

An Injudicious Decision

In a move which is more likely to further deepen the political crisis and greatly reduce the credibility of the Chief Election Commissioner (CEC) in the eyes of the opposition, the CEC declared the postponement of the by-elections to the 144 parliamentary seats. The reason for the 90-day postponement was shown to be the aftermath of the recent flood.

As to the legality of the decision of the CEC, there is obviously no question. However, as to its judiciousness there are numerous questions. Justice Sadek said that his decision to postpone the polls was based on the reply to his telex asking the district commissioners (DCs) to inform him as to whether it was feasible or not to hold the elections. According to EC sources quoted in several newspapers, majority of the DCs are supposed to have replied in the positive, that is, polls could be held. If this is true then the CEC appears to have made his decision on factors other than the DCs' replies. What are those factors? We ask the CEC to immediately make public the replies of the DCs to clarify this particular point. Failing to do so will create serious credibility gap between the public and the EC and impair the image of this statutory body.

If the floods are really a factor, then in how many of the 144 seats should this justification be applied? According to press reports, only 34 districts were affected by the recent flood. Then why should the polls be postponed in all? If the EC feels that partial holding of the by-elections is not possible, then it should explain why, and not use floods as a blanket justification for postponing elections to all seats.

It is the abruptness of the decision that has also caused its credibility to be questioned. Knowing full well that his decision will be interpreted politically as well as factually, the CEC should have taken special pains to be completely transparent about the process of his arriving at such a decision. Not only should he have made the replies of the DCs public, he should also have personally undertaken tours, at least of selected districts, to convince himself of the facts on the ground, and also to give public the feeling that he did not take this, politically very sensitive, decision without having fully convinced himself that there was no other way.

The CEC's 'Act of God' argument will now have to be followed by another act of God — floods in Aug-Sept period. Without it Justice Sadek will be hard pressed to make himself credible. The decision itself, and the arbitrary and abrupt way he took it, put the CEC in very poor light and cast serious doubt about his ability to remain acceptable to all political parties and maintain an unquestioned image of neutrality and credibility of the EC.

Happy Trends in Ludicrous Results

This year's SSC results of all the four boards feature some common disposition towards happy and healthy aspects of education. There were times when those scoring spectacular results used to take a lot of pride in the number of domestic teachers they employed while preparing for the exams. Fashion has changed. Most on this year's merit lists of all groups in the four boards said they were not coached by private tutors. Let us hope the trend does not stiff.

In a very healthy development the monopoly of certain institutions over top positions seems to have come to a close. Cadet colleges used to sweep merit lists for over a decade. Then again there were institutions which always had a fair share of the honours, in spite of the cadet college predominance. Non-government schools and schools in the interior, almost as a rule, failed to make any dent. This year it was indeed pleasing to see even schools like Khilgaon making serious inroads and schools in the districts vying for a place in the sun.

The parents and their high-achieving sons and daughters have all said good-riddance to the question bank. But before going out the parting kick it imparted was at once ludicrous and painful. Perhaps the boards could guess about it, so they refrained from giving the figure of students getting distinction or star mark. For there is a chance that as first division-wallahs were more numerous than those getting second division, the stars could also form the better part of those getting first. This is the height of what can be done to destroy the sanctity and seriousness of a system, and its usefulness.

The result fever tends to impress upon the nation that this is all of what education is about. And more, perhaps SSC was the end-all be-all of this nation's educational activity. Both are symptoms that our education is seriously diseased. Can the boards and other educational authorities be expected to kick out some of the follies and crimes they had committed over the years?

A 'Shrinking' Nation

The health minister informed us in a recent seminar that on the average we, as a people, were losing height. This has been caused by generations of malnutrition. Such prolonged absence of adequate nourishment was also causing brain damage resulting in the lowering of our average IQ. A recent World Bank-Unicef publication revealed that 93 per cent of our pre-school children were under-weight, the most convincing sign of malnutrition. As we know, inadequate nutrients in diets for children before the age of two causes irreparable brain damage.

