

1. "If there is ever to be a science of Public Administration it must derive from an understanding of man's behavior". Explain. 10 Marks

Answer:

APPROACH AND STRUCTURE:

- Refer to the various philosophical foundation in evolution of PA as science approach.
- Show how behaviour is common to them.
- In conclusion, it's not necessary to completely agree with the question.

Introduction:

The quest for the science of public administration is as old as the discipline.

The Body Part:

Science of public administration is essential to promote rationality and predictability to achieve the goal of efficiency. So far different thinkers have sought science of public administration with different philosophical foundations in terms of law, management, politics, etc.

For example, Wilson, the father of public administration wanted to develop a science of administration with its philosophical foundation in management.

However, so far there has been lack of consensus over the foundation due to diverse perspective affecting the quest for science. In this context, it is the human behaviour which provides the way out as behaviour is a common to law, management, politics as behaviour is interdisciplinary, empirical and ecological.

Further, the experience of Classical Approach of Science of Administration shows that structure cannot be basis of science as it is essentially normative and subjective. Therefore, behaviour is the natural choice as it is

the organism which determines the competency of organization as organization is essentially a cooperative social system. Even Herbert Simon emphasized that rational aspects of behaviour based on a fact premise should be the basis of science of administration as decision making is the heart of administration. In fact, Robert Dahl in his book on The Science of Public Administration:

Three problems in 1940s pointed that unless behaviour is made predictable, there can be no genuine science of Administration

Conclusion:

However, the evolution of Public Administration has shown that not just behaviour but other aspects like normative consideration, comparative perspective, methodological pluralism should be the basis for science of Administration

2. “Delegated legislation has become a strategic tool in the hands of the executive despite its utility.” Comment.

Answer:

APPROACH AND STRUCTURE

- Introduction
- Utility of delegated legislation
- Use as a strategic tool - strategic here means misuse
- Way forward: Checks and balances required

Introduction: Delegated legislation is one of the important components of Administrative law which has both general utility as well as strategic usage.

The body part: Delegated legislation has lots of utility and relevance which provides it recognition in practice. Without delegated legislation, law making will lack expertise, skill, time. There will be high cost and increased rigidity in law making. Keeping in mind the increased scope of parliaments functioning, it would be impractical to make law without delegated

legislation. Delegated legislation overcomes these issues by providing experience, expertise and exposure of bureaucracy.

However, despite its utility, it is used as a strategic tool by executive as it's used to

1. By pass legislature and undermine it like the frequent resort to ordinance making
2. Increased arbitrariness in law making
3. Escape public accountability as there is less discussion, publicity unlike regular law

It is due to such use of delegated legislation that Lord Hewart had called it New Despotism.

Conclusion: Despite it's strategic use, keeping in mind the practical utility delegated legislation it can be said that its a necessary evil.

3. Has New Public Management failed in promoting a democratic polity? Analyze in the contexts of individuals as a citizen and individuals as a costumer.

Answer:

APPROACH AND STRUCTURE:

Note: Taking a stand is expected in the answer is expected.

Write any standard intro on NPM.

Write basics on NPM.

Show how it failed democratic polity to large extent.

Analyse citizen and client difference.

Refer Post-NPM to support (a rare question where you must link it to Post-NPM).

Conclude recognising how it strengthened democratic polity from the other view.

Introduction: NPM is considered as the 2nd most dominant paradigm after Weberian Bureaucratic paradigm as per Fredrikson.

The body part: NPM had emerged in 1990s represented by the works of Osborne and Gaebler to re-invent the government.

NPM wanted to ensure that state acts as steerer rather than facilitator, focus results over rules so as to usher in an entrepreneurial state. This emphasis on entrepreneurial state was rooted in Neo-Liberal philosophy which treated people as clients and not as citizens. It thus replaced democratic accountability by accountability to performance. This customer-orientation and clientalisation has diluted the democratic polity to a large extent. Clientalisation leads to Balkanisation or too much fragmentation in distribution of services affecting its holistic governance. Further, the tools like user charges make the quality of service proportional to paying capacity. This creates disparity between rich and poor as against the value of equality which is the foundation of democratic polity. For example,

- 1) World class metro transport can be availed by citizens only if they can afford the ticket. Else they have to resort to substandard ad hoc transports
- 2) Bottelisation of water leads to few sections getting highest quality water. But the average drinking water has poor quality.

In short, the NPM has reduced the collective rights of citizenry to narrow rights of clients ie an NPM manager will be interested in a persons concerns and grievances only if the person is a potential or actual customer and the interest will be proportional to the paying capacity and profit potential of the customer. It is because of this dilution of democratic polity that led to the rise of various Post-NPM models like NWS, New Public Service all of which have a common focus on reviving democratic polity.

Conclusion: However, in a broader sense, NPM has also led to strengthening of democratic polity in the other way. By enhancing quality of

service, value for tax-payers money, perform or perish culture in administration and polity has indeed helped realise citizen aspirations better which is an important goal of any democratic polity.

4. "Globalization has constructed the administrative state to save and serve corporate power structure." Discuss how transnational corporation impact government and public administration in the contemporary era.

