

LOK SATTA
People Power

Deepening Democracy - An Agenda for Action
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Agenda

- Local Governments
- State Level Agenda
- National Campaign for Electoral Reforms

Local Governments

“Nowhere has democracy functioned well without a large measure of local self-governance”

— Friedrich von Hayek in the ‘Road to Serfdom’

Subsidiarity

Principle of subsidiarity

- Any task that can be performed at the local social unit should be entrusted to that smallest unit.
 - Only when the local social/political unit cannot perform the task, should a larger distant unit be entrusted with it.
 - Citizen is the center of governance
 - Delegation is outward, not downward.
 - The question to be asked is why should not the task be performed locally
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Comparative Picture

- State governments have not devolved all the subjects enumerated in the XI and XII schedules.
Ex: AP – 17, Maharashtra – 18, Punjab – 7, UP – 13 - - (*claimed*)
- Requisite funds and functionaries have not been transferred.
Ex- AP – 5; Orissa – 5
- Transfer of functionaries is also minimal
AP – 2; Orissa – 3; UP- 9

Comparative Picture

States where DPC has been constituted	States where DPC has not been constituted
Bihar, Haryana, Karnataka, Kerala, Madhya Pradesh, West Bengal, Rajasthan, Maharashtra, Tamil Nadu, Uttar Pradesh, Sikkim, Tripura	Andhra Pradesh, Arunachal Pradesh, Assam, Goa, Gujarat, Himachal Pradesh, Manipur, Orissa, Punjab
States where the DRDA has been merged with the Zilla Parishad	States where the Chairpersons of the Zilla Parishad heads the DRDA.
Karnataka, Kerala, Madhya Pradesh, West Bengal	Himachal Pradesh, Orissa, Rajasthan, Tamil Nadu, and Uttar Pradesh.

Comparative Picture

Kerala

- All 29 Functions devolved
- Peoples' plan
- Finances – 50 % of the budget
- Functionaries – transferred to local governments

West Bengal

- Key role in land reforms and education

Karnataka

- Transferred all 29 subjects

Madhya Pradesh

- District Government with a Minister as a Chairman; Empowering Gram Sabhas
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Problem Areas

- Inadequate devolution of functions
 - Advisory and supervisory functions
 - Lack of finances
 - Diversion of funds
 - Parallel institutions
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Agenda on Local Governments

- Advocacy for constitutional amendment
 - Transfer of powers mandatory
 - A single body in the district to represent rural and urban areas
 - Freedom to states on the structure and method of election in local governments
 - State Finance Commission (SFC) constitution as often as necessary
 - Recommendations of SFC to be mandatory
 - State Election Commission to have all powers relating to elections – including delimitation and reservation of seats
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Agenda on Local Governments

- Advocacy at state level
 - Public campaigns for local government empowerment
 - Creation of non-partisan, independent Ombudsmen to check abuse of authority.
 - Clear separation of powers between three tiers
 - DPC constitution and DRDAs merger.
 - Ward Committees for each ward with real powers
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Follow up action

- Federation for Empowerment of Local Governments (FELG) in each state
 - Mass campaigns in select states
 - The Association of Local Governments of India (ALGI) at national level for collective action
 - Capacity building in each state
 - Constant interaction and mutual support
 - Documentation and sharing of best practices
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State Level Agenda

“The purpose of a government is to make it easy for people to do good and difficult to do evil.”

William Gladstone

What can Citizens do?

- Resist misgovernance
 - Check corruption
 - Influence public discourse
 - Channel resources better
 - Enforce better services
 - Bring pressure for reforms
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Conditions for State-wide Movement

- A group of credible citizens with excellent track record
 - Insights into political and governance process
 - A practical agenda which unites all segments
 - Professional, full-time, institutional approach
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Methods of Citizens' Action

Collective, informed assertion - Tools :

- **Peoples' watch** through collective and informed action.
 - **Advocacy for state level goals**
 - Locally achievable
 - No cost / low cost
 - Universally acceptable
 - Strategic goals opening many doors
 - **Election Watch**
 - **Special techniques** like peoples' ballot/signature campaigns etc.,
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Advocacy for State and Local Goals

- Implementation of Right to Information with compensation for delays.
- Citizen's charters with compensation for delays
- Empowerment of local governments
- Empowerment of stake holders (water users, schools, market committees, fair price shops)
- Empowerment of ward committees - for each ward
- Toilets for every household
- Comprehensive rural health care (Arole model)

Contd..