We need not get overwhelmed with all these facts. For the same study reveals that in cases of 60 per cent of families where there is malnutrition, adequate food is available. What they lack is adequate knowledge. And what our government lacks is the POLITICAL WILL to take up this challenge. We feel that, at least in 60 per cent of cases, we can solve the problem if we put adequate thrust behind an adequate information-education programme.

There cannot be any greater shame for us in the present world than to be a nation of people who are 'shrinking' because we cannot give our poor people even the minimum amount of nutrition to grow normally. We urge the government to give the issue of malnutrition the level of attention, resources and determined support it needs. Without a reasonably healthy, intelligent and educated people we do not stand a chance to be part of the 'Information Age' world.

Agony from Unregulated Market Economy

'What is needed is a structured market where the state provides a structure for the market to guide it towards the achievement of economic and social goals. In this way, some of the virtues of the market can be enjoyed without some of its defects and similarly, heavy-handed state planning may be avoided.'

THE 'euphoric' premise that a strong laissez-faire market could solve the basic economic problems of a society, seems to have of late, breathed new life into the economy of most of the developing countries (LDCs) of the world. There was a time, however, when the notion of laissez-faire was regarded as an intellectual curiosus but, with the passage of time, it is gradually translated into policy changes in the 1980s. Mainly two reasons could be adduced to this change. First, the IMF and the World Bank, allegedly, gained insurmountable access to the policy making of the LDCs and thus could easily vendor the idea of an enhanced role of market and diminished status of the state; second, the fall of the communist regimes at the end of the 1980s 'was further and perhaps a decisive change in favour of the market: the flaws in communist societies discredited market alternatives leaving no model for poor societies seeking alternative paths of development.' However, over a decade or so with structural adjustments and reforms gaining gears, the growing poverty and underdevelopment of LDCs seem to have placed the philosophy of laissez-faire market economy into serious suspect, especially, as far as LDCs are concerned.

Market Failures

Dr Frances Stewart, a celebrated British economist (daughter of famous economist N Kaldor) appears to argue against a free hand, unregulated market economy but also opts to go for a 'structured market'. In her BEA conference address 'Why We Need a Structured Market,' the invited guest invoked some valuable insights

replaced by the state but rather that the unregulated market can produce undesirable results and needs to be structured (or complemented) by state activity.

The Market and the Poor

To lift people out of poverty, both primary income (arising from participation in the economic system) and social income (from transfers by the state and the provision of public goods in priority services e. g. health and edu-

labour is dashed to low or zero. The provision of social income is the responsibility of the state and not the market. The market cannot meet the needs for health education or for clean water.'

The net effect of failure with respect to primary and social income could give rise to poor human indicators. But regulating the markets, countries can allow poor people to participate in economic activity and have ac-

Beneath the Surface

by Abdul Bayes



cation) are necessary but 'unstructured market' can fail to generate 'enough of both types of income leading to destitution.' The entitlement failure might be acute resulting in famines and all unregulated markets would accentuate the crisis through speculation. Of course, regulated market such as China in 1959-61 could also face such trauma but regulated market, by and large, can prevent such odds from happening (e. g. Iran and Nicaragua).

'Chronic poverty leading to high levels of malnutrition is a more common consequence of the unregulated market. This may occur even when incomes per capita are growing.' The unregulated market, according to Stewart, leads to lower wages in a labour surplus economy when marginal product of

cess to social goods. During the adjustment period, the poor are likely to seriously suffer due to the absence of 'safety net' but expansionary macro-policies and active pro-poor policies such as in Colombia and Indonesia could minimize the rot.

Market defects also tend to deter the access of small activities to the allocation of credit and foreign exchange. The inability to display collateral might constrain the poor, small and women entrepreneurs to get formal loans/credits.

