

Report on the three-day National Symposium on “Development, Democracy and Governance” jointly organized by the Calcutta Research Group, Kolkata and Tata Institute of Social Sciences, Mumbai from November 1-3, 2011 at TISS, Mumbai

As part of its ongoing research programme on “Development, Democracy and Governance: Lessons and Policy Implications”, the CRG in collaboration with TISS Mumbai organized a three-day national symposium. The symposium was divided into four segments namely, (a) The Juridical-Political Route to Norms of Governance, (b) Paradigms of Inequality, Pathways to Entitlement, (c) Second Transition: Sources of Legitimacy and ‘Scientific’ Governance, and (d) The Production of Appropriate Subjects. Altogether twenty seven papers were read followed by a round table discussion on the last day of the symposium.

On the inaugural day of the symposium the opening statements were made by S. Parasuraman, Director, TISS Mumbai and Ranabir Samaddar, Director, CRG. Parasuraman in his opening statement said that the concepts of development, democracy and governance have different meanings for different people and it is a great challenge to find coherence between these understandings of the concept. He went on to say that India cannot be a developmental state because it was not powerful enough to force its development agenda. He termed India as an ‘anarchic democracy’. He concluded by saying that democracy can facilitate sustainable development.

Ranabir Samaddar in his opening statement gave a brief outline of the current and past research activities of the CRG and discussed briefly its researches on bio-politics, transit labour and *Media Reader on Forced Migration* (one of CRG’s latest publications). He said that the intention of the symposium was to interrogate the interrelations and fault lines between development, democracy and governance. Democracy, in the last analysis, was a regime of governance and it had less to do with sovereignty. Samaddar said that development complicated matters as it sharpened the tension between democracy and governance. Democracy was clumsy and marked by the reality of what can be called “a permanent plebiscite”. He said that democracy as a regime had its own set of rules and continuity and reproduced itself. Continuing the argument he said that if democracy was a matter of how we governed ourselves then the immediate question to be asked was how least we could govern ourselves so that we could govern ourselves better. This was then translated into the anxiety of the government as to how to let the people understand the importance of self-governance and not to be wild, how to make democracy less clumsy and more rule bound. The rhetoric deployed then was that if we could not govern properly we could not develop. He then said that historians who have turned their gaze into making of the constituent assembly and early years of independence had to decide what was continuing and discontinuing and that it was the problem of studying foundational movements. He said that India was the most contentious democracy and the most crucial that was to be answered was “How dialogic it could be? And how could we govern ourselves by least amount of coercion?” He concluded by saying that it was important to understand the ability of the government to re-invent itself. He termed this as the ‘second transition’. He said

that the old rules and methods of governing were becoming archaic and the governance became more scientific and the anxiety of government was increasingly palpable as they dealt with the question of what kind of subjects were to be produced.

The opening remarks were followed by a discussion. The main points that emerged from the discussion were that there were several forms of claim making, metamorphosis of governance did not come by itself but by extraneous circumstances, governance was not important until and unless the question of accumulation became important and that development was not integrally related to democracy but was mediated by governance.

This was followed by the theme lecture on *The Juridical-Political Route to Norms of Governance* delivered by Suhit Sen, Senior Researcher, CRG. He started off by saying that the immediate period after independence was one of transition from colonial governance to constitutional governance. It was the moment of building a developmental structure and paradigm. He termed it as a “statist project’ and a ‘project of modernization’ in post-colonial India. He said that the ruling elite dimly comprehend the relation between the state and society and concluded with saying that the elite were more interested in re-modeling the society for governance imperatives.

In the discussion that followed issues were raised about the process of formulation of the law. It was also said that a lot of important issues like the women question were deferred and sidelined by rhetoric. The impact of the juridical-political route of governance was also discussed.

As a response to the discussion, Sen started with saying that it was not only the women question that was deferred during the making of the constitution but all divisive questions were deferred. On the question of incorporation traditional institutions in liberal constitution he said that the process was one of hit and miss and he was not sure about the dynamics between the two. On the relation between the three arms of the state-legislative, executive and judiciary- Sen said that they had changed but it was tenuous to relate it with the transition. In fact, the reconfiguration between the three is related to the continuity between colonialism and constitutional government.

