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Corruption and Democracy: Comment

Norman Uphoff, Ph.D.*

Devendra Raj Panday provided some very well-informed and thoughtful responses to the questions posed by the LDN Bulletin interviewer. I would not have any wiser or more knowledgeable comments to make on the subject, but do have some thoughts to share based on experience in other developing countries besides Nepal, whose political, economic, and social development I have followed since my first visit there in 1971, for a seminar on institution building at the Centre for Economic Development and Administration (CEDA).

It is appropriate to view corruption as more than an individual matter, and not just a matter of breaking the law. It is embedded in economic, social, political, and cultural relationships. This does not alleviate individuals from their personal responsibility when engaging in corrupt actions. It does not excuse their exploiting positions of wealth or authority or high social status for personal or family gain. But stressing moral values or introducing sanctions against individuals will not reverse behaviors that are (or have become) systemic in multiple dimensions.

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I favor a broad conception of corruption which goes beyond legal definitions. I consider it corrupt, in the broad sense, whenever persons seek to profit at others' expense. This can include exploitative employment relationships or derogation of subordinate social groupings so their labor can be more cheaply utilized, to give two examples of behavior that is 'corrupting,' if not technically 'corrupt.'

It is corrupting because it creates, at best, negative-sum relationships, where losses in a total social sense exceed gains. A few are gaining at the expense of many. While exploiting a few low-caste individuals as menial workers might look like it is hurting only a handful of employees, it is contributing to the perpetuation of a system that deprives thousands and thousands of people opportunities to attain their full and true productivity, and ensuing happiness.

Almost everyone I know in Nepal, and most outside who know the country, agree that it is not on any recognizable path toward a more developed state, where more and more of its people's needs and wants can be satisfied, through their own efforts and by their collective efforts. Over the 30+ years I have been associated with Nepal, I have seen a growing willingness on the part of Nepalis **to profit at others' expense**. This becomes epidemic and endemic, so that the society's resources get used in ways that benefit a few but at the expense of others. No country can progress with such negative-sum dynamics.

There is a loss of a commitment to fairness, as people scramble to advance themselves at any cost. The political system is used for individual, family or group advancement, not for serving the common good. There are fine words and glorious statements made about national interest and about conquering poverty. But Nepal's GNC (gross national cynicism) has grown inversely to its GNP. No country can progress with so little mutual trust and mutual regard. For a long time, Nepalis consoled themselves with the idea that 'the monarchy' would hold them together. Given the way the royal family has played its own cards, this has only compounded the problem.

There is no future for Nepal if individuals and groups continue to play zero-sum/negative-sum politics and economics. Nepalis will have to get themselves collectively onto a positive-sum path or, especially given the resource scarcity (and donors' waning patience and good will), it will become even more stagnant.

One particularly disturbing pair of comments in the first section of Panday's discussion reminded me that Nepal's institutional strength is particularly tenuous with regard to 'pillars' of any society. I am aware of this because I see in the U.S. how the institutional decline of our so-called

‘criminal justice system’ (police, courts, prisons, etc.) and our system of public education is undermining America’s capacity to succeed in the 21st century, having benefited from their strength in at least the first two-thirds of the 20th century.

It is appalling to learn that “many jobs, including those of a primary school teacher seem to be up for sale,” that even this level of public service, the most basic service performed at the grassroots is ‘corrupted.’ When people buy their jobs, they do not need to perform the jobs well, or even at all, and only need to keep satisfying the authorities who granted them the job, not the pupils or their parents. If Nepal’s education system deteriorates further in quality, one must discount any reported successes in quantitative terms such as enrollment statistics or even graduation numbers. Education is nothing without quality. It is very difficult to restore the value of certificates of education once they have depreciated.

The court system was never very impressive during my decades of acquaintance with Nepal, but if it is now losing what little integrity it had, this is a permanent pox on the nation. People cannot be expected to remain law-abiding if the law itself is not deserving of respect. The most beautiful laws on the books are not better than the caliber and honesty of the police officers, the judges, the advocates, the jailers, and others who are supposed to enforce the law ‘without fear or favor.’ There now appears to be a lot of both.

Restoration of liberal democracy in its standard form does not look like much of a solution to me as I look around the South Asian region. We see a growing triumph of form over substance, as the operation of political parties and the filling of offices through nominally free and open elections is becoming a farce. All the parties, however much they may appear to be competing, represent a political class that is privileged. They can fight each other in a constitutional version of ‘musical chairs,’ but the purpose of their competition is not uplifting but rather degrading.

