

REVITALIZING OUR DEMOCRATIC FABRIC

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Presentation by

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India is a successful functioning democracy

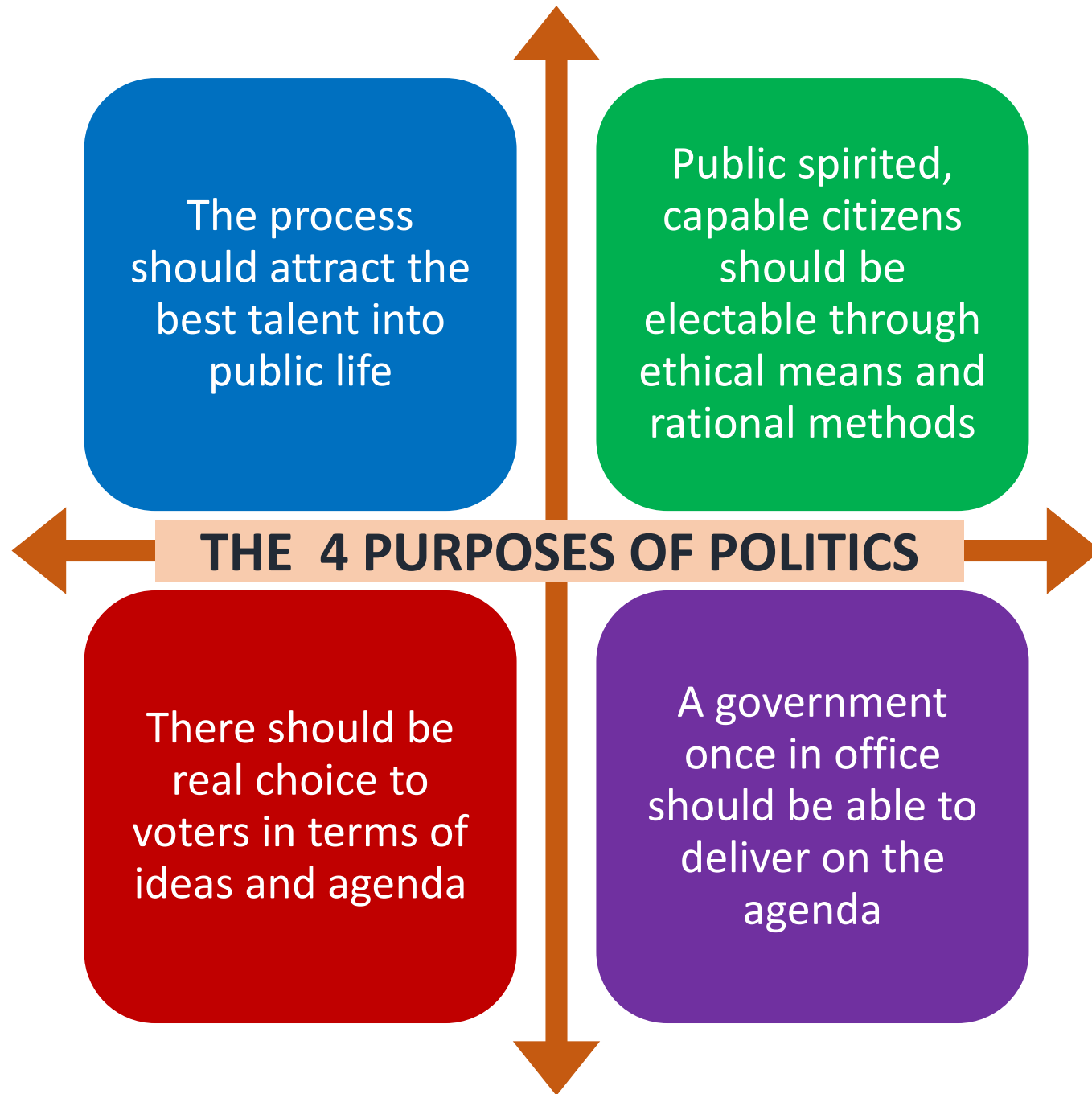
- Competitive elections
- Political freedoms for all
- Peaceful transfer of power and no retribution
- Real power with elected governments