The second round of discussion started with the role of the emerging civil society and the method to study the change. It was observed that there was an unwillingness to solve the problems besetting the government and that there was no problem with the mechanism in place and asking if governance was opportunistic. A view was also expressed that the rights in place are *de jure* but not *de facto* and the whole idea of rights is absent in those who are supposed to govern. Another view that came up was the phenomenon of formation of collectives of stakeholders. It was observed that the outcome envisaged by these collectives was better governance mechanisms. These collectives also ensure participation of women. Another question that was asked during the discussion was where to situate Bhim Rao Ambedkar in the study of juridical-political route of governance in India. The second round of discussion closed

with the observation that the true indication of the 'second transition' was the 73rd and 74th Amendments to the constitution which was adopted soon after India decided to opt for liberalization.

Suhit Sen's response began by stating that the compulsions of electoral politics are important but this does not override all other issues. He also said that the relationship between law and reality was not paradoxical. The discussion was rounded off by Ranabir Samaddar who said that division of power was inherent in constitutional development but there was also an inherent tendency of power to centralize. The matter gets complicated when those governing had to understand the necessity of the power to be decentralized. He also said that state is a social institution and is bound by various international agreements. He concluded by saying that a fruitful way of studying governance would be to study how power gets divided and flows into various grids.

The discussion was followed by paper presentations by the symposium participants. Altogether seven papers were presented in the panel moderated by Manjula Bharathy, Associate Professor, TISS Mumbai. The papers brought out the issues of environmental governance, inclusive development, communalism, decentralization of governance, public policy and land acquisition.

The theme lecture on *Paradigms of Inequality, Pathways to Entitlement* was delivered by Sharit Bhowmik, Professor, TISS Mumbai. He started his lecture by saying that labour studies had been pushed into the background in the post-liberalization era. He said that the attack has been on two fronts, first on the public sector and second on the trade unions. Bureaucrats who used to wax eloquence for the public sector were now abusing and denouncing it. This was at the time when 200 out of 240 public sector units were making profit and the remaining were earlier private sector units which were acquired by the public sector. He went on to say that inequalities have always been there and globalization served to enhance it. He further said that the planned economy period in India could not fight with illiteracy and public services were conspicuous by their absence. The other most important manifestation of inequality was in the realm of the housing sector. He told that 54% of the population in Mumbai lived in slums. These slums were developed by the poor and made habitable by them by clearing the land which was often used as garbage dumping ground. In a travesty of justice, when this space had been cleared and made habitable the inhabitants were then branded as illegal encroachers and were evicted. The eviction was done in collusion of the real estate developers. It served the developers as they saved the cost of leveling the land which had already been done by the slum dwellers. He concluded by some observations on the hawkers in Mumbai. He said that under the Bombay Municipal Act only those hawkers were allowed who had the requisite license. Anybody hawking without a license or outside the zones which were earmarked for hawking was booked as a criminal offender penalized with Rs. 5000 and imprisonment up to six months.

In the discussion that followed issues were raised about the urban space changing from a manufacturing hub to one based on services. Questions were also raised on the absence of militant struggles by the working class in recent past and how it was different in the case of forcible land acquisitions by the government.

In his response Bhowmik said that the working class in the city had to bear constant humiliation and every act of humiliation adds to their submissiveness. He also said that pressure was not coming from below to force the hands of the government in thinking about the working class. He then spoke about home-based work. He said that according to the ILO, of which India is a signatory, live register for home-based workers had to be maintained which was not done. There was no data of the poor for social protection. There were policies in place for the alleviation of the poor but it suffers because of the lack of data rendering the poor invisible.

The theme lecture was followed by paper presentations. The panel was moderated by Surinder Jaswal, Dean, School of Social Work, TISS Mumbai. Altogether six papers were read in the panel. The issues raised by the papers included the problems of beggary in the city of Mumbai and the execution of prevention of beggary act, homelessness in Mumbai, feminism and women of marginalized communities, state and market in the pharmaceutical industry and the cost of public health in India.

