

HISTORY OF GOOD GOVERNANCE AT LOCAL LEVEL IN INDIA: AN OVERVIEW

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Abstract

Good governance is an institutional arrangement to promote equitable and participatory development of the citizens. This involves co-arrangement and cooperation of numerous actors and organizations, both governmental and non-governmental, at central, state and local tiers of the government. The available literature on governance has amply shown that not only supply side but the demand side also has the concern of governance structure and process in which much attention has been paid towards administrative machinery against at the grass-roots level because no government structure, whatever its nature and character, can be complete without some form of local governments. The local government, in nutshell, cultivates public ethic and fosters initiative, independence and enterprise on the part of people.

Keywords: Good Governance, democratic decenterlization, preamble, fundamental rights, directive principle of state policy, constitution panchayati raj.

Introduction

Panchyati Raj institutions have been in existence since long in India. Sir Charles Metcalfe a British Governor in India called village pancayats little republics. Village panchayats 'little republics'. Village panchayats consisting of village elders were autonomous local self-governance bodies which dealt with all aspects of village life without any outside intervention. During the British period attempts were made to establish an alternative system of local self government.

Meaning of Good Governance

Good Governance connotes certain value assumptions, whereas governance as a process denotes value free dispensation. Good Governance is associated with efficient and effective administration in a democratic framework. It is equivalent to purposive and development oriented administration which is committed to improvement in quality of life of the people. It implies high level of organizational effectiveness. It also relates to the capacity of the centre

of power of political administrative systems to cope with the emerging challenges of the society. It refers to the adoption of new values of governance to establish greater efficiency, legitimacy and credibility of the system. Good governance is, thus, a function of installation of positive virtues of administration and elimination of vices of dysfunctional ties. Good governance, in succinctly defined meaning must have the attributes of an effective, credible and legitimate administrative system- citizen friendly, value caring and people sharing.

Origin and Growth of Good Governance

The word 'good' derives from the word God and carries an innate sense of judgment, i.e., what is right, what is wrong; what is just, what is unjust, what is fair, what is unfair; what is moral, what is immoral. So when the judgment or deed is just, right, fair, or moral it is good. In this context, good governance means right or just or moral judgments made by those exercising authority in the public interest. Now question arises what public interest is? Public interest at best means an arrogation of the interest of the many but certainly not of all. This comes closer to western thinking represented by Bentham- the greatest good of the greatest number or 'maximum good of the maximum number' which rarely encompasses universality. On the contrary, the Hindu concept of common good emphasizes on sarva (all and everyone) instead of bahu (the greatest number). Thus from the Indian perspective when we speak of the term, it is clear from the famous dictum 'Sarva Jana hitaih, sarvajana sukaiah' which means 'universal welfare and happiness of all and everyone'. On this basis, good governance means such judgments, actions or deeds of those engaged in the process of governing which aimed at the welfare of all. Thus, 'public service as an ideal' is the classical view of good governance.

Like the terms 'Third World', 'Developing Countries', 'Development Administration', the term 'Good Governance' has also been coined by the West for Third World countries. The development aid to Third World countries in post-Cold War era has given rise to the western concept of good governance, entering the vocabulary of public administration since the 90s. It would, however, be not wrong to say that one can find traces of good governance in the writings of Plato when he referred to the rule of philosopher kings or when Rousseau and Thomas Paine stressed upon Rule of Law, inherent to constitutionalism as the minimum criterion for liberal democratic governance or when Utilitarian talked of "greatest good of the greatest number". As John Stuart Mill said, "One criterion of the goodness of a government is the degree in which it tends to increase the sum of good qualities in the governed". Karl Marx equated good governance with governance where it is replaced by self-regulation. According to him, as long as there is antagonism between the individuals and the groups, humanity

cannot enjoy real freedom. Historically speaking, the city-states, the rise of national monarchies in England, Scotland, Portugal, Spain and The Scandinavian countries, Spain under Frederick and Isabella and Charles V. France under Henry IV, Louis XII and XIV Prussia under Frederick the Great; Russia under Peter the Great and Catherine II, and Austria under Joseph-II could be 'subject of study in the context of good governance. However, the contemporary use of the term good governance is in a different context. It has been used, as Aedrian Leftwich has pointed out in the context of western aid to developing societies and the benchmarks fixed by the former on the later as a condition for giving that aid.

