The Relationship of Public Policy to Governance: Issues and Strategies of Nepal

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Abstract: This paper points to public policy cycle and governance as a chief constraint to impair development efforts while making decisions. It is known that public policy processes are made to run the governing system and implantation of the policies are the signs of good governance. Here the issue is, whether public policy decides how the government will run or the government will decide how the public policy would be best to run the system. This paper also tries to focus on the effects of the relationship and by following proper strategies of good governance and assessing good governance model.

Keywords: Public Policy Cycle, Governance Model, Good Governance Strategies

1. Public Policy and Process

Public policy cycle (PPC) can be characterized as a complex and interactive system through which public problems are identified and resolved by following process of public formation, policy implementation, policy education and policy evaluation. It is an exhausting and time consuming 'Public Policy Cycle'. The basic stages of PPC are as follows; a problem is identified, a policy response is formulated, the preferred solution is then selected and implemented, and finally the policy is evaluated. However, the evaluation stage takes an in depth look into what can be learnt from the process as a whole, whether the original problem has been solved, and if not, what is recommended as an alternative course of action. Thus, returning policy makers to the very first step; the identification. Policy-Making is a multiple-step process and is thus fraught with numerous challenges to the policymakers. Right from the policy formulation to policy evaluation, various dimensions have to be taken into consideration to make a public policy more suitable to people's needs. Policy Making not an end in itself as policy implementation too can pose numerous challenges to the policymakers if policy is not properly framed. It is the responsibility of the policymakers to ensure that at every stage, a public policy should be in tune with the needs of the people which necessitates careful designing of its structures and process. Hence, due care should be taken to ensure that every policy has an inbuilt mechanism to make relevant to the ever-changing socio-economic and political conditions.

Fig: Public Policy Cycle (PPC)
1.1. Policy Formulation

- It stands at the top of the transport planning process. It is strategic planning leading to general concept basically a transport masterplan. Such a master plan is a political decision. It includes a set of measures aimed at the future development of the transport system. This overall concept normally is a legally-binding framework for more detailed plans and concepts for a longer period of time. After a government has acknowledged the existence of a public problem and the need to do something about it, policymakers need to decide on some course of action. Formulating such a course of action and the second major stage in the policymaking cycle towards attaining such objectives, the government promotes and formulates new public policies from time to time and revamps the existing ones to make them suitable to the existing conditions.

![Table 1: Example Based Analysis of Policy Formulation](chart)

<table>
<thead>
<tr>
<th>Issues</th>
<th>The problem arising out of the sale of spurious liquor in villages, corruption, and malpractices in public officials and lack of institutional support to women 'Panchayat' members.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goals and objectives</td>
<td>The policymakers have to decide what to do for improving housing facilities for the slum dwellers and to consider the rising no of people in the slum area.</td>
</tr>
<tr>
<td>Strategy</td>
<td>• To provide subsidies to farmers, provide employment opportunities • To improve the physical infrastructure, facilities of villages and empower them through village panchayat.</td>
</tr>
<tr>
<td>Implementation Mechanism</td>
<td>• Government of India wanted to ameliorate the living conditions of the rural people after independence. • The government initiated the community Development program (CDM) in the year 1952. It was a new administrative agency that was expected to cater to the overall needs of the rural people.</td>
</tr>
<tr>
<td>End Remarks</td>
<td>• The policymakers should evolve the objectives and goals clearly, adopt strategies and finalize the implementation machinery • The designing of policy is an important element in the entire process of public policy as any error at the stage may lead to failure of the entire policy.</td>
</tr>
</tbody>
</table>

1.2. Policy Implementation

- It is the process of putting actions into effect by public and private individuals. Implementation can be seen essentially in terms of the nature and degree of control exercised over the operation of a policy/programme/project.
- It involves developing a strategy of organization and management to ensure that the policy process is completed with the minimum of delays, costs and problems.
- It includes
  - Knowing what you want to do
  - The availability of the required resources
  - The ability to marshal and control these resources to achieve the desired end
  - If others are to carry out the tasks, communicating what is wanted and controlling their performance.

- Example
  - The policy about land reforms is good but the policy failed due to poor implementation by the political and the administrative executives.
  - Corruption prevention act.
  - Compulsory reserve % of participation of women in decision making and other activities like application on public service commission.
  - Free and quality housing distribution act.
- Why Policy Implementation fail?
Not given sufficient authority and autonomy. They should be saved from political pressures so that they concentrate on the accomplishing of policy objectives.