The theme lecture on *Second Transition: Sources of Legitimacy and 'Scientific Governance'* was delivered by Dipankar Sinha, Professor, University of Calcutta. He started his lecture by saying that transition is technology based and based on a technocratic mindset. The process was top-heavy in its modus operandi and was not organic and was full of paradoxes. He said that e-governance was a policy instrument. There was a scientific buzz to governance based on the premise of managerially efficient deliverance. This Sinha said was a transition from the representative democracy mode to the participatory mode. However, participation was a blind spot and legitimacy elusive. He said that certification was extremely important in scientific governance. A reality check of ideational roots, conceptualization and deployment was needed. E-government was synonymous with repetitive tasks and its primary purpose was to make user services cost-effective. He also said that e-governance had more political mobilization aspect to it. The rationale behind e-governance was that it was a citizen driven decision making process and its rhetoric was of people-centric development and capacity building over capability. He said that the Unique Identification Document (UID) or the Aadhar project was the most strategized e-governance deployment yet in India. It was an attempt to digitize lives and went as far where life became code and code became lives.

The theme lecture was followed by a discussion. One of the issues raised in the discussion was the by-passing of legal provisions in the name of e-governance. The case in point was the increasing use of video conferencing in the judicial system. It was said that the use of this technology overlooked the legal aid which was to be provided to the under trial prisoners. Another observation was that e-governance pretended to be context free and free of social

relations. The problem of implementing the UID scheme in Kashmir and Manipur was also discussed.

The discussion was followed by paper presentations and the panel was moderated by R. Ramkumar, TISS Mumbai. The papers discussed issues which included contractual labour in Mumbai, Muslims in Delhi, IT-enabled participation processes in democracy, media and environment.

The theme lecture on *Governance and the Production of Appropriate Subjects* was delivered by Samir K Das, Professor, University of Calcutta. Das discussed the Northeast India as a frontier. He first differentiated between border and frontier saying that border was a line whereas frontier was a huge tract of land. The frontier was a ruler's nightmare and were beset with the question of how that area was to be governed. The theoretical template Das offered was Michel Foucault's "Governmentality" and Machiavelli's *Prince* and the distinction between the two. He said that for Machiavelli, the prince is bothered about retaining the principality and the target of rule is the territory. This, according to Foucault, was not the art of governance. Governance for Foucault was governing things, for example, people and resources. Government, for Foucault, was power of a certain kind. Das then elaborated on the models of governance in the Northeast. Das first elaborated on the governance by colonial administrators. He said that the colonial administrators made a distinction between 'India' and the Frontier regions, between the hill tribes and the plain tribes. They described the communities in terms of uniqueness and differentiation. The frontier, according to the colonial administrators, could not be governed and that was the limit of governmentality as people of this region were not willing to be part of the British Empire. In the post-independence era the frontier made a transition to being a border and from a loosely governed area it changed into a densely governed area. The reason given by the post-colonial state was that this area also needed to enjoy the 'benefits' and rights of having a settled administration. Das concluded that in the post-liberalization area a developmental subject was sought to be created by the state.

The theme lecture was followed by a discussion. The issues that came up during the discussion were that the frontier was meant to act as a buffer zone between two huge nations. It was also mentioned that a study was needed on the kind of investments that the Indian state made following the Sino-India war. In this regard the 'doles' to this region was seen as an attempt by the Indian state to domesticate the dissenting voices. A question was also raised on India's "Look East" policy and its contradiction with the sixth schedule of the constitution. Das rounded off the discussion by emphasizing the need to study the economy of care put up by the Indian state after independence.

The discussion was followed by paper presentations and the panel was moderated by Denzil Saldanha, Professor, TISS Mumbai. Altogether seven papers were presented in the panel. The issues discussed in the papers included a study of protest movements in the post-liberalization period, governing slum dwellers in Mumbai, study of the Mahadalit community in Bihar, Tribal

resistance in Manipur, Kashmir and nationalism, political participation of marginalized groups in Mumbai.

The symposium ended with a roundtable on “Development, Governance, and Democracy”. The speakers were Mithilesh Kumar, CRG, Suryakant Waghmore, TISS, and Shamim Modi, TISS. The issues that came up during the roundtable related to flood and governance in North Bihar, and tribal rights.

The symposium ended with a formal vote of thanks by Swati Banerjee, TISS Mumbai and Suhit Sen, CRG.