Structured Market

When the unregulated market thus fails to fare, the concept of a structured market — a market which operates within a structure imposed by the government — is tabled for due considera-

tion. A structured market is not the anti-thesis of a market economy but, in lieu, within this structure the market operates freely.' As Stewart proceeds to argue, 'the objective of structuring the market is to avoid some of the market failures,' as pointed out in the earlier discussion, 'while retaining the market as the main mechanism for allocating resources.' She further points out, 'a structured market is preferable both to an unregulated market — with its many social and economic defects — and to state allocation of resources which also can lead to severe problems, including inefficiency (static and dynamic) and corruption.' Structuring the market encompasses three elements: defining the goals, deriving targets from the goals and identification of instruments to achieve the targets.

The UNICEF's approach to child health is cited as one of the examples of a structured market. First, the objective function was to improve child health. The objective was further concretized e. g. reduced child mortality, improved malnutrition etc. Second, targets were set nationally and internationally in terms of immunization rates, breast feeding etc. And lastly, the instruments were identified and floated e. g. government health source, NGOs etc. The Malaysian New Economic Policy (NEP) is shown as another example of a structured market. In 1970, the majority population of the Malays were economically the most severely handicapped section of the

Concluding Remarks

It thus appears that a free lance, free market might not be capable of generating a social optimum, especially where market failures are likely to flare up due to structural weaknesses. Stewart attempted to argue that 'what is needed is a structured market where the state provides a structure for the market to guide it towards the achievement of economic and social goals, in this way, some of the virtues of the market can be enjoyed without some of its defects and similarly, heavy-handed state planning may be avoided.'

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About seven months ago, almost identical things happened in Manipur: The governor actively associated himself with a stratagem for removing a Speaker who would not fall in line with the political designs for the State drawn up by the ruling party in New Delhi. But because that episode occurred in the remote northeast, few elsewhere in the country bothered. The gross violation of constitutional norms has now taken place in a State which, both in terms of the size of its population and the clout it has traditionally exercised in the nation's political affairs, is very much in the limelight all the while. One cannot protect parliamentary democracy by violating its basic tenets. Even if the purposed objective was to ensure the induction in office of a chief minister who is dalit by caste, the goings-on in Uttar Pradesh have been marked by a degree of arbitrariness which makes a mockery of democratic pretensions on the part of the powers that be.

The matter is now lying with the Supreme Court. But irrespective of the final verdict of the nation's highest judiciary, the recent history in Uttar Pradesh is not reversible, nor are its consequences.

— Mandira

The author is a former finance minister of West Bengal and now he is Member of Rajya Sabha.

In the Name of Democracy

Ashok Mitra writes from New Delhi

Even if the purported objective was to ensure the induction in office of a chief minister who is dalit by caste, the goings-on in Uttar Pradesh have been marked by a degree of arbitrariness which makes a mockery of democratic pretensions on the part of the powers that be.

the confidence of the legislature is to be determined on the floor of the legislature itself, and not left to the decision of the Governor on the basis of his subjective judgment. When the Uttar Pradesh Governor did instead was to pre-empt the legislature. He arranged to dismiss one chief minister and induct another that August position exclusively on his own: Raj Bhavan, and not the floor of the Assembly, was turned into the venue for determining the crucial choice. The Governor's decision was arbitrary and in the nature of an imposition. What he has done will now provide weaponry to those who argue that the establishment of true federalism in India would be impossible without abolishing the institution of a Governor foisted on a State at the behest of the Centre. The Uttar Pradesh Governor, there can be little doubt, acted in the manner he did after due consultation with New Delhi, the prime minister is obviously planning some intricate moves in the political chess game between now and the Lok Sabha poll.

