

The Naxalite movement and the crisis of governance: Reform measures for regaining people's trust*

K. B. Saxena**

The paper locates the genesis of the Naxalite movement on the failure of governance to eliminate structural violence inflicted on the Dalits and Adivasis, change policies which are extremely detrimental to their interests, makes implementing bureaucracy sensitive and accountable, and establish a system for delivery of justice and grievance redressal suited to their needs and within their easy reach. It maps out an agenda of governance reform to cover these aspects including a contextualized understanding of the movement and a response to its violent manifestations within the framework of the rule of law and democratic safeguards.

Social discontent is nothing new to the Indian polity. But it has considerably increased in recent times, ironically, coinciding with the higher rate of economic growth. Simmering discontent, when ignored, leads to social unrest which manifests itself in varied forms of peaceful collective mobilization ranging from protest to agitation and sustained resistance. These expressions of social resentment are usually negatively viewed by state agencies as a challenge to the authority and, therefore, suppressed. Where issues giving rise to discontent do not involve serious conflict of interests, timely political accommodation may deter progression of the movement into violence and terminate its journey. But where this unrest is on account of factors arising from the deeply entrenched structures of the existing social, economic and political order, the state has either to vigorously pursue structural transformation of society, economy and polity,

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** Professor of Social Justice and Governance, Council for Social Development, 53 Lodi Estate, New Delhi-110003. <csdnd@del2.vsnl.net.in>

destabilizing the existing powerful interests, or maintain the existing order with the use of maximum force with its attendant risks. The Naxalite movement has thrown up precisely these difficult choices. And herein lies the crisis of governance.

The Naxalite movement has been one of the most significant political developments since independence. Its ideological underpinnings and continuance since 1967 with ups and downs have posed the most serious challenge to the legitimacy of not only the government but democracy as well. The geographical spread of the movement to 460 police stations of 14 states in the heart of the mainland, its capacity to sustain its activities and render regulatory and development administration virtually non-functional despite very intensive counter-insurgency operations and manifold increase in police infrastructure and the degree of tacit support it is able to elicit from a large section of the people in the area have severely eroded the credibility of governance. The movement also seems to have put a spanner in the massive plan to industrialize the area richly endowed with minerals. The government has, therefore, viewed it as the greatest internal security threat to the country and resolved to curb it with the degree of planning and use of force not witnessed before. To clear the area of Naxalites so as to enable the writ of the state to run is, therefore, on top of the agenda of governance.

THE DEPTH OF THE PROBLEM

The area where Naxalite operations are concentrated lies in the forested regions of central India covering Orissa, Chhattisgarh, Jharkhand, Andhra Pradesh, Maharashtra and West Bengal though it has had an extensive presence in the plains of Bihar. The tribals constitute the largest segment of population here followed by the dalits and other socially marginalized groups. These are the groups for whom the programmes of the Naxalite movement have great appeal and who form its large support base. The roots for this support lie in the social conditions of these people which are characterized by extreme poverty, widespread discrimination, acute social exploitation, pronounced development disparities, indifference of the state institutions and political neglect. The indignities and violence inflicted by the existing social order are deeply embedded in the lives of people forming these social segments. While the factors giving rise to the Naxalite movement and its extensive spread are many, the interface of people with the government holds the key to the understanding of its roots and appreciation of its violent manifestation. But the attraction the movement

has for these communities is also significantly related to the day-to-day experiences in their relationship with the larger society. The government-people relationship is multifaceted. It covers all organs of the government-legislature, executive and judiciary as well as the institutions and processes associated with them. The contact with the larger society includes in its ambit social institutions, cultural interactions, political formations, economic organizations, academia, media and other spaces. The members of marginalized groups face exclusion and discrimination in their contacts with both. Governance was expected to influence both these dimensions of their relationship - with the government and the larger society so as to create a feeling of inclusion and promote the ambience of equality. At the level of the government, the objective was to be achieved by enacting suitable laws, making policies and designing programmes in pursuance of the provisions of the Constitution and executing them effectively. At the societal level, the objective was required to have been realized by vigorously promoting social transformation involving a change in attitudes, behaviour and practices of the people consistent with the spirit of the constitutional scheme. That this outcome has not been achieved is a testimony of its failure. The magnitude of this failure in respect of the interface with the government is indicated by the huge gap that exists between the declarations/intentions in laws, policies and programmes of the government and the performance in respect of their implementation and delivery of outcomes. The persistence of exclusionary and discriminatory practices in social intercourse and the huge divide that characterizes economic positions, social status and distribution of political power is reflective of the failure in respect of the interface of these groups with the larger society. The result of this failure on both fronts is the deep alienation of these people from the government and institutions of the polity and a lack of confidence and trust in the established authority. Far worse, it has generated in them a feeling of helplessness and despair with regard to their own ability to change their lives. It is this vacuum which the Naxalite formations have sought to fill up by providing the blueprint of an alternative social order.

SOCIAL MARGINALIZATION: STRUCTURAL ROOTS

The marginalization of these groups has deep sociological and historical roots. The sociological foundations were laid by the age-old Hindu social order while the historical edifice was created by the colonial rule. The social regime embedded in the precepts of Hinduism constructed an ideology of institutionalized exclusion and rules of its rigorous

enforcement. The colonial rule transformed the economy by restructuring agrarian relations and the industrial system and replaced the existing polity by alien governance institutions. The social order defines the problems which the dalits face while the colonial policies were responsible for the problems experienced by the tribes. The two complemented each other in consolidating a society which is deeply divided with privileges, status and power for some sections and subordination and exclusion for others.

THE CONSTITUTIONAL FRAMEWORK

The Constitution grappled with this legacy and created a polity based on equality for all its citizens. However, special rights, entitlements and institutional safeguards were provided in it for these under-privileged groups to facilitate enjoyment of this equality. The chapter on Fundamental Rights extend essential civil and political liberties to all citizens without any discrimination. Articles 14, 15, and 16 of this chapter spell out a scheme of harmonious construction of equality as citizens with compensatory discrimination and affirmative action in favour of the dalits and tribals* and the other backward classes. The Directive Principles cast an obligation on the state to take this objective further and promote social and economic justice.

