

by rough exchanges between the contestants and by rough justice rather than mercy toward some participants, but the system does curtail the bureaucratic uses of secrecy and does make the American governing process one of the most highly visible in the world.

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These brief and somewhat oversimplified observations on the contrasts between two important bureaucratic systems are intended mainly to suggest a few general hypotheses about bureaucracies. One of them is that in the building of bureaucratic systems there are many options, each choice having different consequences for the whole system; that is, these options are not merely technical issues in personnel management but more importantly choices affecting the nature of the governing process. Another implication is that the contrasting choices made in constructing these two bureaucratic systems were in the main determined by the matrix of the society in which they are each made; in other words, the nature of a particular bureaucracy is linked to the system of government and the society in which it operates. The options are thus limited by the social and political context of the particular bureaucracy, but this is not to suggest a rigid limitation – for example, the context of a parliamentary system does not dictate a particular set of choices. Instead, what is suggested is that the whole indigenous context – social and political and governmental – is the limiting factor. Bureaucratic models are not packages ready for export or import; they provide illustrations of options and styles for consideration in their separate parts, and for adaptation before acceptance in a different context.

Reference

1. The term "labour market" may require some explanation. The American labour market is somewhat distinctive. Career mobility and job mobility are among its strong characteristics. Thus it is possible to recruit for the civil service experienced, highly trained, and successful persons from the general labour market, even though such persons are already well advanced in non-civil service careers. Other national labour markets may be less flexible in their response to such recruiting efforts.

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LEGISLATURES IN NEW STATES

W.H. MORRIS-JONES

I am delighted this afternoon to be back again, after an interval of several years, in this renowned Indian Institute of Public Administration and I feel highly honoured to be invited by the Director to speak to you.

At first sight, it may seem that my subject is rather far from your main areas of interest. The field is known as Comparative Legislative Studies and within that field I have, in recent years, been studying this one organ of the body politic, the legislature, in a number of 'new states' – but *not* including India. So I am not directly concerned this afternoon either with administration or with India. Nevertheless, I hope and expect before I finish to persuade you that my subject-matter is of interest and relevance to Indian students of administration. After all, the work of public administrators is often greatly affected by the activities of legislatures and their legislators. And while India is in many ways different from the general run of 'new states', I believe that if you listen carefully you will hear, in my accounts of the five countries I have been examining, some points which you will recognize as having a bearing on India.

So far I have used the term 'legislature', but now I am going to drop it. For several reasons, 'parliament' is a better term. For one thing, 'legislature' is mainly used by Americans; the term stresses the law-making role which is characteristic of the US Congress –

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which is, however, a very non-typical body. Another reason for preferring the term 'parliament' is that in the five countries I shall discuss – as in India also, of course – parliament is the word in common use even if the body is called 'the national assembly'. But my main reason today for switching to 'parliament' is that this is the term which points to basic features of the institution.

What do I mean by 'basic features'? I mean, simply and above all, that a parliament is a *talking-place*. That is indeed the actual meaning of the Anglo-French word coined in Norman Britain in the twelfth century. When people say, as they often do, that 'nothing happens in parliament, it is just talk', they betray their ignorance of what parliament is about: the essential purpose of parliament is to serve as a place for talk, in other words an *arena* where issues can be settled not by the violence of arms but by argument and discussion in words. And who is the argument between? Who is doing the talking? The answer is essentially that the talk in a parliament is between those who are in power and those who might be in power.

It may surprise you – though it shouldn't – that the best way of understanding what happens to parliaments today, even in 'new states', is to go back to the very origins of this particular institution, this crucial organ of the body politic. How did parliaments come into being in the early middle ages in certain European countries, notably England? Who invented them and for what purpose? Let us be clear about one thing: parliaments were not invented because there was a need or a demand for laws. There were laws before there were parliaments. Laws were made by Kings, usually by a King sitting with his council whose members he had himself appointed. But parliaments are not just councils; parliaments introduce a new element, the element of representation, quite distinct from appointment by nomination from above. Nor were parliaments invented because Kings had suddenly been converted to the principles of liberal democracy; parliaments appeared four centuries before any notion of democracy began to emerge. Yet it was Kings who invented parliaments. Why should they have done such a thing?