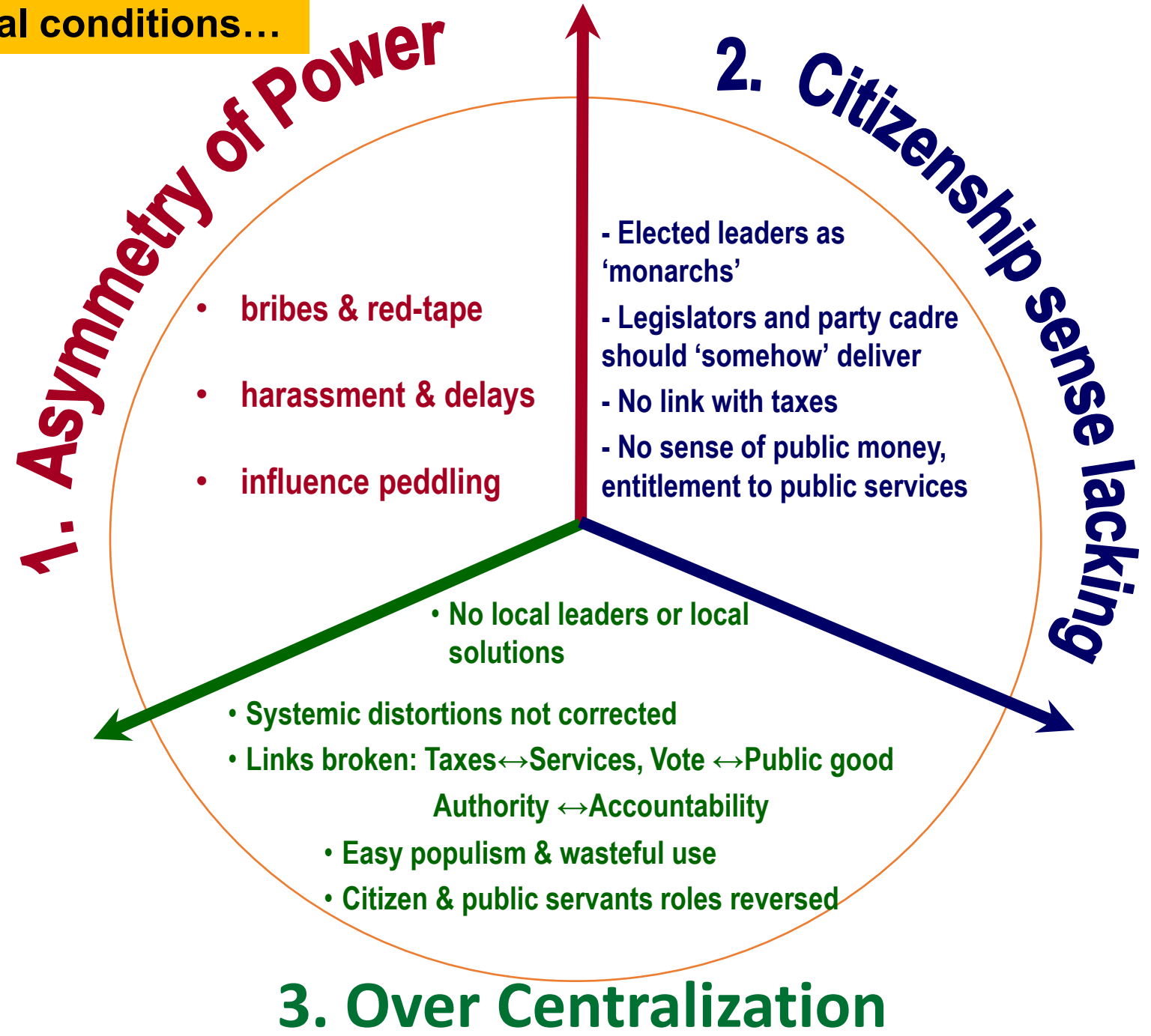
Two Spectacular Successes

- Managing unmatched linguistic diversity (compare with the challenges in Sri Lanka, Pakistan, Belgium etc)
- True Federalism in a continental nation