Mulayam Singh Yadav had already gone on record that he was prepared to prove his majority at the session of the assembly scheduled to meet in July. The Governor could have asked the incumbent chief minister to advance the dates for this session. Only in the eventuality of Mulayam Singh Yadav's refusal to bring forward the Assembly session for seeking a vote of confidence was the Governor entitled to exercise his discretion. Such a procedure would have been in conformance with the highest democratic norms: in a democracy, a parliamentary democracy at any point enjoys or has lost

that, the legislature is the sovereign entity and the Governor must not intrude before it has been allowed the opportunity to give its verdict on the issue at hand. What the Uttar Pradesh Governor did instead was to pre-empt the legislature. He arranged to dismiss one chief minister and induct another that August position exclusively on his own: Raj Bhavan, and not the floor of the Assembly, was turned into the venue for determining the crucial choice. The Governor's decision was arbitrary and in the nature of an imposition. What he has done will now provide weaponry to those who argue that the establishment of true federalism in India would be impossible without abolishing the institution of a Governor foisted on a State at the behest of the Centre. The Uttar Pradesh Governor, there can be little doubt, acted in the manner he did after due consultation with New Delhi, the prime minister is obviously planning some intricate moves in the political chess game between now and the Lok Sabha poll.

Dismissing Mulayam Singh Yadav and swearing in

Shrimati Mayawati as chief minister was however only the first half of the drama. For form's sake, she had to face the Assembly within a reasonable interval of time and prove her majority support there. That was no easy task: the incumbent Speaker could follow the precedent of the West Bengal Assembly Speaker in 1968 and insist that he would not recognise a chief minister installed behind the back of the Assembly while the latter was not in session. The Governor accordingly stepped in a second time. He issued a directive to the Speaker on the exact procedure he must follow for conducting the proceedings of the specially convened session of the Assembly. There was once more a purposeful flouting of constitutional propriety: within his own jurisdiction, the Speaker is sovereign, and a Governor has no business to dictate to him how the proceedings of the legislature are to be conducted. Even were a Speaker to be arbitrarily and in breach of constitutional edicts and conventions, the redressal for that lies with the judiciary, and a Governor cannot

take upon himself the onus of deciding in advance that a Speaker was bound to misbehave while conducting the assembly and therefore things should be so arranged in advance that he could be stopped in his tracks. The events in the Uttar Pradesh Assembly on June 19 last provide strong *prima facie* ground for suspecting that the Governor's personal staff, present in strength in the Assembly premises, colluded with the secretariat of the Assembly to effect a kind of a coup d'état. The Speaker adjourned the House *sine die* irrespective of whether the Speaker was right or wrong, the Assembly staff should have, following established procedures, respected his ruling. They however ignored his decision and chose to cooperate with those who wanted the session to continue. What ensured was plain farce: the Speaker was removed through a vote of no confidence passed by a House which formally already stood adjourned, a new Speaker was hurriedly installed, and Shrimati Mayawati was greatly relieved when a majority of members present confirmed her as chief min-

OPINION

Ministry of Foreign Affairs: Recommendations of Special Committee

An Observer

A long awaited study was undertaken to beef up the Ministry of Foreign Affairs (MFA) for playing a more effective role in the light of the changed circumstances. Important among them are integration of mission under the effective control of the head of mission, establishment of research and planning wing, enhancing the effectiveness of missions abroad through adequate staffing and financial benefits, incentive to career diplomats by keeping 70 per cent posts of head of mission reserved, arrangement of formal training at ministry's academy with proper staffing.

The underlying issues are nonetheless far too serious to be allowed to pass into oblivion without comment. Certain conventions of parliamentary democracy ought not to be breached under any circumstances. One such convention, strongly endorsed by the Sarkaria Commission and a Supreme Court Judgment not too far ago, is that whether an incoming chief minister in office can have any say in the appointment of the head of mission.

The result tends to impress upon the nation that this is all of what education is about. And more, perhaps SSC was the end-all be-all of this nation's educational activity. Both are symptoms that our education is seriously diseased. Can the boards and other educational authorities be expected to kick out some of the follies and crimes they had committed over the years?