A large part of the area affected by Naxalite activities is included in Schedule V of the Constitution. This Schedule makes the President of the Union and the Governor of the concerned state responsible for administration in Scheduled Areas and protecting the interests of the Scheduled Tribes. Under this Schedule, read with Article 339 (2), the executive power of the Union “shall extend to the giving of directions to a state as to the administration of the said areas and the drawing up and execution of schemes specified in the direction to be essential for the welfare of the Scheduled Tribes in the state”.

Schedule V has the following four other important provisions for promoting the well being of the tribals.

- A Tribes Advisory Council (TAC) shall be constituted in each such State which has Scheduled Areas three-fourths of whose members comprising the representatives of the Scheduled Tribes in the legislative assembly of the State. This Council has been entrusted with the responsibility of advising on matters concerning the welfare and

* The Constitution uses the words Scheduled Castes and Scheduled Tribes.

advancement of the Scheduled Tribes referred to them by the Governor (Clause 4).

- The Governor is empowered to direct whether any Act of the Parliament or State legislature shall apply to a Scheduled Area and if so, subject to exceptions and modifications specified. (Clause 5).
- The Governor is also empowered to make regulations for the peace and good government of any Scheduled Area, regulate the allotment of land to the tribals and moneylending business (Clause 5).
- The President may, in consultation with the Governor of the State, include or exclude any area from the areas notified under Schedule V (Clause 6).

In addition, Part IX of the Constitution, since extended fully to the Scheduled Areas, has brought into existence Gram Sabhas (Article 243A) and Panchayats (Article 243B) as primary institutions of self-governance with a view to involving the local tribal communities in decision-making on all activities that concern them.

Part XVI of the Constitution contains several special provisions for the dalits and tribals. The Articles in this part provide for reservation of seats for the dalits and tribals in the Parliament and the State legislatures and reservations in appointments to public services. The reservation was also extended to the panchayati raj institutions. Articles 338 and 338-A provide for the National Commissions for the dalits and tribals respectively to investigate and monitor all matters relating to the safeguards provided for the two groups and report to the President on its findings for corrective action. In addition, there is provision for appointment of another commission periodically for reporting on the status of the tribes and the administration of the Scheduled Areas.

POLICY ARCHITECTURE

The post-colonial state set out seriously to give effect to the constitutional provisions by enacting necessary laws, designing policies, initiating programmes and creating institutional arrangements. These instruments make provisions for protection of these groups against injustices and violence of the higher castes, development programmes for improvement of their economic conditions and enhancement of their social status, and their participation in decision-making processes and programme implementation. In the ambit of protection are included special criminal laws to check caste/ethnicity-oriented violence [SCs/STs (Prevention of

Atrocities] Act 1989 and derogatory behaviour and practices [Protection of Civil Rights Act, 1976], social welfare laws for eliminating degrading occupations [Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993] and social practices (laws relating to the abolition of the Devdasi system in Andhra Pradesh, Karnataka and Maharashtra). The labour laws relating to minimum wages, equal remuneration, bonded labour, inter-state migrant workmen, child labour, contract labour and land reforms laws are designed to deliver economic justice to these communities. The labour laws regulate the relationship between employers and workers, level of wages and conditions of work while land reforms laws are aimed at providing secure rights to the tenants, redistribution of land to the landless, conferring ownership rights on homesteads and allotting house-sites to shelterless people and checking alienation of tribal land. The development instruments put in place for their benefit cover a system of allocation (pooling) of public resources built into the planning process for schemes and programmes suited to their needs (Tribal sub-plan and Special component plan), earmarked percentage of share in the schemes of human and social development, support for marketing of agricultural and forest produce to assure remunerative returns (for the tribes), dedicated financial institutions to supply concessional capital for self-employment, specially designed welfare schemes for education, health, food security, skill development, coaching for competitive examinations, rehabilitation of those rescued from the degrading occupations and cultural protection. The Schedule-V Areas have also made special administrative arrangements (Integrated Tribal Development Agencies) for execution of the development schemes.

The provisions for reservation in public services ensure that the vast gap in the educational attainments and economic status of these groups compared to the rest of the population does not stand in the way of occupying decision-making positions. This has been done by earmarking the percentage share in recruitment and promotion to posts in public services. The reservation of seats in the institutions of higher learning seek to ensure equality of opportunity for members of these groups in order that they acquire eligibility qualifications to compete in the employment market and to take up professional vocations of their choice.

The participation in the decision-making process is facilitated by percentage share of seats proportionate to their numerical strength in the elected democratic bodies at the State, Central and PRI levels and representation in the Central and State cabinets. The dedicated committees of the Parliament and State legislatures devoted exclusively to their

problems also provide space for political participation. The Constitutional bodies (National Commissions for SCs, STs, and Backward Classes) and statutory commissions (National Human Rights Commission, National Commission for Women, National Commission for Safai-karamcharis and National Commission for Rights of the Child) along with similar bodies in the states have also been set up for safeguarding the interests of these communities and protecting their entitlements against encroachment by non-eligible persons and neglect by the State.

With this political and social engineering, it was expected that the legacy of historical injustice and social inequities would be eroded and these communities would be enabled to enjoy equality of opportunity, status, treatment and dignified living.

But the State retained governance structures created during the colonial rule – the unit and structure of administration, apparatus of the bureaucracy, regime of rules and regulations for transacting official business, legal system and justice administration, hierarchy and chain of command in the organization, etc. With these structures, it vigorously carried forward the task of consolidation and also pursued nation building and modernization reflecting the aspirations of dominant sections whose members were the decision-makers in the polity. This inevitably implied extension of state apparatus to the areas left relatively autonomous, centralization of authority and expansion of institutions for regulation and development. This process displayed a strong undercurrent of integration and assimilation of isolated ethnic groups in the mainstream social order with neither patience nor respect for culturally different traditions and systems of governance of the tribal societies. Being in a hurry to catch up with the development deficit, the post-colonial state pursued a paradigm of development akin to the pattern followed in the west which neither took into account the wide inequalities among social groups impinging on their ability to benefit from it nor showed any sensitivity to the devastating cost which the weaker groups in society would be forced to pay for the benefit of the privileged 'others'. In its zeal to equalize development opportunities for the weaker groups, it introduced a uniform and standardized set of development programmes which not only ignored the differential needs and priorities of these groups but also institutional and cultural determinants of development in their case. It failed to recognize the scale, dimensions and intensity of resistance from the dominant groups to the processes of social change and their capacity to undermine them given the extent of power they wielded over the weaker groups and the influence they exercised in governance.