The substance of liberal democracy depends, first of all, on ‘the rule of law,’ diminished by the deterioration of the courts, police, etc. Second, it depends on an informed citizenry, compromised by the decline in educational access and quality. To have parties and elections without security to express opinions, without knowledge of how the world works, without confidence that the will of the majority will be determined and ensconced, without hope that being in the minority in one election is not a permanent consignment to that status as the side with a majority shuts off opportunities for a new outcome in subsequent elections—this is not liberal democracy.

Too often donor agencies, and even some scholars, are satisfied with the forms of liberal democracy, taking satisfaction in the number of parties competing or the number of voters voting. But do the voters have any real choice? Do persons with new and better ideas and aspirations for the country have an opportunity to put these forward and gain support? Increasingly we see in South Asia what is called openly in India ‘the criminalization of politics.’ This is where gangsters and thugs are either elected directly in order to protect their anti-social actions and associates, or they finance and put forward persons who will do their bidding. Demagogic appeals to the poor majority mask the real intentions, as government after government defaults on its campaign promises—mostly because there was never any intention of governing in a way that opens opportunities widely. The last thing such politicians want is real meritocracy or equal opportunity.

In Nepal, the changes following 1990 were a great disappointment to many, if not most, outside observers and friends of the country. The shift to constitutional monarchy brought to the fore politicians and their parties who felt that they deserved an opportunity to enrich themselves at public expense after decades ‘in the wilderness.’ Congress and Communist leaders were locked in a deadly embrace like two scorpions trying to sting each other to death, waltzing back and forth, forwards and backwards, oblivious to the world around them because their struggle had become their entire universe. While I found the actions of the monarchy during the 1990s uninspiring, those of the political class gave me little hope that the future would get any better in its hands, no matter which party prevailed.

In the 1988 presidential campaign, Gov. Michael Dukakis, the Democratic candidate, drew a lot of reproach and derision for his criticism of the Reagan administration (which lost many top officials to subsequent jail terms, because the American criminal justice system still had some integrity), by citing an old expression that ‘a fish rots from the head down.’ It is true, however. In Nepal, if there is to be progress, I think it will have to come from below, with a restoration of popular sovereignty from the ward, village, and district levels upward.

To me the most hopeful thing in Nepal today is the emergence of the national forest users’ association (FECOFUN) and its thousands of local organizations with millions of household members. As I understand it, because it enjoys considerable status and legitimacy, its branches have become de facto authorities in many areas as people need to find some way to organize local activities: protection of natural resources, support of agricultural and other activity, regulation of local disputes, etc. Any people who can produce an organizational capacity as innovative and

original as FECOFUN have still a promising future ahead of them, if they can overcome the institutional obstacles and detritus of previous decades (or centuries).

The discussion of ‘corruption’ in Nepal has often been an oblique way of talking about many other social, political, and economic ills, just as talking about ‘participation’ was a way of pushing for more democracy in Nepal 20 to 30 years ago. Devendra Raj Panday’s clarifying ideas help to make this discussion a richer and more sophisticated discourse. However, I think there could be a danger of this diverting efforts to correcting a deep-rooted ill when more thought needs to go into promoting more positive, creative responses to the society’s sicknesses.

For myself, I would be focusing on what can be done to identify and mobilize local leadership that deserves the people’s trust and confidence and that can reestablish good and effective governance from below. That will make central decision-makers accountable, not to amorphous majorities of voters, but to structured, institutional expressions of need and preference that can keep those decision-makers ‘on their toes,’ ejecting them whenever they forget whose interests they were chosen to serve.

Will this beget rulers who try to pacify local interests with irresponsible budgets and extravagant handouts to buy support? Not necessarily. If national leaders (a) take the public into their confidence, talking correctly and responsively about what is needed, and openly and realistically about what is possible, and (b) share economic burdens and not use their offices to privilege themselves, then they will find that the public is very patient and persevering with them. If leaders try to lead a regal or sumptuous lifestyle, their calls for sharing the costs of building a better future will persuade nobody. After all that Nepalis have gone through over the past 45 years, with hopes repeatedly raised and dashed, I believe they are ready for candor and honesty—the antitheses of corruption.