Indicators of Good Governance

UNDP (United Nations Development Programme) 1997 identified six main components of good governance. They are as follows:.

a) *Accountability*

Accountability is the capacity to call officials to account for their action. Effective accountability has two components, answerability and consequences. Answerability is the requirement to respond periodically to questions concerning one's official actions. There is also a need for periodically to question concerning one's official actions. There is also a need for predictable and meaningful consequences, without which accountability is only a time consuming formality. In addition, both internal (administrative) and external accountability are needed.

b) *Transparency*

Transparency entails low cost access to relevant information. Reliable and timely economic information is a must for the public (normally through the filter of responsible media). It is essential not only that information be provided but also that it be relevant and understandable.

c) *Predictability*

A country's legal environment must be conducive to development. A government must be able to regulate itself via laws, regulations and policies, which encompass well-defined rights and duties, mechanisms for their enforcement and impartial settlement of disputes. Predictability is about the fair and consistent application of these laws and implementation of government policies.

d) *Participation*

Participation refers to the involvement of citizens in development process. Beneficiaries and groups affected by the project need to participate so that the government

can make informed choices with respect to their needs and social groups could protect their rights. Participation in governments can be promoted by :

- i) Encouraging the participation of project beneficiaries and affected groups.
- ii) Improving the interface between the public and private sectors.
- iii) Using NGOs as vehicles for mobilizing and reaching project beneficiaries.

e) *Rule of Law*

Legal frameworks should be fair and enforced impartially, particularly the laws on human rights. No body should be above the law.

f) *Responsiveness*

Institutions and process try to serve all stakeholders. Government is responsible to the people for its actions.

Regarding 'good' governance, the World Bank has specified seven characteristics:

- I. Political accountability and legitimacy of the political system and regular elections.
- II. Participation of social, cultural, economic and professional group in the process of governance.
- III. Rule of law, backed by an independent judiciary and a highest concern for human rights and social justice.
- IV. Bureaucratic effectiveness with a stress on openness, transparency, qualitative decisional system, performance orientation and effective monitoring and control.
- V. Freedom of information and expression, with an emphasis on professional analysis and use of information in designing public policies and decisions and in the monitoring of government performance.
- VI. Sound administrative system that would augment efficiency and effectiveness, ensure value for money, promote cost effectiveness, strengthen rational and secular decision making, propel self-corrective mechanism and aim for global standards of achievement.
- VII. Cooperation between the government and the civil society organizations.

The definitions, indicators, components and characteristics of good governance, if examined rigorously, we can state that these are not merely concerned with organizational and operational aspects of administrative machinery but these also show ethical and behavioral dimensions of the rulers and the ruled. So, it can be rightly assumed that the preliminary conditions of Good Governance are the establishment of the rule of law supplanting the rule of whims and caprice of the power that be. Good Governance demands that government must be not only representative but responsive as well to the needs of the governed. A strong sense of responsiveness and commitment to serve the governed- the

customer and the client of the government would ensure efficient delivery of services to the people. Thus Good Governance shares on aims and ethos of a cohesive and responsible democratic society. Good Governance provides moral legitimacy, apart from constitutional validity and credibility to the goals as well as instrumentalities of the government.

The main attributes of Good Governance by and large are rule of law, accountability, decentralization, honesty or probity in public affairs, independence of judiciary, human rights, people's participation, equality of treatment as needed in a pluralist society, absence of all kinds of discrimination, social sensitivity, ethical approach or conduct, effectiveness, willingness to learn and having an urge to improve as well as evolve capacity to anticipate the nature and direction of change to cope with the challenges as they arise from time to time.

The basic thrust of the concept of good governance relies on genuine people's participation so that they can make full contribution of their capabilities in serving their nation and community. The objective of Good Governance is to create an environment so that public servants as well as politicians in government are able to respond to the challenges of Good Governance. So, its challenges include a notion of duty, vocation and service to the public, upholding the values of liberal democracy and public duty before the self.