EXPECTATIONS NOT FULFILLED

The post-colonial state has not only failed to bridge the social and economic divide between these marginalized groups and the rest of the population but has widened them. In the case of tribal communities, far from halting the process of impoverishment and social disintegration which started from the colonial times, it has increased it to a level that has generated widespread disaffection and turmoil among them. The dalits, on the other hand, face increasing hostility from and suffer brutal violence of the dominant groups to an extent that forces them to explore other options to lead a dignified life. The present conditions in the cases of both make it evident that laws, policies, programmes, resource distribution and engineering of planning structures are not sufficient for ensuring them protection from violence, promoting their development, delivering social justice to them and facilitating their political empowerment so as to create a feeling of 'inclusion' in society and equality with other sections of the population.

SOCIETAL ENVIRONMENT

The societal environment is deeply hostile to these communities. The members of these communities face pronounced social exclusion and bias which denies them equality and dignity, deprives them of their entitlements and blocks their avenues of advancement. The latent social bias is now getting manifested in open and vocal opposition to and mobilization against affirmative policies introduced in their favour, particularly those relating to reservation in institutions of higher learning and public services. The socially differentiated treatment meted out to these groups is distinctly reflected in the wide disparities between them and the remaining society in respect of all indicators of human development and access to social facilities and services. *The efforts of these groups to get social justice has been frustrated by a legal system which is user-unfriendly, dilatory, time-consuming and expensive in addition to the social bias, manipulation and corruption which pervades its processes.* The communities also experience political marginalization notwithstanding their earmarked share in the elective bodies and tokenistic representation they get in the structure of political parties and its operations. The leadership positions in political parties continue to be firmly under the grip of the privileged castes who show no inclination to share power. Even cultural protection assured to the tribes by the Nehruvian Panchshila has been systematically eroded under the aggressive assimilationist attitudes

of the larger society and flawed approach to the assertion of identity by them. Their faith in the fairness of governance is finally shattered when there is denial of democratic space to their members for articulating their grievances and giving vent to their resentment and frustration. They suffer retaliatory violence by private vigilante groups and caste armies of the adversaries as well as the state machinery committed to maintain public order. The responsibility for this antagonistic societal environment cannot be attributed to the oppressive hold of the traditions and the rigidity of its structures alone. It is to be shared by the government as well. Of the two, the government shares a larger blame. Being the chief repository of power endowed with the legitimacy to use force in exercise of it, it holds the responsibility both for delivering to these special groups the entitlements that it has provided in laws and declared in policies and programmes as well as effecting social change to stamp out caste/ethnic biases and aggressively hegemonic attitudes, behaviour and practices of the members of the larger society. The deficit of performance in this regard is usually characterized as the failure of governance.

BUREAUCRACY AS POWER STRUCTURE

This governance failure has multiple dimensions and is not confined to the inefficiency of the delivery system it is usually associated with in the public policy discourse. This is because the delivery system is not autonomous of political control and direction. The bureaucracy and technocracy which constitute the delivery system carry out the orders of the political executive and are accountable to it. They respond to the signals - formal and informal conveyed by the political authority. But the personnel manning the delivery system also bring a social personality and mindset to the job they handle which influences their action. These traits of social personality are rooted in the caste, class or community-driven social structure whose belief system, values, interests they share and relations of power they internalize. This has a distinct bearing on their attitudes, behaviour and performance. It is not fortuitous that an overwhelming majority of the bureaucracy and technocracy comes from the landowning dominant castes or urban middle class and shares their value system - the attachment to property, cultural superiority, purity-pollution governed social norms and a state of mind which rationalizes and asserts their existing position of dominance in relation to others. As it happens, the same caste/class combine also dominates politics and has captured all important positions in political institutions. By virtue of the privileged access to productive resources, educational and professional facilities and

the rich inheritance of social and cultural capital, the same caste-ethnicity-class based hierarchy pervades the economy and civil society as well. The three segments of polity coalesce to produce a formidable power structure in the rural and urban areas. It is this coalition of interests and their caste/ethnicity/class-driven social background which deeply influence governance at all levels and, therefore, creates a vast gap between the legal and policy instruments, and their execution. The social outcomes, therefore, continue to remain negative.

THE COMPLICITY OF THE POLITICAL ELITE

The failure of governance cited above is, in fact, a reflection of the failure of politics and democracy. The politicians at the helm are complicit in enacting weak laws, which seek to provide justice to the poor and marginalized social groups against the oppression of the dominant castes/class, with a view to facilitating their evasion and subversion by the latter. Notable in this context are the land reform laws which were far more accommodative of the concerns and interests of landowners than those of tenants, sharecroppers, landless labourers. The former were in a position to lobby and influence the decision-making given their cultural and organizational resources and caste/class affinity with the ministers, bureaucrats and judges while the latter were unaware, unorganized and powerless even to present their views. The conservation policies pursued at the behest of the forest bureaucracy and elite environmentalists have led to the enactment of forest-related laws and regulations which have disintitiled tribal communities of even the limited rights/concessions in the forests they enjoyed. The combined efforts of the two have been instrumental in evicting millions of tribals from the forest land in their occupation for a long time. Only the massive resistance of the affected tribals could partially neutralize these adverse forest laws through the recently enacted Scheduled Tribes and Traditional Forest Dwellers (Recognition of Rights) Act, 2006. The weak labour laws are intended to protect the interests of the employers and sustain their power to hire and fire, determine wages and working conditions rather than help the labour to get fair wages, security of work and humane conditions at work site and a hazard free environment. As a result, the employers just ignore them given the vulnerability of the labour and lack of organization. The Land Acquisition Act 1894 enacted during the colonial period has negated the laws against alienation of the tribal land and, therefore, nullified the protection available to them under the Constitution. It has been instrumental in dispossessing millions of tribals from their land, habitat,

livelihood and environment without even a modicum of rehabilitation. The complicity of the political elite is also reflected in the indifference to the poor implementation and, in some cases, subversion of laws which protect the dalits and tribals against social oppression. The laws relating to atrocities on the dalits and tribals, elimination of untouchability, manual scavenging and devdasi system belong to this category. The same is true of development programmes which are intended to benefit these groups but fail to get delivered. The weak structure of the National Commissions entrusted with the function of safeguarding the interests of these groups and lack of interest in taking follow up action on their reports is indicative of the same complicity. The aggressive assimilationist policies pursued for 'mainstreaming' tribal communities have sought to integrate them to an idea of the 'nation' and 'progress' that is underwritten by a tacitly Hindu world view and has robbed them of even their distinctive identity and cultural autonomy. The neo-liberal economy is being aggressively pursued unmindful of its devastating impact on these vulnerable communities who cannot even cope with the onslaught of forces in the local village market let alone the global one. Despite acute awareness of how the justice administration system cheats the poor and disempowers these communities in particular, no efforts have been made to evolve an alternative justice system and mechanism of dispute resolution and grievance redressal which do not disadvantage their access to them and are user-friendly to these sections, inexpensive and quick in disposal.

