

Local Governance in India

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Abstract

The rhetoric and theory of decentralisation promise better governance and deeper democracy as public officials are held more directly accountable for their actions and as citizens become more engaged in local affairs. Practice over more than twenty one year's of panchayati raj institutions or local governments in India, however, suggests that new challenges and issues for panchayati raj institutions and democratic decentralisation process. Government of India and Indian States Government are taking actions against these new challenges and issues of local governance but these initiatives and examples are very few.

Globalization and the information revolution are motivating a large and growing number of countries around the globe to re-examine the roles of various levels of government and their partnership with the private sector and civil society. These reforms typically involve shifting responsibilities to local governments and beyond government providers, with the objective of strengthening local governance. And majority of states are taking actions again this revolution but local governance we can see as a decentralisation of political power and what questions about fiscal decentralisation, because specially in third world countries are not taking actions for fiscal decentralisation, just because of their own interest and hegemony. Local Governances are trying to involve more and more people at grassroots level for efficient management of economic resources and social upliftment. It is strategy to make government responsive, accountable and democratic.

Key word: - Local Government, Local Governance, Government, Governance, Civil Society, and Policies.

Introduction

The rhetoric and theory of decentralisation promise better governance and deeper democracy as public officials are held more directly accountable for their actions and as citizens become more engaged in local affairs.ⁱ Practice over more than twenty one year's of panchayati raj institutions or local governments in India, however, suggests that new challenges and issues for panchayati raj institutions and democratic decentralisation process. Government of India and Indian States Government are taking actions against these new challenges and issues of local governance but these initiatives and examples are very few.

In India political decentralisation and local governance means panchayati raj institutions. In twenty first century, good local governance or good panchayati raj institutions are aim of central and states governments and "Good Local Governance" performs dual function of local government in India. On the one hand, these institutions are taking initiative accordance with the preferences of their citizens. On the other hand, delivering public services and promoting the common welfare. Although another two paths, "local administrative reform" and "participatory reform", are often viewed as contradictory, neither of them can be ignored when seeking to promote the strength and being a democratic system. In a broader multilevel government framework, functional, financial and local parts become important issues.ⁱⁱ

Concept of Local Governance

The concept of local governance is new in modern India but its notion is as old as Indian civilisation. Early discussions go back to at least 400 B.C. to the Arthashastra, a fascinating treatise on governance attributed to Kautilya, thought to be the chief minister to the King of India. In it, Kautilya presented key pillars of the 'art of governance', emphasizing justice, ethics, and anti-autocratic tendencies. He further detailed the duty of the king to protect the wealth of the State and its subjects; to enhance, maintain and also safeguard such wealth, as well as the interests of the subjects.ⁱⁱⁱ After Kautilya view point of governance we can simply say that its 'art of governance' is prominent and superior concept comparative to the World Bank 'good governance' concept.

The concept of Governance means different things to different people but the actual meaning of the concept depends on the level of governance. In a way, governance is a well-defined administrative set-up that draws its nutrition from 'participatory democracy'. The meaning range from following the liberal

economic policies, to strengthening and reforming market institution, building capacities of public institutions to perform, encouraging democratic participation through strengthening civil society institution etc. Some meanings are concerned with reducing the role of the state in economic activities, other with strengthening state institutions to promote the role of market and yet others relate to the encouragement of democracy and participation.^{iv}

Governance and Local Governance

Now Through Decentralisation of power Governance to Local Governance is a progressively common phenomenon in Latin America, Asia, and Eastern Europe. In theory, it can lead to significant improvements in efficiency and effectiveness by reducing overloading of central government functions and improving access to decision making and participation at lower levels of government, for example, by improved service design, user financing targeting, and delivery .If not carefully managed, however, decentralisation can lead to deterioration in the use and control of resources, especially in the short term. National goals can be seriously distorted by local governments, and scarce resources can be diverted to poor uses. Moreover, radical decentralisation can seriously weaken the capacity of the central government to manage the economy through fiscal and mon-soft.^v

