

Things Fall Apart, The Centre Will Not Hold

■ Dr. M.N. Buch

In 1947, despite the fact that Britain was the imperial power and India was the Indian Empire of the British Sovereign, the British did leave behind certain legacies, certain institutions, which did provide us the framework of administration and which still forms the skeleton and the sinews of our republic. India was governed by laws and we are a society of laws. At the level of the District and Sessions Court, the High Court and the Federal Court (now Supreme Court), the Judiciary was independent of the Executive and though the Magistracy worked under the District Magistrate the District and Sessions Judge exercised powers of both superintendence and supervision over the magistracy, apart from judicial superiority. The Legislature was functional both at the Centre and in the States (then Provinces) and there was an organised Executive consisting of the Covenanted Services (now the All India Services), the Central Services and Provincial Services. The Police was a part of civil government and though a servant of the law it worked under the superintendence of government. However, in the investigation and prosecution of offences the police enjoyed complete autonomy under the Code of Criminal Procedure, a position reinforced by the provisions of Chapter XII Cr.P.C., 1973. The difference between the Code of Criminal Procedure of 1861 and 1898 and the present Cr.P.C. is that the present law brings about total separation of the Judiciary from the Executive even at magisterial level and whereas the Executive Magistracy continues to function under the District Magistrate and is no longer under the supervision of the Sessions Judge, the Judicial Magistracy now stands subordinated to the Chief Judicial Magistrate who, in turn, is subordinate to the District and Sessions Judge.

The nearest thing to a Constitution that British India had was the Government of India Act 1935. This gave India a federal structure in which the centripetal forces were strong and which moved India towards a representational democracy. The Constitution of India as adopted by the Constituent Assembly on 26.11.1949 and made effective from 26th January 1950 borrows heavily from the Government of India Act, 1935, especially in terms of the relationship between the Union and the States. The centripetal character of the Government of India Act 1935 is carried forward in the Constitution of India. Of course we have borrowed from other democratic constitutions also and the Chapter on Fundamental Rights is inspired by the Bill of Rights which forms a part of the American Constitution. Certainly the British, as represented by the Viceroy, did have overriding powers, especially in matters relating to the maintenance of the empire, but seeds of independent, republican India were undoubtedly sown by the Government of India Act 1935. It would be churlish to deny this. The major contribution of our Constitution is that it did away with limited franchise, it recognised all citizens as equals, it extended the constitutional right of equality before law to all persons within the territory of India by Article 14, it eliminated separate electorates, it introduced universal adult suffrage under Article 326 and gave every Indian an equal say through his vote on who will govern India and how it will be governed. This is no mean achievement for a country which virtually shifted overnight from imperial rule to complete independence and that, too, in the midst of strife caused by partition and the massacres which went with it. This happened largely because the British left us the basic infrastructure of a State and our leaders were wise enough to not only keep it intact but to strengthen it. Pakistan lapsed into military dictatorship, despite the fact that we shared a

common system and heritage of administration, because Pakistan had no leaders worth the name. The paths of India and Pakistan have diverged completely and whereas our democracy is strong enough to withstand even the onslaught on it between 1975-1977 through declaration of Emergency by Indira Gandhi, Pakistan continues to be just one step away from total chaos.

The first two decades of independence were glorious. The Nehruvian version of a planned economy resulted in massive investment, largely in the public sector, which created the basic capital goods industry in which we were lacking, built the infrastructure of roads, railways, power, irrigation and other key elements of a modern State, revolutionised agriculture through the Green Revolution and lifted India from the depth of poverty and backwardness to a level where it began to be recognised as a State with great potential. Because the dream of Nehru was socialist, equity was at the core of all development and certainly land reforms gave the farmer hope and the public sector kept the predatory private sector at bay. The present day votaries of liberalisation and privatisation would find these words anathema, but they are too young to have seen the India into which I was born, in which a total of five thousand towns and villages were electrified (India has 5.5 lakh villages), the tiller of the soil was not its owner and we had just staggered out of the shock of the Bengal famine which killed over three million people. These economists, these acolytes of the private sector, who now denounce socialism would probably not have reached the present place of eminence but for the institutions of higher learning created by the State. Macaulay may have made some Indians literate, but it is Nehru and Maulana Azad who made us educated. The Indian Institutes of Management which were not then the predatory agents of the corporate world, both to provide them employable youngsters and to train them at the cost of the State, charged a modest fee and created management cadres which have served the newly emerging corporate India with great distinction. This is because the fees structure was affordable, the State bore the cost of education, the students were not under pressure to get really high paying jobs because it was government which had invested in their education and, therefore, they were in a position to imbibe education rather than merely improve their own employability. The Indian Institutes of Technology and the Agriculture Universities such as the Punjab Agriculture University, the Pant Agriculture University and Jawaharlal Nehru Agriculture University produced experts in technology, agricultural science and veterinary science who on the one hand propelled India into the space age and on the other converted India into a country of agricultural surplus. It is the State which played the lead role and this is something we must never forget. Today IISM charge a cripplingly high fee and institutions such as Indian School of Business at Hyderabad and Mohali in the private sector charge a fee which would put Harvard to shame. This has driven any desire for real education out of the management students and made them strive for that skill which will make them fit for high salary corporate employment. The day the Indian Institutes of Technology follow suit, higher education in India will take a nosedive.