Kings were not stupid – otherwise they would not have survived in power. It is, therefore, reasonable to suppose that they saw parliaments as devices which would actually assist them in the

business of ruling. How would they do that? It is quite clear that parliaments were seen as ways of enhancing royal power by raising royal authority and increasing its legitimacy. This would be very useful with respect to two things – laws and taxes. Laws passed by a parliament containing representatives would be more readily obeyed and less readily ignored or defied; and taxes levied by such a parliament instead of by King and Council would be more easily collected. In other words, government could become more effective at least. But that was not all: parliaments were seen by their Kingly inventors as serving another useful purpose. No ruler is without enemies and no government has a total monopoly of the power-centres existing in society. What could be more reassuring to government therefore than to make just enough concessions to the potentially threatening men to keep them quite? Parliaments were thus invented by governments for the sake of governments; they were intended to increase legitimacy and to reduce the dangers of disobedience and additionally as an insurance against subversion.

The attitude of royal governments was one of shrewd calculation and they thought, on the whole quite rightly, that they had made a bargain, a good business deal; they reckoned that the *benefits* were greater than the *costs*. The benefits we have already noted: by inviting representatives to play some part in the affairs of state their government would enjoy greater authority through legitimacy; and by providing potential opponents and dissidents with a sounding board and a safety valve they would have more knowledge of dangers and greater security against them. But there were certainly costs too. In this new arena of parliament, it would now be necessary for government to explain its actions, to give reasoned justification for its policies, to meet challenges. Inherent in these costs was the *risk*, the paramount danger, that through parliament government could lose authority instead of gaining it.

Accordingly, governments who took this enterprising but risky course of learning to live with parliaments naturally tried to minimize the costs while retaining the benefits. (Of course, very few governments moved at all in this direction; even in England there were periods when rulers found parliaments too troublesome and lost their patience; in consequence one king lost his head). A whole range of clever devices were employed to reduce the costs. One

way was trying to define narrowly the scope of parliamentary business, establishing wide areas where government would be freed from parliamentary scrutiny. Another way was for Kings to try to ensure that parliament was full of government supporters – they were actually called ‘King’s men’. (It took a long time to secure the same result by having political parties and governments chosen from the majority party; then the only worry was maintaining party discipline).

Three lessons emerged from the long history of parliaments over seven centuries. The first was that once you take the path of representation even with the narrowest franchise, there is no stable halting place short of adult franchise – though it must be admitted that the blacks in the United States and the women in Switzerland waited for a very long time. The second was that once parliament is firmly established, it is very difficult to abolish it. Of course ‘new states’ by their very nature will find it difficult to have firmly established parliaments; in that sense we have to allow that there is a sense in which Russia in 1917, Italy in 1925 and Germany in 1933 were still ‘new states’. Third was the lesson that if governments cut the costs too severely by weakening parliament, it is very difficult for them to secure the benefits which this peculiar institution can provide.

Against the background of general principles discernible from an inspection of history, let us now turn to some of today’s new states. From what I have already said, I believe, it follows that as the world in the period of decolonisation became full of ‘new states’, very few of these would be states in which parliament would already be firmly established. Indeed one could go further and say that it would be quite unreasonable not to expect in new states two sets of features working against parliaments. In the first place, consider the situation of the first governments of new states. Would they not be much more aware of the risks and the costs rather than of the benefits? (In what follows, you will appreciate, the extent to which India is a striking exception. I have it to you to assess the precise extent and to explain it to your own satisfaction!) As ‘freedom fighters’, leaders of national movements of revolt against colonial rule, they were surely bound to be uncomprehending about dissent and easily inclined to see it as anti-national. As new

governments now in charge of states previously held together by colonial rule, they will be aware of problems of territorial integration and fearful of all fissiparous tendencies. As new elites fresh to the business of government, they will be impatient for results, unskilled in the cut and thrust of debate, insecure about their positions, in a word highly disinclined to take risks. So, from the side of new governments, one could only expect that if there were parliaments at all, they would be kept within the very tight controls. The leaders would not be totally unaware of the need for legitimacy but they would hope that they had sufficient left-over from the ‘freedom struggle’ and that they could keep up the supply through the safe channel of party rather than through the risky channel of parliament.