Of course, decentralisation can be put into effect in different ways—through devolution, delegation, or deconcentration. While distinctions among forms of decentralization are important in defining the relationship of the centre to the periphery and for the management of particular programs and functions, most local governments experience all three types of decentralization at the same time. Thus, for example, a local government may be coping with a devolved education system that continues to vest authority over standards and testing in a national ministry; a deconcentrated health system that requires local governments to be responsible only for the maintenance of local clinics; the full delegation of property tax collection; and the devolution of responsibility over sanitation within norms set by national or provincial governments. Each of these activities involves local officials in redefined relationships with other levels of government, at the same time that it prescribes particular roles for local government.^{vi}

Local governments will be key implementing institutions for the Bank's pipeline of proposed projects in both countries, primarily in the areas of infrastructure, the social sectors, environment, rural development, and poverty alleviation. Before these decentralizing countries may absorb effectively lending operations, however, local governments must be strengthened to discharge their new and

growing responsibilities. Key areas for institutional strengthening include local taxation policy and administration (and consistency with national taxation policies); management of local enterprises (for example, privatization or regulation in areas such as water supply and sanitation, transport, solid waste, and housing); budgeting, accounting and audits; maintenance programming and implementation; investment planning and evaluation; and procurement practices.^{vii}

Because decentralisation in these countries comes after decades of tight central control, the pace and scope of the decentralization process are issues of concern for the countries and for the Bank, and all recognize that there is no broadly recognized “road map” for public sector decentralisation. Therefore, the Bank’s strategy for assistance to the decentralisation process is broad and country specific, but the short term strategy is evolving in four key areas^{viii}: -

- (a) Policy dialogue and possible inclusion of measures to strengthen local government as part of the program to be supported by adjustment lending.
- (b) Country and regional sector work on local government reform (for example, regional work in fiscal 1991 and local government reform in Poland for fiscal 1992).
- (c) Targeting technical assistance on local government reform (for example, a local government component of an infrastructure technical assistance loan to Romania).
- (d) Highly selective project support through lending operations in areas critical to overall adjustment and reform (for example, a proposed housing project loan to Poland)

Globalization and the information revolution are motivating a large and growing number of countries around the globe to re-examine the roles of various levels of government and their partnership with the private sector and civil society. These reforms typically involve shifting responsibilities to local governments and beyond government providers, with the objective of strengthening local governance.^{ix} And majority of states are taking actions against this revolution but local governance we can see as a decentralisation of political power and what questions about fiscal decentralisation, because specially in third world countries are not taking actions for fiscal decentralisation, just because of their own interest and hegemony.

Principles of Local Governance

Anwar Shah (2006) is deals with comparative analytical Citizen-centred local governance. Reforming the institutions of local governance requires agreement on basic principles. Three basic principles are advanced to initiate such a discussion^x:

- ❖ **Responsive governance:** - This principle aims for governments to do the right things—that is, to deliver services consistent with citizen preferences.
- ❖ **Responsible governance:** - The government should also do it right—that is, manage its fiscal resources prudently. It should earn the trust of residents by working better and costing less and by managing fiscal and social risks for the community. It should strive to improve the quality and quantity of and access to public services. To do so, it needs to benchmark its performance with the best-performing local government.
- ❖ **Accountable governance:** - A local government should be accountable to its electorate. It should adhere to appropriate safeguards to ensure that it serves the public interest with integrity. Legal and institutional reforms may be needed to enable local governments to deal with accountability between elections—reforms such as a citizen’s charter and a provision for recall of public officials.

These analyses are shows that governance principals and its practices are playing key role for its real nature and structure. And all these major points of different governance mainly depend on how and whom implement and incorporate these points in their governance. Finally we can say that governance reforms are waiting for governments for reforms.

Local Government and Local Governance

Local government around the world has been undergoing a process of change over the last ten or twenty years. Much of this process is the result of external changes over which individual local governments have had little influence: increasing economic interdependence; the process of globalisation; changing technologies; or the fall of communism in Eastern Europe, for example. Some external change would be the consequence of changes taking place within the nation-state: the privatization of state services; restructuring the local government system; changing intergovernmental relations. Some changes are political, in the partisan sense, as when political control changes in a municipality, while others might be social: widening social segregation in cities; growth in drug related

crime, for example. And some will be generated from within local governments themselves, be they processes or layering, privatisation, and contracting out of services; attempts at improving customer care and citizen relationships; or whatever. The changing nature of the modern state and of the society it serves has had inevitable consequences for elected governments.^{xi}