Growth has both a positive and a negative side. Without a certain basic level of the economy the nation would be one in which resources are scarce and the economy and psyche of its people will both be coloured by a scarcity syndrome. In an environment of scarcity where there is a cut-throat competition for available resources, it is but natural that the law of the jungle will prevail, the strong will corner the major part of resources and the weak will be reduced to a level of serfdom. Let me give one example. Anyone who visits both Pakistan and India is shocked by the low level of agricultural productivity in Pakistan and is impressed by how far India has developed in agriculture. Not that we do not have drought and hardship from time to time, as is happening in Maharashtra this year, but thanks to Verghese Kurien we are the world's

biggest producer of milk, thanks to Y.S. Parmar we are one of the largest apple producers and because our land reforms have made the tiller of the soil its owner, the incentive to invest in long term improvement is strong and, therefore, whether it is wheat, soya bean or paddy even States like Bihar have moved into an era of surplus. By contrast in Pakistan 120 families own the major part of agricultural land and because the system of tenure and tillage is feudal, despite having the largest perennial irrigation system in the world, the Indus irrigation system, Pakistan's agriculture is in dire strait. There are many amongst us who decry land reforms because according to them business like capital investment is thereby precluded from agriculture. I have never heard such hogwash in all my life because if we take the cumulative investment made by small farmers, with very encouraging results, it far exceeds the investment that would have been made had agriculture been made over to the corporate world. All this has been possible because India claims to be a socialist republic, not in terms of dogmatic socialism but certainly as an economy in which equity and social justice are the ruling principles and, therefore, land reform became the sine qua non of equitable government.

This is not an essay on socialism and undoubtedly many elements of the Nehruvian model are in tatters. The politics of the country is highly fragmented and fragile and because the desire for power has completely overtaken the desire for service, politics has become immoral, venal and totally unprincipled. There is so much corruption, not only at policy making level but right down to the lowest functionary with whom a citizen may be forced to interact, that we are almost beginning to compete with Kuomintang China. There is no area of endeavour, public or private, in which money, muscle power, intrigue, violence and cheating are not the dominant factors. India was considered a spiritual nation, but now spirituality is replaced by superstition and materialism has eroded value systems. In some ways the country is beginning to resemble a cartoon in which there is a long line of fish ranging from minnow to shark. The larger fish is trying to swallow the smaller one virtually ad infinitum, with the ultimate target being the minnow. Whether it is politics, or business, or social organisation, the largest predator is the one who is bound to win. This is the very antithesis of the society we must try and create so that the words of the Preamble, "Justice, social, economic and political" come true.

The much wider question of ethics, morality, principled politics and good, effective government will be addressed a little later, but let us first see what went wrong with our model of planned development. One can consider here two different models, the Soviet plus Mahalanobis model of a much milder one of state planning as adopted by India; and the Meiji era model that Japan adopted after the Meiji revolution. As the West impacted Japan and that country watched in shock and awe how Commodore Perry's small American fleet with modern firepower easily overcame the Japanese forces. The Shogunate was overthrown, the Emperor, or Meiji, assumed power and Japan decided to modernise. Being a highly disciplined and organised people the Japanese sent droves of students to foreign universities to acquire a modern, scientific and technical education and the State made heavy capital investment in modern industry. The Japanese economy was totally state driven then, but the great business house, the Zaibastu, were co-opted very early to build and operate the economy. Being practical people the Japanese constantly reviewed development plans and as the business houses acquired skills, managerial ability and trained manpower, the State stepped back, let private business manage industry and increasingly adopted the role of a helper, a facilitator, but also a very strong regulator.