At the same time, a second set of factors could be expected to be at work in the same direction from the side of the society. In most ex-colonial states, the articulation of diverse social interests tends to be weak; the colonial regime normally did not encourage such active participation and the nationalist movements for their part tended to monopolise political activity. After independence, government itself tends to become the sole power-centre with only minimal organizational impulse and capability being experienced in society at large; peasant demands tend to be localized and the industrial sector is normally too small to be significant as a base for new political forces. In these conditions, only traditional ties, tribal or caste-based, offer ready-made units for mobilizing opinion and even these will tend to seek leverage through the government (or the government party) rather than independently. In other words, the disinclination of a new state government to be fearful of losing its control is all too well matched by the absence of any effective pressure upon it to do so. These are not the circumstances in which one would expect parliaments to flourish.

Such expectations are in fact very largely fulfilled. Among the new states, even if one excludes by no means insignificant category of states under military rule, there are very few strong, active parliaments to be found. The publics do not effectively demand them and the governments prefer to do without the legitimacy and the safety valve which parliament can provide. Nevertheless there are interesting variations, to a much greater degree than one might have anticipated. In the group of five states, which I have been

studying, the contrasts are significant and this despite the fact that all five countries had the common experience of British colonial rule before independence. My countries are, from West to East across the globe, Jamaica, Ghana, Tanzania, Sri Lanka and Malaysia. Indeed my choice of these five was made precisely on the basis that having much political history in common, their post-independence political experience has been so very different, not least in the position of that sensitive organ called parliament. What, then, are the important variables which account for contrasts which extend from, at one end, modest development of this institution to, at the other end of the range, various forms of little change, decline or decay and even, in one case, the total disappearance of parliament.

Let us begin at the latter end. Ghana presents us with the case of the parliament that disappeared. At first glance, Ghana would seem to be the least likely of the new states in which this would happen. The British had always regarded the Gold Coast as the most advanced African colony and almost as a matter of course it developed the first strong nationalist movement under Nkrumah and was the first African colony to gain independence. It was seen as the front-runner, the pride of Africa with the highest levels of material and human resources, its people as prosperous as they were gifted and well educated. Yet in less than a decade, Nkrumah had been easily overthrown and Ghana exchanged its parliament for military rule.

How could this happen? There are, first of all, a couple of background points to be noted regarding the pre-independence period. Although Ghana under colonial rule had long experience of that normal forerunner of parliaments called the Legislative Council, its jurisdiction was confined to a narrow coastal belt, the whole interior remaining under the colonial bureaucracy. Again, although the national movement won dramatic victories in elections before and after independence, its support was geographically far from even, the area of the old Ashanti kingdom showing marked lack of enthusiasm for Nkrumah's party. These features became significant after independence when Nkrumah, feeling it necessary to make an impressively rapid development drive, became impatient with any opposition, especially that which was Ashanti-based. To pleas

for some decentralization to allow for local autonomy, the government responded with deep distrust, claiming that this was the thin end of a federal wedge and accusing the opposition of being anti-state by undermining the national integrity of Ghana. From being abused in parliament, the opposition leaders were soon imprisoned or driven into exile. Within a few years, parliament had been reduced to infrequent meetings of a largely meaningless set of government yes-men; the beheaded opposition was pathetically helpless and in despair; Nkrumah, the great leader, was by now totally isolated from any criticism of his extravagant policies, utterly unaware of mounting distress and unrest. In this way the military coup was made easy, once the army, police and bureaucracy decided to act.

As a post-script, one should add that of course military rule solved none of Ghana's real problems. They set up an Advisory Council as a pretence of representation but what the people could see through that smoke-screen was the utterly uninhibited corruption of the army men. When they in turn were overthrown by elements within the army, there was a brief return to civilian rule. But a changed constitution introduced an American-style legislature where (as in the US Congress) the government was not present. The Ghanaians simply could not get used to this system where those in power isolated from the representatives; the government, never directly facing criticism, grew out of touch and hopelessly remote. Thus, Ghana's first parliament failed because the limits of governmental tolerance prevented it from useful functioning, from which the people and the government itself suffered. Ghana's second kind of parliament failed because it was no real arena, in fact not a parliament at all in the eyes of the people. And again both people and government suffered.