Answer:

APPROACH AND STRUCTURE

- Write any intro and few basics on Globalisation.
- Show how globalisation converted state into a Corporate State.
- Explain the impact of TNCs on state.
- Recognize the other side.
- Conclude.

Introduction: Globalisation in the contemporary era emerged in 1980s and 1990s with the reforms like Reaginism, Thatcherism and Structural Adjustment Programme of World Bank which has altered the discipline and practice of Public Administration.

The body part: Globalisation in general refers to the complex series of interactions between economic, technological, social, cultural and political spheres leading to increased interconnectedness, interdependence and integration of people and various economic actors located in disparate locations. In Public Administration, Globalisation is about internationalisation of administration as per Ali Farazmand.

These changes has led to restructuring the role of state based on neo-liberal philosophy which is the basis of globalisation resulting to state rolling back.

This has converted the traditional Administrative State into a Corporate State where the government has reinvented itself on the lines of philosophy

of entrepreneurial government of Osborne and Gaebler. These changes are done to promote the role of market vis-a-vis state. And since market is dominated by corporate power structures, these changes are conducive to promote corporate power structure. In fact, after Globalisation, wealth generation is not considered as taboo unlike past as per the Economic Survey. As government depends on market for investment and growth, it is receptive to the demands of the corporates. For example, Heads of government conduct business summits to win the trust of corporates like Magnetic Maharashtra initiative to attract Transnational Institutions (TNCs).

This interest and dependence of government on TNCs has led to TNCs impacting the functioning of the government and public administration. TNCs have started influencing the policies of government including the agenda setting. For example, Government of India has officially kept the target to reach top 50 in World Bank's doing business report which is based on concerns of TNCs.

TNCs have cross country presence with few like Apple Inc economically larger than most countries of world have all the potential to even swing the elections through political funding. Many TNCs resort to open lobbying for policies like reforming patent regime while others take covert routes like surrogate NGOs to influence governments through judicial interventions like fake PIL in the recent Jio spectrum case.

However, the pro-corporate reforms and influence of corporate often go overboard and promote corporate interests even at the cost of the vulnerable sections. For example, the dilution of environmental regulations and land acquisition laws leads to diversion of forest and lands to corporates in the name of public interest as happened in the Posco, Vedant issues which can displace tribes. Ali Farazmand has called it as 'Resources loot' and 'Resource grab'. In fact, analysing the drawbacks of such corporate structures, Joseph Stiglitz wrote his famous work of Globalisation and Discontentment.

Although such trends of corporate state have its drawbacks, it also has many positive impact in terms of better

- i. Efficiency
- ii. Performance
- iii. Quality of service
- iv. Choices
- v. Augmentation of resources

As far as the discipline of Public Administration is concerned, these changes have had various impacts which include

- 1) New perspective of Global Public Administration has emerged as a response to transnational presence of entities
- 2) New issues have emerged which need to be tackled by the discipline like transfer pricing in tax administration
- 3) Concerns for accountability and transparency in the financial administration is on rise
- 4) Relevance of traditional concepts like Soft State, CPA have revived due to their increased significance

Conclusion: Thus, these trends have had a both positive and a negative impact on both the discipline as well as practice. As a way forward, a new corporate competitive welfare state is emerging globally which seeks to balance the best of corporate interest and public interest.

5. “The advent of the regulatory regimes indicates the demise of the arbitrator state.” Comment.

Answer:

APPROACH AND STRUCTURE:

- Write Introduction on Regulatory Regime.

- Hint: Arbitrator State here means Traditional State which acted as sole arbitrator.
- Write basics on arbitrator state.
- Show how and why the role changed.
- Give some counter view in the conclusion as complete demise is an extreme assertion.

Introduction: The advent of Regulatory regime happened in 1980s and 1990s led by Globalisation on one hand and rise of NPM approach on the other hand which altered the role of arbitrator state.

The body part: Arbitrator State represents the Traditional Administrative State which acted as the sole arbitrator of Justice to people. It exercised immense close control over market and businesses as well as regulated their affairs like the FERA, MRTP laws in India represent. There were no separate regulators as such.

However, due to changes in society and economy in 1980s as well as realisation of limits of traditional state as highlighted by PCA approach, there was re-invention of the role of the state as an entrepreneurial state characterized by:

1. Facilitation over regulation
2. Steering over Rowing
3. Results over Rules
4. Outcomes over outlays

As Osborne and Gaebler put it, what was required was better governance rather than big government. Francis Fukuyama even wrote the famous End of History book in 1989 to symbolise the demise of traditional arbitrator state.

There was a visible shift of regulatory functions from state to independent regulatory commissions like SEBI, TRAI in India. These bodies took up the function of regulation to ensure level playing field among market players on one hand and protecting the rights of the citizenry on the other. For discharging such functions, the state devolved, judicial, legislative, executive and regulatory powers to these institutions while rolling back itself.

However, this approach of facilitation reached its limits when there were market failures like Asian crisis, dot com bubble in US which brought the calls of Re- regulation. For example, the same Francis Fukuyama in 2000s called for bringing the state back.

Conclusion: Therefore, now the balance has shifted back towards the state from the market. But this does not mean going back to the arbitrator state. Rather -

Its about going to new pragmatic neoliberal era which has provided the third way with better balance of the roles of the state and market