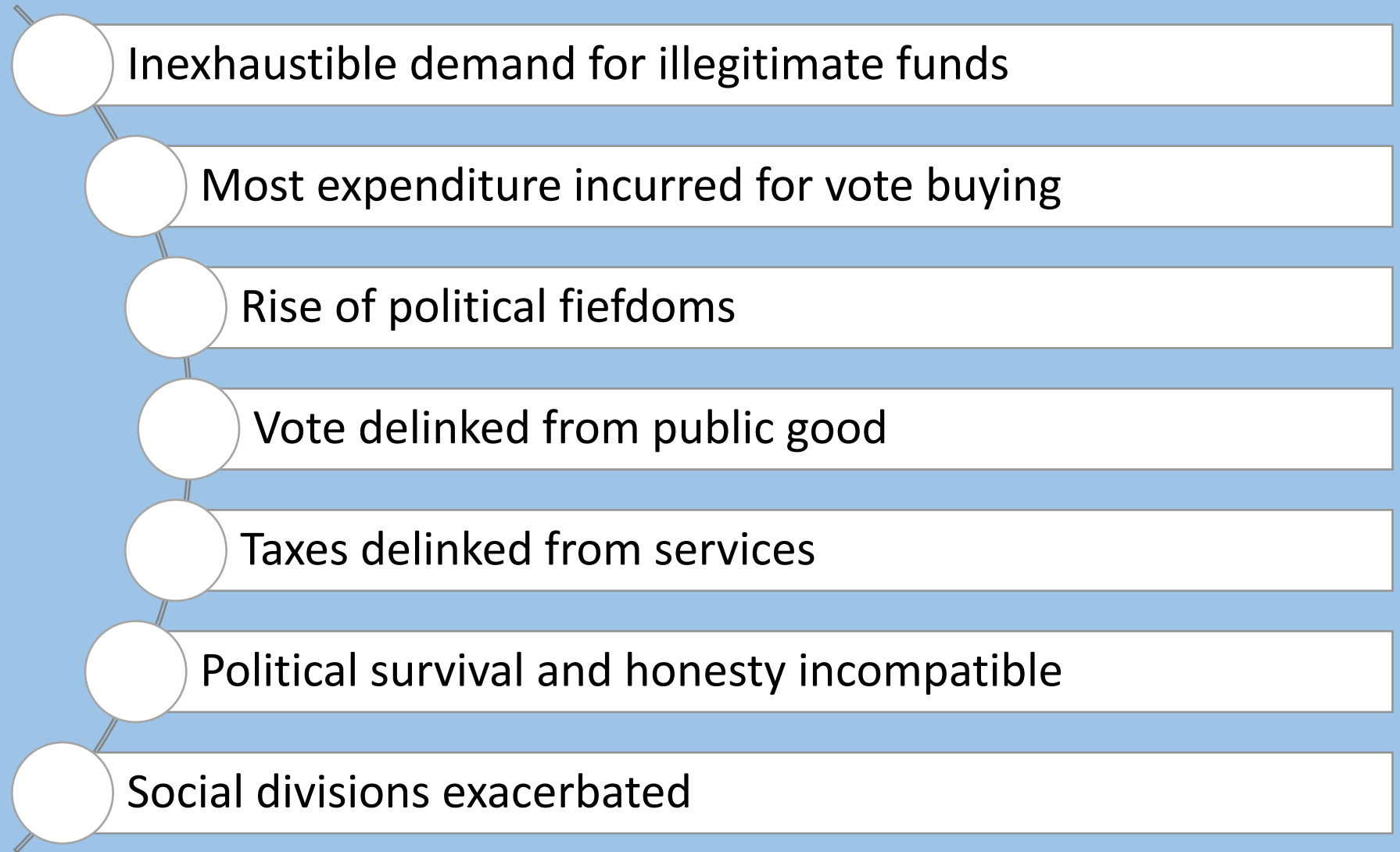
But there are Challenges...

- Positive Power restricted
Negative Power unchecked
- State organs are dysfunctional
- A system of alibis
Victims of vicious cycle
- Change of players
No change in the rules of the game
- Political process ought to be the solution
But has become the problem itself