Good governance and democracy are considered as synonymous to each other because all characteristics of Good governance are possible only in a democratic polity. Democracy integrates participation into the political life of the country and provides a basis for legitimacy of government. Important linkages exist between the features of democratization and basic tenets of participatory development and Good Governance. Thus, good governance and democracy show symbiotic relationship to each other on the basic values of human rights, participation, accountability, transparency, high standards of public sector management, rule of law, transparency in decision making and legitimacy of representative government process.

History of Good Governance initiatives in the context of Indian Administration

The idea of good governance is as old as human civilization. Hobbes, Locke, Rousseau and Aristotle have used different phrases and words to realize the people about dreams of good governance. In India, the concept of Ram Rajya, Raj Dharam and Swaraj convey the explicit and implicit meaning of the good governance. To understand the practice, experience and initiatives of good-governance, it is necessary to keep into different historical epochs of Indian administration.

Ancient Period

India has a long history of "governments by discussion," in which groups of people having common interests made decisions on matters that affected their lives through debate, consultation, and voting. During Buddha's times, though the rulers were not elected and the king's son would succeed his father, the day-to-day decisions of governance were taken in village assemblies. Decisions of village assemblies were respected by the king.

The tiny Indian village republics continued to flourish during the Hindu, Muslim and Peshwa governments till the advent of the East India Company. They survived the wreck of dynasties and downfall of empires. The independent development of local government provided like the shell of the tortoise, a haven of peace where the national culture could draw in for its own safety when political storms burst over the land. The Kings received only state revenues from the village commonwealths and generally did not interfere with their local government. As Sir Charles Trevellyn remarks, 'one foreign conqueror after another has swept over India.

One of the earliest instances of civilization with democracy was found in ancient India, even during the times of the Rigveda, probably the earliest Indo-European literature and one of the most sacred books of the Hindus. The village in India was looked upon as the basic unit of administration in earliest Vedic age. The states mentioned are mostly monarchies, but with two democratic institutions called the Sabha and the Samiti. The Sabha (Assembly in Sanskrit) is widely interpreted to be the assembly of the elect or the important chieftains of the tribe, while the Samiti seems to be the gathering of all the men of the tribe, convened only for very special occasions. The Sabha and the Samiti kept check on the powers of the king, and were given a semi-divine status in the Rigveda as the "daughters of the Hindu deity Prajapati".

The later epic Ramayana seems to mention a Samiti summoned by King Dasharatha of Ayodhya for ratification of his son Prince Ramachandra as the successor. Later, there were even many republic in ancient India, which were established sometime before the 6th century BC, and prior to the birth of Gautama Buddha. These republics were known as Maha Janapadas, and among these states, Vaishali (in what is now Bihar, India) was world's first republic.

Another example of local level democracy in Indian history is recorded on the walls of the Sundravarada temple of Uttirameur, Kanchipuram district. The inscriptions document, a written constitution, dealt with elections to a village assembly around 750 AD, qualifications required for contesting candidates, circumstances under which a candidate

would be disqualified, mode of election, tenure of the elected candidates and the right of the public to recall the elected members when they failed to discharge their duties properly. During the period of Gautama (later to be Budha) who was the king of Kapil Vastu, the affairs of the state were deliberated upon and decided at a democratic institution called the Sangh. In the Sangh, the king had little say and the collective will of the people prevailed. The Sangh had administrative and Judicial functions and was empowered to impose and collect fines from common criminals and errant village administration.