Advocacy for State and Local Goals

- Local Courts for speedy justice. (Draft Bill in AP)
 - One for every 25,000-50,000
 - Justice in 90 days
 - Simple procedure and local language
 - Low cost (honorary magistrate)
- Police reforms at the state level
- Independent crime investigation
- Elimination of corruption in subordinate judiciary (Maharashtra model)

Contd..

Follow up at State Level

- Documentation of best practices in all states
 - Sharing of information and techniques of citizen assertion
 - Mutual assistance and solidarity
 - Constant interaction and support
 - National effort on select issues
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National Campaign

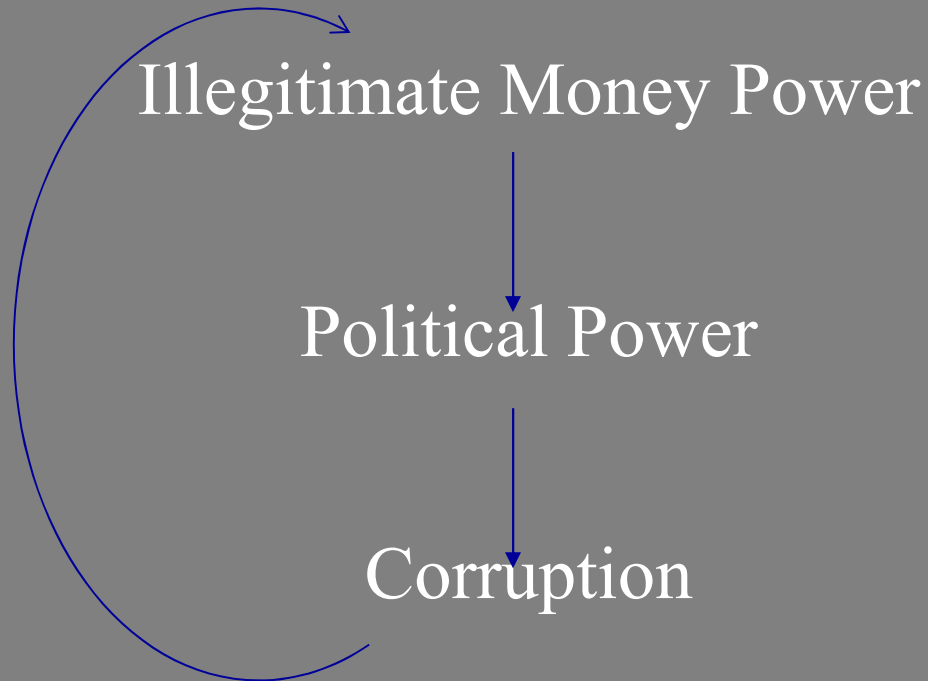
“Politics encircles us today like the coil of a snake from which one cannot get out, no matter how much one tries”

- *Mahatma Gandhi*

Failure of Political Process

Interlocking vicious cycles

Inexhaustible demand for illegitimate funds



Interlocking Vicious Cycles

Most expenditure is to buy votes

Voter seeks money & liquor

More expenditure

Large spending may or may not lead to success, but failure to spend almost certainly leads to defeat

Greater corruption

Greater cynicism

Voter seeks more money

Contd..

Interlocking Vicious Cycles

Rise of Political Fiefdoms

Need for money, caste and local clout



Parties are helpless in choice of candidates



Rise of political fiefdoms



Absence of internal party democracy



Competition among a few families in most constituencies



Oligopoly at constituency level

Interlocking Vicious Cycles

Vote delinked from public good

Centralized polity



No matter who wins, people lose



Vote does not promote public good



Voter maximizes short term gain



Money, liquor, caste, emotion and anger become dominant



Vicious cycle is perpetuated

Contd..

