BLOCK–III
Themes for Comparative Analysis

BLOCK–III
THEMES FOR COMPARATIVE ANALYSIS

In the last two block you have been acquainted with the major approaches in the study of Comparative Government and Politics and the broad politico-economic framework -the advance capitalist, socialist and developing- within which modern governments function. In this block, we take up four case studies for analysing the working of institutions within a political system as well as in the broader world system - the United Kingdom, China, Brazil and Nigeria. As is evident from the choice of these country cases, they reflect the three politico-economic frameworks you have been introduced to in the previous block.

Modern governments are generally classified on the basis of the nature of the constitution, concentration and distribution of power within the state, relation of the executive with the legislature, nature and extent civil liberties, and degree of participation or number of political parties existing within a political system. All these institutions shape the political behaviour and activity within a system. At the same time there are external institutions and structures-the structural inequalities and institutions of global governance which have a bearing on domestic politics. These are the themes taken up in this block, pairing each theme with a country study. Such an approach, it is hoped, will provide the theoretical as well as practical aspects of different political systems, regimes, institutions, process and activities in different countries.

In this context, Unit 9 explains the nature, characteristics and practice of the rule of law and supremacy of parliament in the UK. Unit 10 deals with the condition of dependency which is a common experience in underdeveloped countries of the Third World. The unit also explains the strategy of development emerged out of the Latin American dependency school called the 'dependent development' focusing on Brazil as a case study. Unit 11examines the fundamental aspects of federalism or federal system of governance by examining its operational aspects as practiced in Brazil and Nigeria. And the last unit 12 describes the centrality of communist party in socialist state system in the context of the role of Chinese Communist Party in China. Thus, by the end of the block, you should be able to construct and substantiate an informed and reliable argument concerning contemporary debates in comparative politics.

UNIT 9 PARLIAMENTARY SUPREMACY AND RULE OF LAW IN UK*

Structure

9.0 OBJECTIVES

The unit aims at introducing the concepts of Parliamentary supremacy and rule of law as applicable in the United Kingdom. After going through this unit, you should be able to:

- Explain the meaning of parliamentary sovereignty and rule of law.

- Explain the evolution of these doctrines and practices in a historical sense.

- Analyse the nature of relationship between the executive and legislature in UK Parliamentary system.

- Analyse the contemporary challenges to the doctrine of parliamentary sovereignty from within and outside the parliament.

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9.1 INTRODUCTION

On account of a long history of British colonialism in several parts of the world, the British parliamentary system was extrapolated in different colonial countries often with contextual modifications. This unit will help you to understand the principal features and characteristics of British parliamentary sovereignty and the doctrine of the Rule of Law. Derived from the French word, '*parler*' meaning 'to speak', parliament initially implied the practice of monarchs summoning wise advisors for a discussion on the affairs of state. Sovereignty is broadly understood as the supreme authority over a particular territorial jurisdiction. Internal sovereignty is understood as unhindered and unchallenged authority over a population without being blocked or coerced by another entity. Britain's political system is unitary, unlike the federal polities like the United States of America which has a conception of shared internal sovereignty.The British parliament enjoys supreme and ultimate law-making authority in the country. As the eminent constitutionalist A. V. Dicey noted with respect to British Parliamentary system- "Parliament has, under the English Constitution, the right to make or unmake any law whatsoever; and, further, no person or body is recognised by the law of England as having a right to override or set aside the legislation of Parliament".

9.2 MEANING OF PARLIAMENTARY SUPREMACY

The doctrine of Parliamentary sovereignty implies that the Parliament is the absolute or the highest law-making authority in Britain. It's *de jure* powers enable it to legislate, amend or repeal any law without being challenged, vetoed or over-ridden by any other domestic person or body of persons in the country. De Lolme's opinion is almost a proverbial expression of parliamentary supremacy, "It is a fundamental principle with English lawyers, that Parliament can do everything but make a woman a man, and a man a woman". One of the most glaring evidence of it was the passage of the *Septennial Act*, which extended the legal duration of the then existing House of Commons from three to seven years, and thereby over-extending the duration of mandate given to those representatives by the British electorate themselves. In essence, the doctrine of parliamentary sovereignty establishes the supreme law-making authority of the parliament within the United Kingdom and enables it to legislate, amend or repeal any law without the interference of any other UK institution. Dicey notes three traits of parliamentary sovereignty in England: 1) legislative power to amend any law, fundamental or otherwise, in a free and uniform manner, 2) no legal distinction between different kinds of laws as constitutional/fundamental and others and 3) no authority, judicial or otherwise has power to declare void a parliamentary act.

The British parliament, as the national legislature and legal sovereign of the country, makes laws; scrutinizes and ensures accountability of the executive (including financial scrutiny); and represents the voices and concerns of British people. These functions necessitate free and extensive debates and deliberation

on the floor. It also acts as the pool for recruitment of government members. The Members of Parliament (MPs) act as an important channel of communication between the electorate and the Government.

9.3 EVOLUTION OF THE DOCTRINE OF PARLIAMENTARY SUPREMACY

In the British system of parliamentary democracy, the head of the state is the monarch while the head of the government is elected and comes from the parliament. According to Professor Mayor Grant, the evolution of British Parliament can be understood in four broad phases:

1) First phase- In Middle ages, the parliament was represented only through one house i.e., House of Lords. During the Saxon times, it comprised of 'wise men', often including the religious (archbishops bishops etc.) and political (Earls, knights etc.) advisors. Later, Magna Carta was promulgated in 1215 as a result of barons' resistance to the policy of excessive taxes imposition by the monarch. The 13th century also witnessed the creation of the Commons as costly wars weighed heavily on extensive tax collections not only from the lords but also the freemen of the country. This tax obligation was supplemented with some sort of limited right of representation. Subsequently, each county elected four knights who were sent to Westminster. The federal Council now became more representative of the population interests with three major factions being the clergy; the barons and the commoners. The 14th century witnessed a gradual separation of the two chambers or Houses into the House of Lord and the House of Commons.

2) In the **second phase**- from 1485 to the 17th century- parliamentary evolution was characterized by a tussle of power between the Stuart kings and the Parliament for ultimate sovereign authority. The kings asserted their divine right to rule which was rejected by the parliament. The petition of rights was signed in 1628 by Charles 1 but was not followed and he later dissolved the parliament too. All this led to Civil War for 11 years during which no parliamentary session was conducted. The civil war established the legal sovereign authority of Parliament once and for all. The practice of parliamentary scrutiny of the executive or the government started with parliament gaining the right to punish those royal officials who violated the tax collection rules. Also, being the taxpayers, the Commons started asserting their sole propriety (against the House of Lords) on the right to approve the matters of finance and taxation laid down by the Government.

3) The initiation of some of the practices associated with modern parliamentary system in Britain like party system, the doctrine of ministerial responsibility, Cabinet system, public reporting of parliamentary debates etc. began in the **third phase**- from 1688 to 1832. The Glorious Revolution of 1688 during the regime of James II established the ultimate sovereignty of the parliament. The Bill of Rights in 1689 reinforced this by advocating for a constitutional or limited monarchy with a supreme parliament. Queen-in-Parliament was declared the sole

sovereign in Britain. Parliamentary powers in the matters of new laws and taxes increased at the expense of Royal powers through the Bill of Rights 1689 (also called the Great Charters) and the Act of Settlement in 1701.

4) The fourth Phase, from 1832 till today, is characterized by an institutionalization and specification of the roles, responsibilities and relations between the executive and the legislature on the one hand, and between the two Houses on the other. The overall effect has been to establish the legal sovereignty of the elected British Parliament as the representative body of the population. In terms of political sovereignty, the British electorate was hailed as the authority through the Reform Act 1832 when electoral districts were redrawn (though permitted voting rights to a very limited population at the time). The franchise was extended in later periods, especially after 1867. Women received the right to vote only in 1918 after a prolonged movement for it.

In the recent times, there has been more devolution of power through the creation of Northern Irish, Scottish, and Welsh regional assemblies or parliaments, in order to meet the nationalistic aspirations of British people. All the three parliaments are elected bodies. They are responsible for certain 'devolved' matters while the 'reserved' matters are the responsibility of the Westminster parliament. These assemblies too, though operate in their respective jurisdictions, are circumscribed by the central parliament which can limit, enhance or abolish their powers and functions. This, however, does not imply a uniformity of law throughout the United Kingdom. There are significant variations, say between Scottish and British laws, but they persist because the Westminster parliament allows them to continue. Since the most important dimensions of British political domain are controlled and administered by the parliament, one can like Bogdanor (2016:164) argue that "the fundamental feature of British constitutional development, then, is the long tradition of continuous and undivided parliamentary sovereignty".

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.
      ii) See the end of the unit for tips for your answer.

1) What do you understand by the concept of parliamentary supremacy or parliamentary sovereignty in the United Kingdom?

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2)Trace the evolution of the practice of parliamentary supremacy in UK.

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9.4 MODEL OF THE UK PARLIAMENT

United Kingdom is a constitutional monarchy with symbolic ceremonial leadership of the monarchy while real powers are exercised by the government led by the Prime minister. The parliament is a bicameral legislature i.e. it has two Houses or Chambers- the Commons and the Lords. In most of the liberal democracies, the legislature is bicameral (countries like Sri Lanka and Denmark have unicameral legislatures though), in order to provide institutional checks and balances on the legislative power, for example, the Indian Parliament, American 'Congress' etc. However, unlike the American and Russian practices, the upper House in Britain is not an elected body. Comprising of 'elder statesmen' on account of their expertise, religious authority and traditional hereditary status, the House of Lords has less democratic legitimacy than the Commons, as the seats are even now, largely hereditary. Like the Canadian upper house, it is completely non-elected. The Parliamentary acts of 1911 and 1949 brought decisive decline in the powers of the House of Lords as they were deprived of the legal right to amend money bills and their power to delay the legislative bills of the Commons was reduced too by limiting it to one year i.e. two parliamentary sessions alone, which too is rarely exercised).

The upper chamber still serves useful functions because it can initiate legislations, must pass the bills (although their rejection can be overruled by the House of Commons), can debate controversial issues as they have more time for it and less to lose in terms of electoral support. It acts as a space for pluralistic interest groups to lobby and extract concessions from commons at times. However, apart from the Church members, most of the other members belong to either of the major political parties (some are 'independent' too) and therefore are instrumental in introduction and passage of certain legislations. Contrary to its proclamation, the Labour party government of Tony Blair did not abolish the upper chamber as there was no final consensus on new forms that it could take.

In Britain, every bill has to go through a process of approval by the three entities: The House of Commons, the House of Lords and the Crown, in order to become a statute or an act of parliament. Especially since the Glorious Revolution of 1688, it has been established that will of the public reflected through elected members of Commons be carried out and not be challenged by a non-elected monarchy. Royal legislation through proclamation/ Ordinances too was done away with during the reign of Edward the Sixth. The last instance of a monarch

challenging the legislative authority of Parliament was in 1707 when the Queen vetoed the Scotch Militia Bill. Though it is imperative for a bill to get the royal assent to become a law, for all practical purposes, the monarchy's role in legislation is just ceremonial. But in accordance to convention and tradition, annual state opening of parliamentary session is addressed by the Queen. The address, however, is written by the government and the Queen only reads it aloud. The crown dissolves the Parliament and calls for new election on the request of the prime minister. Power to veto a bill is only symbolic in case of British monarch. In regular confidential meetings, the queen has the right, according to Walter Bagehot, "to be consulted, the right to encourage and the right to warn". After an election, the prime minister meets with the queen to request her permission to form government which is more of a formality. In case there is no clear absolute majority party, the queen acts as an arbiter. The person who appears to be in the best position to form a government in queen's opinion, on the advice of the prime minister, is invited to form the government. Monarchy is still revered as a symbol of tradition, unity, stability and national identity of British nation. Nominally, she is the supreme executive authority and commander-in-chief. Being the head of the commonwealth, she also symbolizes a continuity of relations with the erstwhile colonial countries.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.
ii) See the end of the unit for tips for your answer.

1) Analyse the nature of UK parliament with special reference to comparative powers of the House of Lord and the House of Commons?

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9.5 LIMITATIONS ON PARLIAMENTARY SUPREMACY

In the absence of a fully codified constitution, the specific limitations on the parliamentary legislative powers are not clearly spelt. The flexible nature of constitution is corelated to the British parliamentary supremacy in the matters of constitutional amendments which can be brought in like the ordinary process of law-making. This is in sharp contrast to the practices in countries with a rigid and inflexible constitution like American, Irish or even the Indian constitution which lay down special procedures for changing fundamentals of the constitution. Tocqueville wrote, "In England, the parliament as an acknowledged right to modify the constitution; as, therefore, the constitution may undergo perpetual

changes, it does not in reality exist; the parliament is at once a legislative and a constituent assembly". By that count, the parliament, and rather the House of Commons in effect, with one vote majority, can push any legislation at will. No power under the English Constitution can limit or rival it.

As long as the Parliament abides by the electoral mandate, its legislative powers are deemed legal and is not bound by laws formulated by the previous parliaments. A limitation on enactment power of future parliament or enactment of unchangeable laws will be a negation of the sovereignty of the parliament. It, however, does not mean that it alone is the source of all laws in the United Kingdom. The country is run in accordance with constitutional principles emanating primarily from five major sources (McCormick 2010): Statute law or parliamentary acts; Common law enunciated through Court judgments; European law in areas where EU has primacy; Customs and Conventions- do not have force of law but are almost binding because of long precedent and strong favourable public opinions toward them; and Commentaries of constitutional experts like A. V. Dicey, Walter Bagehot etc. Despite the fact thatthe UK adheres to the doctrine of parliamentary sovereignty, there are certain limitations to the actual exercise of its actual powers:

9.5.1. Executive and Legislature in UK Parliament

Though parliament has legal sovereignty in UK, it does not govern. Governing is responsibility of the executive- comprising of the Prime Minister, Cabinet and junior ministers. Unlike the Presidential system as in the United States of America, where the executive and legislatures are entirely separate bodies, the Parliamentary system in Britain provides for a fused system where the executive members are also a part of the legislature.

