

# **We Reap What We Sow**

- *Dr Jayaprakash Narayan\**

As Amit Varma explained in his introductory piece, Pragati's idea of Brainstorm is to create space for thoughtful, unhurried, respectful discussion. I like the idea. In our public discourse today we often tend to say our piece without dialogue; at times we talk at each other with closed minds; most often on television we tend to shout at each other and refuse to listen. In the spirit of Brainstorm, let me first reflect on the insightful, elegant pieces of Amit, Nitin and Shruti. I eagerly look forward to the contributions of Pratap, whose erudition I admire, and Shashi, whose turn of phrase I relish.

## **Insightful Papers**

Most of us would agree with Amit's conclusion that as a country we are very far from fulfilling our potential. Amit identified the three big challenges we face – creating a million jobs a month, adjusting to technological disruption, and dealing with the climate in which the loudness of the noise, not the substance of the voice matters, facts are debated, and prejudices are reinforced.

Nitin focused on the clash between constitutional vision and traditional values, dangers of the drift towards lawlessness and populism, the need to reform our colonial steel frame and strengthen the legitimacy of constitutional norms and rule of law. He raised the important issue of iniquitous federalism. I completely agree that failure to build local governments as the third tier of federalism is a fatal flaw in our democracy. In relation to states, I will weigh in later.

Shruti captured our collective joy and fears – there is much to celebrate in our republican journey, and a lot to worry about. She acknowledged that India took surprisingly well to democracy. But she is worried that we are afraid to be free; too often democracy is cannibalizing republicanism, and cavalier treatment of fundamental rights is hurting the poor economically, and giving rise to paternalism.

## **Current Context**

Let me set the context for my comments. There are three strands that are intermingling: first, the change in global political and economic climate, rising trade barriers, insecurity and xenophobia; second, rapid technological disruption; and third our own trajectory of politics and governance, increasing the gulf between rhetoric and reality, expectations and outcomes, and grand gestures and institution-building. All these developments impart a sense of urgency to our debate, because the window of opportunity for India is shrinking in the global context. China is the great beneficiary of a benevolent global mood, free trade and stable institutions. As India is late and slow to partake in this global feast, we are not able to substantially benefit from global trade or engineer export-oriented growth. Creating jobs for the largest young population in any nation in human history and maintaining political stability and social harmony in times of momentous global change and rise of disruptive technologies are humongous challenges.

## **India's Success Story**

In these tumultuous times, we should remind ourselves of the remarkable, unlikely success that the Indian republic has been. That the world's most diverse, disparate, complex group of people had come together peacefully and built a republic was nothing short of a miracle. We endured as one nation against all odds; we set a great example as a harmonious multi-lingual nation with twenty two languages, a feat most people in the world will find astonishing; we preserved our liberties and democracy; we built the only successful federal state in the post-colonial era; and we achieved modest economic and political progress. It is this last element – modest economic and political progress – that is galling and haunting us, and is threatening our future.

## **Change – Technology, Law and Attitudes**

Clearly we need to change the way we run our politics and government; we need to accelerate economic growth; and we need to enable all sections to enjoy our liberty and prosperity. Changes in technology happen swiftly, and often conquer all barriers and change lives instantly. But changes in laws and institutions are more uneven and

halting, particularly in the absence of an elite imbued with common vision and a clear sense of purpose beyond lust for power. Change in attitudes is hardest of all; it often takes generations, and therefore a reformer's task is infinitely hard. Technological change happens across the world, and is independent of national institutions and public attitudes. Therefore our task is to focus on changes in laws and institutions in a manner that new processes are initiated, incentives for all people are altered, and behavior and attitudes are changed relatively quickly. Let me illustrate.

Loksatta movement, among other things, successfully advocated and worked hard for creation of local courts, protection of cooperatives under fundamental rights chapter, and creation of a credible, independent mechanism for judicial appointments. While the results are impressive, outcomes are unsatisfactory. Gram Nyayalayas Act was enacted in 2009, but very few local courts were constituted; 97<sup>th</sup> amendment gave cooperatives the protection of Article 19 (1) (c), but the establishment continues to control and stifle cooperatives at will; and 99<sup>th</sup> amendment created NJAC, but Supreme Court quashed it and the practice of judiciary appointing its own successors – unheard of in any democracy - continues with no public outcry. The lesson is clear. A mere change in law without creating space and processes for people to participate, learn, improve and defend will not generate outcomes. Resistance of entrenched institutions, establishment and vested interests, lack of public awareness, and paucity of enlightened political leadership will guarantee that the fruits of change in law will be at best very slow in impacting people's lives. But where a significant section of the people or powerful entrepreneurs have direct economic stakes in reforms, such change is quickly translated into living reality. One of the earliest Loksatta efforts (1998) – to end short delivery of petrol and diesel – achieved quick, significant, silent success. Loksatta's recourse to Supreme Court resulted in cancellation of 2G spectrum licenses, and eventually coal mining licenses. In both cases new licenses were awarded through competitive bidding, and a major avenue of collusive corruption is now closed. Delicensing initiated in 1991 through economic reforms quickly transformed India, though not to the full extent as the reform was incomplete.