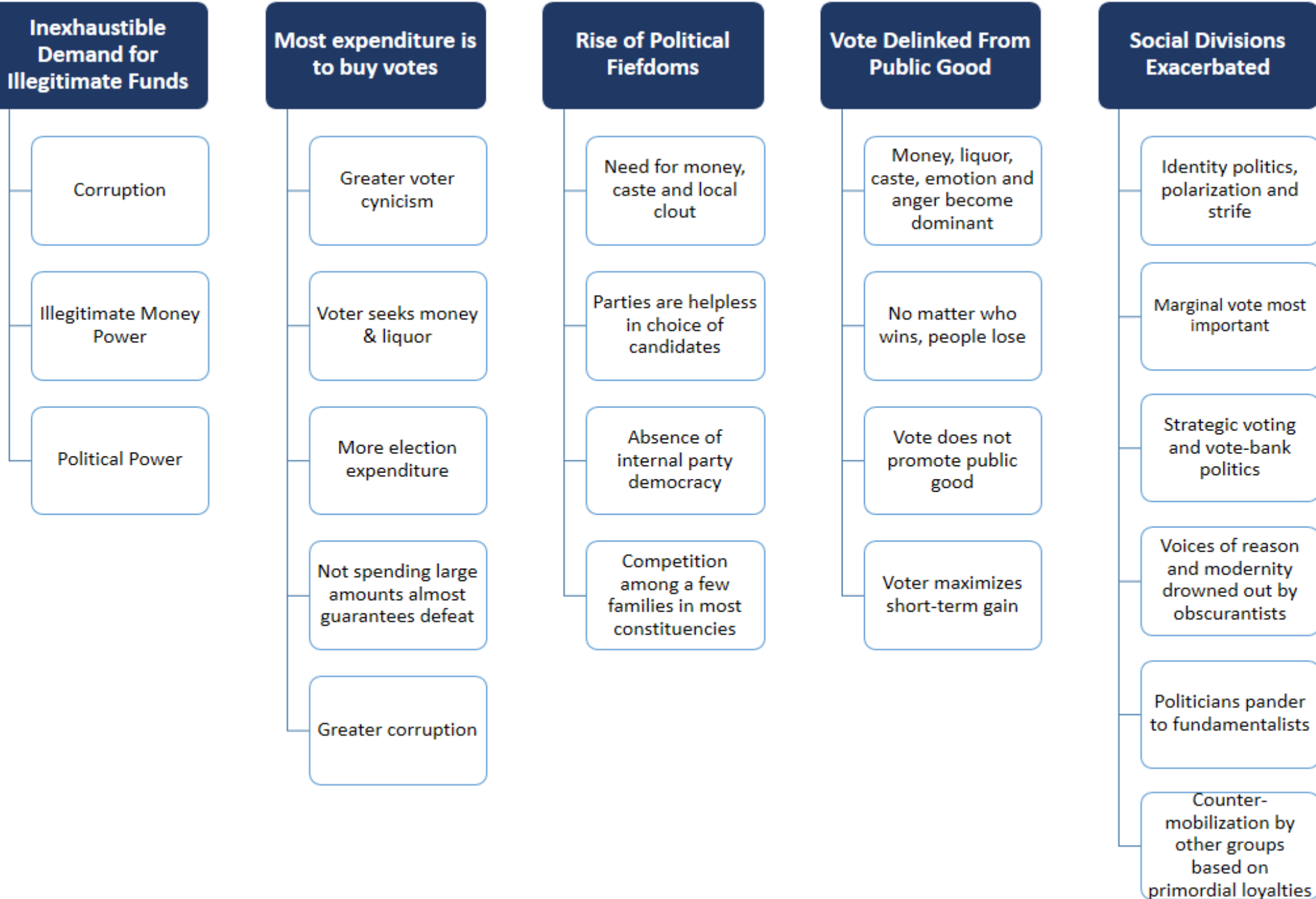




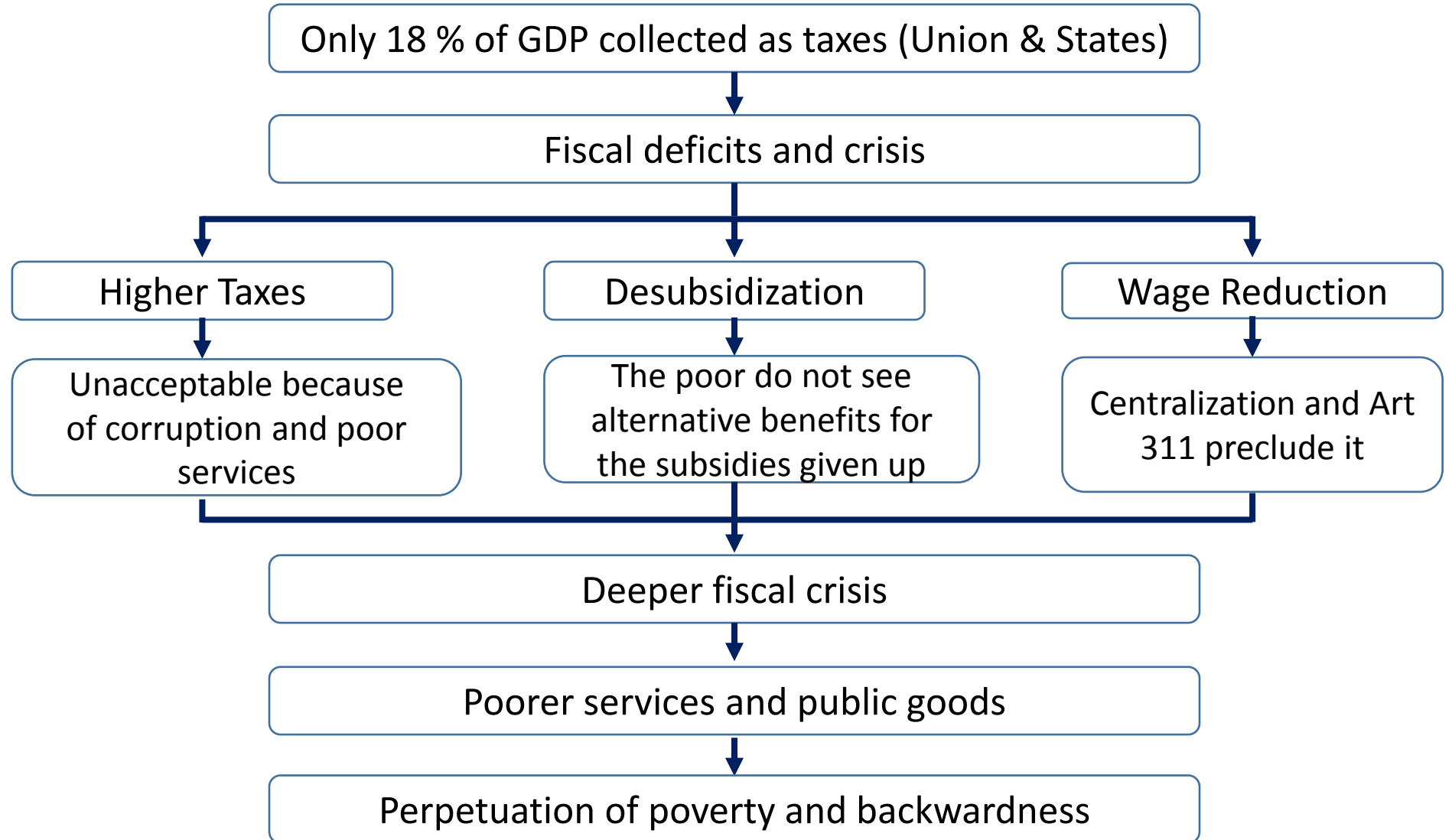
System Caught in Interlocking Vicious Cycles