As the head of the government, the prime minister who has majority party support in the House of Commons enjoys tremendous powers over laws and policies, agenda setting, assigning portfolios to individual members, or even shuffling them. Though his/ her position is *primus inter pares or 'first among equals'* among his peer cabinet ministers, the power to appoint ministers in important positions and to request monarchy to conduct parliamentary elections at a time seeming more favorable to the party establishes his/her preeminence. The Prime minister must be a member of the Commons and governs through a cabinet, which unlike American system, is derived from members of the legislature. Cabinet shapes and directs the governmental policies significantly and through collective decision-making presents an impression of cabinet government. Strong personality of the prime minister, however, can undermine or in a way control the governance through cabinet (Kesselman 2019). The cabinet functions on the principle of collective responsibility. This means that all the cabinet ministers must uphold the policies of the government in public, even if they do not concur with them personally and be accountable and responsible for success and failure of those policies. They can express their dissenting opinions in close-door meetings and are governed by directives of official secrecy.

Theoretically, the executive is subordinate to the legislature. A constitutional convention requires the government to resign if it is defeated in the House of Commons through a 'no-confidence' motion. In a way, it reinforces the Parliamentary sovereignty because the majority party plays a very significant role not only in passage of bills but also in their implementation, once the acts are formulated to that effect. The bicameral parliament draws its authority not just from the fact that House of Commons is an elected body of the people through the first-past-the-post system but also by virtue of traditions and expertise in the case of the House of Lords. Since the latter is not a representative body, its legislative powers too are quite limited. Also, the system requires individual MPs to obtain a simple majority of votes and not necessarily more than 50 percent of the votes cast in their constituencies.

The British Parliament is often critiqued for the dominance of the executive in parliament, which on account of party-affiliated and supportive MPs in the House of Commons are able to get any legislation passed. With institutionalization of election process; universal adult franchise and the need to attract more votes, the party lines have strengthened especially since the late 19th century. Now, the individual MPs have lesser powers to influence the legislation because of the extended formal and informal controls that the government has come to enjoy in the Parliament. Apart from the factor of institutional design, the tendency of executive-dominance of the parliament is further strengthened because of the development of major party systems on account of strict party discipline and loyalty which enforces the will of the government with respect to legislative proposals. Voting on important legislation is along the party line in Parliament and is enforced through disciplinary powers of the party whip. The government enjoys quite some control over the timetable of the House of Commons, restricting scrutiny opportunities of the house.The doctrine of individual ministerial responsibility mandates the ministers to resign over personal scandals or departmental errors.

Over the period, the Parliament has devised innovative methods to hold the government accountable through the mechanism of debates, Question time, Parliamentary Committees etc. Her Majesty's opposition (the second largest party) in Parliament plays an important role in this regard, especially when the ruling party does not have a majority in the House. Its leader sits directly opposite to the prime minister along with the shadow cabinet. They are responsible for challenging their counterparts in government and are salaried positions.

9.5.2. Common Law and the Role of Judiciary

Theoretically, laws promulgated by the parliament cannot be upturned by any court in the country. Judges can interpret the parliamentary legislation but not undo it. The parliament, on the other hand, can legislate to counter the juridical interpretation. In the absence of a fully written and codified constitution in this unitary state, the parliament is not held back on account of judicial

pronouncements or considerations. The courts cannot nullify the constitutional laws of the parliament but give it directions through interpretations. They recognize and validate conventions and customs to give them legal credence.

9.5.3. International Law

Some limitations to the parliamentary sovereignty emanate from British membership in the European Union (originally as member in European Economic Community in 1973). The European Human Rights Council, for example, lays down guidelines, norms and directives to be followed by member states. Membership of the EU enabled European courts as well as British courts to override the British laws if they clashed with EU laws. In certain areas, where EU laws had mandate, the British laws could be superseded to implement the former and even without prior parliamentary assent. The Westminster parliament, theoretically, can enable or take away the powers given to any local body or even to the international institutions like EU. With the United Kingdom having exited the European Union (Brexit) after a referendum on this issue in 2016, the British parliament is likely to gain more power in matters involving international jurisdiction. However, EU is not the only international authority to be able to impose certain limitation on parliament's legislative powers. International institutions like International Monetary Fund, NATO etc. too exercise some influence on the legislative powers of Westminster.

9.5.4. Electoral Concerns and Informal Controls

The parliament can bring in any legislation and even change the constitution, if it pleases. This is not a commonplace practice though. In fact, British people are highly respectful of their traditions and every government is careful of not advocating major overhauling of conventions and traditions. At the same time, though Parliament can enact any law at will, it needs to be mindful of the prospects of resistance from the people. Though it is difficult to ascertain the crucial junctures at which public resistance may become vociferous enough to reject such law and vote for an alternate agenda, the governments avoid bringing in laws and policies that could evoke insuperable resistance. Notwithstanding the merits of a flexible constitution, many British people also support the demand for a codified constitution to curb the potential of power abuses by the government due to unfettered legislative authority of parliament.

Other informal controls over the Parliamentary powers emanate from diverse interest groups, pressure lobbies, media etc. As the MPs need to please the domestic constituencies for political survival, they often consider the dominant public mood on important subjects. The legal sovereignty of the parliament, therefore, is tamed by the political sovereignty of the electorate who hold power, not limited to, but especially during the elections.

As discussed in the previous sections, Parliamentary sovereignty has come to mean sovereignty of the House of Commons which in turn has come to mean the

over-arching influence of majority party forming the government. Party loyalties, discipline and whip therefore, in a sense have imposed limitations on the parliamentary sovereignty to result in the government's preponderance in legislative and implementation competence. However, dissent within the party is not very rare and leaders and governments have been replaced on this count, for example, John Major replaced Margaret Thatcher because of her thin support margin as the Prime minister from Conservative party in 1990.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.
ii) See the end of the unit for tips for your answer.

1) What is the nature of relationship between the executive and the legislature in UK?

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2) What are the major limitations or challenges to the legislative authority of the UK parliament?

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9.6 RULE OF LAW

Though the conceptual origin of the doctrine of rule of law is owed to classical political philosophers like Plato and Aristotle who advocated that law, held by reason and not passion, be considered superior to the ruler or government. Aristotle said, "law should govern and those who are in power should be servants of the law". In practice, the doctrine started taking practical shape in medieval times. The doctrine of rule of law implies that both- the citizens and the Government (including its officials) are bound by the law which is already determined and specified in general terms. Additionally, it requires mechanism and institutions to enforce the rules of law. Certain scholars focus on the substantive and normative commitment and respect to the ideas of individual liberties as imbided in the thick version of the doctrine, while those who advocate the thin version, focus on the procedural aspects of rule of law with an emphasis on the legality aspect of the doctrine. In essence, there is a broader consensus that

rule of law necessitates a curbing of arbitrary or tyrannical governance. While the element of discretion or discretionary power of the state itself may not be interpreted as being contradictory to rule of law but an arbitrary exercise of discretionary powers can undermine rule of law.

During the middle ages, the monarch would swear an oath to affirm abidance to positive, customary or divine law but the historical origin of the concept in United Kingdom is owed to Magna Carta signed by King John in 1215. He wanted to raise the taxes to be paid by noblemen to fund the war against France. This written instrument sought to limit the powers of the king in terms proposed by the barons (feudal lords) who in turn for their tax-paying responsibility wanted the king to adhere to 'good governance' and not rule arbitrarily. Among other things, the document asserted that no one should be deprived of their liberty or property "except by the lawful judgement of his equals or by the law of the land". It was cited numerously by the successive parliaments and courts to assert a limitation on the arbitrary powers of the monarch in order to protect individual rights. This was in sharp contrast to the doctrine of 'divine rights of kings' propounded in the 16th century by Jean Bodin (a French jurist) in response to religious wars between Catholics and the Protestants. The idea of rule of law, however, survived this phase and was adopted by legal profession subsequently. The Sovereign had to abide by the law in force. If they wished to change it, they still had to make new laws in consonance with natural law or customary law. Originally meant to constrain the sovereign power of the king, the doctrine was later elaborated to support individual rights vis-à-vis the government.

This is not to argue that the monarchs always ruled according to the prevailing law. But more often than not, they tried to present a rationale to garner public legitimacy to their conduct. Charles I, for example, was infamous for imposing arbitrary rules like raising taxes without seeking parliamentary approval or ordering execution of dissenters, along with his tussle with religiously dominant puritans in the parliament. It resulted in English civil war from 1642 to 1651, the victory of parliament and trial and execution of King Charles 1 in 1649. The doctrine of rule of law was expressed in more robust terms by the Chief Justice Sir Edward Coke during the regime of James I, when he expressed that the King should be under God and the law.

With the age of Renaissance, rise of modern nation state, separation of church and state and rise of economic bourgeoisie class demanding better protection and maintenance of property and contract rights and mercantile interests, political liberalism gained strong foothold as dominant ideology in the 19th century Britain. This phenomenon contributed to the strengthening of individual rights dimension of the rule of law doctrine. One of the most systematic and authoritative elaboration of rule of law is found in "Introduction to Study of the Laws of the Constitution" (1885) written by the British Constitutionalist, A.V. Dicey. His understanding of this conventional doctrine in a liberal democracy entailed three inter-related elements:

1) Supremacy or predominance of regular law rather than arbitrary exercise of power by the government. Defaulters or violators of laws can be punished by law alone and for only the breach of those specific laws. For Dicey, discretion meant absence of known rules and principles and therefore created room for arbitrariness. Too much discretionary power of the government can cause arbitrariness.

2) All citizens are equal before the law and same set of rules would be applicable to citizens and government officials alike in cases of violation and would be similarly tried by the ordinary Courts of law. Dicey dismissed the system of "administrative law" or "administrative Tribunals" popular in France then. Under this system, the matters of contention between citizens and government/ government officials were not tried by the ordinary or civil courts but by the specially designated administrative courts and tribunals. He believed that British version of rule of law of treating citizens and officials alike and subjecting them to same law of the land reflected that there was no administrative law in England. However, the ideal does not warrant complete homogeneity or uniformity in the manner that everyone is treated under the British laws. In fact, there are rules of privilege or exception guaranteed under the law or example, prerogative powers of the Crown may supersede the rights available to a British citizen. Police have higher investigative powers. The parliamentarians too enjoy immunity and privileges in certain aspects which are not available to common citizens.

3) Predominance of legal spirit which maintains that a defence of individual rights and liberties is legally and judicially recognized through common law. While the UK does not have a comprehensively written constitution, the rule of law convention has been interpreted by the courts in common law and incorporate legal safeguards to protect individuals from arbitrary actions of the government, for example, rules against arbitrary detention and arrests, freedom of speech and expression etc. Dicey, rather expressed more faith in strengthening common laws and role of courts in interpreting and enforcing them. However, in Britain, the principle of parliamentary sovereignty theoretically and practically limits the power of Courts as the latter is not the custodian of the Constitution and parliament has the power to amend any common law or provisions of fundamental liberties, as it deems fit.

Check Your Progress Exercise 4

Note: i) Use the space given below for your answer.
   ii) See the end of the unit for tips for your answer.

1) What is the meaning of the doctrine of rule of law? How does it act as a constraint on the powers of the government?

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9.7 LET US SUM UP

The principle of Parliamentary supremacy and Rule of law evolved in UK in response to the socio-political developments over several decades. These were a result of the declining powers of the British monarchs vis-à-vis the parliament. The latter's demands for policy-making powers as a matter of right and accountability resulted in progressive limitations on the power of the crown. The parliament in UK is the supreme law-making authority and is not limited by any other institution, person or authority. However, there are formal and informal controls built in British Parliamentary structure along with the societal concerns and demands placed by various sections of British society on the legislature which limit its powers. The most relevant challenge emanates from the over-arching powers of the House of Commons and of the executive or Government of the day in majority in lower house, more specifically. The doctrine of rule of law, in that sense, provides not only a rational for supremacy of parliament but also acts as an implied check on its power by placing an obligation to legislate or rule in accordance with the law. It places a limitation on the exercise of discretionary powers of the government in an arbitrary and biased manner and a rejection of granting of personal favours. The two principles are harmoniously interpreted in favour of a law-abiding democratic governance in UK.

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9.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

1) Your answer should highlight following points: i) Having the competence to formulate or amend any laws without any other institutional interference in a free manner, and ii) No other authority being competent to make a parliamentary law null and void

2) Your answer should highlight following points: i) The phase-wise progressive incremental powers accorded to the parliament, ii) A simultaneous reduction in the powers of the monarchy in formulating policies or over-ruling the UK parliament, and iii) A progressive expansion of electoral rights and concern for democratic accountability of the government to the larger electorate.

Check Your Progress Exercise 2

1) Your answer should highlight following points: i) Elaboration of the phrase 'Queen-in parliament'- the monarch, the House of Commons and the House of Lords, ii) Lower house is democratically elected while the upper house is not, iii) Limited powers of the House of Lords in financial matters, limited veto power in policy matters too, iv) Useful role performed by the upper house as a deliberative platform, and v) Powers of the monarch in modern parliamentary system limited to symbolic functions

Check Your Progress Exercise 3

1) Your answer should highlight following points: i) UK has a fused legislature i.e. the executive is a part of the legislature, and ii) Over-arching power of the ruling party on account of its dominance of the lower house, limited powers of the House of Lords vis-à-vis House of Commons, institution of party whip, nature of political parties

2) Your answer should highlight following points: i) Executive predominance of the legislature, ii) International Law as accepted by the parliament, but can be revoked too by it, for example the Brexit, iii) Role of judiciary, iv) Public opinion asserted through periodic elections and Informal controls, and v) Rule of Law as a doctrine

Check Your Progress Exercise 4

1) Your answer should highlight following points: i) Equality before law, curb on arbitrary and discretionary power of authorities, protection of citizens' rights, and ii) Laws should not be arbitrarily formulated or implemented by the government. Progressively, the doctrine has been incorporated in the functioning of legislature and judiciary

UNIT 10 DEPENDENCY AND DEVELOPMENT IN BRAZIL[*]

Structure

10.0 Objectives

10.1 Introduction

10.2 What is Development?

10.3 The Idea of Dependency

10.4 Dependency and Development in Brazil

10.5 Let Us Sum Up

10.6 References

10.7 Answers to Check Your Progress Exercises

10.0 OBJECTIVES

Dependency theory provides a Third World perspective of development. This unit examines the developmental model which arises out of dependency known as 'dependent development' focusing on Brazil's experience. After reading this unit, you will be able to

- Describe the concepts of dependency, development and underdevelopment and their relationship,

- Give a brief account of dependency and development in Latin America,

- Explain dependent development, and

- Describe the various development strategies adopted by Brazil since its independence.