The classic statement of the value of elected local government is that of John Stuart Mill. His position rested on two main arguments. First, that local elected institution is an essential element in a democratic system of government because they widen opportunities for political participation as well as providing for the education of citizens in the practice of politics and government. We shall return to this line of argument shortly. Second, Mill believed that an elected local government was necessary because of its ability to oversee the affairs of the locality, based on local knowledge, interest and expertise, and makes it more likely that efficient and effective local services will be provided than by other agencies and certainly by a distant central government.^{xii}

Local governance is a broader concept and is defined as the formulation and execution of collective action at the local level. Thus, it encompasses the direct and indirect roles of formal institutions of local government and government hierarchies, as well as the roles of informal norms, networks, community organizations, and neighbourhood associations in pursuing collective action by defining the framework for citizen-citizen and citizen-state interactions, collective decision making, and delivery of local public services.

Old Local Government and New Local Governance

Local government was the primary form of government until wars and conquest led to the transfer of local government responsibilities to central and regional governments. This trend continued unabated until globalization and the information revolution highlighted the weaknesses of centralized rule for improving the quality of life and social outcomes. The new vision of local governance presented here argues for a leadership role by local governments in a multi centered, multi order, or multilevel system. This view is critical to creating and sustaining citizen-centered governance, in which citizens are the ultimate sovereigns and various orders of governments serve as agents in the supply of public governance. In developing countries, such citizen empowerment may be the only way to reform public sector governance when governments are either unwilling or unable to reform themselves.^{xiii} Anwar Shah (2006) is deals with comparative analytical approach for differences between Old Local Government and New Local Governance.

Table 1.4 Role of a Local Government under the New Vision of Local Governance^{xiv}

20th century: Old view	21st century: New view
Is based on residually and local governments as wards of the state	Is based on subsidiarity and home rule
Is based on principle of ultra vires	Is based on community governance
Is focused on government	Is focused on citizen-cantered local governance
Is agent of the central government	Is the primary agent for the citizens and leader and gatekeeper for shared rule
Is responsive and accountable to higher-level governments	Is responsive and accountable to local voters; assumes leadership role in improving local governance
Is direct provider of local services	Is purchaser of local services
Is focused on in-house provision	Is facilitator of network mechanisms of local governance, coordinator of government providers and entities beyond government, mediator of conflicts, and developer of social capital
Is focused on secrecy	Is focused on letting the sunshine in; practices transparent governance
Has input controls	Recognizes that results matter
Is internally dependent	Is externally focused and competitive; is ardent practitioner of alternative service delivery framework

Is closed and slow	Is open, quick, and flexible
Has intolerance for risk	Is innovative; is risk taker within limits
Depends on central directives	Is autonomous in taxing, spending, regulatory, and administrative decisions
Is rules driven	Has managerial flexibility and accountability for results
Is bureaucratic and technocratic	Is participatory; works to strengthen citizen voice and exit options through direct democracy provisions, citizens' charters, and performance budgeting
Is coercive	Is focused on earning trust, creating space for civic dialogue, serving the citizens, and improving social outcomes
Is fiscally irresponsible	Is fiscally prudent; works better and costs less
Is exclusive with elite capture	Is inclusive and participatory
Overcomes market failures	Overcomes market and government failures
Is boxed in a centralized system	Is connected in a globalized and localized world

Source: Shah, Anwar (2006). Local Governance in Developing Countries. Washington: The International Bank for Reconstruction and Development / The World Bank.p.-43

Role and Significance of Local Governance

Local Governances are trying to involve more and more people at grassroots level for efficient management of economic resources and social upliftment. It is strategy to make government responsive, accountable and democratic. The quality of local governance could be possible through participation, empowerment, accountability, equity and justice. The roles of Local Governance are to promote an effective framework. This is democratic, participative and responsive. Modern Local Governance is determined towards not just achievement of economic objectives but also attempting to figure out social injustice. In this context following role and significance of Local Governance: -

- To improve the quality of life of people.
- To enhance effectiveness and efficiency of Local Governance or Local Administration.
- To protect participation of people for decision making process.
- To provide citizen-friendly and citizen-caring administration.
- To enhance employment opportunities.
- To supplying education, health, and shelter facilities for people.
- To improve in public security, economic management.
- To development of civil society and indigenous executive, legislative and judicial institutions.