By contrast in India we just allowed the public sector to bloat itself. For the politician it became a cow to be milked for personal profit and a venue for extending patronage. All public sector undertakings became grossly over stuffed, with efficiency being in inverse proportion to staff expansion. Corrupt politicians corrupted the managers and almost the entire public sector became a byword for mismanagement, corruption, inefficiency, indiscipline --- with almost all undertakings making heavy losses and undermining the economy. Because we did not review, evaluate, step back where necessary, co-opt the private sector as it matured, we have brought the entire model into disrepute. Perhaps wholesale disinvestment is not the answer because today the private sector is also thoroughly corrupt and inefficient, but we need to loosen the control of government, give genuine autonomy to the management so that it runs the undertaking efficiently and swiftly punish all objectionable deviations and perversions. The public sector and what we have made of it is only one of the factors which has brought India to its present sorry state. I have been writing ad nauseam that after 1967, when the culture of purchasing power through bribing legislators afflicted us, the objective of being in politics has changed from the old concept of serving the country and instead it has made power and what can be personally gained by power the new paradigm. The old style politician who had come through the freedom movement and was still influenced by the austere philosophy of honest service, ahimsa, satya and satyagraha of Mahatma Gandhi, did not consider power an end in itself, acquisition of power as the sole purpose of being in politics and the loss of power representing the greatest tragedy, gave way after 1967 to a new breed of acquisitive, power hungry, unprincipled and dishonest politicians. The minute this happened no party any longer had any room for ideology, programmes, principled politics, a national vision and a declared and widely publicised policy statement or manifesto. In the absence of ideology and declared policy what remains is (1) management of elections by fair means or foul to maximize representation in the Legislature, (2) coalitions, generally between parties which had no common interests, which would bring the coalition partners to power, to retain which immediate expediency, unprincipled compromises and sheer populism would be the guiding principles of government. All these require complete eradication of conscience, values and morality from one's psyche, a total rooting out of any feeling of guilt at wrongdoing and a mentality in which wrong became right because it is wrongdoing which brought profit and power. This, then, is the root cause of corruption, because purchasing of power itself is corruption and only corruption can feed the means by which power can be purchased. Corruption then becomes a way of life and once there is indifference or even acceptance, the nation is doomed.

Let us take any issue. There is inflation, which causes middle class unrest and the government answers by tightening money supply through high interest rates. The real cause of high prices is the parallel economy which is not amenable to fiscal or monetary control. A principled government would tackle the parallel economy, but an unprincipled government will not touch it because it is the main source of money for buying power. Therefore, in order to feed the parallel economy and keep it intact unscrupulous businessmen bribe politicians who, in turn, pressurise the civil servants whose duty it is to ensure good government, subject to policies framed by the politicians. The civil servants, in turn, begin to participate in corruption because why should they be left out when everyone else is making money. At a higher policy level this hurts the nation, but it does not directly affect the common man. Corrupt civil servants, however, do not restrict themselves to the high plateaus. They descend into every valley and gulley, and the common man, the one who is most exploited, is squeezed by lower functionaries in the village itself. What is more, all the programmes meant for his upliftment, such as the National

Rural Employment Guarantee Programme, are subjected to such massive corruption, such massive leakages, that very little reaches the beneficiary and the major part is swallowed by politicians and officials. This is a negation of government.

We have no shortage of laws and the Indian Penal Code already has sufficient provisions for dealing with murder, rape, communal violence, etc. However, the politicians and influential criminals do not permit the Police to exercise its legal power vested by Chapter XII of the Code of Criminal Procedure, to detect and investigate and prosecute offences. After a while the police also become participants in corruption, with the result that crime goes unpunished. What is our answer? We enact more laws. Old laws are not enforced, harsh new laws increase the opportunities for corruption, crime remains uncontrolled, the average citizen suffers and politicians and civil servants garner wealth. How can such a system function? I am trying to avoid the retired civil servant's disease of harking back on old days as a golden period and the present era being a black hole by comparison. However, the fact remains that upto 1967, by which year I had put in ten years of service, then upto 1975 till Indira Gandhi imposed a State of Emergency, India did have honest politicians and parties which had ideology. The civil servants, right down to constable, forest guard, village level worker and the Patwari, were not under the present day pressure to collect money for unscrupulous politicians and, therefore, were better, more honest, more people friendly officials than those of today. When the politicians become corrupt the civil servants are bound to be victims of this disease and this should cause us a great deal of anxiety.

We need to bring principles back to politics. Articles by me and speeches by learned people will not achieve this because ultimately the political parties themselves have to decide to go back to ideology and programmes. It is doubtful whether this will happen spontaneously and, therefore, it is for the electorate to punish every politician who fails to come up to their expectations. I have faith in the electorate because it is the people of India who voted Indira Gandhi out of power in 1977 for imposing Emergency and brought her back to power in 1980 because the Janata Government failed. I hope the day is not far when members of unscrupulous coalitions are similarly punished by being defeated at the polls. Meanwhile public pressure must be kept up to punish wrongdoing, to enforce the law, to ensure that every public servant is assigned responsibility and then held accountable and by social boycott, through the vote, by publicity, by building of public opinion, unprincipled politicians and corrupt officials are weeded out. At present the words, "Things fall apart, the centre will not hold", seem to be true in India.