10.1 INTRODUCTION

After the Second World War, reconstruction efforts in Europe and the challenges of economic growth in the newly emergent countries of Asia, Africa and Latin America brought development to the agenda of the international community. The dominant theory of development at that time, the modernisation theory,

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attributed low levels of development in the Third World to domestic factors. Problems of the Third World were traced to one or more domestic factors such as their population size, low levels of capital, lack of industrialisation, unskilled labour, the dependence on the primary sector, corruption, unstable governments, undemocratic political regimes, etc. As a reaction to these theories of development, the Dependency theory evolved in Latin America in the 1950s. The dependency theory focused on external factors to explain the underdevelopment of Latin American states and suggest the instruments which can break the dependency cycle. Advocates of this theory attribute the causes of the underdevelopment of these countries to the unequal terms of trade in the world economy. In other words, they situated national economies within their global economic context to explain the persistent levels of underdevelopment in Latin America.

Dependency theorists believed that outside forces have significantly influenced the process of development in Brazil and Latin America. Spain and Portugal controlled the Latin American region from the 16th century to the early 19th century. During this period, they exploited the region's natural resources. In the 19th century, all Latin American economies pursued natural resource-based export-oriented development strategy. At the beginning of the 20th century, this export-based economic development strategy in the region lost its momentum. Multiple factors have contributed to this development. Their exports were affected adversely by the outbreak of the First World War and disruption in the supply of essential imports caused by the blockade of trade routes. Secondly, the Great Depression of 1929 hampered the export earnings of most Latin American countries. A large economy like Argentina, for instance, was compelled to delink itself from the global economy and adopt policies to discourage exports. Other Latin American states also adopted inward-looking growth strategies. This strategy involved state interventions in the economy and the adoption of protectionist policies to encourage domestically owned enterprise. After the Second World War, Raul Prebisch, an Argentine economist and first secretary-general of the Economic Commission for Latin America (ECLA), advocated an inward-looking development strategy for the region and developing countries. The central feature of this strategy was state-led industrialization or import substitution industrialization.

To grasp dependency and development in Brazil adequately, it would be prudent to understand the two dominant approaches to development.

10.2 WHAT IS DEVELOPMENT?

Development is essentially a multidimensional and contested concept. There have been different meanings of development in different disciplines, geographies, historical epochs and adhering to different theories. Sometimes it is used as synonymous with modernisation, progress and improvement. Sometimes two competing theories of development converge on the meaning of development as a goal but differ on how to achieve it. In social sciences, the concept of

development is studied equally by political scientists, economists, geographers and sociologists. The economists define and understand development in terms of industrialisation and economic growth. They consider life-style in advanced states of Europe and America as a model for developing states to emulate. The level of development achieved by the developing states is taken as a measure for calculating development achieved by other states. The liberal economists focus on the role of private players, market forces, the openness of the economy, liberalisation of trade and services, reducing trade barriers and minimal role of the state in economic affairs. This model of development is associated with the economic philosophy of leading thinkers like Adam Smith, David Ricardo, Hayek, Milton Friedman, and Robert Nozick.

Development is a dynamic concept. In the post-Second World War period, a new paradigm of development emerged in the form of the modernisation theory. Modernisation theory sees development as a departure from the traditional value system to a modern value system. In this sense, development is a process in which traditional underdeveloped states try to catch up with the economic, political and social values system and material status of the advanced industrial states. Modernisation theory regards traditional culture and economic system as barriers to development. Though there are many versions of modernisation theory, implicit in all versions is the belief that i) societies develop through a series of evolutionary stages, and ii) that industrialisation will not only lead to economic growth in developing societies but also other structural and cultural changes associated with a developed society. What the modernisation theorists were saying is that at some time in the past, today's developed areas were in a situation like that faced by today's underdeveloped areas. For instance, W.W. Rostow based on the experience of European countries posits that developed countries have tended to pass through five stages to reach their current degree of economic development (see the box below). Modernisation theorists, therefore, argue that underdeveloped countries must be set on an accelerated common path of development by various means, such as investment, technology transfers, and closer integration into the world market.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.
ii) See the end of the unit for tips for your answer.

1) What is development? Discuss.

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W.W. Rostow is his book *The Stages of Development: A Non-Communist Manifesto* (1960) has identified five stages of economic development. In the first stage- *Traditional Societies-* states do not have ample wealth to invest in technology and industrialisation to produce sufficient goods. These societies are characterised by substance farming, where farming is done for livelihood. Cultural barriers become an obstacle in the path of development. In the second state- *The Preconditions of Take Off-* external investment brings money, western cultural and political values, and technology. The investment results in an infrastructure improvement, introduce technology in agriculture and starts industrialisation. The externally induced initial development paves the way for further investment and industrialisation. The third stage- *The Take Off Stage-* is a relatively short period of two to three decades. Here take off refers to self-sustaining economic growth where investment rises at the rate of five per cent to ten per cent higher in comparison to national income. The fourth stage- *Drive to Maturity-* comes when a state's economy becomes mature and capable of sustaining its growth on its own. Traditional industries which propelled take-off decline during this phase, but new sectors emerge to maintain economic growth. In the fifth stage- *Stage of Mass Consumption-* there is an increase in per capita income accompanied by new types of industries producing durable consumer goods. With the increase in per capita income, the consumption basket expands beyond basic needs to include luxurious goods and services.

10.3 THE IDEA OF DEPENDENCY

Dependency theory emerged as a response to modernization theory. Dependency theorists like Raúl Prebisch and Andre Gunder Frank were critical of the economic development model which posited that nations move linearly through successive stages of growth. They reject Rostow's presumption of a global economic structure that would allow for all nations to pass through these stages successfully (Prebisch 1962). The main proponents of dependency theory are Prebisch, Singer, Paul Baran, Paul Sweezy, C. Furtado, F H Cardoso, Gunnar Myrdal, A Gunder Frank, Girvan, and Bill Warren. Many of these scholars focused their attention on Latin America. The leading dependency theorist in the Islamic world is the Egyptian economist, Samir Amin.

The concept of dependency is used to explain the relationship between industrialised capitalist states and underdeveloped Latin American states. Dependency is a 'relational' concept. It informs us about the hierarchical relationship between two or more actors in a given system. According to Raul Prebisch**,** dependency informs us about "relations between centres (industrialised capitalist states like the USA) and the periphery (developing states of the Third World) whereby a country is subjected to decisions taken in the centres, not only in economic matters but also in matters of politics and strategy for domestic and foreign policies". In another sense, dependency also refers to a 'situation' in

which one actor becomes dependent on others for something. Defining dependency as a situation, the Brazilian economist Theotonio Dos Santos (1970) says that it is "a situation in which the economy of certain countries is conditioned by the development and expansion of another economy to which the former is subjected."

Dependency theorists argue that the Latin American states are underdeveloped not because of their domestic factors but because of the structure of the world economy. They perceive the world economy as consisting of two types of states: core and periphery, metropolitan and satellite, developed and underdeveloped, and dominant and dependent. The core consists of advanced industrialised states of Europe and America while the periphery is made of the developing states of Asia, Africa and Latin America. Immanuel Wallerstein adds another layer to this structure: semi-periphery. In the world economy, the semi-periphery is located between the core and periphery. It exploits the periphery but is exploited by the core states. The unequal terms of trade between the underdeveloped and developed states in the world economy push underdeveloped states to the periphery. The periphery states become mere sources of cheap natural resources and raw material for states of the core and provide a market for expensive high-end products manufactured in core states.

> In the late 1940s, Raul Prebisch worked with UN economist Hans Singer to develop the **Prebisch-Singer thesis**. Analysing trade data between wealthier countries and Latin America they found that the terms of trade for Latin American countries, relative to the richer countries, had deteriorated over time. The underdeveloped countries were able to purchase fewer and fewer manufactured goods from the developed countries in exchange for a given quantity of their raw materials exports. This thesis, which has been validated by several subsequent studies, has served as the major pillar of dependency theory.

'Dependent development' is another related concept used to explain the process of development in Brazil and Latin America. Peter Evans argues that dependent development is a "special instance of dependency": If dependence is used to explain the position of weak states of the periphery, the dependent development is used for semi-periphery states like Brazil and Mexico. The dependent development is defined as "dependence combined with development" (Evans 1979: 32-33). In the situation of dependent development, development takes place at the periphery. But this development remains dependent on core states. Dependent development is characterised by an alliance of international capital, local capital and state. Evans believes that alliance among international capital, local capital and state is a "fundamental factor in the emergence of dependent development" (Evans 1979: 32). The "accumulation of capital and some degree of industrialization on the periphery" are other defining features of dependent development. In his celebrated study titled *Dependent Development: The Alliance of Multinational, State, and Local Capital in Brazil (1979)* Peter Evans

has used dependent development for those states "where capital accumulation and diversified industrialization of a more than superficial sort are not only occurring in a peripheral country but are dominating the transformation of its economy and social structure" (Evans 1979: 32.

According to the dependency theorists, four instruments or mechanisms lead to and maintain the dependency of the periphery states on the core states. First, *Exploitation through Repatriation*: Working as an instrument of the core states, the foreign firms and multinational corporation reinvest only a tiny part of their profits earned from their investments in the Third World states. A large part of their profit is repatriated back to their head office located in the core states. Second, *Elite Complicity*: There emerges a nexus between the native capitalists of the periphery and capitalists of the core. The elites of the core and periphery sign mutual benefitting agreements. As a result, they seek to maintain the status quo and perpetuate the dependency relationship. Third, *Structural Distortion:* the dependence of periphery states on the core states leads to the distortions in the underdeveloped states' economies. Industrialisation halts, and the dependence of the economy on the export of raw material and cheap labour increases. Due to a decline in industrialisation, the periphery states' dependence on core states for manufactured goods increases. Fourth, *Market Vulnerability*: Uncertainty and fluctuation are defining features of the world economy. Recession or slowing down of the world economy's growth rate hits the raw material exporting states most severely.

A key challenge for the dependency theories has been that of overcoming this cycle of underdevelopment. The dependency theorists regard the role of the state as essential in breaking this cycle of underdevelopment. State-led industrialization and investment in key strategic sectors are the panacea to escape this vicious cycle. It was believed that the state intervention in the economy and consequent industrialization would diversify the export basket and reduce its dependence on the core for manufactured goods. The state-led development (state developmentalism) and import substitution policy, therefore, became the preferred developmental strategies of states in Latin American and many other Third World states.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answer.
ii) See the end of the unit for tips for your answer.

1) What is dependency?

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2) Examine development as modernisation.

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10.4 DEPENDENCY AND DEVELOPMENT IN BRAZI

Brazil was a Portuguese colony for over three hundred years before it emerged as an independent state in 1822. During the colonial period, the economic exploitation of Brazil was based on brazilwood extraction (16th century), sugar production (16th–18th centuries), and finally gold and diamond mining (18th century). With slaves brought from Africa and, for a brief time, Indian slaves providing the workforce, Brazil was an export-oriented economy.

In the early years of the 19th century, when Napoleonic French forces invaded Portugal, the Portuguese royal family fled to Brazil and established Rio de Janeiro as the de facto capital of Portugal. When the king returned to Portugal, his regent Dom Pedro declared independence in 1822. The **constitutional monarchy** that was established provided political stability and vibrant economic growth. Although civil rights were provided for its subjects, there were restrictions on women and slaves.

In 1889, the First Republic in Brazil was established after Emperor Dom Pedro II was overthrown by a military coup. An important achievement of the First Republic, also called the **Old Republic**, was the beginning of the elections with restricted voting rights. The political system of the Old Republic was an oligarchy. The federal government was weak. Powerful provinces like Sao Paulo and Minas Gerais shaped federal politics significantly. With the limited voting rights ranging from one to five per cent of the total population, elections were held regularly. But the elections were not seen as free and fair. Most often, the presidency alternated between two provinces- Sao Paulo and Minas Gerais. The Brazilian state played a dual role. On the one hand, in coastal cities, the government "accommodated cosmopolitan, liberal, and outward-looking financial and export sectors" (Gramany and Pereia 2019: 44). Coffee, cotton, rubber, and tobacco dominated the Brazilian export. On the other hand, the federal government also represented the interests of provinces and landlords controlling plantation in rural areas. The economy was a mix of traditional and modern in the sense that it was primarily based on the primary sector with moderate export.

The Old Republic was followed by **Vargas Years** (1930-45). In 1930, Getúlio Vargas, the former governor of Rio Grande do Sul, came into power. Vargas initially introduced proportional representation for the election of the National Congress's popular chamber to prevent the dominance of any party. He

introduced universal suffrage and strengthened the federal or national government vis a vis the states. In 1937, by introducing new administration, known as the Estado Nôvo ('New State') centralised powers and ruled for the most part without a Congress. At the same time, he diversified the agricultural sector, enacted social legislation including minimum wages that benefited the working class, introduced educational reforms, and introduced a programme of rapid industrialization through import-substitution.

The **Second Republic** (1945-64) established in 1945 after Getúlio Vargas was forced to quit by the military leaders. The expansion of voting rights, industrialisation and urbanisation were the defining features of this phase. The state emerged as a leading force in industrialisation. The state-owned oil company named *Petrobras* and the National Bank for Economic Development (BNDES) were established. Juscelino Kubitschek (1956-61), popularly known as "JK" was perhaps the most remarkable ruler of this phase. He came to power with a promise to achieve fifty years of development in just five years. He continued focusing on state-led industrialisation.

