

Values versus Institutions

Moving Beyond False Dichotomy*

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The discussion on politics, quite often, boils down to human nature. Some argue that all human beings are essentially bad, wicked and violent and call for authoritarian political systems to control them. Others, who contend that the society has right values, advocate open and democratic political systems. In both these approaches, the value system guiding human action is seen as the determining feature in the design of political institutions. However, it is the institutional framework that defines and shapes, sustains and promotes a value system in society.

Quite often people lament about the decline of values in our society. Many believe that corruption, lawlessness and criminalization of politics are consequences of declining values. However, we must remember that values are inter-related and their significance in democracy is contingent on consequences they result in. Values such as honesty, trust, sacrifice, cooperation and reciprocity are very strong within a family or a caste group in India. Therefore, it is not the absence of values that is bedeviling India. It is the prevalence of values within restricted social groups and not across social groups that is resulting in negative externalities such as nepotism, corruption, criminalization of politics and dynastic politics.

It would be very tempting to characterize this problem – absence of values in broader social space – as something very Indian. The truth is that values are roughly the same in every culture and civilisation throughout history. A small fraction of population always has inherent sense of values that does not require to be enforced by external compulsion – be it social sanction or law enforcement. Similarly there is always a small fraction of population that tends to indulge in bad behaviour unless restrained firmly by society or law. If good behaviour is rewarded and bad behaviour punished consistently, most people tend to behave well, but if the contrary is true, most people maximize short-term private gain at the cost of society. In effect, the overall societal behaviour is a reflection of the ability of law and society to reward good behaviour, or correct bad behaviour.

Take a planeload of Indians travelling West either for pleasure, business, study or work. Most of them who are not used to observing any rules behave differently soon after landing. They notice that people are standing in lines and following the traffic rules. If by force of habit they lower the car window to throw a piece of paper immediately their host warns them against it. The slow learner painfully realizes that violation of even simple rules is followed by fines, penalties or loss of job.

* This paper draws heavily on the author's earlier writings on ethics, institutions, society and state.

If after some years of stay abroad, these same people return to India and try to drive the way they do abroad, they soon realize that everybody is overtaking them on all sides and it would take them a painfully long time to reach their destination! Or if they do business the same way as abroad, they realize that nothing gets done without their greasing palms. Most people fall in line quickly and they seek short-term gain at the cost of society.

This crisis is not essentially on account of decline in values in society, nor is it because we have the wrong kind of people in politics, bureaucracy and judiciary. We have designed a system where it is extremely difficult to do good, but bad behaviour is lavishly rewarded. Therefore, corruption, lawlessness and criminalization are merely manifestations of failure of governance. Gladstone, the British statesman of 19th century said, “the purpose of a government is to make it easy for people to do good, and difficult to do evil.” Our government does the exact opposite, and the results are predictable.

Virtuous Cycle of Politics

Politics of hatred along religious, caste and regional lines is increasingly assuming political salience in India. The incentive structure of first-past-the-post electoral system is leading to divisiveness and political fragmentation. In our system, if a party's vote share falls below a threshold – of say 35% – its seat share declines disproportionately. In a winner-take-all system, people tend to vote with their fears, not their hopes. The desire to keep some other party out of office is far more powerful than the interest to elect the best candidate or party. Given this tactical voting, sectarian impulses, short-term inducements, and anger against a party often determine electoral outcomes. As a consequence, politics of identity, dominance of zero-sum-game issues like reservations, and easy resort to violence and brinkmanship have become the norm. Citizens of India, even those living in cosmopolitan cities like Mumbai, are getting classified into new groups – “insider and outsiders”; “natives and settlers”. Such classification is generating intense anxiety among the citizens and more importantly, the idea of India is in peril today.

The first-past-the-post electoral system has also resulted in the phenomenal rise of illegitimate money power in our politics. In fact, politics has become big business involving astronomical election expenditure incurred to buy the vote with money and liquor.

We need to reverse this vicious cycle leading to inexorable drift. Some form of proportional representation system will change the incentives and promote a virtuous cycle in politics. If a party's seat share in each state is decided on the basis of its vote share, then things will start changing. Marginal vote will no longer be all-important, as the share of votes in the state, and not the largest number of votes in a constituency matters. Therefore, both vote buying and competitive populism will be reduced significantly, and election campaigning will be on ideas and issues, not on religious, caste and regional appeals.

There is only one downside to proportional representation. In a diverse, caste-ridden society, if even a small share of vote is electorally rewarded, it may lead to the rise of caste-based parties. This problem can be overcome by fixing a reasonable threshold requirement of, say 10% of the vote in a state, below which a party will not get seats in legislature. 10% is a fairly high threshold, and will prevent political fragmentation and sectarian mobilization. Happily, all this change can be accomplished by a mere amendment of electoral law, and the Constitution need not be touched.

Along with ushering in of the proportional representation system, there is a need to reform political parties. India has large pool of talented youngsters who have shown remarkable achievements. However, these talented and socially conscientious youngsters are keeping away from politics. Arbitrary selection processes, absence of space for genuine democratic dissent, vote buying and corruption and lack transparency in the political parties are prompting many youngsters to abhor politics. A law needs to be enacted to regulate political parties in the following four key aspects: free and open membership with no arbitrary expulsions; democratic, regular, free, secret ballot for leadership election; democratic choice of party candidates for elective office by members or their elected delegates through secret ballot; full transparency in funding and utilization of resources. Reforming political parties and establishing proportional representational system will fundamentally alter the incentive structure in Indian electoral politics. Such changes will bring in new recruits and fresh ideas.

Reforming State and Local Governments

The “decline of values in India” discourse treats the polity of India as one unit of analysis. But the real challenges that confront India are the challenges that need to be tackled at the local level. The future of India is going to be determined by what happens in the states and the local governments.