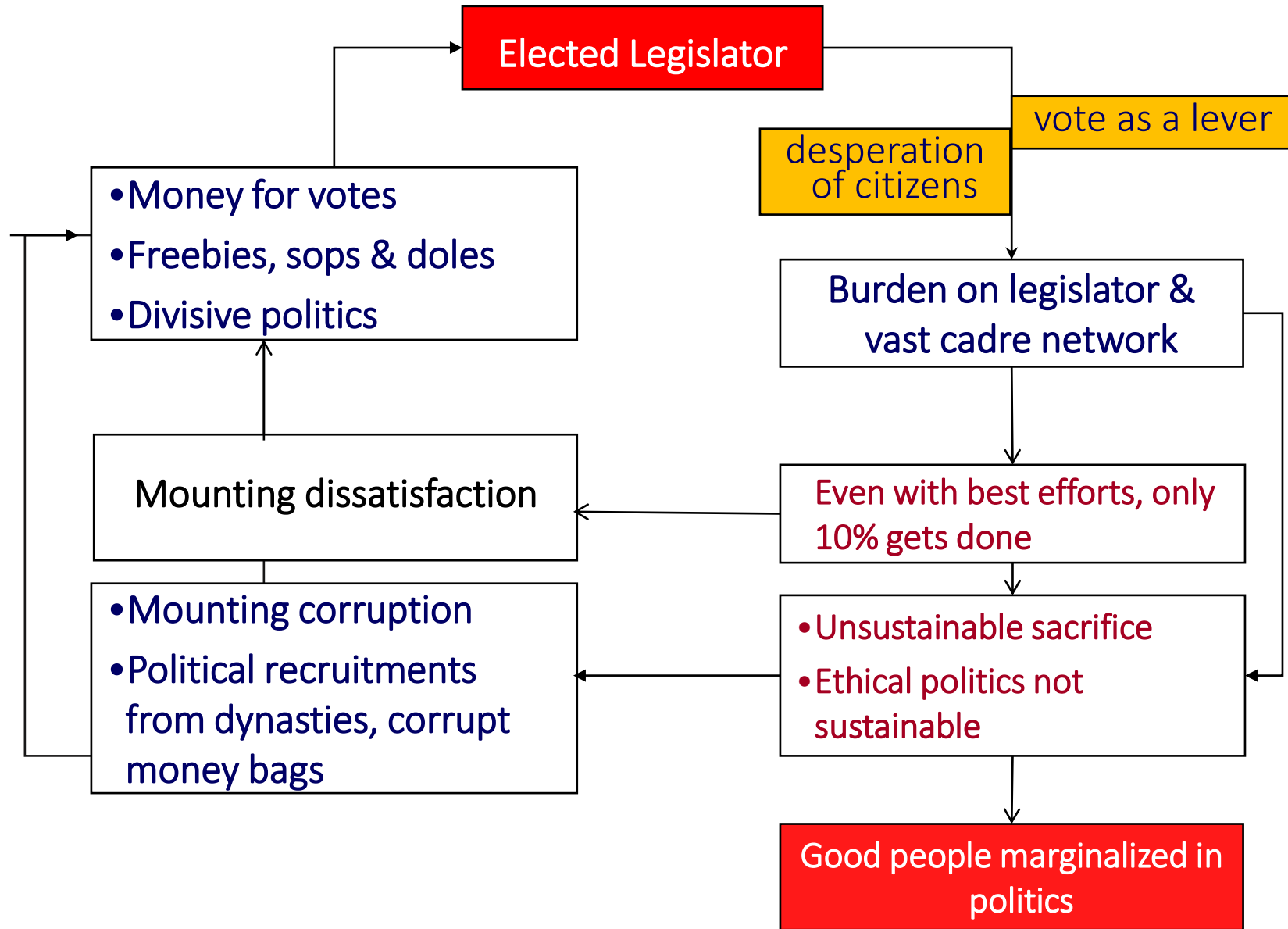


Vicious Cycles



Taxes Delinked From Services





Importance of **Rule of Law**

Effective rule of law will accelerate change by :

- ❖ Enforcing accountability
- ❖ Preventing / checking abuse of authority
- ❖ Enforcing rights of the weak and poor
- ❖ Reducing incentives for criminals & corrupt to enter politics / capture the state
- ❖ Punishing corruption swiftly

Failure of Rule of Law

Police:	<ul style="list-style-type: none">▪ Inadequacy of numbers – about 110 / one lakh population▪ Crime investigation controlled by political partisanship▪ Lack of professionalism▪ Use of torture as an instrument of investigation & extracting confessions▪ Near absence of forensic infrastructure