Brazil's model of economic development from 1930 to 1984 is known as *national* or *state developmentalism*. In this phase, instead of developing by the logic of *static comparative advantage theory*, Brazil moved by the dynamic comparative advantage logic. A static version of comparative advantage theory entails that a state should keep producing what it is producing efficiently. Thus, it leads to the status quo. In contrast, the *dynamic comparative advantage theory* envisions an active role for the state in breaking the vicious cycle of underdevelopment through industrialisation. Import substitution and self-reliance were regarded as vital strategies to industrialise and end the dependency of any state. A defining feature of state developmentalism during 1930-64 was that the state established, owned and operated hundreds of enterprises, controlled prices of essential goods, provided a subsidy to needy people and facilitated credits to firms. In this endeavour, to protect the nascent industries, it imposed tariffs on imports of manufactured goods from developed states of the Core.

The **Military Regime** (1964-1985) is regarded as a crucial phase in Brazilian history. In this phase, state-owned industrialisation flourished. President *Ernesto Geisel* (1974–1979) is considered a leading figure with regard to state-led industrialisation and the establishment of state-owned enterprises. Before resuming the Brazilian presidency, he served as the chief executive officer of the Brazilian petro giant *Petrobras*. He was a strong supporter of the state-led development and policy of import substitution. In the aviation field, the military regime established a state-owned enterprise named *Embraer* in 1969. Unlike the other industries that were found to provide a substitute for import, the *Embraer*'s main goals was to develop the civil aviation industry to the extent that it can emerge as an exporter of commercial aeroplanes. To this end, since its initial days, *Embraer* was integrated with the global airline market.

The period between 1965 to 1979 is often regarded as a 'miracle' in Brazilian history. For smooth implementation of developmental plans, the Brazilian

government decentralised industries and enterprises' control among different ministries. As a result of state-led investment in industrialisation, urbanisation and demographic change took place because people moved from the agriculture sector to the manufacturing industry in this phase. Brazil's economic achievements were splendid. It grew at an average rate of nine to ten per cent per annum. Given the impressive growth rate, the gap between Brazilian and western living standard started narrowing rapidly. Capital accumulation increased because value addition in industries rose at an impressive rate of 7.7 per cent annually between 1967-1979, while labour productivity grew at 5.81 per cent in the same period (Musacchio and Lazzarini 2016: 114). As per a study, in 1976, there were 200 enterprises managed by the federal government while the provincial governments managed 339 enterprises. The "Council for Economic Development, the Council for Social Development, the Ministry of Planning, and the Secretary of Planning" were leading agencies of this phase associated with the management of the state-owned enterprises (Musacchio and Lazzarini 2016: 115).

The state's intervention in the Brazilian economy broke the cycle of dependency, under which Brazil was forced to export natural resources like coffee, rubber, cotton, minerals, wood, sugar and import manufactured goods from developed states. Between 1965-1980, Brazil's industrial production increased four-fold. It was greater than Japan's three-fold increase in the same period. State intervention in the economy and state-driven development strategies pushed industrialisation and urbanisation. It helped Brazil to diversify its export basket from natural resources and primary goods to manufactured goods. The size of the medium class in the social composition of Brazilian society enlarged.

However, by the end of the 1970s, the external and internal situations in Brazil gradually started changing. Internationally, Brazil's state-led development was funded by the cheap credit available in the international market. But in 1980, America's Federal Reserve Board hiked the interest rate. It made the external credit relatively costly. After the Mexican debt crisis of 1982, the credit of the private sector almost disappeared. As a consequence of the dollar shortage, Brazil was compelled to depreciate its currency. The depreciation of currency rendered high inflation. The fall of the Brazilian currency reduced its capacity to meet debt obligations. During a short span of three years (1980-83), the state-owned enterprises' net profit went down because their expenditure went higher. The government also sought to bring price stability and maintain the unemployment rate low through these enterprises. As a consequence of price control, these enterprises' profits reduced, but due to inflation, they had to spend more and more on the employees' salaries. As a result, capital formation, which was at five per cent in 1980, fell to 3 per cent in 1982 and further reduced to two per cent in 1990 (Musacchio and Lazzarini 2016: 118). These external and internal factors paved the way for change in the developmental model, from state developmentalism to the neoliberal development model, characterised by liberalisation and privatisation. Moreover, the end of the military regime, which

was a leading supporter of the state-led developmental model, in the mid-1980s weakened the support base of the state-led development.

The **New Republican** phase of Brazilian politics began in 1985 when the military regime paved the way for democratic government. In 1988, Brazil promulgated a new constitution with a multiparty presidential system. Largely based on the US model, this system provides for a four-year tenure for the president. In the 1980s, Brazil moved away from the state-led development model to the neoliberal model of development. With liberalisation and privatisation, the government substantially reduced its role in the economy. The number of federally controlled enterprise fell from around 250 enterprises to 47, and the number of state government entities fell from about 400 enterprises to 49 in 2014 (Musacchio and Lazzarini 2016: 120).

Underscoring major shift in Brazil's economy in the 1990s, Musacchio and Lazzarini (2016) have argued that Brazil departed "from a system in which the government-owned and operated hundreds of state-owned enterprises (SOEs) and dozens of state-owned banks, controlled prices, and supported big national firms using subsidies and trade measures, to a system in which the government opened up many sectors to foreign competition, privatized most of the state-owned firms, and let most domestic prices to be determined by market forces." In the changed global scenario of the 1990s, Fernando Collor de Mello (1990–1992) started implementing the neoliberal model of development by privatising state-owned enterprises. The neoliberal policy was further extended by Fernando Henrique Cardoso (1995-2002) in the form of market opening, privatisation of state-owned enterprises, and deregulation. To tackle the inflation problem, he launched the *Real Plan* and issued a new currency named Real. As a result of the Real Plan, inflation was brought down to seven per cent by 1997. Cardoso is known for his three economic policies, namely "inflation targeting by the Central Bank that kept price rises within a band between 2.5 and 6.5% per year; a floating currency with an exchange rate largely determined by market forces; and a primary fiscal surplus, or a federal government surplus before government debt payments are taken into account" (Garmany and Pereira 2019: 72).

President Luiz Inacio Lula da Silva (2003-10) who succeeded Cardoso, continued his predecessors three economic policies. On the economic front, Lula did not introduce any significant privatization. He is known for his social programmes. Through social programmes, he sought to combine economic growth and redistribution. To impress his supporters, he expanded social programmes. To tackle hunger, he introduced the Zero Hunger programme and distributed food to the malnourished and enhanced people's accessibility to foods. He also launched a family allowance programme, the Continuous Cash Benefit Programme (popularly known as the BPC programme) to ensure minimum wages for elderly and disabled persons, and the Pro-Uni programme for students to get an education in private universities. He is seen as the most popular presidents in recent decades. President Lula was succeeded by Dilma Rousseff (2010-16) of his Worker Party. She was the first female President of Brazil. Through social

programmes such as minimum wage and cash transfer, she succeeded in alleviating power and inequality. Because of her efforts, the size of middle-class Brazil increased significantly. President Michel Temer (2016-2019) continued the neoliberal policies. He initiated a series of privation and liberalisation through reducing the government's share in key state-owned industries like *Eletrobas*, doing business in electricity, airports, and road sectors. Labour rights were curtailed through a constitutional amendment Given his privatisation moves, Temer is regarded as better than his predecessor Worker Party regime (2003-2016) by the liberals. The present president Jair Bolsonaro, who is a former military office and politician who represented the state of Rio de Janeiro, is pursuing the same neoliberal economic policies but with conservative social policies.

Presently, three defining features of implementing the neoliberal model of development in contemporary Brazil make it different from other states. First, despite marching on the path of privatisation and liberalisation, Brazil has kept 'majority' shares in some state-owned enterprises. It is most often referred to as "leviathan as a majority stakeholder". Second, in other enterprises, a large part of shares has been sold out to private players, but the government has retained 'minority stakes'. In this case, the state has been reduced to a minority stakeholder. More importantly, while keeping part of its shares, the government has handed over these firms' control or management to private players. Third, the state has emerged as a leading lender to public and private enterprises. The state is providing much-needed funds to establish and run enterprises. Brazil's *National Bank for Economic and Social Development* (BNDES) has emerged as the leading lender. Even in the age of globalisation, under the neoliberal model of development in Brazil, the BNDES has arisen as a significant player in the field of lending. For instance, in 2013, the bank's amount of given loan was three-time greater than the amount of loan provided by the World Bank in the same year.

Despite all ups and downs, today, Brazil is emerging as one of the leading states from the global south. Economically, it is one of the top ten states in the world measured either in GDP or purchasing power parity (PPP) terms. More precisely, in terms of GDP, Brazil is ranked ninth, while in terms of PPP, it is ranked eighth. Its political clout has enhanced significantly in the last few decades. Because of economic development and changing international scenario, it has joined rank with other emerging powers like China, Russia, India, and South Africa in forums like Brazil, Russia, India, China, and South Africa (BRICS) and India-Brazil-South Africa (IBSA). Today, it is playing a pivotal role in shaping the global norm and standards-setting. For instance, in response to the Responsibility to Protect doctrine, Brazil introduced "responsibility while protecting" in the United Nations to ensure that interventions by force always do the smallest damage possible. As a member of the BASIC group, Brazil has significantly shaped global climate change negotiation at the international fora. As a member of the G-4, it is demanding democratisation of the United Nations Security Council and her membership in it.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.

ii) See the end of the unit for tips for your answer.

1) What is state developmentalism in the context of Brazil?

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2) Examine the defining features of the Brazilian neoliberal model of development.

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10.5. LET US SUM UP

Dependency is a widely used approach to explain Brazilian and Latin American development. There is no agreed definition of development. Its meaning differs in different geographical regions, disciplines, and theories. It is sometimes equated with progress and enhancement of the living standard of people in each society. Models of development proposed by the modernisation theory and dependency theory provide a nuanced understanding of how to achieve development. For the advocates of modernisation, free-market functioning based on comparative advantage theory with minimal state intervention is the best way to develop. In contrast, the dependency theorists accept the significant role of the state in industrialisation and breaking the dependency cycle, victimising poor states of the global south.

During the three centuries of colonial rule (1500-1821), Brazil exported brazilwood, sugar and gold. For nearly a hundred years thereafter, Brazil continued with an export-oriented development strategy. It exported six-eight primary products (mainly coffee, rubber, sugar and cacao) to the international market. However, the beginning of the Great Depression started a movement of transition from 'dependence' to 'dependent development' in Brazil. The state's intervention in the economy and the policy of import substitution consolidated Brazil's internal market. The state emerged as a major investor in high risk and low-profit key sectors like steel, aeroplane manufacturing, telephony, national oil, gas, petrochemicals, mining, and an integrated electric grid. State-led investment in these sectors significantly changed the export basket of Brazil. It helped break the dependency cycle, in which Brazil was functioning as an exporter of natural resources and importer of manufactured goods. Since it

adopted neoliberal development model in the late 1980s, the Brazilian government has been reducing its share in state-owned enterprises. The defining features of development under the neoliberal development strategy is that the government owns majority and minority stakes in selected state-owned enterprises but without management responsibilities. The state is also a leading source of lending.

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10.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progresses Exercise 1

1. (i) Development as synonymous with progress, improvement and modernisation.

(ii) Meaning of development in political science, economics and sociology.

(iii) The relativity of the concept of development.

Check Your Progresses Exercise 2

1. (i) It is a situation that informs us about the relations between two states in the given system.

(ii) A theory that offers an outside-in explanation of the causes of the Latin American states' underdevelopment.

(iii) A structural division of labour among states in the world economy.

2. (i) Modernisation is a theory of development that offers an inside-out explanation of states' relative marginalisation and underdevelopment.

(ii) It is a phased (a process that comes in phase after phase) and harmonising process.

(iii) Stages of development offered by W. W. Rostow.

Check Your Progresses Exercise 3

1. Your answer should contain the following points:

(i) State's leading role in breaking the dependency cycle through establishing and maintaining enterprises (industrialisation) and diversifying the export basket of Brazil.

(ii) Import substitution and self-reliance is declared goal.

(iii) Mention the government's role in establishing Brazilian enterprises in the fields like telecommunication, oil and natural gas, banking, aviation etc.

2. Your answer should contain the following points:

(i) State's persisting role in the Brazilian economy.

(ii) State as a minority shareholder.

(iii) State as a majority shareholder.

(iv) State as a lender.

UNIT 11 COMPARATIVE PERSPECTIVES ON FEDERALISM: BRAZIL AND NIGERIA[*]

Structure

11.0 OBJECTIVES

A state's government can be classified as a federal or unitary political system based on the division of power between central and various constituent units. This unit brings out the basic features of federal political systems and explains how federalism is a relevant theme for examining alternative political system in historical perspective. After going through this unit, you should be able to:

- Identify the basic elements of the federal system

- Understand Brazilian and Nigerian federalism

- Explain how federalism act as a significant theme for comparative analysis

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11.1 INTRODUCTION

The early modern states that emerged in Europe were absolute monarchies. They were predominantly hierarchic or organic states with power vested in the hands of the monarch. But as their economies changed the rulers realized that the power can't be managed entirely by a central authority and that there was a need for decentralisation. Some of them delegated powers to the regional or local authorities, while retaining the right to change or withdraw those powers at their discretion. In contrast to such unitary forms of government, there were federal forms of governments which provided for a formal division of powers between the central and the state or regional governments. The idea of regional authorities should have greater autonomy can be traced to the writings of Johannes Althusius (1557–1630). Following his call for regional autonomy to accommodate dissent and diversity in society, several thinkers like David Hume, Montesquieu, Immanuel Kant, Rousseau and others advanced federal principles. It was however, in the late 18th century that the first federal form of government came into being in the United States of America. In the War of American Independence (1775-83), thirteen colonies became free from British colonial control. These states (former colonies) first established a confederation. As this confederation proved inadequate to meet the needs of the situation, the representatives of states met together in a convention in 1789 and drafted a federal constitution. The states created a structure of government at the centre and conferred on it certain specified powers, retaining the residual powers with themselves. Since then, the US federation has changed through formal amendments, judicial interpretations and political processes. Nevertheless, the US federation became a prototype, a model of federal polity for many to emulate.

The first country to follow the US example was Canada which adopted a federal system in 1867. The British colonies in Australia too adopted a federal polity when it attained dominion status in 1901. In Europe, the Swiss cantons had already organised themselves into a federation. Soon after the Bolshevik revolution, the Soviet Union and Yugoslavia adopted a federal constitution. Following decolonisation, several newly independent countries in Asia and Africa saw federalism as a mechanism for accommodating diversities. India, Pakistan, Malaysia, Nigeria and Cameroon adopted a federal system for this purpose. In Latin America too, a large state like Argentina, Brazil and Mexico have become federations.