From Ghana, if we seek the opposite end of the spectrum among my five countries, we find Jamaica. Here is an active, critical parliament which alternating parties in government have grown accustomed to and accept, thereby giving some degree of effective representation to the people and some measure of enhanced responsiveness and legitimacy to themselves. Since this is something of a rarity among new states, how it came about needs explaining. Perhaps the first thing to say is that Jamaica is a smallish island with no marked geographical variations and with a population which,

while not homogeneous, contains no sharp social divisions, colour and wealth varying certainly but in even gradations. One of the earliest British colonies, it had a slave plantation sugar economy until slavery was abolished in the mid-nineteenth century. The white slave owners had insisted on representative institutions from as early as the seventeenth century, but only for themselves. These legislative councils were abolished when slavery ended and were re-introduced only in this century. Nevertheless the aspiration of the educated middle class, as soon as it began to emerge in the 1920s, was focused on a restoration of representative institutions and the eventual achievement of a government of their own based on such institutions. Their leaders got elected to the new councils before complete independence was achieved and they were ready to fee quite at home in parliament after the transfer of power.

It is a peculiar feature of the Jamaican movement for independence that it was spearheaded not by one nationalist movement but by two. One of these began by organizing the urban working class in trade unions, the other by mobilizing the educated middle class in a political party. The two leaders, Bustamente and Manley, were cousins but great rivals. Soon the Bustamente union organization branched out to develop into a party competing in elections. At the same time, Manley's party felt the need to appeal to ordinary people and branched out into new trade unions. Through the whole period up to the present, the two parties have not only survived but have regularly alternated in office. Neither party has ever had less than 40 per cent or more than 60 per cent of the votes and no other party has been able to challenge their duopoly. While one party is socialist and the other private enterprise in ideology and policy, both appeal successfully for support to middle class as well as lower class voters. The following of each party remains substantially faithful even though they may suffer relative hardship when their party is out of power. The slums of Kingston contain a *goonda* element which is liable to attach itself to party warfare at times of excitement but for most of the time the principal arena for the political battle is the Jamaican parliament.

Between these two extremes of Ghana and Jamaica are to be found my three other countries. Yet they have little in common, each being a very distinctive case. Sri Lanka is a surprising instance.

Up to 1978, it could not have been at all placed in this intermediate position on the range. Indeed it would have had to be the clearest example among the five countries of a very strong and vigorous parliamentary system. After all Ceylon (as it then was), like India, had a fair measure of self-government in certain fields before independence, its own leaders as ministers working through the quasi-parliament; indeed she had leapt ahead of all colonies by having adult franchise introduced as early as 1931. What distinguished the country from India was that its transfer of power came (in 1948) without any real struggle against colonial rule. The leading political movement was, therefore, able to remain a very elitist body despite the adult franchise. In fact, there was no sign of popular political involvement until several years after independence. When it came, in the 1950s, the popular challenge to the old UNP took the form of appealing to specifically communal sentiments and interests of the Singhalese majority. Since then the gulf between the Ceylon Tamils and the majority community has widened; moreover the rival Singhalese parties have been fearful of reaching the settlement of the communal issue lest they be accused by their rivals of betraying Singhalese interests. The presence until lately of powerful leftist parties was unable to change this situation.

Nevertheless the prominence and vitality of parliament secured that, on the whole, the argument was conducted in that parliamentary arena – until 1978. In that year, the new UNP government of Jayewardene followed up its electoral defeat of Mrs. Bandaranaike with what can only be called a constitutional coup. Whereas Mrs. Bandaranaike had somewhat upset the balance by elevating parliament in relation to the judiciary and giving parliamentarians increased powers in relation to local officials. Jayewardene transformed the constitution completely in the opposite direction. His Gaullist-style system elevates the President to supreme power and reduces parliament to a side-show managed on his behalf by a Prime Minister. Sri Lanka thus presents a case of a suddenly downgraded parliament. If this was intended to make the communal problem more easily soluble, it seems to have had the opposite effect.

If communal divisions are central to the politics of Sri Lanka, the same can be said even more emphatically of Malaysia. One is

inclined to believe that the three figures 53, 35, 10 or deeply imprinted on the minds of every citizen of that country, those being the percentages of the population belonging respectively to the Malay, Chinese and Indian communities. Actually the Chinese 35 per cent should be weighted in view of their clear economic importance in commerce and industry; the Malay 53 per cent deserves weightage too by reason of their favoured position in politics and administration; on the whole the 10 per cent Indian element survives by making itself seem even smaller than it is!