Anwar Shah (2006) has conceptualised five perspectives on models of government and the roles and responsibilities of local government: (a) traditional fiscal federalism, (b) new public management (NPM), (c) public choice, (d) new institutional economics (NIE), and (e) network forms of local governance. The federalism and the NPM perspectives are concerned primarily with market failures and how to deliver public goods efficiently and equitably. The public choice and NIE perspectives are concerned with government failures. The network forms of governance perspective is concerned with institutional arrangements to overcome both market and government failures.^{xv}

Local governance is trying to increase people capacities through political awareness and training and this sense Local Governance is doing very well. The State, private sector and civil society, in pursuit of Good Local Governance, need to strike an appropriate balance in their roles in order to ensure people oriented development. Good Local Governance attempts to integrate political elements, economic aspects and social processes to foster holistic development. If managed well, the interplay between globalisation and Good Governance could become a transformative process to stabilise society.

We have presented a brief overview of the conceptual and institutional literature on local governance. A synthesis of the conceptual literature suggests that the modern role of a local government is to deal with market failures as well as government failures. This role requires a local government to operate as a purchaser of local services, a facilitator of networks of government providers and entities beyond government, and a gatekeeper and overseer of state and national governments in areas of shared rule. Local government also needs to play a mediator's role among various entities and networks to foster greater synergy and harness the untapped energies of the broader community for improving the quality of life of residents. Globalization and the information revolution are reinforcing those conceptual perspectives on a catalytic role for local governments.

Local Governance Initiatives in India

India has great historical experience of governance and good governance and today newly elected Prime Minister of Government of India is telling that government is now emphasis on less government and more governance. So we can tell that governance reforms are always priority in any Indian government. India Government has been initiated efforts since independence to improve the governmental functioning. Old Indian government had also taken efforts in the direction of Good Governance reforms. These reforms were started in India during 1950 and 1960. Those times were basically improving the administrative machinery. The nature of administration undergoing a change from traditional bureaucracy to responsive administrative and citizen oriented administrative after economic liberalisation in during 1990s. In 1993, the 73rd and 74th Constitutional Amendment Acts are important reform for empowerment and participation of people in governance process.

A commitment to the reduction of poverty has been a defining characteristic of the Indian state, from the time of Independence to the present day. As Kohli (1987) has argued, the Indian state that emerged after Independence was deeply committed to 'industrialisation, economic growth and a modicum of income redistribution.' In terms of poverty reduction, this involved an early attempt at improving agricultural productivity through the implementation of land reforms, agricultural co-operatives and local self-government.^{xvi} From an early stage in this process, the reduction of poverty and the empowerment of poor and politically marginal groups in India have been strongly associated with at least some form of decentralisation. Perhaps the most enduring image of decentralisation in India is Gandhi's vision of village Swaraj, in which universal education, economic self-sufficiency and village democracy would take the place of caste, untouchability and other forms of rural exploitation.^{xvii}

The government is ensuring people's participation in governance through the 73rd and 74th Constitutional Amendments by which Constitutional status is conferred on rural and urban local bodies. These bodies are given necessary powers and authority to function as institutions of self-government. State governments have passed necessary legislation to this effect by providing for the constitution of these bodies, functions, conduct of elections, devolution of resources, etc.