POLITICAL NEGLECT

The much acclaimed democracy has failed to reform politics so as to make it genuinely inclusive of these marginalized groups. The democracy has not been able to generate the political will and mobilize efforts to eliminate dominance of the privileged sections and encourage participation/representation of the underprivileged groups in positions from where they can assert their view point and influence decision-making in their favour. The structures of national political parties reflect the same class-caste divide which is so representative of the governance apparatus. The representation of these groups in the organization of political parties is more tokenistic than empowering even though these sections constitute a sizeable vote bank. The leadership of all mainstream political parties since inception whether during their tenure of office when they have functioned as the government or outside have shared the same disinclination to act tough against the rural power structure which has all along thwarted the implementation of progressive laws and affirmative

programmes introduced to benefit the weaker sections. No government in power, whatever its political affiliation, has demonstrated the will and determination to eliminate the caste-class bias in governance and to convey a clear and strong message to this effect to the bureaucracy and the society at large. At a political level, all political parties have failed to use democratic space to engineer social change so as to eliminate the hostility of the dominant groups to the programmes and measures for promoting empowerment of the weaker sections. In the context of the Naxalite movement, the fragility of democracy gets exposed when one observes the virtual withdrawal of political parties from the affected area and cessation of political activities therein, leaving a disquieting vacuum for the radical groups to occupy that space and demonstrate their relevance and nearness to the people. There is no sign of a concerted political response from the political parties to provide a political alternative to the influence of the Maoists and escalating Naxalite activities. The democracy is also hugely undermined by the unwillingness of political parties across the ideological divide to challenge the policy of the government which characterizes the Naxalite movement as the greatest internal security threat and gives primacy to the elimination of violence by massive use of force and the failure to pressure instead for a political strategy which addresses the social roots of Naxalism. The greatest indictment against democracy lies in its silence to the grave human rights violations by the security forces during its operations in Naxalite areas, encouragement of non-state actors by the government to undertake policing operations under the cover of a spontaneous people's resistance and refusal to investigate their acts of violence.

ABSENCE OF ACCOUNTABILITY

The failure of governance at the level of the delivery system entrusted with the task to translate policy mandates into positive outcomes is attributed to its negative features. The bureaucracy and technocracy which are the chief instruments of execution of these mandates are proverbially indifferent to the problems of the poor but even more so of the dalits and tribals. This results in low priority given by the implementing agencies to the programmes whose implementation would address their problems. On the other hand, much smaller problems of the dominant groups receive a proactive and positive response from them. A more widespread and devastating constraint is the social bias, an euphemism for caste/ethnicity/class bias in the personnel manning the delivery system which results in half-hearted, routinized and ineffective implementation of these affirmative

programmes at best and their neglect at worst. All this happens because there is absence of genuine internal accountability within the organization. But the external accountability is also missing, there being no pressure from the disempowered sections or sustained exertions from watchdog institutions, democratic bodies or socially conscious sections of the civil society. The existing institutional arrangements to enforce accountability from within are either non-functional or ineffective given the slow and dilatory processes of investigation of complaints and fixing of responsibility and lack of interest to pursue the matter. No punitive cost is attached to the poor performance nor is reward admissible to the good one. The National Commissions have the potential to create pressures from outside. But these structures of enforcing accountability lack teeth and their interventions are easily ignored. The democratic bodies have failed to discharge this responsibility for lack of sufficient interest or priority. The issue does not disturb a large section of the civil society. The delivery system suffers from incapacity – paucity of resources (financial, manpower, institutional), lack of competence and flawed personnel policies.

ADMINISTRATIVE DEFICIENCIES

But the institutional arrangements and modalities of governance also suffer from several inadequacies and disfunctionalities which make them ineffective instruments to deliver positive outcomes. These relate to the deficient infrastructure and facilities, inequitable resource management, existence of multiple agencies with lack of dynamic coordination and centralized personnel management practices. The non-existence of a credible dispute resolution mechanism which is accessible, inexpensive, and quick in delivery of justice is the most critical of them.

NEW POLICY ENVIRONMENT

There has been a deterioration in the policy environment from the view point of the dalits and tribals after the onset of economic reforms which have exacerbated the negative outcomes listed above. The redistributive land reforms have taken a back seat. The market-oriented land reforms are being pushed which repudiate the policy of land to the tiller, promote transfer of huge areas of agricultural land from poor farmers to the corporates by relaxing ceiling laws, increase landlessness by large scale acquisition of land and permit agricultural land to be diverted for non-agricultural purposes. With pronounced disinclination to enforce labour laws, and the pressure exerted by industry to relax the existing labour

laws, the conditions of labour particularly in the unorganized sector have worsened in respect of security, conditions of work, level of wages and amenities at work place. The pattern of economic growth has generated unprecedented inequalities at all levels but there is no effort to reduce them. The ambit of social services is getting severely circumscribed due to the withdrawal of the state from their provisioning, drive towards privatization and introduction of user charges, unmindful of the devastating impact of this withdrawal on the poor in general and dalits and tribals in particular. The disinvestment in PSUs, downsizing of establishment, outsourcing of services to the private suppliers and contractualization of permanent jobs have reduced the opportunities of employment in the government sector. In the frenzied pursuit of economic growth, social development and affirmative actions have taken a back seat. This has severely compromised the policy architecture put in place for protecting the interests of dalits and tribals which generates even greater resentment in them than the insensitive and ineffective implementation of the existing package of affirmative programmes.