Prosecution:	<ul style="list-style-type: none">➤ Weak, politically controlled and with little say in investigation
Court system:	<ul style="list-style-type: none">❖ Inadequate number (13 / million population)❖ Inability to attract talent in trial courts❖ Dilatory procedures

Why State matters?

State is critical for citizens' welfare:

- rule of law
- basic amenities and services
- land management
- quality education and healthcare
- ease of doing business

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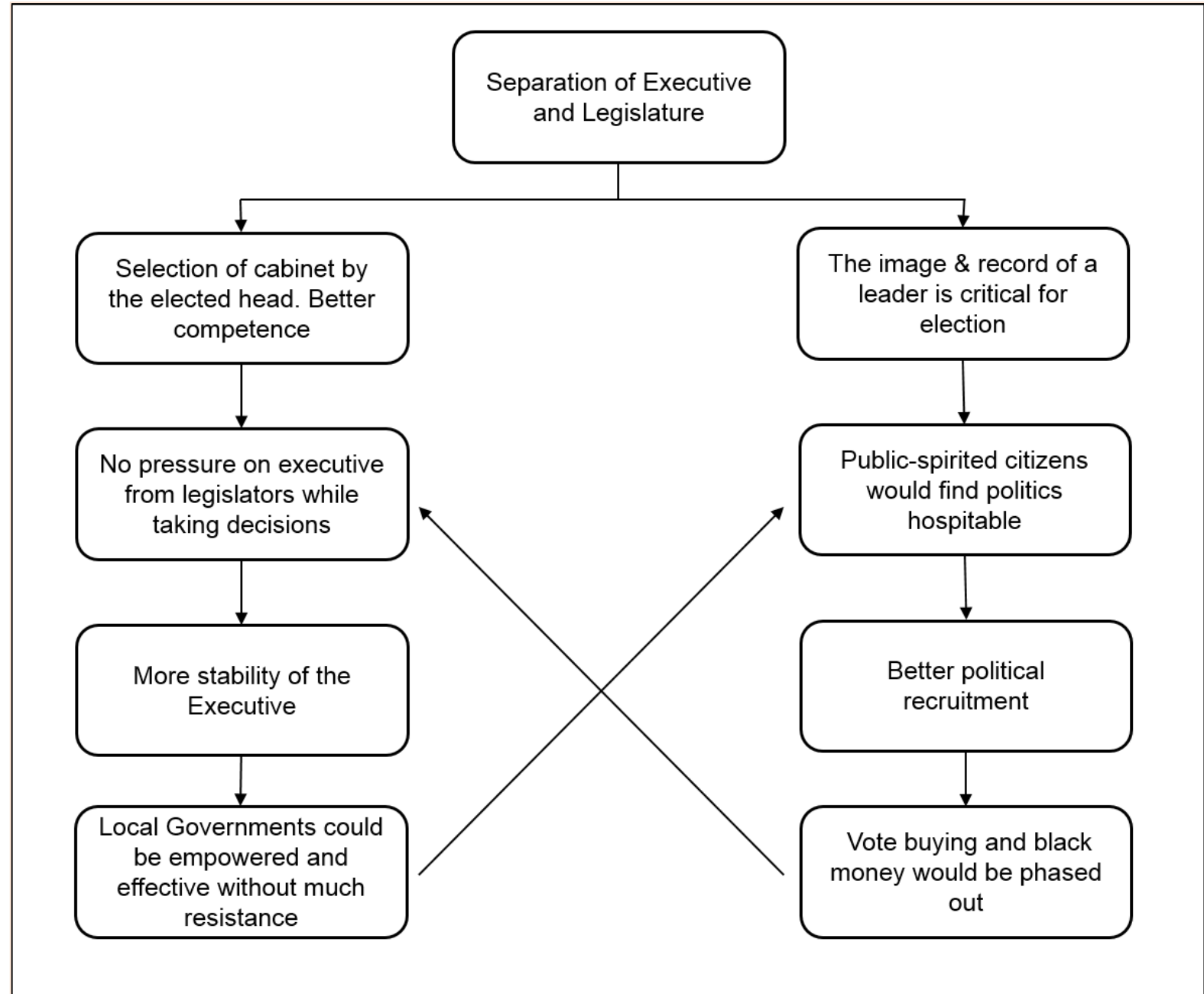
Electoral outcomes
are often products
of people's response
to State government