One can identify two distinct processes in the evolution of the federal political systems. In the first case, independent states have joined together by ceding or pooling sovereign powers in certain domains. Examples of such *coming together* federal processes can be seen in the United States, Canada, Switzerland, and Australia. In the second case, federal systems emerged from unitary states when governments, to accommodate diversity, began to devolve authority to regions with distinct socio-culture or geographical features. Examples of this form of *holding together* process include India, Belgium and Spain. In general, the *coming together* federal political orders are typically arranged to constrain the

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centre and prevent majorities from overriding a member unit. In the holding together federal political orders, subunit are granted autonomy in certain domains in an asymmetric federation, while maintaining broad scope for the central government and majorities.

With the changing nature of the state and the economy in the post-War years, the boundaries between the unitary and federal have become blurred. Since the 1970s, a number of countries have introduced strong regional governments (e.g. Spain and the United Kingdom) and many countries have decentralised significant authority to regional tiers (e.g. France and Italy). Likewise, in Latin America, Chile, Colombia, Peru, and Bolivia have strengthened regional or local governments. Today, most political systems contain some features which are unitary and others which are federal. In this unit, we will explore the essential features of the federal political system and then proceed to examine the working of federalism in two countries: Brazil, one of the largest and regionally diverse countries in Latin America and Nigeria, one of the wealthiest and ethnically diverse populations in Africa.

11.1 FEDERALISM: ESSENTIAL FEATURES

Whether a federal system comes into being as a result of independent political units coming together (as in America) or as a result of unitary states constitutionally devolving powers to the states (as in India), all federal forms of government have the following three important features:

Division of Power

Although the manner and degree of division of power vary across the systems, the core feature of a federation is the division of power between the federal and the state governments. This can be achieved by specifying the subjects on which the federal or central government has exclusive jurisdiction and keeping the residuary powers with the states (as in the United States or Brazil). Another way this is done is by specifying the subjects allotted to both the centre and states and giving subjects not mentioned in the list to the centre. In India, Canada and Belgium for instance, the residuary powers are given to the centre.

Written Constitution

Since the division of powers between the centre and states is like a compact, it is necessary to be given a written form. Constitutions of a federal set up specify the areas over which the centre and states have jurisdiction. This means that both the centre and the states derive their powers from the constitution. The constitution is supreme in a federal set up. Every power, -executive, legislative or judicial- whether it belongs to the centre or the states is subordinate to and is controlled by the constitution. Neither the centre nor the states can make a law violating the provisions of the constitution. Given the centrality of the constitution, most federations have provisions which make it difficult to alter the constitution unilaterally, either by the centre or the states. Because of the difficult procedures

prescribed for the amendment of the constitution, especially its federal provisions, federal constitutions are regarded as rigid constitutions.

Judicial Review

The legal supremacy of the constitution, which is an essential future of a federal system, makes it necessary that there is a body above both the federal government and the state governments to decide whether they are operating within the powers given to them. This function of interpreting the Constitution is usually given to the Supreme Court. It is the Supreme Court which decides the legal disputes arising between the centre and states or between two or more states. It can declare any act or law unconstitutional and void if it goes against the constitution and its spirit. In some cases, this function can be entrusted to an independent body. For a long time, this function relating to the Canadian constitution was performed by the Privy Council in England. The power of the courts to decide the constitutional validity of laws is called the power of judicial review.

In a unitary system, the powers (legislative, executive and judicial) are vested in a centralized authority (whether a republican authority or monarch), which may or may not devolve power at lower level; and which may or may not provide for local (or regional or provincial or sub national) autonomy. In the unitary form of government, all powers are vested in a central authority. The central government can 'devolve' certain power to the lower levels if it finds it difficult to administer the entire state by itself. The power thus devolved to the sub-units at the local or regional level is not permanent. It can be revoked by the centre at any time without even having to provide any justification. This is because the sub-units do not derive their powers from the constitution but from the legislative enactments of the central legislature.

Check Your Progress 1

Note: i) Use the space given below for your answer.
        ii) Check your answer with the answer given at the end of the units

1) What are the core features of a federal system?

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11.3 FEDERALISM IN BRAZIL

Brazil's political history can be read as a cyclical alternation between centralization and decentralization—a contest between the centre and the periphery (Selcher, 1989). In 1891, Brazil adopted a federal constitution modelled after the constitution of the United States. After experiencing centralizing tendencies under Getúlio **Vargas** (1937–1945) and military dictatorship from 1964 to 1985, Brazil's political system paved way for democratic decentralization and fiscal federalism with the adoption of a new constitution in 1988. The functioning of federalism in Brazil can't be understood without looking into the historical development in the country which paved the way for a democratic federal republic Brazil. Thus, before trying to identify the elementary features of Brazilian federalism, let us look at a brief historical background of Brazil's political system.

11.3.1 Historical Background

Brazil being a Portugal's colony enforced the idea of unity and eventually made possible the formation of a great empire. Its territory was divided into various captaincies directly dependent on Portugal. Between 1807 and 1822, the Portuguese King Don Joan and 15000 court members moved to Brazil and established the United Kingdom of Brazil and Portugal. A few years after Napoleon's defeat, the king returned to Lisbon. In 1822, the prince regent Dom Pedro I, who became the emperor, declared Brazil as an independent empire in 1822. Dom Pedro I recognized that it was not possible to impose absolutism. He, therefore, paved the way for a constitutional monarchy and a parliamentary system in 1824. Dom Pedro I and his son Dom Pedro II ruled Brazil for sixty-seven years (1822- 89). During this period, Brazil was divided into twenty provinces which were further divided into several municipalities and the power was distributed between the executive, the legislature and the judiciary. Thus, the evolution of federalism in Brazil dates to the era of Portuguese colonialism. However, the monarchy retained the 'moderating power' to step in whenever required to maintain stability thus laying the foundation of centralized state with limited power at the provincial level.

The constitutional monarchy ended in 1889 following a military coup. Brazil becomes a presidential republic with the military having the 'moderating power'. The First Republic (1889-1930) incorporated the features of federalism based on America's example. It provided wide-ranging state autonomy. However, the states didn't have sufficient fiscal and political power at their disposal to address the regional inequalities and take autonomous decisions without the interference from the centre. Brazil thus was a quasi-centralized political system where the power was concentrated in two main states of Sao Paula and Minas Gerais. They represented their regional interest as national interest. This misrepresentation was challenged and Getulio Vargas came to power in 1930 through a revolt. Vargas tried to establish Estado Novo (New State)based on the policies of corporatism, populism, nationally planned economic development and uniform bureaucratic

policies, all of which had long term centralizing consequences. Moreover, there was a deliberate manipulation of state structure by suppressing opposition, abolished all legislative bodies, political parties and elections. Over a period, a political and economic crisis arose as a result of growing inflation, trade imbalance, the balance of payment crisis and reduced economic growth. These conditions resulted in a polarized climate with the left favouring nationalization and the right pushing for a free market for economic growth and stability. Amidst economic slowdown and societal unrest, the military decided to take over in 1964 and thus Brazil became a 'Military Republic' for more than two decades. During the military rule (1964-1985) Brazil saw heights of centralization. Politically, state governors were appointed by indirect election, mayors were appointed by the president and the election rules were manipulated at the local level. Economically, fiscal and tax reforms expanded the power and role of the national government in the economy and limited the ability of states and localities to collect taxes. Despite the 'Brazilian Miracle' of double-digit growth, social inequality began to widen. Rising unemployment and hyperinflation soon led to political unrest. With the military regime also failing to repay foreign debt obligations, disenchantment with the military rule set in. The military regime became repressive and suppressed labour and student movements. But it could not suppress democratic aspirations for long. In 1982 the military allowed direct elections for state governors, gradually increased federal transfers to municipal governments and allowed political parties to function. This paved the way for the transition to a democratic regime in 1985 and drafting of a new constitution in 1988 after wide consultations. The new constitution provided for political and fiscal decentralization and made federalism a basic and non-amendable feature of Brazil's political system. Brazil, thus, became one of the most decentralized federations of the world.

11.3.2 Structure of Brazilian Federalism

Brazil officially called the 'Federative Republic of Brazil 'comprises of 26 states and a federal district, Brasilia. The country is further divided into over 5,000 municipalities. Thus, the vertical federal structure of the country is divided into three tiers of autonomously governing bodies: the central government (governed by President), the state government (governed by the governor), and the local government called *municipios* (governed by the mayor). The head of all three levels is directly elected. The Constitution of 1988 provided for a vertical division of legislative powers to be exercised by the three tires namely 'exclusive' powers to be exercised by the federal government;12 areas under 'joint' powers exercised by the federal government, states, Federal District and municipalities; and 16 areas having 'concurrent' legislative authority among the federal government, states and the Federal District. Residual areas were reserved for states provided the powers are not forbidden to them by the constitution.

The federal parliament of Brazil, commonly called the 'National Congress', is made up of two houses or chambers: Senate (the upper house) and the Chamber of Deputies (the lower house). The Senate is made up of representatives from the

26 states. Regardless of their size and population, each state elects three senators to the Senate for eight years. Whereas the Chamber of Deputies is made up of representatives from various voting districts, popularly-elected by the people. The number of Deputies is proportionate to the population of each state. This meant that states with higher populations enjoy more representatives to the Chamber of Deputies than states with less population.

The system of judicial review, though extensive is a bit complicated. Both the state and the federal courts can exercise the power of judicial review. The constitutionality of any law (federal, state or municipal) can be challenged either at the state or federal court. Thus, the jurisdiction over the federal or state law is shared by both the state and federal courts. Any unit, not satisfied with the judgement can appeal to the Supreme Federal Tribunal which is the ultimate arbiter of the balance of power.

Fiscal federalism is a major highlight of the Brazilian federalism. Brazil is the most decentralized state with most of the expenditure done by the state governments. State expenditure stands more than 40 per cent in Brazil, which is in contrast with just 23 per cent expenditure done by the states in the USA (Geddes and Benton, 1997). Fiscal federalism is paralleled by political federalism with the transfer of various resources and rights to the state and *municipios*. States and local government are at complete liberty to decide how they utilise the fixed percentage of autonomous funds (around 20 per cent) given to them. This decentralization has had a positive impact in delivering services such as primary education and health.

11.3.3 Functioning of Brazilian Federalism

Although the new constitution of Brazil tried to address the prolonged issues of regional imbalance and economic disparity, it fell short in delivering the desired results. Some of the major issues involved in the working of the federal system in Brazil are embedded in the historical context.

The Brazilian state is a diverse state varying in demographic profile and economic development. The disparities in the population are very sharp. The south and the southeast are more densely populated as these regions offered better economic opportunities. On the other hand, the states of the north and northeast are sparsely populated due to the predominance of agricultural activities. This stark difference in population resulted in malapportionment in both the lower and upper houses of the legislature. Malapportionment happens when electoral constituencies are created in such a manner that there is an unequal representation of voters to representatives in various constituencies. In the upper house, regardless of the population, each state is represented by three senators. For instance, Sao Paulo has 116 times the inhabitants of Roraima but still, both states have three senators each. This has contributed to an unequal representation of the regions in the upper house. Quite different, yet similar mismatch of representation exists in the lower chamber. Although the number of seats is allocated based on population, the constitution has fixed the minimum

(eight) and maximum (seventy). As the maximum number is fixed, the densely populated states of the southern and central region are underrepresented and thus the lesser populated areas have an indirect veto against them. The sparsely populated states thus also have a large share in bargaining power to extract transfers from the centre which impact the federal balance of the country.

There are also issues of balance between the resources and responsibility in the much-celebrated fiscal federalism of Brazil. Dispersing political and economic power was thought to increase economic efficiency but few results were quite contrary. Firstly, as the power of the sub-national actors such as governors and mayors increased, they often engaged in excessive expenditure. They began borrowing from domestic as well as foreign markets resulting in enormous debt at the state level. This impacted the overall economy of the country and added financial pressure on the federal government. Secondly, to attract new investment, states competed with each other to lure investors by waiving taxes. This 'fiscal war' impacted all the states negatively as they were increasing their expenditure on one hand and reducing their sources of revenue on other hand. Thirdly, the fiscal horizontal balance was unable to address the issue of already existing economic and fiscal disparity among regions and states. Rather than encouraging local revenue mobilization and properly expanding their local tax base, the municipalities became dependent on the state and federal devolution of funds. In anticipation of getting more federal resources, many states went on creating new municipalities. Thus, the federal government was left with more expenditure responsibility and comparatively less revenue at disposal. This further impacted the spending of the state negatively on social programming and urban infrastructure (Jha, 2007).

The federal government tried to restore fiscal sanity at the sub-national level by placing curbs on state borrowing, privatising state banks, rationalising spending of state and municipal expenditure, and setting limits on expenditure on payment for working expenses. It also put in place a law on fiscal responsibility (LRF) to ensure transparency and responsibility in public finance.

Check Your Progress 2

Note: i) Use the space given below for your answer.
ii) Check the answer with the one given at the end of the units

1) Write a note on the practice of federalism in Brazil.

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11.4 FEDERALISM IN NIGERIA

In comparison with established democracies, Nigeria is a highly populated and diverse country. . Along with the ethno-linguistic divisions, Nigeria is deeply divided along religious lines. Given the plural nature of the state, the federal system became necessary to 'hold together' the diverse elements inhabiting in the state. The introduction of a federal system in the Constitution of 1954 by the British colonial rulers was thus a pragmatic decision as a unitary government would have led to socio-political unrest in the colony.