GOVERNANCE REFORM

To be sure, the central government has been cognizant of the governance deficit in the development programmes. The Tenth Five Year Plan recognized upfront that better governance holds the key to achieving effective results in respect of measures initiated by it. The Approach to the Tenth Five Year Plan (2002-2007), therefore, identified reform of governance as one of its key features. The plan suggested an ambitious civil service renewal programme focusing on enhancing its productivity, enforcing procedures for reward and punishment and ensuring a size that is affordable.

This perception has led to the conceptualization of a nation specific paradigm of good governance different from its international perspective. The latter is interpreted to mean policies that will attract foreign capital, facilitate enforcement of contracts, protection of property rights, replacement of state agencies by independent regulatory agencies for smooth operation of business and rule of law. Its main objective is to create a favourable environment for the capital to operate and to protect its interests. This international perspective was articulated in the context of countries which did not have these legal and institutional arrangements. Since these structures of governance already exist in the country and are being reinforced by additional measures from time to time good governance

in the national context has focused on the problems people face with the administrative agencies. It has, therefore, stressed decentralization of power and authority to the PRIs, e-governance, civil society involvement in delivery arrangements, administrative reforms consisting of deregulation, rightsizing, public private partnerships, transparency in governance processes, enhancing of accountability, checking malpractices, judicial reforms through application of IT, e-governance of public grievance redressal. The reforms in social sector governance stressed improved transparency, greater accountability and streamlining service delivery structures of the government. The Department of Administrative Reforms and Public Grievances of the Government of India even developed a code of good governance by which comparative performance of states could be judged. It followed up by preparing an action plan for effective and responsive administration which was deliberated at the conference of Chief Ministers in May 1997. The CMs agreed to concretize this action plan dealing with, (a) accountable and citizen-friendly government; (b) transparency and right to information; (c) improving performance and integrity of services. Meanwhile, the Government of India set up a second Administrative Reforms Commission for revamping public administration to make it responsive, accountable, sustainable and efficient. The Commission has submitted six reports so far which have added to the numerous ideas on 'Good Governance' already circulating. But neither the initiatives of the Administrative Reforms Department nor the reports of the Administrative Reforms Commission have grappled with specific problems which the marginalized communities experience in their interface with the public administration. Besides, governance has been narrowly conceptualized in these documents. It is restricted to the delivery system, leaving out the policy domain from its perspective. This construction of governance is problematic. It insulates public policy process from external scrutiny.

THE MISSING PERSPECTIVE

The problems of dalits and tribals with public administration are not restricted to the implementation aspects alone but extend to the policies as well. Governance cannot be faulted if policies themselves have the potential of hurting the interests of the dalits and tribals and marginalizing them further. On the issue of execution of policies and programmes, good governance in terms of the index prepared by the central government is addressed to the citizen as a whole. It does not specifically relate to the problems which the dalits and the tribals face. This is not to deny that

some positive outcomes may emerge from pursuing the agenda of reforms focused on the general public as well. But, the difficulties the dalits and tribals encounter are primarily rooted in the lack of sensitivity to their problems in all organs of the government (legislative, executive, judicial) and at all levels, and deep seated social bias against them. This attitudinal trait colours the thought process, behaviour and practices of those in decision-making and implementing positions and has the effect of denying these communities the benefit of laws, policies and programmes introduced to ameliorate their conditions. Good governance, in their context, has to be conceptualized taking this dimension in view. The suggested reforms such as transparency and accountability in administration, decentralization, strengthening service delivery structures and capacity building have to be differently defined from the view point of the weaker sections. The stress should be on ensuring that social barriers which constrain enjoyment of rights and entitlements, access to social services, accrual of legitimate share of benefits and movement for upward mobility are removed and measures are taken to erase the feeling of discrimination and marginalization in them. But it also implies that the dalits and tribals should have greater and more strategic participation in decision-making so that they can influence the public policy process to protect their vital interests. This would check their alienation from the government.

GOVERNANCE DEFICIT

In the perspective of the discussion above, the governance deficit is identified on the following features:

Retrogressive Changes in Policy Frame

- Conscious shift in land-related policies which repudiate the principle of land to the tiller, equitable distribution of land, transfer productive resources from farmers to the corporates and increase landlessness. This is promoting further skewness in the agrarian structure and impoverishment of peasantry.
- Disinclination to enforce the existing labour laws and move towards relaxation of these laws to empower employers against labour. This is worsening the condition of labour and increasing the ambit of their exploitation.
- Failure to recognize the devastating impact of withdrawal/curtailment of state subsidized services, promotion of privatization and introduction of user-charges on the dalits and tribals. This has reduced

access of the dalits and tribals to social services and lowered their quality of life.

- Governance reforms aimed at outsourcing services, downsizing establishment and contractualization of jobs which deprive the benefits available from reservation. This has resulted in loss of job opportunities.
- No efforts to reduce increasing inequalities. This is the cause of severe resentment among the poor in general and the marginalized communities in particular.

Dwindling Commitment to Social Justice

- Increasing indifference in the public policy process particularly after the onset of economic reforms, to the constitutional provisions and policy instruments - laws, policies, schemes and programmes which render social justice. As a result, the post-reform policies have a negative impact on the weaker sections.
- Low priority given to the programmes which specifically benefit the dalits and tribals in the overall agenda of governance at the central, state and district levels. The concerns of these communities are, therefore, neglected, causing despair and alienation.
- No efforts to activate and rejuvenate institutional arrangements and processes specifically put in place for empowering these communities. This results in loss of trust in the affected groups about their utility and effectiveness to provide needed assistance.

Inadequacy of Existing Efforts

- Lack of interest in strengthening progressive laws which benefit the poor and the marginalized groups with a view to plugging their loopholes and overcoming adverse court rulings. This has reduced the utility of these laws in achieving their intended objectives.
- Paucity of efforts to improve the design of policies and programmes and their operational norms so as to remove those features and provisions which have the effect of denying these communities their entitlements. This results in failure of these instruments to reach the desired benefits to the target groups.
- Faltering commitment to create physical, social and development infrastructure in distant, difficult, inaccessible areas as per national norms. This accentuates regional and social disparities, deprives the

population residing therein of access to essential services and aggravates their poverty.