The purpose of a government is to make it easy for
people to do good and difficult to do evil.

- *William Gladstone*

1. Direct elections to the executive in state to ensure :

- Clear separation of powers
- Fixed tenure and stability
- Cabinet chosen by the executive (outside the legislature)
- No nominated Governor
- No Article 356



The Way Ahead, in our context

2. Proportional Representation

- State as unit for PR threshold
- Multi-member constituencies having 6 to 10 seats
- Each voter will have a single vote for a party of his/her choice.
- Each party will offer a list of candidates in order of preference
- Members are elected from party lists in each multi-member constituency
- Each elected member is allotted to an Assembly / Lok Sabha segment by preferential choice based on party vote share in the Multi-Member Constituency

Merits of PR

- Vote buying diminishes as marginal vote is not critical
- Competent and honest politicians with good image become electoral assets
- Rational, long-term policies can be pursued as marginal vote is unimportant
- National parties will be viable in all states
- Vote reflects voters' views
- Greater voter participation
- Voice and representation to all segments and views

**The Way
Ahead,
in our
context**

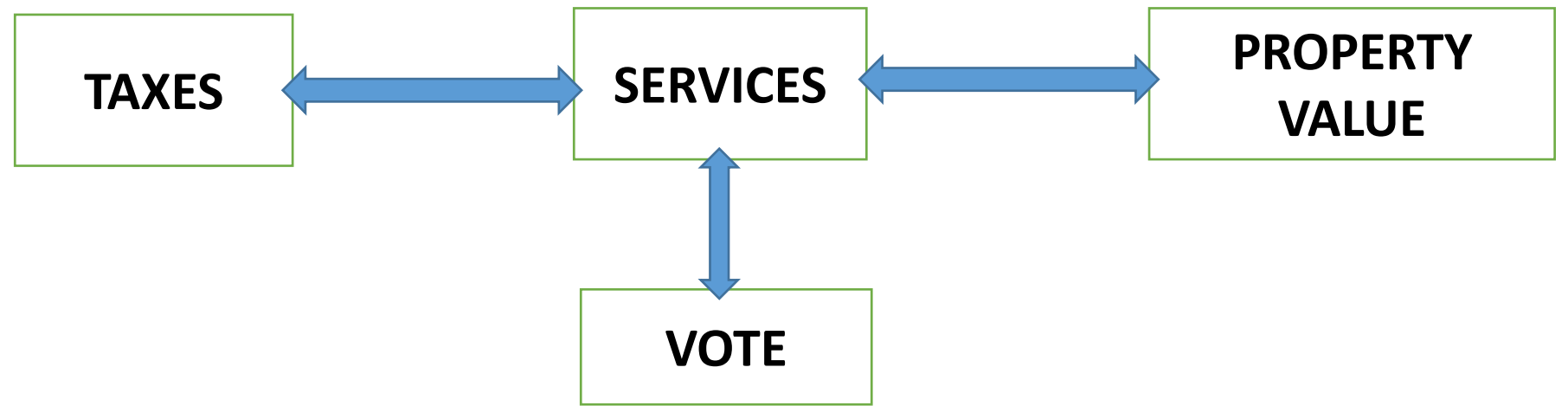
3. Genuine Empowerment of Local Governments

VOTE	<ul style="list-style-type: none">➤ Public Good➤ Reduced role of vote buying➤ Participation of enlightened citizens
TAXES	<ul style="list-style-type: none">➤ Services➤ Better Public policy➤ Focus on infrastructure and nation building➤ Better fiscal management
AUTHORITY	<ul style="list-style-type: none">➤ Accountability➤ Better service delivery➤ Greater legitimacy and democracy