At the state level, legislators perceive themselves as disguised executive, and chief ministers are hard pressed to meet their constant demands. Postings, transfers, contracts, tenders, tollgates, parole, developmental schemes, and crime investigation – all these become sources of patronage and rent seeking. No government functioning honestly can survive under such circumstances.

Therefore, separation of powers, and direct election are necessary in states and local governments. At the national level, such a direct election is fraught with serious dangers. Our linguistic diversity demands a parliamentary executive. Any individual seen as the symbol of all authority can easily become despotic, given our political culture. But in states, separation of powers poses no such dangers. The Union government, Supreme Court, constitutional functionaries like the Election Commission, UPSC, and CAG, and the enormous powers and prestige of the Union will easily control authoritarianism in any state. Adoption of a system of direct election of the head of government in states and local governments will go a long way to improve the quality of leadership and political outcomes.

The discussions pertaining to the decline in values in India do not refer to the tremendous asymmetry of power between the citizen and the public servant. In a largely poor country, with vast illiteracy, in a power-centered culture, even the humblest civil servant is more influential and powerful than 80% of the citizens. This makes accountability difficult, and abuse of power easy and profitable. Therefore, citizens must be empowered by making governance processes participatory and bringing governments closer to him/her. This can be done through empowered local governments with clear functions, funds and control over functionaries. Every district should have district government and will have a directly elected premier who will head a Cabinet of District Ministers to administer the district. The District Collector will act as the Chief Secretary to the District Government. State government should guarantee that 50 % of the state's annual planned budget will be transferred to the district governments. Such clear devolution of functions and funds will enable people to understand the link between vote and accountability and the link between the taxes they are paying and the services that they are receiving.

We Indians love to hate politicians. We must recognize that politicians are merely responding to the incentives of various institutions and various processes. In our moments of despair, we may hope that politicians did not exist. But, we must also recognize that there is no substitute to politics and politicians. We must recognize that politics and elections are about the lives of citizens and not about the careers and fortunes of politicians and parties. The damage done by politicians is far greater than the good accomplished by civil society initiatives. One must recognize this painful reality and desist from treating politics as an untouchable calling. Instead we must recognize that politics is a noble endeavor aimed at promoting larger social good.

Confucius once observed that a superior man understands what is right and an inferior man understands what will sell. The predicament of India and the predicament of politicians everywhere, particularly in India, is to make the right thing saleable. We must move beyond false dichotomies and seek right answers to the many problems that are plaguing Indian political and governance processes. The need of our generation is not increasing the intensity of shrillness about lack of values in public life. Rather, the biggest challenge confronting our generation is building institutions to deepen democracy and incentivize better behaviour and honesty.

Societal Flaws

While the governance process should fulfil the minimum preconditions for civic participation, many of the obstacles are social, and not necessarily political. During the period from 1830s to 1940s, social reform movements were engineered by several liberal intellectuals and crusaders. In fact many of our great national leaders effortlessly integrated the national struggle for independence with social reform effort into a seamless web. Sadly, with the advent of freedom there has been no serious or concerted effort to change social attitudes and to promote a democratic culture in society.

There is much that is good in our culture and tradition. The strength of family as an enduring social institution, the communitarian spirit, which still pervades most of our rural society, the sense of right and wrong that informs most human conduct, the natural assimilation and eclecticism and syncretism dominant in our ethos, and the remarkable capacity for adjustment, coexistence and contentment are all our great strengths as a society.

However, there are several serious societal flaws, which undermine our democracy. In the words of an Indophile Dr. Carolyn Elliot, they can be summed up as absence of a sense of equality, trust and common fate. Firstly, most Indians instinctively accept and perpetuate distinctions on account of birth, caste, wealth, power and occupation. We suffer from moral neutrality to inequity by birth. This can only be corrected by movements within civil society, and political institutions and laws can at best be useful adjuncts.

Secondly, the educated and the better-off sections of society instinctively reject the notion that all citizens have the capacity for self-governance. The edifice of a sound democracy can be built only on the strong foundation of trust and faith in the unalienable right to self-governance and the intrinsic capacity of the common people to achieve uncommon goals. The trusts that binds a family, caste group or trade union must be extended in all our social interactions across diverse groups and vertical hierarchies.

Finally, the sense of common fate, which is so vital to bind people together into an orderly society with protection of rights to all, is missing in us. A civilized society can be sustained only if citizens recognize that rights and duties coexist, and in fact one's rights are translated as the duties of others, and vice versa.

A related social malaise is the excessive obsession with immediate family and progeny with little care or concern for public goods. Great democracies are built as much with individual efforts to build social capital as through enduring and wise institutions of state. The sanitation movement in Britain in 19th century, the great universities, public libraries, museums and parks built through the support of farsighted individuals and foundations in the United States are examples of civil society initiatives. Even the recent efforts of Bill Gates and Warren Buffet to help eradicate preventable disease from the globe are good illustrations of the ease with which private wealth is utilized for public gain. The privileged classes in India have not yet recognized that they owe much of their wealth and success to society.

The society and state are in a state of constant flux. Both interact with each other and alter each other in a fundamental way. That civil society shapes the nature of the state as profoundly as constitutions and laws is undeniable and widely accepted. But what is not as clearly recognized is that the nature of the state has a profound and often lasting impact on society. The loosening of the caste hierarchies and the widespread, if inadequate, notion of equality in society in India is largely a product of the political process and the state structure which

guarantees universal adult franchise, equality before law and fundamental rights irrespective of birth and status.

The modern state has a great role in shaping society just as the civil society has a seminal role in democratizing the state. In order to achieve both these goals we need active citizenship and social movements for reform. Collective and informed citizen assertion is the key to transformation of both state and society.

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