Kautilya who is known as philosopher, mentor, advisor and guide of Maurya Empire, wrote a treatise on public administration i.e., Arathasastra. In this famous book, he propounded the Welfare State model in respect of ideology, ideals, function, tasks, duties, socio-administrative organizations, etc. It is really surprising that even in those days, king or ruler's duties and obligations towards the interests of state, society, nation, citizen clearly laid down as were the detailed guidelines for the governance. He beautifully explained the practice, maxims and proverbs to advance ideals of good governance in diverse fields, like economic and financial administration, trade and commerce, agriculture and manufacture, mining, transport, village development, land-use, taxation, punishments for dereliction of duties assigned to superintendents of State and other employees as also private citizens (for development work). He was interested not only in the material welfare of the people but also in their moral welfare. His framework of governance also contained the issues of social welfare, administration for ameliorating the conditions of weaker and vulnerable sections of the society. His popular maxim- it is not possible for a man to taste the honey at the top of a tongue is shining example of how he was very much concerned about bad governance. All this indicates how Kautilya's system of governance was quite modern in concept and contemporary in operational guidelines. To this day, therefore, these precepts and writings have attracted the attention of not only the academic researchers but also many present-day thinkers, administrators and political leaders.

Mughal Rule

The period between 15th century to 19th century is known as Mughal period which brought about drastic changes in the governmental system, combining certain features of Arabic administrative concepts with certain classical Indian practices. Arabic pattern is reflected in separation and distinction of two political functions, namely, governorship (Amir) as the head of military and police and treasury (Amil) as the head of the revenue, finance, etc., while the old Hindu Land revenue system, procedures and traditions, including

the Hindu revenue officials, were retained, without any interference so long as land tax was regularly collected. The villages were allowed to manage their own internal affairs in the ancient manner without any interference from government. The state dealt with villages through the headman who was responsible for the maintenance of law and order. In this way Mughal rulers tried to rule India on pattern followed by Arabic countries.

The British Rule

The British rule in India by the East-India Company, a trading concern entering India (in early 16th Century) under a charter originally granted by Queen Elizabeth I, changed the framework of administrative system slowly but steadily. The two Reports of 1854 one by Sir Charles Trevelyn and the other by Thomas Babington Macaulay formed the cornerstone of the administrative system designed by the British rulers for governing India.

As the public services structure shows, the governance during the Raj had, as the objective, political consolidation, economic (resources) exploitation and administrative elicitation, through which the Colonial masters maintained a tight hold over the empire. The pre-independence governance was concerned mainly with the enforcement of the law, maintenance of order and the collection of revenue. Involvement of the government during the British regime in the economic and social spheres was confined to mainly the tasks like building and maintaining a modest transport and communications system, regulation of indigenous trade and commerce and providing facilities in the fields of education and health. Government of India Act, 1935 pushed the process of democratization of government. Positive steps taken during this period were enlargement of functions and powers of local bodies, widening the franchise and diagnosing the hurdles in the way of development of local self governing institutions.

After Independence

India became independent on August 15, 1947 and the constitution was adopted on November 26, 1949. This constitutional document contained new ideals, dimensions and dynamics for shaping the aims and objectives of administrative machinery. The imperial regime based on paternalistic philosophy came to end. It gave birth to socialist, secular and democratic republic. The concept of 'police state' was replaced by 'welfare state'.

The constitution, a pious document, spelled out the mission, vision and objectives of the government. The officials appointed on different hierarchical rungs of the public administration, were assigned Herculean task of socio-economic change for the upliftment of the lives of people with sincerity, commitment and honesty towards their duties. The constitution, explicitly and implicitly, spelled out broad policies and programmes to

accomplish the intended targets of good governance. The values of good governance are reflected in the Preamble, Fundamental Rights and the Directive Principles of state policy as under:-

The preamble

The "Preamble" to the Indian Constitution sets out the broad goals and ideals for the state to pursue the well-being of its people. The Preamble summarizes the very purpose of good state. The government was mandated to ensure to its citizens justice, liberty, equality and fraternity. The several aspects of these goals and the ways to achieve them have been more explicitly spelt out in part IV of the Constitution containing the "Directive Principles of State Policy" [Articles 37 to 51]. Article 37 says that these Directive Principles of State Policy, though not enforceable by any court, "are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws".

As per the article 12, the state includes "the government and Parliament of India and the government and the Legislature of each of the states and all local or other authorities within the territory of India or under the control of the Government of India".