The Way
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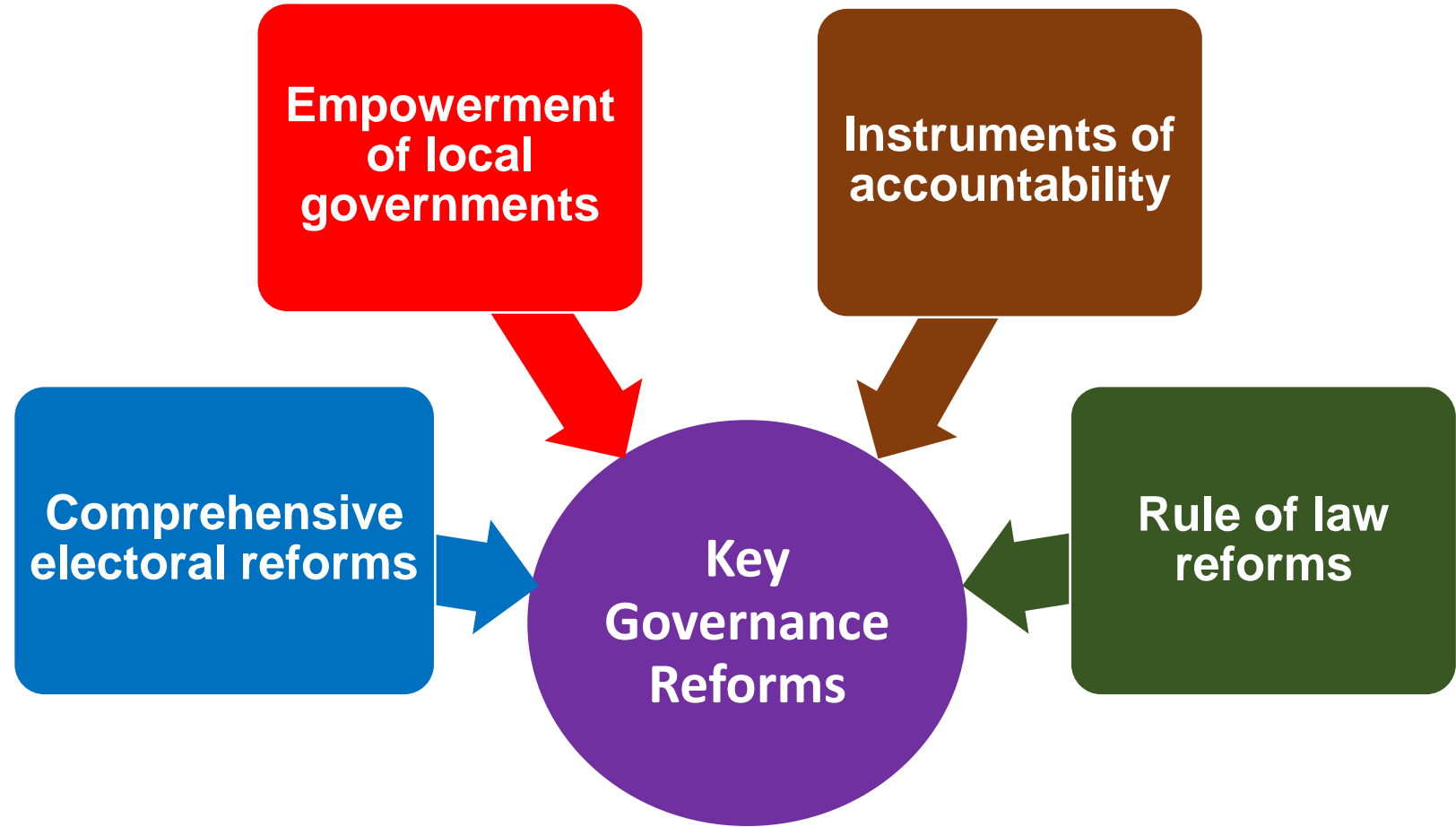
- Sunnyvale & Cupertino are two cities in Bay Area of California on either side of Homestead Road
- Through all conditions are similar, property values of Cupertino are 40 – 50% higher
- Reason: School District in Cupertino has good reputation for outcomes. Only local residents (tax payers) can send kids to local public schools. Hence, greater demand for houses in Cupertino



4. Reforms in Rule of Law

- Separation of crime investigation
- Independent investigation commission under judicial supervision
- Independent District Attorneys drawn from trial court judges (Session Judges) on deputation for a fixed term
- Strong forensic infrastructure
- Increase number of judges / courts
- Indian Judicial Service
- Procedural reform for justice delivery

The Way
Ahead,
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End of Presentation