- Failure to provide services and facilities to the people of hilly, desert and interior areas on par with the areas in the plains. This lowers the level of human development in these areas.
- Failure to build up a strong and vibrant movement for social change. As a result, the caste/class/religion dominated structures of power continue to inflict violence on the members of these communities and deny them dignity and equality.

Ineffective Administration

(i) Structures and arrangements

- Deficient action in creating simple, single line and fully functional administrative/development units of governance in the tribal areas to provide requisite services and effective governance. This causes great harassment to the people and dissuades them from accessing entitlements and services.
- Failure to fill up vacant posts, deploy personnel with integrity and motivation and ensure their tenurial security. This adversely affects the quality of implementation of programmes and accrual of benefits to the people from them.
- Absence of initiative to design a just administration system to dispense quick and inexpensive justice which is user-friendly and within the reach of poor people and particularly dalits and tribals in the rural areas. This dissuades them from seeking justice through the existing courts leading to suffering of injustice.
- Lack of measures to facilitate and improve access of these communities to the existing justice administration with the necessary support system. This accentuates their exploitation and has a debilitating effect on their lives.
- Reluctance to provide a mechanism of decision-making which avoids the need for seeking administrative, technical and financial clearance beyond the district level. This results in delay in the execution of programmes and their quality.
- Failure to devise arrangements for achieving dynamic coordination between technical, administrative and financial agencies involved in operationalizing programmes. This has an adverse bearing on their implementation and achievement of intended objectives.

(ii) Centralized planning

- Centralized system of planning and project formulation which bypasses the PRIs and fails to involve the beneficiaries. The outcomes of programmes in such cases are sub-optimal.
- Standardized and uniform design and implementation norms of the central and state schemes which fail to deal with diverse needs and situations. This leads to indifference in the target groups to seek benefits from them.

(iii) Financial management

- Insufficient resource transfers to the state and central agencies for bridging the gaps in human and social development between these communities and the rest of the society. As a result, the gaps increase and considerable dissatisfaction is generated among the beneficiaries.
- Insufficient efforts to devise institutional arrangements to check underutilization, misuse and diversion of funds allocated for the programmes introduced for these communities. The programme objectives are thus subverted.
- Reluctance to pool the requisite quantum of funds for the Tribal Sub Plan and Special Component Plan proportionate to the population of the tribals and dalits and to counteract resistance of State and Central agencies in this regard. This has defeated the objectives of these institutional arrangements.

(iv) Personnel management

- Centralized management of cadres of personnel engaged in regulatory and development administration involving recruitment, deployment, promotion and disciplinary control. This leads to vacant positions, mismatch between the nature of the job and its holder, disinclination of the personnel to be posted in certain areas and diffused accountability in respect of their performance.
- Absence of a policy to select, post and retain personnel with aptitude and motivation to work in various positions where interface with these communities is involved. As a result, unsuitable officials get posted who fail to earn the trust of the beneficiaries in their sincerity and ability to deliver benefits from the programmes and achieve the desired outcomes from them.

- Disinterestedness and ineffectiveness of the bureaucracy and technocracy in implementing programmes which benefit the weaker sections when compared to those which concern the dominant sections. This reinforces the belief in the former about the indifference of the government towards their problems.
- Absence of an effective mechanism to evaluate social attitudes and orientation of officials engaged in implementing affirmative programmes, sensitize those who lack desired orientation and eliminate their social bias. As a result, the baggage of inherited biases influences their behaviour and action to the detriment of the affected groups.
- Lack of well designed and comprehensive in-service training programmes for development of skills, building of capacity and inculcating necessary social orientation required for various jobs in respect of personnel engaged in development and regulatory administration at the lower level. This results in poor implementation of programmes and sub-optimal outcomes.

Accountability

(i) Internal

- Deficient action in creating an effective system to punish those guilty of bias and insensitivity and reward (in some cases, even protection) to those who are able to reach out to these sections, deliver benefits of programmes to them and win their confidence. This lowers the morale of the socially conscious officials and emboldens the insensitive ones.
- Exclusive reliance on official agencies to investigate complaints made by the members of these communities and failure to have them probed by agencies outside the government. As a result, the enquiries conducted into the complaints of the aggrieved persons fail to bring out the truth, expose the indifference and complicit action of the officials and deliver justice to them.

(ii) External

- Reluctance to build a cadre of social workers from among these communities as a mechanism to fill up gaps in dissemination and processing of information, take up their grievances with the concerned authorities and mobilize them for exerting pressure on the officials. The potential of this measure to bridge the gap between the people and government agencies and enforce accountability of the officials has not been utilized.

- Unwillingness to effectively utilize the National Commissions for carrying out social audit of programmes, scrutiny of the role of officials and strengthen them with personnel and resources for this purpose. Indifference to the reports submitted by them and expeditiously act on their recommendations. This space for enforcing accountability from outside, therefore, remains virtually unutilized.
- Concentration of power, authority and resources at the central and state levels in respect of regulatory and development programmes in the rural areas and disinclination to devolve them to the panchayati raj bodies. The existing arrangement makes it difficult to enforce accountability of the implementing agencies and defeats the objective of promoting democratic decentralization.

(iii) Monitoring and evaluation

- Lack of seriousness in devising modalities for monitoring expenditure outcomes and qualitative results in place of expenditure performance and quantitative achievements to ensure flow of tangible benefits to the dalits and tribals from regulatory and development programmes. This has the effect of achieving targets without the requisite benefits accruing to the beneficiaries.
- Absence of institutional arrangements for regular and rigorous monitoring of programmes for the dalits and tribals particularly at higher levels. This results in the neglect of such programmes which is reflected in poor implementation.
- Inadequate efforts to use monitoring as a tool for improving performance of programmes and removing deficiencies in their design and structure and process of implementation. This affects the outcomes of programmes.
- Lack of interest in designing time-bound and focused short-term/longitudinal evaluation studies for effecting improvement in the design of policies/programmes and measures for their implementation. The routinized evaluations provide no useful insights for this purpose.

Participation of Beneficiaries

- Insufficient and ineffective participation of these communities in policy making and delivery system affects the equity orientation of policies, suitability of programme formulation and effectiveness of their implementation and exacerbates the feeling of alienation among them.