- Lack of skills and expertise to deliver better goods and services. Faulty recruitment, selection, and training processes have resulted in the decline of civil service standards.
- Lack of financial resources and human resources.
- No clear enunciation of the objectives, time frame selection of beneficiaries, and structure of implementing agency.

1.3. Policy Education

- It is the responsibility of the government to educate people regarding different facets of public policy.
- Many problems during implementation can be solved to a large extent if people are educated about various dimensions of public policy.
- For e.g. People should be educated regarding the benefits of the policy institutional arrangements, the impact of policy on their lives, and the monitoring mechanism.
- Example: Supply of solar power to Rural Area
  - Where there is abundant sunshine, it should initially educate the people regarding the implication of using solar power.
  - The assistance of voluntary organization: These organizations help can be taken to spread awareness about a policy.
  - Services of voluntary organization can be utilized to spread awareness about child care and women's health.

1.4. Policy Evaluation

- Evaluation is not monitoring. Monitoring, however, is a prerequisite for evaluation. Monitoring is concerned with establishing factual premises about public policies. Monitoring is concerned the question: "what happened, how and why?"
- Evaluating a public programme involves the listing of the goals of the programme, measure the degree to which these goals have been achieved and finally suggesting changes that might bring the performance of the organization more in time with the intended purpose of the programme. It can be evaluated from the perspective of minimizing errors in the future. Once the policy implementation starts then all necessary steps should be taken to ensure that all the agencies involved in it are functioning well
- For e.g. Building Houses for slum dwellers
  - If slum development is the goal to be accomplished by the government, it should enunciate the corresponding objectives
    - People who receive grants from the government may not necessarily use it to construct new houses
    - The government should process the money through banks and construction companies to the people who take the responsibility of building houses for slum dwellers.
  - Therefore, the terms goals and objectives must be clearly defined so that the major objective of the policy can be accomplished.

2. Governance

2.1. Definition and Parameters of Governance

Governance can be defined as a system or process for the exercise of authority by state authorities and other entities, in reference to broadly shared values (foundation of governance) and thorough democratically-established institutional mechanism (infrastructure of governance), that deliver on the state's commitments for public goods and services (Service delivery) that together define and consolidate the relationship between the state and citizens.

According the definition of governance adopted by Nepal National Governance survey 2017/18, parameters were identified corresponding to each three major dimensions of governance: foundations (values), infrastructure (institutions) and service delivery. A fourth dimension of 'future Prospects' was added to gather information on people's views on the future of and changes to governance, the condition of the country and their own socio-economic conditions. An outline of these parameters for each dimension is presented in below box 1.
2.2. A Framework for Assessing Governance

Governance has emerged as one of the main themes of international development. If governance matters, so does the need to assess key aspects in a systematic matter. However, given the many political and technical challenges, governance assessments need to be operationalized in careful ways.

Based on reviews of the extensive literature, our work clusters the rules that seem to matter into six main arenas of governance activity:

- Civil Society - rules affecting the way citizens become aware of and raise issues in the public
- Political Society - rules shaping the way issues are combined into policy by political institutions
- Government - rules affecting the way policies are made by government agencies
- Bureaucracy - rules determining the administration and implementation of policies
- Economic Society - rules regarding state-market interactions
- Judiciary - rules defining the resolution of disputes and conflicts

It also outlines six principles for assessing governance. The first three are particularly relevant to the way state actors relate to citizens, while the last three are more specific to the operations of the state itself.

- Participation - the degree to which affected stakeholders are able to sense ownership and involvement in the political process
- Fairness - the degree to which rules are applied equally to everyone in society
- Decency - the extent to which rules are handled without humiliating or harming people
- Accountability - the extent to which political actors are perceived as responsible to the public for what they say and do
- Transparency - the degree to which rules about openness and clarity are upheld in the public realm

Source: Nepal National Governance survey 2017/18
Efficiency - the extent to which rules enhance effective use of scarce resources without incurring waste or delay

These principles are universal in the sense that they are respected in different societies all over the world (even though, they may at times contradict each other in practice). The World Governance Assessment (WGA) initiative puts forward a framework for assessing governance that focuses on these six principles and six arenas. They provide a comprehensive overview of the full task and disaggregate it at the same time into manageable units that can be treated independently but also in common with the others.

