CHAPTER VII

CONCLUSION

The field of public policy has occupied the increasing attention of social scientists and researchers. Public policy is concerned with the description and explanation of the activities of the Government. Public policy gives a concrete shape to the framework of political and social objectives which the Government seeks to accomplish. The study of public policy relates to the whole of the society. This is especially so in the context of a Welfare State, where the State has taken up the mantle of solving the problems of citizens through successful public policies.

The process of public policy-making begins in the vast society when problems and issues are defined, goes into the formal institutions for some policy decisions, and then returns to the broader society for implementation, and eventually, evaluation.

A variety of theories, models, and concepts have been employed in the study of public policy by the social scientists. Models such as sequential-decision, satisfying, economically rational and incremental have been derived from the pure-rationality model. They are presented as realistic second-bests to the unachievable ideal of pure-rationality. Extrarational model is exactly opposite to the above-mentioned
models and is based on intuition. Dror's optimal model is largely a fusion of the economically rational with the extrarational model. There are quantitative as well as verbal models of public policy.

Institutional model views public policy as a result of the interactions of those governmental institutions created by the Constitution, and holding formal authority. The conventional model focuses on public policy as being made by a representative assembly like Parliament, and lays emphasis on the sovereignty of Parliament, while the democratic model holds that voters, by electing representatives, are major policy-makers. The political party, in the party Government model, acts as the primary force shaping public policy. While the group model holds that interest groups in the society seek to influence public policy, the elite and the ruling-class models subscribe to the same views in that the State is an instrument in the hands of a few. The oligarchic model is derived from the elite model, but says that the elites only come at the final phase of the policy-making process, the policy having already been determined by policy planning organisations which are funded by corporate and personal wealth.

The bureaucratic power model focuses on Government Ministries and departments as the key elements in the policy-making system, and the technocratic model emphasizes upon the
skills and expertise of officials in the system of policy-making. The administrative dispersion and diffusion model presents a pessimistic idea of policy-making in view of the complexity of the State institutions. The organizational model holds that policies are primarily made in response to the organizational maintenance and expansionist interest of organizations. The systems model sees public policy as a political system's response to forces brought to bear upon it from the environment.

Each of these theories or models has its adherents and critics, its usefulness and shortcomings. Instead of binding oneself too rigidly to a particular model, it is better to be eclectic and flexible, and realize that in actual practice, most policies are a combination of all the above-mentioned models.

Public policy is influenced by a number of political, socio-economic and administrative forces, which differ in the developed countries of Western Europe, and developing countries of Asia, Africa, Latin America and the Middle East. Though developed countries also have problems in public policy-making as compared to developing countries, the quality of public policy-making in terms of resources and research facilities is much better in developed countries.
Also, public policy-making is different in Parliamentary as compared to Presidential system of Government. In presidential system, as in the United States of America, policy formulation is exclusively vested with their legislature, while in the Parliamentary system of Government, as in United Kingdom and India, policy is formulated by the political executive and policy by and large originates in individual Ministries under the collective guardianship of the Cabinet. Also, policy approval does not require the separate consent of the executive in a Parliamentary system, but it does require such consent in the United States of America which is a Presidential system, and the President can veto the acts of the Congress which is their legislature.

Public policy is aggregative in nature and a product of a complex, yet holistic, interaction of multiple factors, weaving an integrative whole, ultimately by merging sub-policies, decisions or sub-decisions and so on. These policy decisions are influenced and made by a myriad of socio-political institutional instrumentalities as by individuals distributed over an array of organisations and at different points of time.

Public policy is formulated by Government institutions such as legislature, executive and judiciary, which derive their power from the Constitution of the country. The
Government institutions are manned by the official policy-makers such as legislators, executives, administrators and judges, who are legally empowered to formulate public policies. Though the official policy-makers have clearly-defined powers, they do not act in isolation from each other, nor is their behaviour independent of the substance of the policies with which they deal. Public policy cannot be made by one or few individuals, however exalted be their position. While a public policy is formulated by Government institutions, a wide variety of individuals and organizations which may not be part of the State apparatus, such as political parties, party leaders, interest groups, and citizens, also influence the formulation of public policies.

Public policy is not static, but responds to changes in the political, organisational and technical environments, and the desires and decisions of those who make policies. The process of making public policy can best be understood as one that involves a complicated interaction between Government institutions, actors, and the particular characteristics of substantive policy areas.

To understand who makes public policy, one must understand the characteristics of the participants, the parts or roles they play, the authority and other powers they hold, and the way they deal with and control each other.
It has to be noted that the process of public policy-making is long and complicated, involving various socio-political forces, interest groups, the concerned and the Law Departments in drafting the Bill, the ruling party, the concerned Minister and the Cabinet, the Parliament and its Committees, and the making of rules and regulations, and then actual implementation by the administration, and in case of dispute, adjudication, interpretation and judicial review by the Court.

