greatly diminished and even the establishment of Standing Committees have failed to influence government in a positive way. The inability of parliamentarians to have the support of research staff in policy formulations leads for them to focus more on

political issues rather than policy implications. Thus, even the parliament's role in influencing the government has suffered over the years. Assessing the role of the judiciary, the Supreme Court in particular, Mathur acknowledges it as the most important institution that keeps the government in

check from trespassing the rights of the people and appreciates judicial review as an effective weapon of enforcing rule of law. The citizens depend on the Court has the custodian of their rights and despite the allegations of inefficiency and poor enforcement, the judiciary has remained an honourable institution. Although, the performance of other constitutional institutions of governance have been a cause of concern and the aspirations of the people have not been met by the policies of these institutions.

Chapter III- Indian Bureaucracy and Administrative Reform highlights how the developmental capacity of the state derived its strength from the efficiency of the bureaucracy, particularly the Indian Civil Services, and under the Prime ministership of Nehru it played an important role expanding the public sector. However, with the growing nexus between bureaucrats and politicians, business houses, communal groups etc., for their mutual benefits, the bureaucracy weakened much, and has not been effective in providing support and implementing public policies. In fact, 'Redtapism' within the folds of bureaucracy has become an obstacle in the path of prompt action.

Mathur traces the attack on the civil services from the period of Prime Minister Indira Gandhi, when a committed bureaucracy was sought, with allegiance to political party and its leader, paving the way of the bureaucracy losing its impartiality and gaining a political image. This transformation of the bureaucracy further got cemented by the practice of shifting of bureaucrats on the whims of political leaders and this led to the journey from professionalism and neutrality to political loyalty priority for the bureaucracy. Here the suggestions of the Shah Commission have been cited to drive home the point how officers of the bureaucracy were open to accepting orders which were politically motivated, just to gain the favour of their political masters. In the pre-emergency years period under Mrs. Gandhi's rule, an Administrative Reforms Commission was set up which was chaired by Morarji Desai and later by K Hanumanthaiya, however most of their recommendations which sought to change the traditional puppet character of the IAS was not accepted. Thus, the bureaucracy continued to suffer from colonial hangover and lack of evolution of the administrative system, and in turn developed a close relationship with interest groups to maintain the status quo and thereby failing to reform the system, or even suggesting an alternative structure for the same.

Chapter IV- Corruption: Institutions of Accountability Citing the National Human Development Report of 2002, the author suggests that poor governance is reflected by the mass scale corruption prevalent in public life. The institutional arrangements need to be made accountable, transparent and their decisions need to be evaluated so as to expose discrepancies and vested interests. In this context, Mathur particularly talks about the Comptroller and Auditor General of India, the Central Vigilance Commission and the Central Bureau of Investigation as the institutions tasked with accountability and scrutiny of public agencies. With regards to the Regulatory Audit and Performance Audit performed by the Comptroller and Auditor General, the emphasis on economic efficiency is notable, but at the same time the Comptroller and Auditor General can only act through the Public Accounts Committee, and this proves to be a severe restriction vis-à-vis the Auditor General's power to impose sanctions or any concrete penalties. It is also the case, that despite the deviations pointed out in the Audit Reports, the corrective measures need to be taken by the government, which turns out to be not an effective, swift procedure. There is also the constraint of time, where by the time deviations are reported, the concerned officials change, or even the government changes, thus the need for concurrent audits become more pertinent. With regards to the Central Vigilance Commission it is an important statutory institution to perform anti corruption functions and is conceived to be free from executive control. However, even in the case of Central Vigilance Commission, it is primarily an advising authority for the central government organizations and does not have the authority to investigate complaints on its own. Furthermore, when it does investigate and perform its role, it is finally concluded with the submission of a report to the government and the latter is not duty-bound to accept the recommendations of the Central Vigilance Commission. Mathur points out that the number of allegations of corruption in society does not match the number of complaints made to the Central Vigilance Commission and the

number of actual investigations undertaken by them, this being a disappointing institution overall. With regards to the Central Bureau of Investigation, Mathur is much blatant to call it an instrument of political policy of the government and says investigations undertaken by the Central Bureau of Investigation is not much reliable as it is subjected to political motivations. But at the same time, no parallel or alternative agency is in place to conduct investigation in bribery and corruption cases, thus the role of Central Bureau of Investigation as an anti-corruption investigator is mostly under the scanner. Mathur sums up this chapter by arguing that the constitutional and statutory institutions have not really been effective to fulfil its role as an institution of check against corruption.