The health minister informed us in a recent seminar that on the average we, as a people, were losing height. This has been caused by generations of malnutrition. Such prolonged absence of adequate nourishment was also causing brain damage resulting in the lowering of our average IQ. A recent World Bank-Unicef publication revealed that 93 per cent of our pre-school children were under-weight, the most convincing sign of malnutrition. As we know, inadequate nutrients in diets for children before the age of two causes irreparable brain damage.

We need not get overwhelmed with all these facts. For the same study reveals that in cases of 60 per cent of families where there is malnutrition, adequate food is available. What they lack is adequate knowledge. And what our government lacks is the POLITICAL WILL to take up this challenge. We feel that, at least in 60 per cent of cases, we can solve the problem if we put adequate thrust behind an adequate information-education programme.

There cannot be any greater shame for us in the present world than to be a nation of people who are 'shrinking' because we cannot give our poor people even the minimum amount of nutrition to grow normally. We urge the government to give the issue of malnutrition the level of attention, resources and determined support it needs. Without a reasonably healthy, intelligent and educated people we do not stand a chance to be part of the 'Information Age' world.

However, it is expected that there should develop a harmonious understanding between this cell and the desks for fruitful gains.

BISS was set up to work as a 'think tank' for the ministries of defence and foreign affairs. The institute like other institutions mentioned in the report would be mostly consisted of academicians who would put in their heart and soul and produce papers as required and be responsible to defend the same with all reasons. Somehow the BISS was not really tasked as learned to test its capability less the career officers of the required aptitude was allowed to organise, work on a long term project. On the whole the cell was kept on a low key. The recommendations however have attached importance to making contribution in the ministry. But this is on paper and one has to wait for its proper function. As gathered, officers with most appropriate qualification and aptitude were hardly be interested leaving aside all the attraction of foreign postings.

But BISS has developed on its own and has proved its capability both within and abroad. Certainly this is a great satisfaction to all of us in the country. A word about BISS management — it is supposed to be headed by the minister for defence and foreign affairs by rotation but came under the administrative control of the MFA because the defence Minister was also the President the institute would gain much from MFA and MFA has more to expect from BISS generally. But provision should be there for its administrative control by rotation.

The possibility of arising misunderstanding between the research cell and the desks are there because the desks expect quick fixes whereas the cell is supposed to get involved in long drawn futuristic policy studies. The problem which is anticipated is that the differ-

ences in the thought process of academicians working with free and unbiased mind vis-a-vis a desk officer of MFA working on specific time. One is free to express his ideas, but, of course, with reasons and there is no binding on the part of the government. Whereas the officers of MFA's works are supposed to be confidential sensitive and all expressions must have an official touch. So the working understandings between these two groups have to be such that there be no scope for any misunderstanding excepting academic differences.

MFA really can benefit from these institutions as elsewhere in the world but MFA officers should shun complexes. These institutions are rich in human resources and talents but they need adequate support, exposure and recognition.

Audit and Pension cases: A point is made in that audit, in particular of the missions, be carried out every year, if not possible then every alternate year. This may sound and appear expensive but in the long run it would pay definite dividend as these audit would totally stop all financial irregularities.

To many equals are not

Desirable: All equals in the different wings of MFA may

bring in disharmony than harmony. A study of the earlier organogram will speak out this observation as why the post of secretary was abolished to create additional secretaries. Though with the increased volume of workload and as an incentive to officers to rise high additional slots are desirable.

Posting of a Career Officer in PMO is Superfluous: In the light of the committee's recommendations of MFA to coordinate all works of all ministries dealing with foreign countries, different international agencies, candidature in international organisations and conferences, the creation of a post of the level of additional secretary in the office of the PM is superfluous unless the idea to have one more higher slot. It may be mentioned as a normal practice of accompanying any foreign dignitary calling on the PM is done by the head of the concerned desk. Beside it is the responsibility of the Desk concerned to prepare the brief for the PM. So, just as to what the proposed officer is going to do in PMO!

Training of MFA Officers: A most important item has long been neglected. There is no short-cut to formal training at all levels. It is felt