GOOD GOVERNANCE

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ABSTRACT

Human Concerns with good governance is as old as civilization itself. It is evident in the writings of social philosophers, political thinkers, and administrators. Down the ages they have discussed and debated different aspects of politics, administration and government. However, the recent concern with good governance within the development sector is not so much inspired by its historical evolution or even human rights imperatives. The interest in development circles, ironically, stems from the importance that Northern donor countries and institutions have given aid, often tying it to good governance as a "Conditionality". This paper tries to define governance, interpret good governance and tries to identify the various actors in good governance.

Keywords: Governance, Good Governance, Various Actors in Governance

In recent development debates, it has received much impetus with the publication of a World Bank report on Sub-Saharan Africa that described problems of development as a "crisis of governance" (World Bank, 1989). Since then, good governance or its versions with less normative adjectives such as 'effective' or 'sound' governance have dominated the development discourse. The need to governance has been central to human society ever since social order became a necessity. Governance for the ruled and governance for the rulers become different as societies become more complex. In relatively equitable societies like indigenous peoples, the distinction and distance between those who govern and the governed is the least. Governance is functional and integrated with culture and tradition. The rules are learnt and lived. In feudal village communities which are largely agrarian, structures of hierarchy are often stronger and rigid. Though the physical distance between the governed and the governing is not significant, the roles are divided and the rules are different for each stratum.

A Brief History: With evolution to a full-fledged society, social organization becomes rigid and formal. Kings and chieftains have always claimed to have the 'divine right' to rule. Some even claimed to be descendant of God themselves. Consequently, the king could claim exclusive rights and privileges, culminating in the famous French King's statement, "I am the State". Together with the evolution of nation-state, there was a retreat of institutional religion, leading to "social contracts" rather than 'divine sacraments'. As a natural consequence of this evolution, Science and rational practices began to hold sway in more aspects of life. The "divine nature" of kinship was questioned. Falling back on the dominant paradigm of the day, philosophers theorized that since kingship was not divine, it was a 'social contract' between the king and the subjects. If the king did not take care of his subjects, then the contract was broken and the subjects' could punish the king. Roughly this can be said to be the genesis of the formal idea of 'good governance' for all citizens. Some scholars trace the roots of good governance solely to western liberalism and western concepts are often promoted as the 'norm'. But several non-western traditions promoted general tolerance and 'non interference of state in personal affairs'. The Haudenosaunee (called Iroquois by the Europeans) political system of the North American Indian peoples influenced the confederation of the original 13 colonies into the United States of America. Many of their democratic principles were incorporated into the constitution of the United States. The Greek philosophers respected the ideal of what we would today call 'good governance', and so did the Indian philosopher Kautilya. But Confucius, Plato, Kautilya, Aristotle and Augustine were rather authoritarian and restrictive in their approach. For the Greek, good governance covered only 'citizens', an entity that exclude all but adult males of a particular race and in a limited geographic area- the city-states. Good governance was guaranteed only to those who 'mattered' in society, Stratification of rights and privileges was along the same lines and intensity as the stratification of society. The inclusive nature of 'citizenship' is an important concept in governance since "good governance" systems are created from this understanding. Though the theory of most states as enshrined in their constitutions is sometimes

egalitarian, the structures and systems of governance are based on existing unequal social ordering. These structures and systems then enforce practice that is often directly contradictory to professed values. The issue of governance and the state came into sharp focus in the aftermath of World War II. While democracy was touted as the 'greatest good for the greatest number' it was often reduced to 'the will of the majority'. Horrified at the depths to which 'rule of law of the majority' could sink if it was not based on democratic values of equity and justice, the United Nations came out with the Universal Declaration of Human Rights. This set forth in detail the minimum obligations of the states to all persons at all times. Neither the 'will of the majority' nor 'greatest good for the greatest number' could override these principles. Since the state was the predominant institution at the time, most of the duties to promote and protect these 'human rights' vested with the state. The dominant discourse on governance focused on the civil and political rights derived from the basic human rights. Policy discourse shifted in the 1990s. Explanations typically turn to events, like the end of the cold war, the increasing gap between the rich and the poor, and loss of conviction about the role of the state. Also, it is suggested that sometimes policies contain seed of their own destruction. Consequently, they decay from within because of build-up of unanticipated side effects.