Chapter V- Governance and Decentralization In this chapter, Mathur essentially points out the concept of dispersal of power and the debate of the space (or limitation of space) of the state, the market and the civil society. In the context of neo-liberal economic policies, governance came to the fore and reinventing the government to roll back the overarching reach of the state and creation of multiple centers of power became the popular order of the day. These multiple centers not only promoted good governance and democratic decentralization, but at the same time provided for the development of the local communities and empowerment of the people and institutions at the local level. Mathur traces the journey of decentralization from the 1990s when liberalization, privatization and globalization was wholeheartedly adopted by the Indian state and a liberal economic agenda emerged as the focus of public policy formulations. With the democratic decentralization movement spreading across India, the country witnessed many international and national donors which came forward to support various local developmental programs, with notable contributions from UNDP, UNSAID etc. These structural adjustment programs paved way for the self governing control of communities and decentralized governance.

The demands for greater devolution from the elites at state level and local opposition parties, clubbed with social political awakening at the grassroots, led to this devolution. Mathur cites a number of constitutional provisions, amendments, local vidhan sabha laws and panchayat models across West Bengal, Karnataka, Andhra Pradesh, Kerala, to point out the lack of efforts of the states to develop the institutions of self government for local governance. Of the states mentioned, Kerala provided an welcome departure. However, all across the board, what ails these institutions in addition to infrastructural framework weaknesses, is the paucity of funds and the dependence of the local agencies for funding or grants from the centre or state governments for implementation of developmental local projects. This lack of financial devolution has resulted in a serious impediment to spirit of the democratic decentralization as envisaged in so many constitutional amendments. Furthermore, the provisions to ensure the participation of the disadvantaged classes and to include them within the decision making fold, has been largely done through amendments but their actual participation is vastly different subject to social and political context. Similarly participation of women have also happened on paper, but in reality it has been affected by lack of educated women leaders, prevalent patriarchal dominance and caste based hierarchy impositions which have caused intrusion in a truly inclusive representation of disadvantaged groups, women and lower caste individuals. On top of it, informal intuitions like Khap Panchayats based on caste identities prove to be an impediment for the functioning of the local governance institutions. Resource allocation, resource mobilization for social welfare programmes at the local level, is a challenge and social welfare measures are often subject to centralized provisions with very limited capacity of the local authorities to direct the development at the grassroots.

Chapter VI- Network Governance for Economic Growth The chapter recognizes the shift of the rational technocratic Indian state to a one that was gradually more dependent on a relationship of networks between the public and private sectors. From the Nehruvian time period the state was diligent in maintaining a rational neutral outlook where the economic decision making was not the result of political pressures or lobbying by different groups. The Planning Commission emerged as the primary repository for technical advice to the government and outside note or inputs were extremely

limited. There was also a tall standing belief that the planned strategy for development would be effectively carried forward and implemented by administrators, technocrats and experts. With the rise of Indira Gandhi, the dominance of the state was further extended with policies like License Raj that imposed considerable regulatory government control over the private sector and stood as impediment to big businesses. This led to the private capitalists to actively influence the allocation of resources in a clandestine manner, thus developing a partnership between business houses and the state. Things changed with the economic liberalization in 1991 and a re-examination of the role of the government led to an innovative approach to development where people's initiatives were emphasized upon and the forces of modernization and privatization was let loose. The shift in focus was notable with the government's emphasis on synergy between public support and private initiatives and the development of the Public Private Partnership model. As a result of this policy, organizations of the corporate sector came together with political and bureaucratic leaderships, to forge an arrangement of networks and institutional framework for private capital and the state. Various business and trade organizations and associations were accommodated by the government (FICCI, CII to name a few) and a close relationship between government and business was developed where MNCs and public institutions came together in public interest. These new governance structures one hand opened the doors to involvement of multiple actors in decision making and competitive developmental agendas, but on the other hand, it also led to the obscurity in the domain of accountability of public policies. Network governance has led to the cooperation between state and market forces for the positive realization of public purposes but even then the capacity of the state to negotiate and manoeuvre policy formulations remain an important characteristics in the present scenario.

Chapter VII- Partnerships with Civil Society With the shift in government's outlook as already discussed in previous chapters, this one focuses on the role of civil society, which has been twofold- On one hand it has directed civil society movements to uphold the cause of the marginalised sections of society and pressurize the government for a positive policy intervention, on the other hand, it has also led to the growth of various Non Governmental Organizations which have undertaken roles of reaching the masses and even positive intervention in the implementation of governmental programmes. In the context of achievements of the Civil Society domain, Mathur traces the journey of well known movements like Narmada Bachao Andolan, Chipko Movement etc. to the enactment of the Right to Information and development of the institutional framework that empowers the individuals.