Interlocking Vicious Cycles

Taxes delinked from services

Only 16 % of GDP collected as taxes (union & states)

Fiscal deficits and crisis

Higher Taxes

↓
Unacceptable because of corruption and poor services

Desubsidization

↓
The poor do not see alternative benefits for the subsidies given up

Wage Reduction

↓
Centralization and Art 311 preclude it

↓
Deeper fiscal crisis

↓
Poorer services and public goods

↓
Perpetuation of poverty and backwardness

Contd..

Interlocking Vicious Cycles

Political survival and honesty not compatible

Parliamentary executive

Government survival depends on legislative majority

Legislators spend a lot of money to get elected

They need multiple returns to sustain the system

Corruption and misgovernance endemic

Government has to yield to legislators' demands

Corruption is perpetuated even if government has the will

Honesty not compatible with survival

In a Sane Democracy

- Political process should resolve the crisis
- Parties, elections and public office are the route to reform
- In India a vicious cycle operates

Keys to Resolution

- Crisis is systemic
 - Most players are victims of a vicious cycle
 - Change of players not enough
 - Change of rules of the game needed
 - Institutions are the key
 - Resources are not a problem
 - The way they are deployed is the key
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Key Reforms

Electoral reforms	Funding
	Criminalization
	Voting irregularities
Electoral system	Proportional Representation
	Separation of Powers
Decentralization	Local Governments
Rule of Law	Judicial reforms
Accountability	Right to information
	Citizens' charters
	Independent crime investigation

Recent Electoral Reform Initiatives

- Disclosure of candidate details
 - Changes in Rajya Sabha election
 - Anti-defection law changes
 - Limiting the size of Council of Ministers
 - Women's reservation in legislatures
 - Political funding law
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Other Reform Initiatives

- Post office as nodal agency for voter registration
 - National Judicial Commission
 - Right to Information
 - Indian Judicial Service
 - Independent Crime Investigation
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Key Reforms- Proportional Representation

- German model mixing with constituency election
 - Incentive to buy votes in a constituency will disappear
 - Interests of local candidate will run counter to party's need to maximise overall vote
 - Will give representation to small parties and legitimate reform groups, forcing change
 - Voting will be based on party image and agenda, not local expenditure
 - Ignored sections will find voice and get representation
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Key Reforms- Direct Election

- Direct election of head of government at State and local levels
 - No one can buy a whole state electorate
 - Image and agenda of leader will be decisive
 - With separation of powers, there will be no incentive to overspend for legislative office
 - At state level, there is no fear of authoritarianism as Union Government, Election Commission, Supreme Court etc., will act as checks
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Key Reforms- Political Party Regulation

- Open membership
 - Selection of candidates through a primary process
 - No arbitrary expulsion
 - Due process for disciplinary action
 - Leadership election through secret ballot and an opportunity to challenge leadership through formal procedures with no risk of being penalised
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Advocacy Issues

- Short Term (advanced stage)
 - Post office as nodal agency for voter registration
 - Tendered votes as a ground for automatic repolling
 - National judicial commission
 - Local government empowerment (Amendment of Art 243)

Contd...

Advocacy Issues

- Long Term
 - Political party regulation
 - Proportional representation (Mixed System)
 - Direct election of chief executive at state level
 - All India Judicial Service
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National Communication Campaign

- What are the reforms needed and why
- What is there in it for me as a citizen
- How can I participate
- In all major languages
- Taking advantage of Radio and Cable TV penetration

Two Big Challenges

- How do we get media time (as public broadcasting service)
 - What is the response capture mechanism (infrastructure of institutions)
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Window of Opportunity

- Deepening fiscal crisis
 - Citizen's disgust and concern
 - Unsustainable status quo
 - Relatively sound private economy
 - Demographic changes and rising expectations
 - Communications revolution
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Two Paths - Choice is Ours

German example vs USSR example

- Freedom enhancing
- Democratic
- Orderly
- Integrating
- Growth-oriented
- Tyrannical
- Chaotic
- Disintegrating
- Debilitating

“Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat ”

- *Sun Tzu*