To understand good governance gaining currency in the development policy discourse, it is important to examine changing ideas about the role of the state, the prospects of people-centered development, and the role of women and other marginalized groups in governance. Also, shifts in the power of interests groups like corporations, labour and NGOs need examination. Other reasons may be competition for aid and investment between countries, intensified trade and technological advancements.

What is Governance? Located in a given socio-political and economic context, people instinctively know what good governance is. In a monarchy, the people expect the king to be a father figure. Though Locke developed and articulated the theory of governance being a contract between the sovereign and the subjects, and therefore, the moral and ideological justification to overthrow kings if they did not keep their side of the 'contract'. The French monarchy came to a violent end during the Revolution. In modern times, such defiance of power is demonstrated in the Philippines against Marcos, a US-Supported, corrupt dictator, and overthrowing of the Shah of Iran, another US-supported, corrupt dictator. In the case of the Soviet Union and its satellites, an entire system based on dictatorial, coercive practice was thrown out for liberal democracy and free enterprise. It is important to recognize the distinction between 'governance' and 'government'. While government refers to the machinery and institutional arrangements for the exercise of sovereign power for serving the internal and external interests of the political community; governance implies the process as well as the result of making authoritative decisions for the benefit of society. According to Webster's dictionary, 'governance' means the act of processing of governing, specifically authoritative direction and control. Governance is broader notion than government, state, and regime, and is the interaction between formal institutions and those in civil society. Another definition puts it as "a process whereby elements in society wield power, authority and influence and enact policies and decisions concerning public life and social uplift".

The World Bank (WB) defines governance as "the manner in which power is exercised in the management of a country's economic and social resources for development". According to Webster's dictionary, 'governance' means the act of processing of governing, specifically authoritative direction and control. Governance is broader notion than government, state, and regime, and is the interaction between formal institutions and those in civil society. Another definition puts it as "a process whereby elements in society wield power, authority and influence and enact policies and decisions concerning public life and social uplift".

5 Making Sense of Good Governance by Peter Larmour, Discussion Paper 98/5, State, Society and Governance in Melanesian Project, Australian national University; http://rspb.anu.edu.au/melanesia/Larmour98_5.html

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explains that governance can be applied to different contexts—Corporate Governance, International Governance, National Governance and Local Governance. Others, including the UNDP, define governance beyond mere exercise of power by the state. For UNDP it means "the exercise of power or authority-political, administrative or otherwise-to manage a country’s resources and affairs. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences". Goran Hyden elevates governance to an umbrella concept to define an approach to comparative politics. He emphasizes, "The creative potential of politics, especially with the ability of leaders to rise above the existing structure of the ordinary, to change the rules of the game and to inspire others to partake in efforts to move society forward in new and productive directions®". The five characteristics he identifies are:

- Governance is a conceptual approach—when fully elaborated, can frame a comparative analysis of macro-politics.
- Governance concerns "big" questions of a constitutional nature that establish the rules of political conduct.
- Governance involves creative intervention by political actors to change structures that inhibit the expression of human potential.
- Governance is a rational concept, emphasizing the nature of interactions between state and social actors, and among social actors themselves.
- Governance refers to particular types of relationships among political actors; that is, those that are socially sanctioned rather than arbitrary.

Apart from being an instrument of public affairs management, or a gauge of political development, governance has become a useful mechanism to enhance the legitimacy of the public realm. It has also become an analytical framework or approach to comparative politics®.