Their economic and social rights were translated through Right to Information and accountability, transparency, auditing of social spending got focus due to civil society campaigns and it has led to the extensive scrutiny of the government by the citizens. Many non governmental organizations and voluntary agencies have also taken up the cause to address the grievances of the public through RTI. Mathur particularly points out how the health sector and educational system has benefitted from the growth of the non governmental agencies and their partnership with the governmental institutions. In this respect the governments emphasis to engage with voluntary organizations and its policy of partnership has been highlighted, with considerable focus given to formal interactions, strategic collaborations and interventions and funding of projects. Through this positive interventions of NGO's an VO's in governance, the governments objectives of state-civil society partnerships for the purpose of welfare developmental agendas, have also been secured. To briefly summarize, Mathur highlights some of the interventions in health sector like development of telemedicine facilities, health cooperatives, research and development investments etc. that have manifested in to health initiatives like Aparna Swasthya Kendra in Delhi, Rogi Kalyan Samitis in Madhya Pradesh, Hospital Development Society in Kerala to name a few. Similarly in the domain of education, the role of NGO's in spreading education particularly among the rural and poor sections, promoting inclusion, has been very significant. In this context, examples of social educational activism of Centre for Education and Management, MV Foundation, Pratham Mumbai Education, Rishi Valley Rural Education Centers

have been discussed to expose the far reaching impact of these NGO's and VO's in improving the quality of education, increasing the outreach of educational services and promotion of the common minimum programme of the government to meet the problems of the education sector in the country. Chapter VIII- Quest for Good Governance In this brief concluding chapter, Mathur sums up his argument that Good Governance dilutes the monopoly of the state and political institutions and decentralization, localization, liberalization, institutional networking and collaboration with non-state actors have led to the realization of the developmental agendas of the state. However, Mathur concludes that the state's capacity of coordinating with the network of institutions, and developing regulatory frameworks when required, remains a crucial aspect of Governance. While the participation of the wide array of nonstate actors and participative institutions help in effective implementation of policies and programmes, their legitimacy is still dependent on the role of the state, of which bureaucracy still remains an important instrument of policy realization. From the independence period there has been a gradual decline in the performance and accountability of the state institutions, and as a result, a variety of non-state actors like business organizations, civil society organizations have come together to revive the effectiveness, transparency and activism of the state policies. Finally, Mathur concludes that the transformation from Government to Governance requires a dual task of creating new institutions and partnerships as well as reinventing the old ones, to evolve from the traditional character, and adopt a modern welfare centric development oriented approach, whereby their accountability, performance monitoring, effectiveness of its various institutions will be examined in a systemic manner, and will lead to a strengthened, more legitimate and productive role of the state and promotion of democracy and good governance in the country.

Concluding Thoughts

Prof. Mathur has made a commendable effort in locating the journey of the Indian state from government centrism to governance approach and although he has admitted that there cannot be any universal model of good governance, his insights and survey of the Indian experience, presents a nuanced understanding of the transformation of the system in India, taking into consideration the historical, socio-economic and political context of the country. He has aptly pointed out the traditional and modern scenario, the transformative process, the growth, development, restructuring, lacunae's and challenges faced by the institutions, the policy frameworks, the governance networks, the bureaucracy and institutions of accountability, the civil society and various non-state actors. In his assessment of the transformation of the public institutions, he has rightly evaluated how shift to governance creates a roll-back of certain functions of the state and dependence on business associations, the market, public private partnerships, local institutions of governance, decentralized decision-making, civil society organizations etc. but at the same time maintaining the crucial role of the state in coordinating between these governance networks and providing legitimacy in policy process. He has diligently and in details, captured the evolution of the institutions and philosophy of governance (government) through the period of 1947, to 1991 (shift in approach) and the implications of good governance in the current context (2008 and the period post economic crisis). Although the assessment has been very detailed and shed important light on the orientation, performance, challenges of the governance institutions, his summation of the neo-liberal transformation keeps us wanting. While he emphasizes the role of the state in the context of liberalization, privatization, international trade, effects of world bank and other non-state actors, civil society networks and so on, he never really challenges the debate on governance from a perspective opposite to that of the institutionalised state framework. His work reflects the new public management oriented model of good governance and the state being at the center of it, thus he does not take into consideration the alternate discourse on good governance. Prof. Mathur evaluates the paradigm of governance through the examination of the constitutional institutions of governance, the legal frameworks and political contexts, administrative reforms over

the years, institutions of accountability, the network of governance, decentralized institutions and civil society organizations to arrive at possible paths to the concerns of government efficiency, democratic decentralization, accountability, transparency and control of corruption, rule of law, effective regulatory and developmental frameworks and proactive network governance and so on. Having said that, he is still limited to the perspective of governance that focuses on the state, the market, the civil society and the relationship between them. It would have been a welcome change if the same institutions were analysed from the post-colonial lens, keeping at bay the western conceptions of good governance, and perhaps try to negotiate an Indianized discourse on the approach of the same, with relevance to the Indian subcontinent in particular. Nevertheless Prof. Mathur's evaluation of the institutions of governance does a remarkable job for the easy understanding of the learners of public administration, and his recommendation of refurbishing existing institutions while developing new capacities and institutions is a timeless critique. This book is perhaps one of the better publications of the National Book Trust, on the issues of governance, institutions and policy making in India.