- No initiative to build the requisite capacity in these communities to make effective use of the existing limited avenues of participation. This creates dissatisfaction among the participants who are easily manipulated in the participatory processes.
- Disinterestedness in evolving institutional arrangements for seeking consent of these communities in respect of policies and programmes which have the potential of producing adverse outcomes for them with a view to accommodating their concerns in their design and implementation and involving them in their evaluation and social audit. As a result, the unsuitable policies and programmes evoke a hostile response and the affected people resist their implementation.

Reliance on Bureaucratic Apparatus

- Absence of a coherent approach in seeking cooperation and assistance of the liberal sections of the society and the civil society organizations which empathize with these communities in checking alienation of the dalits and tribals from the government. The available democratic space for removing lack of trust in governance thus fails to get utilized.
- Want of sincere efforts to activate political processes for highlighting the problems of alienated sections before they reach a boiling point and putting pressure on the existing structures of governance for their expeditious resolution. This forces the aggrieved persons to look for alternatives to get justice outside the system.

Flawed Approach to the Movement

- Reluctance to recognize that the Naxalite movement is the outcome of structural violence embedded in the daily lives of the dalits and tribals. This lack of understanding produces a distorted view of the movement and a flawed policy response to deal with it.
- Insufficient clarity on the relationship between discrimination, development and violence and the sequential steps necessary to forge a paradigm of protection and development which prioritizes the elimination of oppressive structures of power and thus pre-empts the violent manifestation of frustration of the aggrieved people. This has the effect of focusing on violence of the Naxalites without relating it to and addressing the factors giving rise to it.
- Unwillingness to contextualize social tensions giving rise to the movement and its manifestation in violence by treating it primarily as

a law and order problem. The issues of structural exploitation, social injustice, hostile development policies, insensitive governance and democratic deficits as contributory factors get ignored or relegated to the background.

- Inadequate efforts towards engaging political parties, other political formations and processes and civil society organizations with requisite social orientation for working out a concerted political response to check the influence of the movement and address the concerns of the people. This has the effect of relying entirely on the security forces to deal with an essentially political problem and de-legitimizing democratic institutions and processes.
- Lack of initiative to deepen democracy by enlarging participation of these communities in its institutions and involving them effectively in the decision-making process.
- Absence of a coherent plan of action focused on creating confidence in the affected communities about government's will and sincerity for resolving their problems so as to wean them away from the movement. The alienation of the people of the area from the government, therefore, continues.
- Failure to protect democratic space for movements of protest and political assertion of these communities. The negative approach to civil and democratic rights and suppression of organized articulation of grievances within the framework of law has the effect of turning the people to non-democratic methods of seeking justice.
- Insensitivity to the collateral damage and human rights violations in the operations of the security forces in the affected areas. This reinforces the hostile image of the government and the injustice of the system in the psyche of the people.
- Hostility towards human rights activists, intellectuals, civil society groups critical of the approach of the government. This deprives the government of the benefit of getting a balanced picture of the movement and the approach adopted to deal with it, and their cooperation in contributing to the resolution of this conflict.
- Encouragement to non-state actors to resist the movement so as to reduce pressure on the security forces. This gives rise to fratricidal violence, generates greater bitterness among the affected people who suffer violence of the security forces, Naxalites and non-state actors and alienates them further from the government.

SUGGESTED GOVERNANCE REFORMS

The following reform measures suggest, in brief, the broad areas in which state action is required. These governance reforms are intended to remove alienation of people from governance agencies and facilitate building of greater trust in their sincerity and ability to deliver what has been declared or promised in constitutional provisions and different instruments of policy architecture.

Reverse Policies which Hurt the Poor

- Reiterate commitment to vigorously implement land reforms policy with land to the tiller and redistribution of land as its core components. Strengthen this policy instrument and vigorously pursue its unfinished agenda. Resist market-oriented land reforms which subvert this policy.
- Put a halt on transfer of land from the farmers to the corporates and other development agencies. Allot land to the tribals and dalits displaced by development projects as a mandatory component of their rehabilitation.
- Implement effectively all labour laws. Resist pressure for relaxation of labour laws. Incorporate vocations in the informal sector within the purview of labour laws.
- Reverse policies which affect access of the dalits and tribals to the subsidized social services and development benefits. Expand ambit of state funded and executed development and welfare programmes for these groups.
- Take strong and expeditious measures to reduce inequalities social, economic and geographical, and promote equitable regional development.
- Scrap governance reforms aimed at downsizing establishments which have reduced jobs in the government and consequent benefits of reservation which members of these groups could access.
- Devise a mechanism to periodically measure the impact of national and state policies on the vulnerable groups and introduce policies/programmes to counteract their adverse outcomes.

Reiterate Commitment to Social Justice

- Make social justice as the central plank of political economy and governance and demonstrate this commitment in design of policies and effectiveness of performance on issues which agitate the dalits and tribals.

- Put in place a model of inclusive growth and development which accommodates the concerns and interests of the dalits and tribals with a concrete set of interventions whose impact can be measured and evaluated in a participatory mode.
- Deepen democracy by fully utilizing available spaces of political participation. Undertake a major initiative to provide strategic space in political decision-making to these groups to remove their sense of powerlessness and alienation.
- Lay down a transparent framework in which the conflict between national progress and dignified survival of these groups can be equitably resolved.
- Assign priority to the problems of these communities and implementation of policies and programmes for them in the agenda of governance at all levels and activate the existing institutional arrangements for this purpose.

Effective and Responsive Administration

Strengthen instruments of social justice

- Strengthen the existing instruments – laws, policies and programmes to carry forward effectively the agenda of social justice. Introduce additional instruments to cover issues which affect these groups adversely but left out so far from the ambit of affirmative action.
- Implement commitment already made to introduce reservation of jobs for the dalits and tribals in the private sector.
- Speedily work out a justice administration system to dispense quick and inexpensive justice within easy access of these groups. Meanwhile, take steps to facilitate use of the existing system by these groups by creating necessary supportive arrangements.
- Provide a dedicated set up for speedy and effective resolution of disputes and settlement of grievances in the civil administration.

Equalize provision of infrastructure and services

- Remove disparities in social development, physical infrastructure and provision of services in these areas.
- Ensure that services and facilities are fully functional and on par with other areas.