Since it emerged as a sovereign independent state in 1960, Nigeria perennially has sought to redesign constitutional institutions to accommodate its diverse ethnic groups and contain inter-group conflict. The short-lived First republic (1960-1966) was followed by over three decades of military rule (1966-1999) with a brief civilian interregnum during the Second Republic (1979 to 1983). During the military rule, Nigeria moved from a relatively decentralised parliamentary federation to a centrist presidential system. In 1966, the first military administration sought to establish a unitary state, but there was a violent reaction to such a scheme. The following year, civil war broke out with one of the regions seceding and forming the Republic of Biafra. After three years of civil war, the region was reunited. Since then, successive military administrations have remained committed to maintaining the federal structure. The military implemented five rounds of territorial reorganisation, steadily increasing the number of federal subunits from only four regions at the end of the First Republic in 1966 to 36 states in 1996. Thus, the advent of military rule and the civil war of 1967-1970 have had a profound impact on the evolution of the federal system. They led to an assertion of federal principles albeit with a strong centre. Nigeria continued to experience many political upheavals, but its leaders have strived to achieve 'true federalism'. Let us briefly look into the historical transition of a unitary Nigeria to a federal political system and try to understand the reasons for its dysfunctional character.

11.4.1 Historical Background

Nigeria, like most African states, is a product of colonialism. The British ruled over northern and southern Nigeria as two separate colonies until 1914 when the two colonies were brought together as Protectorate of Nigeria. As is the case most African states, Nigeria's boundaries had little to do with the borders of the pre-colonial African societies, and merely marked the point where British influence ended and French began. Nigeria was a forced union of myriad African cultures and ruling entities. Although estimates of the number of ethnic groups in Nigeria's diverse society range from 250 to 500, three ethnic groups, the Igbo (generally Christian) in the southeast, Yoruba (mostly Muslims) in the southwest, and the Hausa- Fulani (mostly Muslims) in the northern region constituting two-thirds of the population and dominate the political history of Nigeria. Muslims (predominantly present in the northern region) constitute about half of the

Nigerian population and Christian (predominantly present in the southern region) constituting almost 40 per cent.

The amalgamation or loose fusion of the north and south Nigeria in 1914 and the differential policies has left a poor legacy of nation-building in Nigeria. The British had given greater local autonomy in the northern regions but 'penetrated' or intervened administratively and militarily in the south. Besides, they systematically disadvantaged the northern region in term of education, access to political influence and economic development. The disparities arising from these policies continue to affect Nigeria even today (Sodaro, 2008).

In 1939, colonial power divided Nigerian into three regions corresponding to the three major ethnic groups. After the World War II, these regional divisions evolved into a federal structure with a single ethnic group dominating each region: the Hausa- Fulani in the Northern, the Igbo in the Eastern, and the Yoruba in the Western region. After Nigeria became independent in 1960, its first republic (1960- 1966), was dominated by the strong regional governments and a weak federal government. Various issues of contention based on north-south, Muslim- Christian, ethnic and linguistic lines began to impinge on politics in Nigeria. As these led to rampant violence and corruption, the military intervened in 1966. This was followed by civil war in 1967 with the unilateral deceleration of independence by the eastern region's military commander. The civil war led to the introduction of several economic and political measures which resulted in the concentration of the power in the hands of central authority. Further, the boom in oil prices since 1973-74 increased the economic centrality of the federal government. Thus, the concentration of economic power at the centre resulted in the supremacy of the federal centre as well as centralisation of the federal system. Also, after the end of the civil war, the military had tried to foster a new national identity based on ethnic accommodation and tolerance. National identity came to the fore by subsiding regional identities and aspirations. Thus, there was a shift in the federal character of Nigeria. In the beginning, when Nigeria was trying to integrate different regional identities, it focused on 'bottom- heavy' approach by providing sufficient regional autonomy. But later when it realized that too much autonomy was leading to social unrest and secessionist tendencies then it reversed its federal character towards a 'top-heavy' approach. While recognizing and providing for accommodation of different ethno-linguistic and religious groups, Nigeria now maintains a strong centre.

11.4.2 Structure of Nigerian Federalism

Since it first captured power in 1966, the military has remained in power till 1999 with a four-year interregnum of civilian rule (between 1979 and 1983). During this period, the military introduced the 1979, 1989 and the 1999 constitutions as a part of their transition to military rule. In between these constitutions, the military enforced extra-constitutional laws and decrees. It also abolished the legislature and seized the function of lawmaking. As a result, federal governance became an

exclusive precept of the military through military legislative organs (Elagwu, 2007, 103). Since the restoration of civilian rule in 1999, the Federal Republic of Nigeria is a federation consisting of thirty-six states and a Federal Capital Territory of Abuja.

The executive head at the federal level is the President, Governor in each state and Chairman in each local government. The President of Nigeria is both the Head of State and Head of the federal government. The President in its cabinet must include at least one member from each of the 36 states thus trying to make the cabinet inclusive of the ethno-linguistic and religious communities.

The constitution of 1999 provides for two lists which divides the legislative powers. The 'exclusive list' and the 'concurrent list' provided of the subjects to be legislated by the centre and by both the centre and state respectively. This distribution of power makes it clear that the state government has very limited power as compared to the central government as there is no area in which the state has exclusive power to legislate. Although the centre argues this division of power serve the common interests of the country as a whole and the federating units, in reality, it points towards an extremely centralized federation.

The National Assembly of Nigeria is the federal law-making body of Nigeria. It consists of two chambers: The House of Representatives (the Lower House) and the Senate (the Upper House). The executive branch in the Nigerian federal government consists of President; Vice-President; Ministers. The country's court structure exists at both federal and state levels, with the highest court in the land being the Supreme Court. As the Constitution is the supreme law of the land, the judiciary is charged with interpreting the laws in accordance with the Constitution.

11.4.3 Functioning of Nigerian Federalism

Nigeria is a federal country but in practice, the country works as a unitary state. Centralizing tendencies have come to characterise the governmental system. Federalism is based on the principle of sharing of power among the various constituent units and respecting their autonomy. But both the state and the local governments lack the capacity and resources to act and are left at the mercy of the centre for resources to ensure the welfare of the people. To accommodate the diversity of its society, Nigeria has steadily increased the federating units from four states in the 1960s to 36 states. While this was intended to address the issue of concentration of resources in a few regions, it has created more problems owing to non-viability of the states in terms of resources.

The centralized authority over revenue and resources during the military regime has left its mark on fiscal federalism in Nigeria. There is a mismatch between resources and the constitutional responsibility of the state and local level. Further, these centralizing tendencies have led to both vertical and horizontal imbalance; with the north having less revenue than the south and centre. The picture is further complicated by federal government's decisions which tend to increase the concentration of resources in their hands. For instance, the federal government

reserved the offshore resource exploitation exclusively for them. There are even instances of misappropriation and illegal deductions of the fund by the centre from the federal account. With the federal government enjoying enormous power for revenue, the centre became the sole distributor of oil rents, dictating the share of national wealth. The states, in turn, became extensions of the federal government rather than independent tiers of government.

The problem is not just limited to the fiscal imbalance. At the political level, irregularities and fraud in elections as observed by the EU Election Observation Mission highlights the questionable integrity of the democratic process which acts as the bedrock of federalism. Further, the federal government also abuse its power by frequently acting contrary to the interest of the state government. At the societal level, in northern Nigeria, the federal set up has not been able to address the concerns of the minority ethnic groups which are in constant conflict with the majority for getting access to basic facilities and rights.

As a result, many Nigerians, especially those from the south, have demanded what they called 'true federalism'. Although there is no fixed meaning of what constitutes 'true federalism', but central to its idea is the dissatisfaction with the current form of highly centralized federalism. A weak centre, which accommodates the ethnic diversity in true sense, is central for the minority groups such as Yoruba. The people of Niger Delta want more access and autonomy regarding the exploitation and usage of resources located in their region without intervention from the centre. These are contrary to the demands of the people of the Northern region who are satisfied with the current federal structure as it is perceived to be in their best interest. Thus, in a sense, federal practice in Nigerian still battles with the fall-outs of the heterogeneity of the Nigerian state.

11.5 COMPARING BRAZILIAN AND NIGERIAN EXPERIENCE OF FEDERALISM

As it is now clear from the above, there are different variants of federalism. Both Brazil and Nigeria have a different degree of federalism, the former being exceptionally decentralized and the latter being highly centralized. The variation in the degree of power-sharing can be attributed to the different socio-economic and cultural context in which federalism emerged. While ethno-linguistic and religious diversity guided federalism in Nigeria, in Brazil it is the existence of regional diversity that led to a federal order.

As we saw, unlike other federations, where the division of powers is between the federal government and the state governments, the constitution of Brazil recognises municipal governments as integral components of the federal system. Although municipalities are not institutionally represented in the Senate, they enjoy enormous powers, almost at par with powers to the states. Nigeria, on the other hand, began as a typical federation, but during the military several decree-laws were enacted which have encroached on the powers and resources of the

states or regional units. Most of these centralising features were entrenched in the constitutions that the military bequeathed to the civilian administration.

A comparative picture of the functioning of federalism in Brazil and Nigeria clearly brings out that federalism is incompatible with non-democratic rule. In both cases, we see that federalist guarantee of autonomy of states or subunits have been credible and effective under democratic constitutional regimes. Both federations witness massive centralisation during authoritarian or military regimes.

Brazil's federal system was able to address the regional imbalance by providing for fiscal federalism and by transferring adequate power to the state and local level. On the other hand, the Nigerian political setup was unable to address the ethnic diversity and resource sharing properly thus resulting in a dysfunctional federal system. Nevertheless, despite unresolved issues in Nigeria's federation on power-sharing, Nigeria, along with Ethiopia and South Africa, is one of the few countries in Africa where the federal system, with various transmutations, has survived since its independence.

What is clear from the study of these two federations is the importance of striking a balance of powers and resources between the federal and state governments. From the Brazilian case, we know that fiscal federalism (the politics of allocation of resources) plays a crucial role in shaping the federal-state relation. While Nigerian experience shows that in the absence of devolution of power and participatory procedures, there would be constant friction between the two levels of government. It might be suggested that depending on the context and extent of diversity certain amount of centralization might be required. As we saw in the case of Brazil, too much decentralization has left the federal government with a resource crunch. Due to the shortage of resources, the centre has not been able to fulfil several socio-economic upliftment programmes and its scope has been restricted to transferring resources from revenue rich state to revenue poor states. It shows that the degree of institutionalised 'centralization' or 'decentralization' is of crucial importance for the practice of the federal system. Centralisation here does not imply a movement towards a non-federal polity. After all, the key difference between a federal and a unitary government lies not in the capacity of subunits or regions to rule themselves, but in their capacity to co-rule the country as a whole.

Check Your Progress 3

Note: i) Use the space given below for your answer.
ii) Check with the answer given at the end of the units

1) Why is ethnic diversity a challenge in Nigerian federalism?

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2) What is 'true federalism' in the context of Nigeria?

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11.6 LET US SUM UP

In this unit, we have seen that a federation is a form of government in which the powers are divided between the federal or central and the state governments. The US was the first country to adopt a federal form of government in the late 18th century. Since then, several countries have adopted a federal form of government primarily to accommodate diversity and achieve administrative efficiency.

Different socio-political context results in different forms of federalism. We have seen this in the context of Brazil and Nigeria. Although both these countries were excessively centralized during the military rule, Brazil emerged as one of the most decentralized federations among the developing countries whereas Nigeria becomes a highly centralized federal system. From the example of both Brazil and Nigeria, it becomes clear that a federation can only be successful if it maintains equilibrium between the unity of the nation and regional demands. Without an equitable division of power and toleration, any federation can become dysfunctional like the Nigerian federal system. By acknowledging the regional differences and proper devolution of power and resources, a state can become a highly functional federal system like Brazil.

In recent years, there has been a trend towards centralisation of power in a federation even within the most functional federal system of the world. This has been largely due to the compulsions of achieving rapid development and security. In developing countries, the pressures of diversity on the one hand and the centralisation tendencies for achieving economic growth on the other continue to strain the federal balance which needs to be addressed carefully.

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11.8 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check your Progress1

1. The answer should include the following points -the division of powers, a written constitution, an independent judiciary.

Check your Progress2

1. The answer should include how there has been a trend of centralization and decentralization in Brazil, then address the historical regional inequality and how federalism (especially focusing on fiscal federalism) can address those inequalities. Also, write a few problems associated with the operationalization of federalism in Brazil.

Check your Progress3

1. Start with how Nigeria is an ethnically diverse country within which there are three major ethnic groups. Those groups also tend to identify with different religious and linguistic identities complicating the whole picture. Also, highlight the regional inequalities and how those interact with a different ethnic group historically.

2. The concept of 'True federalism' is understood in a variety of ways in different regions of Nigeria, it refers to dissatisfaction with the current form of centralised federalism.

UNIT 12 ROLE OF COMMUNIST PARTY IN CHINA*

Structure

12.0 OBJECTIVES

The main objective of this unit is to introduce you the basic characteristics of the Chinese political system by focusing on the role of the Communist Party of China (CPC). After reading this unit, you should be able to:

- Explain the nature and characteristics of the Chinese political system

- Describe the factors for the emergence of the communist party in China

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- Explain the power, function, and role of the CPC in China's political system

- Describe the structure of the CPC

- Identify the major issues and challenges related to the CPC

12.1 INTRODUCTION

Political parties are an important component of modern-day politics. The existence of political party or parties is common to all forms of modern states—democratic, socialist, totalitarian etc. The nature of political parties and party system in a given country is determined by the historical, political, economic, social, and cultural conditions or experience of that country. In democratic states, we generally find two-party system (as in the USA or Britain) or multiparty party systems (as in India, Switzerland etc.), whereas, in socialist or totalitarian states (like the former Soviet Union, Nazi Germany, Cuba etc.), the one-party system operates in which a single ruling party dominates the whole political spectrum.

In this context, China, officially the People's Republic of China (PRC) is a socialist state ruled by the Communist Party of China (CPC), also called the Chinese Communist Party (CCP). Founded in 1921 with just fifty-nine members, the CPC today has nearly ninety million members and governs the most populous country in the world. Ever since the party seized power and established the PRC in 1949, it remains the sole ruling party that controls the country's government. The party is the ultimate source of political power in China which commands and controls the entire apparatus of the state, which includes the government, the media, the army and other leading political institutions in the country. In other words, the CPC has been the most influential political force leading the Chinese people and shaping its politics, economy and society. Therefore, to understand politics in China, we must first understand the CPC. This unit is designed to provide you with an overview of the communist party's role in the Chinese political system. The unit will explore the organizational structure, power, functions, and activities of the CPC in China's political system.