At every stage, policy is being actually made and in effect modified. Thus, the act of policy-making cannot be attributed to any one constituent organ of the State; all the three organs of the State, viz., the legislature, the executive and the judiciary, play an important role in public policy-making.

Public policy-making has to be viewed in the total context in which policies are made — the social context, the political context, the context of norms and values. India is one of the developing countries of the Third World, which attained Independence from British colonial rule, on August 15, 1947. Public policy-making in India is shaped within the framework of the country's constitutional system consisting of a Parliamentary system of Government and federalism. The social, economic and political philosophy of the country has
been articulated in the Preamble, the Directive Principles of State Policy, and the Fundamental Rights of the Constitution of India.

In a democratic state, the function of the elected representatives is to announce public policies in the best interest of the people. The legislature in a Parliamentary system does not have any independent policy-making function. Parliament's power in public policy-making in a country like India is more real in a legal and constitutional sense than in terms of practical politics. The Parliament only serves as a clearing-house on all major questions of policy. As the Prime Minister is the head of Government and the leader of the majority party in Parliament, any measure of the executive's choice can get the automatic approval of Parliament. However, if the Government in a Parliamentary system does not command a majority, or if its coalition is fragile, the legislature may repeatedly frustrate the Government's attempt to make policy. Broadly speaking, the executive has vast freedom in shaping policies and taking steps to implement those policies, and Parliament has the unlimited power to call for information and to verify ex post facto that the Government and the administration have acted in conformity with their obligations.
There are various occasions in the legislative processes, when Parliament is concerned with policy matters. Within the precincts of the legislature, the Parliament's control over policy matters starts from the debate on the president's Address, which generally outlines the policy proposals of the Government of the day before the members of the legislature. Subsequently, through the use of question hour, debate over proposed legislation, resolutions, motions, budgeting procedures, and the various committees like the Estimates Committee, Public Accounts Committee, Committee on Public Undertakings, etc., Parliament can and does exercise influence over policy activities of the Government. Further, through the power of finance, power to levy or modify taxes, voting of supplies and grants, and through discussions in the House and its various Committees, Parliament enforces the responsibility of the executive to itself and ultimately to the people. It could be construed that though policy initiation is not really the activity which the Parliament is engaged in, it has on several occasions acted as more of a policy influencing agent.

The capacity of the Parliament of India to have any effect in public policy-making depends upon the position and personality of the political executive, i.e., the Prime Minister. The question arises whether it is the Prime Minister who controls the Parliament through his or her majority, or it is the Parliament which controls the Prime Minister and the actions and policies of the Government.
The Prime Minister enjoys a very special position in the realm of public policy. In India, as long as there was single-party dominance, i.e., the Congress, with absolute majority in the Parliament, the Prime Minister had an overall say in the Parliament’s policy decisions. In short, the leader of the majority party in Parliament, i.e., the political executive, dominated the Parliament, and the ruling party had been able to get its measures passed comfortably in Parliament.

But in the case of a coalition Government, where the Government has to depend for its survival on 'outside support', the Prime Minister is not able to take and announce policy decisions independently. Also, we find that in the case of the United Front Government during 1996-98, the other parties supporting the coalition 'from outside' even have a say in deciding who was to be the Prime Minister. So, in the context of a coalition Government, it is the Parliament which controls the Prime Minister.

When the Prime Minister combines both charisma and political skill, a forceful Prime Ministership occurs, as evident in the case of Jawaharlal Nehru and Indira Gandhi, where we can find a high concentration and centralization of the policy-making power. However, policies can succeed only if the implementation bears relationship to the intentions of the policy adopters. Implementation process includes what goes on
between the pronouncement of a policy and its actual effect. Nehru's foreign policy with regard to China, and of Mrs. Gandhi's 'Garibi Hatao' bear ample testimony to this aspect. Here there was a gap between what was promised by the political leaders and the performance. Concentration of power does not however result in compliance of the people as was evident by the displeasure of the people when Mrs. Gandhi imposed Emergency during 1975-77.

The relationship between the Prime Minister and his Cabinet colleagues, the Cabinet Secretariat and the Cabinet Committees, the Prime Minister's Office, the Secretariat, the Planning Commission and the National Development Commission, depends mainly on the personal style of the Prime Minister and the political strength of the party in power, and the balance of forces in the party system.