The communal division of Malaysia has since before independence been managed and kept under control by a joint Malay-Chinese elite who ran the Alliance party; each part of this elite acknowledges its dependence on the other and some would say that each is less afraid of the other than it is of its own lower classes. It is this studied elitism and avoidance of popular participation in political life which accounts for almost purely formal and rather sterile role of the Malaysian parliament. Since both elites see the communal balance as extremely delicate, they need to keep politics a virtually private and confidential, rather than a public matter. Indeed, parliament was totally suspended for two years following a modest outburst of communal violence. Even now crucial issues between the communities are simply not allowed to be voiced in public. So, in Malaysia elite accord keeps politics in the refrigerator. The Malaysian parliamentarian is quite a busy man as an individual, an important communications mechanism for government and parties between the capital and the constituencies. But the Malaysian parliament is not much of a virile arena, it is more like a very sedate drawing-room.

Finally, I come to the fascinating case of Tanzania where parliament survives, improbably, in a one-party state. As a colony Tanganyika had a very short history and its pre-independence experience of legislative councils was extremely brief and limited. A single, hardly challenged, nationalist movement under Nyerere brought about a speedy transfer of power in a country in which tribal or other divisions were exceptionally insignificant. After independence the single party, TANU, continued to have no rivals, winning each election without opposition; every member of parliament was a TANU man. In these circumstances, not

surprisingly, the question arose whether, although the constitution provided for a National Assembly, Tanzania really needed one. Since parliament was in effect a meeting of the party, why could the party conference not do the job of parliament? Nyerere set up a Commission to look into this matter, which was also much debated within TANU. In the end, it was decided to keep the Assembly, mainly for two purposes – to provide public scrutiny of government activity and to supply a two-way communication channel through the members between the capital and the constituencies. Initially there were severe criticisms of TANU government by TANU MPs of independent spirit. This, however, led to a show-down in which the critics were severely disciplined and a clear limitation placed on the role of parliament. It is now established that policy-making is not the business of parliament but only of the party; parliament is confined to an examination of the implementation of policy. This is certainly a handicap on an elected assembly. Nevertheless, parliament in Tanzania has been able to sustain this modest but distinctive role. In some respects and within its new limits, there have been signs of increased parliamentary activity, though less on the floor of the House in a glare of publicity than quietly by investigating and supervisory committees and through the overseeing of local administrative action by individual MPs.

I have sketched my five cases and have discussed five parliaments at all the points on the range from institutional development to institutional decay. We have the Quietly Growing Parliament of Jamaica, the Handicapped Parliament of Sri Lanka, the Drawing Room Parliament of Malaysia, the Limited or Residual Parliament of Tanzania and the Vanished Parliament of Ghana. And they all began on what might, superficially, have been seen as the same starting-point two or three decades earlier. I have, even in this sketch, suggested some of the explanatory variables. My time is up, but I invite you to find other factors. I also dare to invite you to ask yourselves whether you find any lessons to be drawn from these five in order to ensure that India's own good performance or good fortune in this respect may continue.

and tensions in many parts of the globe. In an increasingly interdependent world, the aggravation of tensions anywhere affects the entire world and jeopardizes the prospects for peace. Peace and development are closely inter-related. The perpetuation of poverty in vast areas of the globe poses a direct threat to peace and stability. Just as there cannot be peace without development, equally there cannot be development without peace. An atmosphere of security, stability and harmony is indispensable to ensure orderly development and sustained progress. South-South Cooperation if it is to be meaningful, must contribute to the attainment of these wider objectives. By increasing our mutual cooperation, we the countries of the South can help in promoting cooperation at the global level. By contributing to the eradication of poverty, hunger and disease, we can improve the prospects for peace, progress and stability throughout the world.

We live in a world in which we are engaged in breaking the barriers which kept us away from our brethren. The world should neither divide between East and West nor between North and South. Through our mutual cooperation, we must make the world a better place to live for succeeding generations. As Jawaharlal Nehru said years ago:

The door is open and destiny beckons to all. There is no question of who wins and who loses, for we have to go forward and together as comrades and either all of us win or we all go down together, but there is going to be no failure. We go forward to success.