## **Processes to Accelerate Behavioural Change**

The lessons are unambiguous. Real, lasting change happens and attitudes change quickly when there is a direct, clear economic incentive, and consumer awareness, public pressure and competition are allowed to assert. In areas where there are no direct and immediate economic incentives, public awareness is low, or market has no role, we have to generate processes to involve people directly to value the benefits from it and alter the traditional attitudes.

We, as people, are no different from the other societies which successfully embraced democracy and republicanism, and achieved prosperity and harmony. We only embarked on this project later than others. But we do not have the luxury of time in fast changing world, with extraordinary demographic challenges and revolution of rising expectations.

## **Initial Conditions**

While we had given ourselves the outward trapping of democracy and republicanism, we failed to alter the initial conditions inimical to building a sound and successful modern liberal democracy. Poor service delivery by a colonial bureaucracy, followed by half-backed socialism and state control made most people dependent for survival on state patronage and political intermediation. The tremendous asymmetry of power between the bulk of the poor, insecure, illiterate citizens and even the lowliest of the entrenched government bureaucracy in a centralized system made citizen helpless and public servant unaccountable. Our failure to deliver minimal quality education and healthcare perpetuated this asymmetry and never allowed people to value citizenship or enhance their productivity and prosperity. Local mercenary political workers became the necessary intermediaries for even the most basic services, imposing enormous burdens of cost, energy and time on political process. Corruption, abuse of power, perpetuation of poverty, vote-buying, short-term freebies, exploitation and exacerbation of divisions in society for political mobilization, underdevelopment, quest for quick fixes, and unfulfilled

potential – all these are the inevitable consequences of our failure to correct the initial conditions.

### **True Federalism and Local Governments**

We have to address these challenges swiftly. Creating a framework for guaranteed delivery of all public services without need for a bribe or influence or political intermediation is a relatively easy and vital first step to correct the distortions of our polity. We must then summon the will to transfer power and resources to the local government as the third tier of our federalism. In the short term, it is unlikely that the constitution can be amended to give real power to local governments. What can be accomplished is transfer of funds; powers will inevitably follow. Union transfers to states have increased significantly with the Fourteenth Finance Commission report. A third of union transfers should go directly to local government at the level closest to people – village panchayat, municipal ward committee or a group of stake holders – as a per capita un-tied grant with the mandate to decide and execute public projects, and with a strong, independent local ombudsmen to check corruption and abuse in each district and city. This is relatively easily doable, and it will unleash the energy and talent of people, build leadership, establish a link in people's minds between the vote and direct consequences to their lives, connect resources with services, fuse authority with accountability, and allow democracy, republicanism and prosperity to flourish together.

Then we come to union-state federalism. Here my perspective is different from Nitin's. We did build a mature and successful federalism, particularly since the 1990's. But there are two great flaws. We are increasingly imposing one-shoe-fit-all centralized models on states – the failed right to education law, land acquisition and rehabilitation law, employment guarantee law etc; and we are the only federal democracy in which all state governance is dictated by a uniform federal constitution – form of government, electoral system, local government structure and bureaucracy. We need to allow states to choose their own models that suit them best within the broad framework of constitutional values and democratic norms, and we should give freedom to states to have their own laws even on concurrent subjects and refrain from central imposition. Let

states choose their own model of local governments and bureaucracy, their own electoral system – may be direct election of government with no nominated governors, or proportional representation in legislature to eliminate the role of vote-buying and remove entry barriers. India is a continent; we cannot impose one uniform, inflexible model in all regions of this vast and complex nation. More innovation, experimentation and successful adoption of best practices will strengthen the union, not weaken it. Such reorganization of the form of government will allow flexibility and participation, and help unleash our energies and unlock our potential. It will pave way to the five great modernizations India desperately needs: agriculture, education, healthcare, science and technology and civil services. Deng Xiao Ping embarked on his four great modernizations in China in December 1978, and a generation later the results are spectacular.

### **We Reap What We Sow:**

It is now India's time. The future of India will be shaped by what the leaders and elites sow today. If we have an inclusive, participative, for-sighted vision, retain our strengths and reform our institutions, then India will be shining bright as an example of liberal, prosperous, humane democracy. If we choose to muddle through, and leave all change to forces of history and serendipity, we will have a painfully inadequate, and potentially illiberal change awaiting us.

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