**What is Good Governance?** Governance has three major components: that of process, content and deliverables. The process of governance includes factors such as transparency and accountability. Content includes values such as justice and equity. Governance cannot be all process and values. It must ensure that the citizens, especially the poorest, have the basic need to the citizens is no doubt better than a dictatorship that does not, but it is not good governance. Similarly, regular elections alone do not translate into "Good Governance". Rule of law that is transparent, but unjust—such as Apartheid—is certainly not 'good governance'. It is only when all these three conditions are fulfilled that governance becomes 'good governance'. It includes strict rules of accountability. Within this broad conceptualization of good governance there are two distinct positions. The first, articulated by the World Bank conceptualizes good governance as competent management of a country's resources and affairs in a manner that is open, transparent, accountable, equitable and responsive to people's needs®. Over the years, good governance has emerged beyond being a value concept. Increasingly it is understood as a process which when implemented in its totality leads to sustainable development and change. Some of the definitions of good governance are as follows:

1. **The World Bank:** As described in the 1994 report governance: The World Bank's Experience, "Good governance is epitomized by predictable, open and enlightened policy making (i.e., transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law"®".

2. **European Union:** In the context of apolitical and institutional environment that upholds human rights, democratic principles, and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable

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7 Reconceptualising Governance, UNDP, 1997. P.9  
9 ibid  
10 AusAID, 2000  
institutions, the primacy of law in managing and distributing resources, and capacity building for elaborating and implementing measures that aim to prevent and combat corruption. 

3. Government of the Netherlands: A political and institutional environment, based on respect for human rights, democratic principles, the rule of law, security, decentralization and participation of civil society. It allows a responsible economic and financial management of public and natural resources, for the purpose of economic growth, social development and poverty reduction in an equitable and sustainable manner, with the use of clear participatory procedures for public decision-making, transparent and accountable institutions, primary of law in the management and distribution of resources, effective measures to prevent and combat corruption, support for leadership development and empowerment of men and women.

4. United Nations Development Programme (UNDP): Governance is the exercise of economic, political and administrative authority to manage a country’s affairs at all levels. It comprises mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their legal obligations, and mediate their differences.

5. ESCAP: ESCAP states that governance can be good only if efforts are made to minimize corruption, take on board the views of minorities and the voices of the most vulnerable sections of society in decision-making.

6. Commission on Global Governance: Governance is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action may be taken. It includes formal instructions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest.

7. Office of High Commissioner of Human Rights (OHCHR): Governance is processes whereby public institutions conduct public affairs manage public resources and guarantee the realization of human rights. God governance accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law. The true test of ‘good governance’ is the degree to which it delivers on the promise of human rights: civil, cultural, economic, political and social rights. The key question is: are the institutions of governance effectively guaranteeing the right to health, adequate housing, sufficient food, quality education, fair justice and personal security.

8. People’s Perspective: Governance is ‘good’ only if it benefits the social groups that are most impoverished and socially vulnerable. There may be some element of good governance that may benefit all sections of a society, and if these are identified and demonstrated, they can be supported. But in the event of a conflict of interests, if a policy, law or governance practice benefits one section of the population and harms another, then only that policy, law or practice, which benefits sections of society which are most poor and vulnerable, would qualify as "good governance." 

Interpretations of Good Governance: There are many different interpretations of good governance. Discussions range from new public management (NPM) to power and human rights. However, even within this variety, there are two distinct interpretations-Managerial and Systemic. According to the managerial interpretations, adoption of new tools by existing formal authorities must be the core concern of good governance is primarily a search for new practices, new types of partnerships, cooperation, and self-governing networks that can radically affect existing organizations, institutions and processes. Whichever interpretation we follow, increasingly, good governance discussion is blurring the distinction between the public and private sectors, between departmental responsibilities, and between different professions and disciplines.