The political executive is assisted by the bureaucracy in the execution of public policies. If the political executive is intelligent and assertive, he will leave his imprint on the determination of the policies, and the bureaucrats to that extent will have lesser roles to play. However, if the political executive is found to be lacking in administrative experience, or if he does not have a strong political backing, then the role of the bureaucrats will be more prominent.
The erosion of the role of the Prime Minister as the chief political executive set in firmly during the Narasimha Rao era, who headed a minority Government. He conveniently steered a few controversial political issues to the Supreme Court. There had always been a tussle between the judiciary on the one hand and the executive and the legislature on the other, right since the days of Nehru and Mrs. Gandhi, especially with regard to the interpretation of the Constitutional provisions. Broadly speaking, the experience with the Constitution could be viewed from two angles (which were not mutually conflicting, i.e., one, whether it was operated according to its letter and spirit and found workable, and two, whether it needed to be adapted to the changed context, with the emergence of new trends and forces.

The legislature and the executive had alleged that the judiciary had been creating hurdles in the way of the implementation of the Directive Principles of State Policy. The judiciary had laid emphasis on the property rights, which were part of the Fundamental Rights, and had also handed down varying judicial pronouncements. In many instances, the very meaning of a policy resulted from judicial interpretation of rules and statutes. So the Constitution of India was amended a number of times by the Parliament. Some of these amendments curbed the power of judicial review exercised by the Supreme Court. This was especially so when the Forty-second
constitutional amendment enacted during the Emergency regime of Mrs. Gandhi attempted to suppress the judiciary. As long as the political leadership was strong, it had an upper hand. However, with the decline in the role of the political executive, judiciary began gaining an upper hand. The Supreme Court, through an activist interpretation of the Constitution had expanded its judicial power. This was done by means of judicial activism, due to the failure of the legislative and executive power to assume responsibility for taking decisions. The judiciary, by giving directions to the political executive in enforcing the implementation of the various decisions of the executive, assumed a new role.

In a coalition Government like that of the United Front, administration had acquired a distinct policy profile. The absence of the ego clash at the top level distinguished the United Front coalition from the previous two experiments of coalition Governments of the Janata Party during 1977-79 and the National Front during 1989-91. The United Front coalition experiment had the advantage of being situated more firmly in the context of a federal structure, given that its constituents were major regional parties. Thus the United Front offered the country a unique variant of governance wherein political authority flowed in two directions, from the states to the Centre, and then back to these regions. If the concept of a Steering Committee to formulate the administration's policies
had evoked scepticism in the early months of the United Front Government's existence, about the likelihood of coherent policy decisions emerging, the subsequent months saw the administration taking significant decisions in key arenas of public policy, by offering major initiatives is regional diplomacy, promise and consolidation of the economic reform process and more important, make attempts at reconciliation of alienated groups and regions internally. A great deal of discussion and thinking among the coalition partners preceded the unveiling of major policies lent a rare authenticity and unassailability to these decisions, based as they were on a broader political consensus than was possible under a single party administration.

The logic of coalition politics reflected in the decision to set out unambiguously a common approach to the major policy issues that the administration would be required to face. This had resulted in the creation of a Common Minimum Programme, a document which was a skillful reconciling of diverse and complex ideological approaches to sensitive issues of public policy.

In a country like India where the political system is more interested in retaining power at least for a period of five years, and where there is no cohesion in political ideologies, a short-term solution of the policy-making problem
is considered safer. Too much has been left too long to personal equations, immediate spurs and pressures from interested parties. Against this background, public policy-making must take into account the factor that any course of action decided upon by a Government must be broadly acceptable to, and accepted by, the people if the policy is to be effective at all. Various political, social, economic, and ideological pressures are brought to bear on policy-making that sometimes policy-making is reduced to a sort of random movement, without a sense of overall direction. As the vague and sometimes contradictory commitments of the ruling party are translated into concrete priorities, it sometimes results in distortion of priorities, uneconomic use of resources and frustration arising from belated discovery of failures and shortcomings. Uniform stereotypes are applied without regard to variations of conditions under which the same tasks need to be fulfilled.

The political executive is of necessity pre-occupied with ensuring his political future. He is subject to the restraints operative in the electoral battles. What is necessary is that policy must be enunciated with increasing precision, so that it may be understood with increasing precision. There must be sharper focus upon details of strategy and instrumentalities through which targets can be achieved. Widespread discussion of a policy must be encouraged, so that a
political consensus can be vigilantly maintained. There is the need for an effective, essentially non-partisan monitoring of events and predispositions, and to evolve more effective means for measuring and judging movement towards the goals we set for ourselves.

In the ultimate analysis, the various policy-making institutions have to align their efforts in a consistent policy direction. All the three institutions of Government, viz., the legislature, the executive, and the judiciary, require a regular and greater coordination and support based on mutual respect and better understanding.