Reorganize administrative arrangements

- Provide a simple, single line administration incorporating dynamic decision-making and coordination at the district level and below.
- Raise the level of administration with the necessary infrastructure, personnel and facilities.
- Decentralize management of cadres of regulatory and development personnel with transfer of power in respect of recruitment, deployment, promotion and disciplinary control.


Decentralize planning process

- Decentralize planning process with flexible design and implementation norms of the central and state schemes to deal with diverse needs and situations.
- Make approval of development plans by the concerned panchayati raj bodies obligatory.

Provide equitable resource management

- Transfer adequate resources to the state and central agencies for time bound delivery of entitlements of these communities while ensuring effective utilization of allocated resources.
- Break resistance of the central and state agencies to operationalizing TSP and SCP mechanisms for pooling of resources and vigorously pursue their better utilization and management.

Enhance accountability of officials

- Set up a transparent mechanism for fixing accountability of officials in respect of their performance with institution of incentives and disincentives.
 - Take speedy and effective action against those found guilty of acts of omission and commission in delivery of programmes, provision of services and enforcement of laws.
 - Create devices for exerting pressure on officials by beneficiaries and organizations working for them to improve their performance.
 - Bring development and regulatory personnel working in the rural areas under the control of the PRIs.
 - Provide a mechanism for evaluating social bias in the officials. Lay down measures for eliminating it through training, orientation, field exposure, rewards and punishment.
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- Make effective use of the National Commissions for generating accountability of officials from outside the government and strengthen their powers and administrative support for this purpose.

Monitor impact assessment

- Put in place a system of rigorous monitoring of expenditure/qualitative outcomes instead of expenditure/quantitative outcomes to measure the flow of tangible benefits to the targeted groups.
- Set up institutional arrangements for monitoring progress in the implementation of laws, policies and programmes relevant to these communities at the highest levels in the Centre and States and suggesting corrective interventions where required.
- Provide a mechanism for linking outcome monitoring of programmes with performance accountability of officials engaged in their implementation.
- Make provision for participatory evaluation studies as a mandatory tool for appraisal of programmes and use its findings for carrying out necessary improvements.

Involve people in the programmes

- Expand avenues of participation for the dalits and tribals in policy making, implementation, monitoring and evaluation. Lay down institutionalized, effective and credible arrangements for this purpose.
- Take up a massive programme for capacity building for such participation.
- Provide for a periodical social audit of all programmes taken up for the dalits and tribals.

Change approach to the Naxalite movement

- Prioritize commitment to eliminate structural violence faced by the dalits and tribals and vigorously implement this agenda to free them from social oppression.
- Change the existing view of the movement as anti-social and criminal activity which needs to be suppressed. Contextualize the movement in the existential experience of these communities with the system and treat it as a wakeup call to deal with their concerns which could not be addressed.
- Identify areas of social discrimination, economic impoverishment, development deficit, political neglect and cultural subordination the

redressal of which attracts them to the programmes of Naxalites. Draw up a comprehensive agenda to meet these grievances expeditiously and effectively.

- Deal with incidents of violence committed by the Naxalites strictly within the framework of law and guidelines laid down by the government and the courts. Do not ignore or condone extra-legal methods of responding to the Naxalite violence. Ensure that no collateral damage is caused in this process.
- Break the hold of dominant castes/classes and, lately, the corporates on politics and administration to enable the marginalized communities to get justice from the system.
- Activate political institutions and processes for filling the political vacuum in the affected areas and workout a concerted political response to the challenge posed by the Naxalites.
- Ensure functioning of civil administration with full complement of staff for reaching development programmes to the people and enabling people to place their complaints and grievances without fear.
- Formulate a coherent policy for enlisting cooperation of social activists and civil society organizations with requisite social orientation in reaching out to the people of the area and bridging the divide between the people and the government.
- Protect democratic space for lawful political protest and assertion by the aggrieved individuals and groups. Intervene at the earliest to look into their grievances to pre-empt further progression in their discontent.
- Do not outsource responsibility for law and order to non-state actors for containing the movement and desist from shifting people from their land and habitat to make shift camps for providing protection to them against the Naxalites. Dismantle such camps and send the people back to their villages.
- Do not impose restrictions on free flow of information from the area. Build up an alternative channel of information from diverse sources in society outside the government for arriving at a balanced picture of the movement and the action of the government agencies.
- Permit human rights activists, intellectuals and civil society groups to move into the area and interact with the people. Investigate the complaints they bring to the notice of the government and act expeditiously on them.

The strategy for achieving sensitive governance outlined above would have to be multidimensional. It should incorporate components of protection, development, participation, effective administration, inclusive politics and management of political violence. Considerations of space do not permit elaboration of these points.

CONCLUSION

Social oppression, discrimination, bias, poverty and neglect faced by the dalits and tribals have created in large parts of the country a social environment unknown to most Indians with higher social status and income. Indian society is deeply implicated in the situation. Our institutions created it, our system maintains it, and our society condones it. And this despite the architecture of protection and entitlements built into the constitution and development policies/programmes introduced by the government. What the people supporting the movement or sympathizing with it appear to be seeking is liberation from oppression, fuller participation in the social order and the material benefits enjoyed by the majority of Indian citizens. Rather than rejecting the system, they are anxious to obtain a place for themselves in it which ensures dignity, justice, equality and opportunity. The frustration of powerlessness has led some of them to the conviction that there is an effective alternative in what the movement offers as a means of achieving redress of grievances, and of 'moving the system'. These frustrations are reflected in alienation and hostility towards the institutions of law and government and the dominant society which controls them.

The governance machinery, regulatory and developmental, particularly the sections wielding power of coercion, is not merely a 'spark' factor. To some of them, it has come to symbolize power, exclusion and repression exercised by the stronger community. And the fact is that many police and civil officials do reflect and express these attitudes. The atmosphere of hostility and cynicism is reinforced by a widespread belief among them in the existence of police excesses and in a 'double standard' of justice and protection, one for them and one for their oppressors*.

The agenda of governance to address its crisis briefly outlined here is a small step to end the destruction and the violence, not only in the physical spaces but in the lives of people. It is now for the state to demonstrate that it has the will and capability to implement and address the crisis of governance. □

* Many such ideas were expressed in the Report of the National Advisory Commission on Civil Disorders which was appointed by President Johnson after the racial disorders in 1967 (Bantam, USA, 1968).