Table 2: The WGA Framework for Assessing Governance

<table>
<thead>
<tr>
<th>Civil Society</th>
<th>Political Society</th>
<th>Government</th>
<th>Bureaucracy</th>
<th>Economic Society</th>
<th>Judiciary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
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<td>Fairness</td>
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<td>Decency</td>
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<td>Accountability</td>
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<td>Transparency</td>
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<td>Efficiency</td>
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</table>

Source: World Governance Survey

3. Relationship between Public Policy and Governance

Conceptualization of public policy and governance has made it easier to define the relationship between them. As we know that public policy is created for the development of the state mostly by the government or by the institutions under the government. Public policy cannot be made by a day. It is processed in different level. Such as, for implementing a policy or evolving a policy there are institutions which get involved.

They are:

i. Cabinet
ii. Secretariat Committee
iii. Parliamentary Committees
iv. Council of Ministries
v. Executive Committee of Ministries
vi. Ministries

If we discuss the context of Nepal then, the government gets involved in these institutions. They decide how it should go and how much money it should get for the implementation. They set an agenda and through evaluation it gets a form of public policy. If the government chooses what the policy should be in first level then, there are possibilities of getting it done fully by any means. It seems quite clear how the relationship works. Overarching the situation, I personally think that if the government works as a good government (whether it is democratic or not), the relationship kind of works to ‘government to policy’ not vice versa. Because if there were different institutions of deciding the public policy then there were chances that the policies would have been different than what the government wanted it to be. In contrast, the institutions that get involved in deciding the public policies, contain the government officials including the prime minister. So there are slight chances to decide the public policy from a different opinion view. It does not matter whether it’s a pluralistic society or not. The need of public policy can come from anywhere. It can be from the government or the society or sometimes the government opens a debate for a situation where a public policy is needed. People can express anything about the policy. But ultimately it’s the government who gets to decide how the policy should be and implements it lastly. This is how the relationship works.

Empirical Discussion
Theoretically there are many things that can be described. But there is a different between theoretical understanding and empirical understanding.

### The Process of Urban Development Policy Making

**The Problem**
- Unplanned land and housing development.
- Conflicting and overlapping responsibilities among agencies to execute urban plans and programs.
- Absence of an effective mechanism for identification and mobilization of the instruments and resources.
- Fragmented and piece meal approaches of various agencies.
- Lack of an effective mechanism for mobilization and coordination of the assistance and resources.

**Justification**
- Address all aspects of urban development.
- Establish an effective mechanism for mobilization and coordination of the assistance and resources in urban sector.
- Foundation for Comprehensive Zoning regulations and controls.
- Cornerstone for formulating regulatory bases for planned urban setting.
- At the national level, there is dearth of policy regarding open spaces. The proposed policy is expected to fill up that void.
- The proposed policy will address the spatial framework for urban development from a national and regional perspective in the infrastructure and resource development context.
- The proposed policy will be supportive for the construction of reliable, effective, efficient and sustainable basic urban infrastructures (roads, water supply, sewage & drainage, solid waste, energy, urban open space, basic physical amenities etc.) and quality benchmarking.
- A milestone for improving urban environmental concerns - air, land, noise pollution; urban transport issues, high fossil fuel consumption, land use incompatibility, public space encroachment and growth of squatter settlements.
- Guide for planned development of services-- education institutions, nursing homes, industries and real estates in suitable locations.
- Municipalities are facing ever increasing funding and financing gap. The volume of fiscal transfer systems from the central government is very low. The proposed policy will have due focus on mobilizing and utilizing resources from different sources.
- The proposed policy will be effective for institutional development, coordination and good governance.

**Methodology**
- Stakeholder consultations and agenda setting
- Review of literature, existing regulations, programs and implementation mechanism
- Collection of relevant data from both primary and secondary sources
- Data analysis
- Preparing results and discussion for the data
- Drawing conclusion

**Selecting Tools of Actions**
- Policy tool - methods used by governments to achieve a desired effect.
- The two basic types of policy tools - regulatory and economic tools.
- Exist at all stages of the policy process
- Specific tools such as stakeholder consultations and government reviews linked to agenda-setting activities
- Legislative rules and norms linked to decision-making behavior and outcomes
- Use of ex-post, or after-the-fact, cost–benefit analyses-to evaluate policy
<table>
<thead>
<tr>
<th>Research Tools</th>
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<tbody>
<tr>
<td>Regulatory Tools</td>
<td>Existing policies/Acts/Regulations</td>
</tr>
<tr>
<td>Informational Tools</td>
<td>Public education and information – Advertisement – Information technology</td>
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</tbody>
</table>