12 http://www.europa.eu/int/
13 See http://netherlands-embassy.or.ke/htmls/genstra.htm
14 Reconceptualising Governance, UNDP, 1997. P.9
16 http://www.cgg.ch/welcome.html
17 AusAID, 2000
Theory, policy and Practice: A question that is frequently asked is: How can good governance be achieved? The answer lies in the understanding of what can be called "governmentality". In the pre-modern era, those in power governed through Coercion of the powerless. But in the modern world power is no longer something exercised through straightforward repression. There are three loosely connected levels of theory, policy and practice, rooted in three perspectives of development: Neo-liberal, human development and human right. The emerging 'sovereignty paradigm' of development based on self-determination has an entirely new concept of the role of governance and development. The Neo-Liberal strives to create an enabling environment for markets to flourish. Multilateral institutions, namely the World Bank, IMF, World Trade Organization (WTO) and also Northern governments, their forums and agencies like the G-7, Organization of Economic Cooperation for Development (OECD) and the US Assistance for International Development (USAID), believe that good governance is possible only through a retreating state. The primary goal of 'good governance' for them is to define laws and regulatory mechanisms that ensure the interests of capital. In contrast, the human development perspective, articulated mainly by the UNDP recommends a versatile state. It emphasizes sustainable human development, decentralized governance and empowerment of the poor and marginalized people. It too prescribes a policy environment that is favorable to the market and private sector. The universality of human rights is the ideological basis of the third perspective. Recognizing the primacy of individual rights and entitlements, it maintains that the state has the ultimate responsibility to build a social, economic and political environment in which all human, irrespective of their age, class, gender, caste, race, ethnicity, legal or political status, are able to fully enjoy their rights.

Various Actors: Good governance is linked to development in three ways: First, because it is essentially democratic, it is concerned with legitimacy, accountability, and human rights goals. Second, because of its focus on effectiveness and efficiency, good governance is less concerned with the form of government, and more with the ability to govern. Third, good governance as coordination-sees order as the resultant of the actions and interactions of formally constituted governments, the corporate and civil society organizations. Within these relationships three distinct ordering principles or ‘modes of governance’ can be identified. They are hierarchical rules, market exchanges and shared values. Actual policy, programme or organization involves a mix of these three modes. However, there is an emerging consensus on good governance coordination conceptualization, which desires a balance between the roles of the state, private sector, community, civil society organizations (CSOs) and NGOs in development and change.

As stated earlier, the government is one of the actors in governance. There are other actors depending on the level of governance under discussion, such as influential landlords, associations of peasant farmers, cooperatives, NGOs, research institutes, religious leaders, finance institutions, political parties, military, mass media, local bodies, middle class and urban poor. In addition, corporations, international donors, multi-national corporations, also play a critical role in decision-making or in influencing decision-making processes and have a bearing on governance. ‘Governance encompasses every institution and organization in society, from the family to the state’, but by definition ‘focuses on three important domains of governance that directly contribute to achieve sustainable human development. These include the state (political and governmental institutions), civil society organizations and private sector’. Political parties located between civil society and the state have a bearing on governance and are equally important actors. In addition, there are informal decision-making structures, such as ‘kitchen cabinets’ or informal advisors who may shape governance. Organized crime syndicates in urban areas and locally powerful families in rural areas and social institutions such as caste, race, ethnicity and religion often make or influence decision-making and are thus, important actors in governance.

19 ‘Governmentality’, Michel Foucault, in Ideology and Consciousness: 6,1979; Autumn, pp/5-21.
22 World Development Report 1997, The World Bank, Washington DC, Figure 7.2
24 Reconceptualising Governance, UNDP, 997. P9
Conclusion: In all these definitions and positions, what is remarkable is the absence of the position of the governed on what they expect from 'good governance' and the invisibility of the poor. Another striking feature is the difference between the positions of the dominant, such as World Bank, and those speaking on behalf of the vulnerable, such as the UN High Commissioner for Human Rights. The 'key governance actors' do not even acknowledge the presence of the poor. Governance in short, is a complex activity that has a broad meanings, involving different players. What is good governance is a debatable notion, depending on the perspectives of the people governed and those who govern them.

References:
1. Ashok Mukhopadhyay in T N Chaturvedi (Ed) Towards Good Governance, IIPA, New Delhi, 1999, p 29
5. World Development Report 1997, The World Bank, Washington DC, Figure 7.2