Evolution of Panchayati Raj Institutions in Modern India^{xviii}

- 1882 - The Resolution on Local Self-Government.
- 1907 - The Royal Commission on Decentralisation.
- 1948 - Constitutional debates between Gandhi and Ambedkar on Gram Swaraj, 'self-rule'.
- 1957 - Balwantrai Mehta Commission – an early attempt to implement the Panchayat structure at district and block (Samithi) levels.
- 1963 - K. Santhanam Committee – recommended limited revenue raising powers for Panchayats and the establishment of State Panchayati Raj Finance Corporations.
- 1978 - Asoka Mehta Committee – appointed to address the weaknesses of PRIs, concluded that a resistant bureaucracy, lack of political will, ambiguity about the role of PRIs, and élite capture had undermined previous attempts at decentralisation, recommending that the District serve as the administrative unit in the PRI structure. Based on these recommendations, Karnataka, Andhra Pradesh and West Bengal passed new legislation to strengthen PRIs.
- 1985 - G.V.K. Rao Committee – appointed to address weaknesses of PRIs, recommended that the block development office (BDO) should assume broad powers for planning, implementing and monitoring rural development programmes.
- 1986 - L.M. Singvhi Committee – recommended that local self-government should be constitutionally enshrined, and that the Gram Sabha (the village assembly) should be the base of decentralised democracy in India.
- 1993 - The 73rd Amendment to the Indian Constitution – PRIs at district, block and village levels are granted Constitutional status. The Gram Sabha is recognised as a formal democratic body at the village level. The 74th Amendment, granting Constitutional status to municipal bodies, is passed soon after.
- 1996 - The Adivasi Act – Powers of self-government are extended to tribal communities living in 'Fifth Schedule' areas.

The rural local government in India is called the panchayat, which literally means an assembly of five persons. These five elderly, nominated persons, over the course of time, were vested with sacred authority and with judicial and executive powers. These village communities were the centres of administration and the custodians of social harmony.^{xix} The self-governing village communities have always existed in India and their roots can be found in the Rig Veda¹ (1200 BC) and other Indian empires. In modern India Mahatma Gandhi was emphasised necessity for village self-rule or Swaraj. According to Mahatma Gandhi Village Swaraj is that it is a complete republic and politically and economically independent.

These are, in brief, some of the key initiatives taken by Indian government in fostering responsive governance. Any reform measure to be effective has to be sustained in the long run. Similarly, Good Governance can bring results by concentrating on certain key concerns that can ensure its longevity and success. In the following sections we consider the challenge of Indian decentralisation with respect to three 'institutional rigidities':

- The power of the States vis-à-vis the Panchayats;
- The nature and resistance of the Indian bureaucracy;
- Local élite 'capture'.

Conclusion

Local Governance refers to a process whereby elements in society use power, authority and influence and endorse policies and decisions concerning public life and social upliftment. Local governance acts as an instrument of decentralisation of powers. We can say that local governance to be the best governance largely because of its closet interface with the local people. Local governance is in fact a government of the local people, by the local people and for the local people. Being located nearest to the people, the local governance institutions are under constant observation of the society.

Herbert H. Werlin argues in his article "the difference between poor countries and rich countries has to do with Governance rather than resources". In emphasizing the importance of public administration in explaining economic success and failure, Werlin examines three general theories of governance (Organizational, cultural, and structural-functional).^{xx} And his finding is "*because poor countries suffer from inadequate governance rather than inadequate resources, foreign aid agencies tend to be too soft rather than too hard in their assistance programs*". According to him, the World Bank staffs continue to

be under great pressure to get loans out and projects going, regardless of their merit or likelihood of success. Strings are certainly attached (particularly for structural adjustment lending), but they are usually ineffective.^{xxi}

MadhavGodbole's a public interest litigation rejected by the Supreme Court of India, with substantive prayers on Civil Services Reform while also seeking a declaration that good governance is a fundamental right raises some critical questions. The argument that issues pertaining to civil services should be dealt with on a larger canvas of good governance, fundamental rights and basic structure of the Constitution. According to him "On the face of it seems both legal and proper, If so the big question really was why did the court refuse to entertain the petition? Attempts at exploring answers to this question can be instructive and useful".^{xxii}

Evidence on the relationship between decentralisation and improved governance is ambiguous. A number of World Bank studies have found a positive correlation between the two. One study used four dimensions of governance (citizen voice and exit; government orientation; social development and economic management) to demonstrate a statistically significant correlation between the degree of fiscal decentralisation and good governance. Recent World Bank research on decentralisation also deals with the issue of corruption. One study concluded that fiscal decentralisation in government expenditure is consistently associated with lower corruption. However, evidence from other studies suggests that the link between decentralisation and decreased corruption is not clear.^{xxiii} However after all discussion we believe good local governance in our final objective but 'good local governance' is not a self-generating product or service that develops automatically when country becomes wealthier. In practical terms policy-makers and civil society and NGOs need to work continuously at improving governance within the countries through certain direct enabling environments.

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