Directive Principles of State Policy

All the above organs of the State defined under article 12 have to play their respective roles in implementing the various Directive Principles of State Policy. Some of these Directives require the State by way of good governance to secure:

- Article 38(1) - a social order for the promotion of welfare of all the people;
- Article 38(2) - minimization of inequalities in income and elimination of inequalities in status;
- Article 39(1) - the right to adequate means of livelihood to all men and women;
- Article 39(C) - the operation of economic system to prevent concentration of wealth in few hands;
- Article 39(d) - equal pay for equal work for men and women;
- Article 39(f) - protection against abuse of health and strength of workers and the tender age of children;
- Article 40 - that village Panchayats be organized as units of self-government;
- Article 41 - the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disabilities;
- Article 42 - just and humane conditions of work and maternity relief;
- Article 43 - living wages for workers to ensure decent standard of life and adequate leisure;

- Article 45 - free and compulsory education for all children below 14 years of age; and
- Article 47 -higher level of nutrition and public health.

Fundamental Rights

While pursuing the above socio-economic objectives, the many valuable fundamental rights guaranteed by the Constitution to all citizens need also to be protected. These rights in brief include :

- Articles 14 -Equality before law;
- Article 15 -Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth;
- Article 16 -Equality of opportunity in matters of public employment;
- Article 17 -Abolition of Untouchability;
- Article 18 -Abolition of titles;
- Article 19 –Protection of certain rights regarding freedom of speech;
- Article 20 –Protection in respect of conviction for offences;
- Article 21 –Protection of life and personal liberty;
- Article 22 –Protection against arrest and detention in certain cases;
- Article 23 –Prohibition of traffic in human beings and forced labour;
- Article 24 –Prohibition of employment of children in factories;
- Article 25 –Freedom of conscience and free profession, practice and propagation of religion;
- Article 26 – Freedom to manage religious affairs;
- Article 27 – Freedom as to payment of taxes for promotion of any particular religion;
- Article 28 – Freedom as to attendance at religious instruction or religious worship in certain educational institutions;
- Article 29 –Protection of interests of minorities;
- Article 30 –Right of minorities to establish and administer educational institutions; and
- Article 32 –Remedies for enforcement of fundamental rights.

The government has to respect the individual and promote national harmony. Thus, in measuring the quality governance the means employed and the results achieved in fulfilling the above objectives have to be the real criteria. To realize the dreams of good governance, both union and state governments took several initiatives but concrete measures, after its recognition in World Bank document, need further elaboration.

Good Governance: An Analysis

The conceptual frame work on Good Governance discussed hitherto reveals that governmental machinery working with full transparency of its operations could be held accountable. Citizens, by and large, will be happy if it can be ensured that the government set right objectives and are able to achieve the same. Good governance involves both people who are entrusted with the responsibility to govern and the systems, which they put in place. This implies maximum good to the maximum number of people. Good governance is not a one-time effort, but a continuous struggle. To protect the rights of the governed, to meet their needs and fulfill their aspirations is by any yardstick an enormous task that requires Herculean efforts.

The process of good governance should require an equitable distribution of essential common resources. The search has to be for localized solutions and the generalizations have to be minimal and obviously acceptable to all to increase accountability, freedom of information and effective legislation, the concept of citizens charter is being introduced. Method of facilitating direct interaction between citizens and government as well as service providers are being introduced such as information-laden websites, public hearings and computerized access to public service. The buzzword here is transparency, which is designed to increase citizen's control and prevent corruption.

Conclusion

Good Governance demands transparent administration by making not only decision making criteria and the drawn up programmes more open to the public but also by involving them. Further the right to information, rather transparent administration with people's participation, has become the need of the hour, as corruption and malpractices have become an undeniable fact in the administration. Administration should take on the role of "working with the people" instead of a traditional role of merely "helping the people" in nation building. The need for devolution of social and political power from the highly powerful central government to lower echelons of government is also recognized. India has already given constitutional status to the third tier of the government, formally known as local bodies. The empowerment of the people has to be the keystone of changes in the future. A restructuring of the ownership of national resources would help in fulfilling the requirements of the poorer sections of the population living in villages.

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