12.2 UNDERSTANDING THE CHINESE POLITICAL SYSTEM

China's political system has several distinctive features which are rarely known and often puzzled many outsiders. While dealing China there has often been a gap between rhetoric and reality—between what we know or perceived and what is real; between what is officially claimed and what is actual; between how the story is told and things that occurred. Therefore, we should not merely look into what is perceived or appears to be, but carefully observe the actual structures, functions, processes and institutional mechanisms of the Chinese political system.

Article 1 of the Constitution of the PRC defines the country as a "socialist state under the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants".This Article also stipulates that the socialist system is "the basic system of China and any disruption to the system by any group or individual is prohibited. Such provisions can be traced to the Leninist principle of the state which proclaims 'the dictatorship of the proletariat' as the most appropriate form of state power in which people are the masters of the state and the society. In this regard, CPC claims that it alone can represent the best interest of the Chinese people and the Chinese nation as a whole. The party is endorsed by the country's constitution itself. The preamble of the PRC constitution states that the country is under the "leadership of the Communist Party of China"

While China shares several features in common with other socialist states, it is distinct from traditional socialist states like the USSR. Unlike the established Soviet model of the single-party system, China adopted a unique party system permitting eight 'minor' parties, sometimes referred to as 'democratic parties', to operate in the system along with the CPC. These minor parties came into being and had existed before the formation of the PRC in 1949, and each of these represents a particular section of the Chinese society, such as academics, scientists, artists, writers, professionals, minority groups etc. They are permitted to exist on the condition that they swear their allegiance to the 'leadership role' of the CPC. The constitution of the PRC described this arrangement as 'multi-party cooperation and political consultation' led by the CPC. However, China's party system cannot be called as a multiparty system because the CPC has an absolute monopoly of power over the system. The eight minor parties can neither question nor challenge the leadership of the CPC through election or any other means. Their role is practically meaningless, restricted to submitting motions, queries, proffering ideas or giving suggestions to the CPC mostly on non-political matters through a consultative institution called Chinese People's Political Consultative Conference (CPPCC). But it does not oblige the CPC to act upon it. Moreover, the CPC neither allows the formation of new parties nor is willing to broaden the power and functions of the existing eight democratic parties. When a political party called the Democracy Party of China (DPC) was formed by former activists of the Tiananmen movement in 1998, the CPC quickly suppressed it and arrested or exiled most of its leaders. The CPC is also very cautious in preventing the CPPCC from becoming a forum for dissent or a platform for political mobilization against the CPC. Thus, if we compare China's political system with other political systems it is a fairly centralized system dominated by the CPC.

In China's politics, although the party (CPC) and the state (PRC) are organizationally and functionally separate entities, the two are intertwined under the communist system of 'party-state' in which party always exercises its monopoly of political power and control over the government (the state). To maintain the party's supremacy, its top-ranking leaderships simultaneously hold executive and decision-making positions of the state (government) machinery

and institutions. For instance, though, the president of the PRC (who is the head of the state) is formally elected by the National People's Congress (NPC), in reality, its choice is limited to only one candidate who is usually the head of the party, i.e., the General Secretary of the CPC. Similarly, the Premier (informally referred to as Prime Minister), his vice-premiers and other members of the State Council are formally approved by the NPC (See box item), in practice, their candidacy is chosen and approved within the communist party and most of them have always been members of the Party's powerful Politburo Standing Committee (PBSC). Therefore, since the key officials of the government are chosen by the CPC, it is the CPC that decides policies while the government acts as an administrative agency, which executes and implements those policies.

As a party which holds the leading position, CPC seeks to establish 'socialist democracy' or 'consultative democracy' in China. It should however be noted that 'the CPC's understanding of the term 'democracy' is quite different from its widely accepted definition. The CPC claims that China's socialist democracy is the superior form democracy as it is based on the unchallengeable role of the CPC, chosen by the Chinese people and born out of China's culture and tradition. Moreover, it proclaims that the socialist system is the system which suits China's reality and effective in guiding the country in building China into a strong and modern society.

National People's Congress (NPC) is the national legislative body of the PRC. It is composed of deputies (approximately 3000) who are elected for five years from various electoral units; provinces, municipalities, autonomous regions, special administrative regions, PLA units, ethnic minority groups etc. The NPC meets once a year for about two weeks. It wields legislative powers, the power to elect major officers of the government.

State Council is the principal administrative body of the government which functions as the cabinet in the parliamentary system. It is headed by the Premier (prime minister) and includes few vice-premiers (currently has four vice-premiers), ministers, heads of the ministries and several senior officials of the state.

Check Your Progress 1

Note: i) Use the space given below for your answer.

ii) Check your answer with the answer given at the end of the unit.

1) China can be best described as a one-party system. Why?

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12.3 HISTORICAL BACKGROUND: THE BIRTH OF THE CPC

The emergence of the communist party has had a profound impact on the development of modern Chinese society. In the early 19th century, the last imperial dynasty of China, the Qing dynasty (also known as Manchu dynasty) faced several challenges to its rule, including foreign incursions in its territories. After the Opium War of 1840, China was compelled to open its ports to foreign powers for trade. It had to sign a series of 'unequal treaties' with almost all western imperial powers. Britain, U.S., France, Russia, Japan, etc. secured economic and territorial privileges and establish their spheres of influence in different parts of China. Economically, China was plundered by foreign powers and reduced into a 'semi-colonial' and 'semi-feudal' society.

The failure of the Qing dynasty to protect China from foreign incursions and the national humiliation meted out of it persuaded a group of revolutionary intellectuals to unite a political force against the monarch (Qing) and external enemies. In 1905, the intellectual movement brought into existence the 'Chinese Revolutionary Alliance' (Tongmenghui), a revolutionary group led by Sun Yat-Sen. This group led several uprisings against the autocratic Qing rule and finally in 1911, it succeeded in overthrowing the two-thousand years old dynasty and established the Republic of China (ROC). The Revolutionary Alliance was transformed into a political party called the Kuomintang (KMT, sometimes spelt as Guomindang) often translated as the Nationalist Party of China. China was set to evolve into a liberal democracy on the pattern of western democracies. However, the new republican government was unable to consolidate its power, resulting in the rise of feudal warlords of various kinds.

In these circumstances, in May 1919 a mass uprising known as May Fourth Movement broke out in Beijing against the republican government's weak response to foreign interventions. It was an unprecedented movement in which people from all walks of life took part. Around that time, a small group of intellectuals, inspired by the success of the Bolshevik revolution in Russia, set up communist groups across the country to propagate revolutionary ideas and organize worker's movement among the masses. In July 1921, these communist groups came together at the First National Congress held in Shanghai and announced the formation of the Communist Party of China (CPC). The Communist Party of China, as we shall see, soon emerged as a significant political force.

In 1923, under the instruction of the Communist International (Comintern), CPC allied with the KMT and formed the 'United Front' in which CPC members joined the KMT as individuals while retaining their CPC membership. The alliance was held together by their common enemy: imperialism and feudal warlordism. The United Front, however, did not last long. Following the death of Sun Yat-Sen in 1925, Chiang Kai-shek, a staunch anti-communist, assumed the leadership of KMT. Soon after, KMT turned hostile towards communism. In

1927,Chiang launched large-scale military campaigns to expand KMT's influence and suppress communist strongholds. During this civil war between KMT and the communists, the latter were forced to abandon their revolutionary activities among China's urban proletariat and relocate their bases in the countryside. Here the communists established close links with the peasants. It was during this time that Mao Zedong propounded the idea of the peasantry as the leading social force for revolution in China. By recruiting peasants in the party, Mao soon emerged as the leading political figure among the communists. In May 1928, the Chinese Workers' and Peasants' Red Army, better known as the 'Red Army' was formed to combat the advancing KMT forces. But in October 1934, KMT's 'extermination' offensive against the Red Army's main base in Jiangxi, forced some ninety thousand soldiers of the Red Army to retreat towards the north. After marching a little over a year, covering nearly ten-thousand kilometres across some of the most remote parts of China, the Red Army founded a new base at Yan'an in Shaanxi province in Northern China. This escape from Jiangxi and founding of a new base in Yan'an is one of the most significant episodes in the history of the CPC and is celebrated as the 'Long March'.

In 1937, to resist the territorial expansion of the Japanese (that had begun with the capture of Manchuria in 1931) CPC made an uneasy alliance with the nationalist KMT. This resistance to Japanese expansion extended into World War II. During the war-time period, the communists led by Mao regained their strength by successfully mobilizing the peasants, whereas, the Nationalist became unpopular and isolated because of widespread corruption and mismanagement in KMT. After the Japanese surrender at the end of World War II in 1945, a full-scale civil war ensured between the two hostile forces—CPC and the KMT. The communists led by Mao Zedong defeated the nationalist KMT and established the People's Republic of China (PRC) on October 1, 1949. Since then, the CPC has remained the sole party ruling the PRC.

12.4 NATURE AND CHARACTERISTICS OF THE CPC

The fundamental task of every communist party in the world is to make sure that the party retains its firm hold on power because they believe that political monopoly is the essence of the socialist system. As the sole governing party in China, CPC exercises its power by consolidating its control through a variety of coercive means such as censoring the press, jailing dissidents, suppressing the civil societies, imposing regressive laws, and at times, using brute force to silence the opponents. As a party formed on the basis of Leninist principle of 'vanguard' party, CPC also controls the military, the judiciary and other administrative apparatus of the state by appointing party leaders in key positions of governance. For example, Party leaders also simultaneously hold leading positions as premier, ministers, state presidents, generals and officers in the military, police, etc. The CPC believes that it alone can 'represent' and 'lead' the interest of the Chinese people and the nation as a whole.

The Communist Party of China's basic organizational principle is also based on the Leninist principle of 'democratic centralism'. Democratic centralism as defined in the Party constitution is a 'combination of centralism built on the basis of democracy and democracy under centralized guidance'. The core idea of democratic centralism is that the Party should encourage 'open' and 'democratic' debate and discussion among its members and party organs while taking a decision; but once a decision is taken by the party leadership, all members of the Party and party organisations have to abide by the decision. Under this principle, individual members are subordinate to the organisations, the lower organisations are subordinate to the higher organisations and all the constituent organisations and members of the party must follow the command and leadership of the party authority. The interests of the Party stand above the interests of the individuals or citizens. The people are often told that obedience to the authority is a moral, sacred, or patriotic duty of the citizens, whereas, repression is justified in the name of the system's stability.

12.5 GUIDING IDEOLOGIES AND PRINCIPLES OF THE CPC

One of the defining characteristics of communist parties around the world is their allegiance to Marxism-Leninism as the guiding ideology. The CPC is no exception; the party officially proclaims Marxism-Leninism as its guiding ideology and also affirms its commitment towards establishing a society based on socialism. Since the formation of the party in 1921, Marxism-Leninism has been the primary inspiration and guiding force. While Marxism provided the broad theoretical framework of the 1949 revolution, Leninism offered the practical techniques of revolution to seize state power.However, there have been remarkable changes in Chinese thinking and approach towards Marxism-Leninism. Over time, many significant ideas and thoughts have been incorporated to the Party's guiding ideology, to adapt to the changing situation and also help in retaining its rule in China. This ideological adaptation produced a unique variant of socialism, known as 'socialism with Chinese characteristics'.

Another significant ideological foundation of CPC is the 'Mao Zedong Thought'. Mao's thought was described by the CPC as a 'doctrine created by the integration of Marxism-Leninism with the concrete practice of the Chinese revolution'. It is essentially the 'sinification' or adaptation of Marxism-Leninism to the prevailing agrarian conditions of Chinese society. Besides, during the revolutionary movement, Mao adapted party-building concepts developed by Lenin. These include concepts like 'vanguard party of the working class', 'democratic centralism' or the 'party-state'. Acknowledging Mao's contributions, his ideas known as 'Mao Zedong Thought' along with Marxism-Leninism were formally proclaimed as CPC's guiding ideology when the party adopted its first constitution at the 7th Party Congress in 1945. Although Mao made significant contributions to the party, two of his utopian initiatives, namely the Great Leap Forward (1958-1960) and the Cultural Revolution (1966-1976) ended in terrible

catastrophes. Although these developments have sharply reduced Mao's stature as a national leader, his ideas continue to guide the party and the nation. The CPC has recently described 'Mao Zedong Thought' as the 'spiritual assets of the party'.

Great Leap Forward (1958-1960) was an economic and social campaign put forward by Mao Zedong to accelerate China's economic transformation from a predominantly agrarian economy into an industrial society. It aimed to lead China into an era of 'true communism' where there would be complete social and economic equality.

Cultural Revolution (1966-1976) was a socio-political 'purification' campaign launched by Mao Zedong to preserve communist ideology and revive its revolutionary spirit by purging the 'impure' bureaucratic Soviet-model of development and also eliminating the western capitalist elements from the Chinese society.

Following the death of Mao Zedong in 1976, Deng Xiaoping (1904-1997) rose to power and became the *de facto* leader of China. Although Deng never held a position as head of the state/government or the CPC, he exercised supreme authority in China in the post-Mao era. In 1978, he initiated the historic 'Reform and Opening-up' policy which brought a far-reaching transformation in China.

Deng started the 'Four Modernization' programme in areas of agriculture, industry, defence, and science and technology with the goal of 'rejuvenating' the Chinese economy. He also initiated a parallel set of principles for political reform called the 'Four Cardinal Principles' that became the ideological and political guide for both the party and the state. The four principles called for upholding (i) the road to socialism (ii) the people's democratic dictatorship (iii) the leadership of the CPC (iv) Marxism-Leninism and Mao Zedong Thought. Deng's initiatives and programmes became a turning point resulting in a far-reaching transformation in China's political, economic and social development which earned him the reputation as the 'Architect of Modern China'. Under him, often called the era of 'reform and opening-up', China's centrally planned economy was shifted to socialist market economy, resulting in unprecedented economic growth. His policies also brought greater integration of the Chinese economy with the global economy. Thus, Deng Xiaoping's era brought a new brand of socialist thinking formed by forging the orthodox Marxism-Leninism doctrine with China's pragmatic condition, which is known as 'socialism with Chinese characteristics'. After he died in 1997, his ideas collectively known as 'Deng Xiaoping Theory' were added into the CPC's Constitution, along with Marxism-Leninism and Mao Zedong Thought, as the Party's guiding ideology.

In February 2000, the Chinese President, Jiang Zemin (1993-2003), introduced another ideological innovation called 'Three Represents'. It stipulates that CPC must always represent; (i) China's advanced productive forces, (ii)China's advanced culture,and (iii) interests of the overwhelming majority of the Chinese people. Jiang's ideological contribution of the 'Three Represents' was enshrined in the PRC's constitution in 2003. In 2012, the Eighteenth CPC Congress

incorporated yet another guiding ideology called the 'Scientific Outlook on Development' (also known as Scientific Development Concept) conceived by Hu Jintao. Hu Jintao advocated that the CPC's role as the core leadership is critical for building a 'harmonious socialist society', a society free from social and economic inequality.

In its latest adaption of Marxism-Leninism to the Chinese context, CPC at the 19th Party Congress in 2017 adopted President Xi Jinping's thought on 'Socialism with Chinese Characteristic for a New Era' as the Party's guide to its action. Xi also conceived another vision called the 'China Dream' to 'rejuvenate the Chinese nation' and make China a great power. To realize the Chinese dream, Xi Jinping called the Party as well as the Chinese people of all ethnic groups to uphold the great banner of socialism with Chinese characteristics, have a firm conviction in its path, theory, system, and culture, and implement the Party's basic line, basic theory and basic policy. Thus, a strong element of nationalism was injected into the ideology of China's party-state.

Though communist ideology is much less significant in China today than it was earlier, it continues to provide the basic framework for the party. The party constitution proclaims that the 'highest ideal and ultimate goal' of the party is the 'realization of communism'. However, it should be noted that to maintain its relevance and legitimacy, CPC not only restructured the orthodox Marxism-Leninism but also developed new doctrines. CPC shows no signs of abandoning Marxism-Leninism but rather committed to using it more pragmatically.

Check Your Progress 2

Note: i) Use the space given below for your answers.
ii) Check your answer with the answer given at the end of the unit.

1) What is the principle of 'democratic centralism'?

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2) Is CPC guided by Marxism-Leninism?

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12.6 ORGANISATIONAL STRUCTURE OF THE COMMUNIST PARTY OF CHINA

The CPC is a highly integrated party characterised by centralized power, hierarchy and subordination. In line with this, CPC has several organs spread across three broad levels—central, local, and primary organisations. The role and functions of these organs are all distinct yet mutually interconnected following the principle of 'collective leadership' and 'individual responsibility'.

12.6.1 The Party Congress

According to the CPC Constitution, the "highest leading bodies" of the party are the National Party Congress and the Central Committee. The National Party Congress, also called the National Congress of the Communist Party of China (NCCPC) is the most important political convention in the Chinese political calendar, held once-every-five-years (It is not to be confused with the National People's Congress (NPC) which is an annual legislative congress of the PRC). During this gathering, approximately 2300 delegates representing all levels of Party hierarchy across China review the activities of the Party since the previous Congress and also lay down guidelines and policies for the coming five years. The first session of the Party Congressselects a new Central Committee which then elects members of other Party organs.

12.6.2 Central Committee

The Central Committee of the CPC primarily consists of 370 members who are elected for a five-year term by the NCCPC from across the country. It meets annually for about two weeks and is charged with carrying out the business of the NCCPC when it is not in session. The Central Committee conducts its sessions, usually known as 'plenums' or 'plenary sessions' which acts as a forum for discussion and ratification of major policies of the party. It is vested with the power to elect the members of the Politburo and its Standing Committee, the Central Military Commission, the Central Commission for Discipline Inspection as well as endorses the composition of the Secretariat.

12.6.3 The Political Bureau

The Political Bureau of the CPC, in short, the Politburo, is a group of 25 senior-most leaders of the Party. It exercises the powers and functions of the Central Committee when a plenum is not in session. Though nominally elected by members of the Central Committee, in practice, Politburo members are selected through backroom negotiations by its seven-member Standing Committee. Most Politburo members occupy leadership positions in the government and other state machineries in various levels.

12.6.4 The Politburo Standing Committee

In the Politburo, power is centralized in a sub-group called 'the Politburo Standing Committee' (PSC), currently comprised of seven members who are the most powerful personalities in the echelon of leadership in the CPC. The seven

PSC members are elected by the plenary session of the Central Committee and each member of the PSC has a rank, responsible for a specific portfolio. Hence, PSC is the most authoritative policy and decision-making body in the CPC and in the country as a whole.

12.6.5 General Secretary

The General Secretary is the formal title of the head of the CPC. Since the abolition of the post of Chairman of CPC in 1982, the General Secretary is the highest-ranking official of both the party and the state. According to the party constitution, the General Secretary is elected from members of the Politburo Standing Committee (PSC) by the Plenary Session of the CPC Central Committee. Besides presiding over the functioning of the Secretariat, the General Secretary also heads other party organs such as the Central Committee, Political Bureau and its Standing Committee. Therefore, the General Secretary of the CPC is the paramount leader in the Chinese political hierarchy.

12.6.6 Secretariat

The Secretariat which consists of seven members is an important organ of the Party which is responsible for coordinating the routine business and administrative affairs of the Party. Secretariat members meet daily and supervise the functioning of other organs of the Party. Members of the Secretariat are nominated by the PBSC and are subject to approval by the Central Committee in the plenary session. The Secretariat is also responsible for executing the decisions made by the Politburo and its Standing Committee.

12.6.7 The Central Military Commission

The Central Military Commission (CMC) is the key organisation in charge of the armed forces of the PRC. Technically, there are two parallel military commissions, one within the Party apparatus (CMC of the CPC), and another controlled by the state (CMC of the PPC). The Party CMC is supervised by the Central Committee of the CPC, whereas, the State CMC is directed by the National People's Congress (NPC). These two commissions exercise the command and control of the People's Liberation Army (PLA) which is the combined armed forces of both the Party and the state. Although, the State CMC is nominally considered the supreme military decision-making body, the actual command and control resides with the Party CMC. Currently, it consists of twelve members, headed by the party General Secretary, who acts as the commander-in-chief of the PLA.

12.6.8 Central Commission for Discipline Inspection

The Central Commission for Discipline Inspection (CCDI), comprises of 130 members is an internal control body of the CPC, originally designed to enforce rules and regulations and safeguard morale and discipline of the Party. It also acts an anti-corruption watchdog of the party responsible for monitoring and punishing party cadres who committed abuses of power, corruption and other wrongdoings. At the lower-level party organs in the hierarchy, including

provincial, municipal, county levels, there are identical discipline inspection commissions that report directly to the commission one level above them.

12.6.9 Local Level Party Organisations

Apart from the central organs mentioned above, CPC also has several local organisations comprising local Party congresses and local Party committees at the level of provinces, autonomous regions, municipalities directly under the control of the central government; cities divided into districts, autonomous prefectures, counties, autonomous county; and cities not divided into districts and municipal districts. The local committees also conduct local party congresses at their level once every five years or earlier. They are convened by their corresponding level committee. The functions and power of local party congresses are in many ways similar to the National Congress at the central level. They examine the reports of the local Party committee at the corresponding level; examine the reports of the local CCDI; discuss and adopt resolutions on major local issues; and elect the members of the local party committees and local CCDI. The local Party committees conduct at least two plenary sessions a year and carry out the directives of the higher-level Party organisations and the resolutions of their Party congresses at the corresponding levels.

12.6.10 Primary Organisations of the Party

At the base of the Party structure are the primary party organisations which are formed in villages, factories, enterprises, schools, colleges, research institutes, communities, social organisations, military units, or any other basic units where there are at least three full Party members. These primary organisations are essential components of CPC's party building, the foundation of all its work, activities and exercise of power at the grass-root level. Primary organisations disseminate the Party's ideologies, policies and principles and carry out the resolutions and directions of the higher party organisations, and maintain constant and close ties with the masses. Thus, Primary organisations are the foundation of the Party which functions at the grass-root level to expand the party's influence throughout the country.

12.7 THE CHINESE COMMUNIST PARTY: ISSUES AND CHALLENGES

At present, CPC is confronting a variety of issues and challenges from both within and outside the party. This is quite natural given the highly centralized and complex nature of the party. The often-encountered criticism facing the party largely arises from the lack of transparency in governance and decision-making process. Perhaps no party is more secretive as to its inner processes than the CPC. China's politics remain far more secretive, decided by a handful of top party leaders with no public scrutiny and accountability. For instance, the succession and or selection of party leaders such as members of the Central Committee, the Politburo and its Standing Committee, the CMC, the CCDI etc. are decided by the top leadership in the party hierarchy. Very little information is

available in the public domain how selections are made. On the other hand, the absence of independent press and the organised opposition party in the political system lends credence to the perception that the party is not supportive of freedom of expression and political reform. When confronted with choices between greater control and more openness, CPC always opted for the former. In such a politically restricted environment, CPC has been under intense criticisms from both within and outside the country.

Another hotly debated topic among the observers of contemporary China is related to the prospects of the CPC. Many China observers in the West have questioned the viability of China's political system. Some of them have even predicted the imminent collapse of China. China scholars like David Shambaugh, Gordon Chang, etc. argue that CPC's rule in China is 'historically anachronistic' and suffers from a deepening governance and legitimacy crisis. On the other hand, forceful suppressive measures taken by CPC such as in the Tiananmen massacre where hundreds of pro-democracy citizens were killed also undermined the Communist Party's legitimacy and severely eroded its global reputation. Coinciding with this, the growing awareness of civil and political rights among the Chinese citizens and their growing expectations for wider political reforms has brought profound challenge to the party. There is a growing demand for political democratization, including multi-party election, internal democracy, ensuring transparency, protection of civil rights and liberties and so on thereby making the party more accountable. At the same time, development in new technologies, especially the internet, has empowered the Chinese citizens in tremendous ways, making it increasingly difficult for the CPC to control the public opinion. Considering this, CPC has taken certain reform initiatives in the economic sphere since the Deng Xiaoping era. However, the party has been reluctant in introducing political reforms. Top leadership in the CPC, from the time of Mao, has constantly rejected the multi-party system of election unsuitable to China's society and tradition.

Tiananmen movement was one of the most significant protest movements in the history of the PRC. It started in April 1989 with university students gathering in Beijing's Tiananmen Square to commemorate the death of former party leader and political reformer Hu Yaobang. The gathering soon transformed into a protest camp against the communist regime, demanding for democracy, freedom of speech, freedom of press etc. But, on 4th June, the communist party sent in PLA troops and crushed the movement killing hundreds of civilian protestors. The event is known as the 'Tiananmen Massacre' incident.

Corruption is perhaps the biggest challenge facing the party in recent times. Corruption is today so blatant and widespread in China that it affects the lives of most people in the society. It not only eroded the reputation of the party but also decreases its governing capacity. Acknowledging this, Jiang Zemin has said, the fight against misconduct and corruption is a 'grave political struggle vital for the existence of the party and the state'. Most scholars in the West argued that China's problem of corruption has its structural causes, i.e., the autocratic nature of the political system is responsible for it. Meanwhile, the rapid economic

growth in China since the 1980s also brought serious problems such as unemployment, income disparity etc. The widening gap between the rich and the poor, the drift between urban and rural, and other frustrations breed social unrest in many parts of China. As a result, a growing number of popular resistance and protest has become visible across China, sometimes violently in recent years. All these conditions in Chinese society illustrate a larger challenge facing the CPC today. Though CPC used several methods to forestall any major violence out of these uprising, how long the party would be able to maintain its stability and legitimacy is a question many ask.

Check Your Progress 3

Note: i) Use the space given below for your answer.
      ii) Check your answer with that given at the end of the unit.

1) What are the major challenges confronting the CPC today?

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12.8 LET US SUMUP

The CPC is the single most powerful political party in the PRC, which is having a socialist political system. As a party based on the Leninist principle of 'vanguard party', the CPC not only seeks to exercise its authority over the government but also over almost every aspect of the Chinese society. After its takeover in 1949, the political, ideological and organizational leadership of the CPC is authoritative and unquestionable.The Chinese political system does not permit any organized interest groups or societies to influence the political process unless they are under the CPC's authority. The CPC also forbids any attempt to organize opposition within and outside the party. The above analysis of the CPC, its powers and functioning shows that the Party is deeply rooted in Chinese society. In a way, as a party which dominates the entire political system, the CPC cannot be separated from both the state and society in China. Despite criticisms, one can also argue that there is always a widespread acceptance/confidence among the Chinese public at large towards the CPC. While most other communist regimes have long perished in the post-Soviet period, the CPC has not only survived but maintained its grip on power in ruling China. From the time of Mao's era till the present, the Communist Party of China has never been seriously challenged as China's ruling party (Joseph 2014: 4).In the words of Mao Zedong, the Communist Party of China is 'the force at the core, leading the Chinese nation forward'. Hence, for students who wish to observe China, the centrality of the CPC must be taken into account.

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12.10 ANSWERS TO CHECK YOUR PROGRESS EXCERCISE

Check Your Progress 1

1) Despite having eight minor parties in China's political system alongside the CPC, China is regarded as a one-party system because of the overwhelming dominance by the CPC. The minor parties are permitted to exist on the condition of accepting the leadership of the CPC. CPC neither share power with other parties nor allow the formation of new parties.

Check Your Progress 2

1) It is a Leninist principle which calls for building "democracy under centralized guidance'. It means the party exist at the top of power hierarchy, any decision

taken by the CPC are bound to be abiding by the party organs, subordinate organs lower organizations and all individual members of the party.

2) Yes. The CPC officially proclaims Marxism-Leninism as its guiding ideology.Although it is much less significant in China today than it was earlier.

Check Your Progress 3

1) The CPC faces multiple challenges and criticisms from both within and outside the country because of its absence of transparency in governance and decision-making process. The growing awareness of civil and political rights among the Chinese citizens and their expectations for wider political reforms has also given profound thereat to party's legitimacy, and also the emergence of new technologies, especially the internet, has made people well-informed about political affairs making it difficult for the party to control public opinion. Another big challenge facing the party in recent times is corruption which not only eroded the reputation of the party but also affects the lives of Chinese citizens.

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