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<thead>
<tr>
<th>Implementation Plan : Roll out of the Programmes</th>
<th></th>
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<tbody>
<tr>
<td>Implementation of land use plan</td>
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<tr>
<td>Planned urbanization</td>
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<tr>
<td>Improved urban environment</td>
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<tr>
<td>Development of adequate, affordable and safe urban infrastructures</td>
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<tr>
<td>Coordinated efforts of stakeholders in urban sector through One window approach</td>
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<tr>
<td>Effective functioning of Kathmandu Valley Development Authority (KVDA) and Town Development Committees (TDC)</td>
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<tr>
<td>Increased investments in urban sectors</td>
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<tr>
<td>Facilitation of Private sector investment</td>
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<tr>
<td>Effective and Coordinated Urban Governance</td>
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<table>
<thead>
<tr>
<th>Plan in action</th>
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<tbody>
<tr>
<td>Organizational set up and allocation of human resources</td>
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<tr>
<td>A number of agencies involved in urban sector, various agencies have their special roles in policy implementation.</td>
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<tr>
<td>Financial Resources</td>
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<tr>
<td>The financing of the implementation of the policy activities shall be done in principle of shared responsibilities between governments, the private sectors and development partners.</td>
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<tr>
<td>Communication Plan</td>
<td></td>
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<tr>
<td>The communication plan for the proposed policy includes the key message, the targeted audience and communication action plan.</td>
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<table>
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<tr>
<th>Monitoring and Evaluation</th>
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<tbody>
<tr>
<td>Central Level</td>
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<tr>
<td>Office of the Prime Minister and Council of Ministers (OPMCM), National Planning Commission (NPC), Ministry of Finance (MOF) will carry out M&amp;E functions at the national level.</td>
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<tr>
<td>Office of Attorney General (OAG) and Financial Comptroller General Office (FCGO) also should monitor and evaluate as required by different acts and bylaws of the country.</td>
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</tr>
<tr>
<td>The National Development Action Committee (NDAC) and Ministerial Development Action Committee (MDAC) shall ensure the progress, quality and the coordination.</td>
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<tr>
<td>Ministry/Department/Regional Level</td>
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</tr>
<tr>
<td>M &amp; E will be undertaken by the respective ministry and department and regional offices of sectoral ministries. Department and regional offices should monitor and evaluate inputs, implementation process, outputs, and outcomes of programme/project.</td>
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</tr>
<tr>
<td>The Regional Administration offices submit reports to OPMCM and the NPC after carrying out M&amp;E of development activities under their jurisdiction.</td>
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<tr>
<td>District level</td>
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<tr>
<td>The Supervision and Monitoring Committee at district level shall monitor the activities at district level following the frameworks.</td>
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<tr>
<td>Project Level</td>
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<tr>
<td>M&amp;E at the level of programme or project shall be carried out by the concerned programme/project implementing offices to monitor the mobilization and use of resources, implementation process and outputs.</td>
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</tbody>
</table>
Disclosure statement

- With the new constitution, Nepal is poised to move towards a federal system of governance which will have significant implications for urban growth and development.
- New Urban Development Policy can be a guide to orient regional urban development processes and associated investment decisions and to shape the work of newly born ministry—that is Ministry of Urban Development (MoUD).
- Various policy action tools like regulatory, financial, informational and governance have been proposed.
- Implementation plan has been proposed with defined roles and responsibilities, time frame, cost and human resources.
- Monitoring and Evaluation process and framework has also been figured out.
- The proposed Urban Development Policy is expected to be a milestone in planned urban development and improved urban environment.


It has been proved from the national and international experiences that the multidimensional development can be moved forward in the state when people can be guaranteed for good governance by making public service delivery effective, increasing transparency, participation, accountability, predictability and legitimacy in the operation of state management and development affairs. Therefore, it is necessary to make service delivery effective by making necessary reforms in the administrative areas and guaranteeing the people for good governance. In this context, the efforts have been continued to translate the basic principles and assumptions of good governance in practice through the formulation and implementation of laws (legislations) including Good Governance (Management and Operation) Act, 2007, Civil Service Act, 1993, Local Self-Governance Act, 1998, Corruption Alleviation Act, 1992, Public Procurement Act, 2007 and Right to Information Act 2007.

The emphasis on good governance is expected to produce result-oriented and effective management of service delivery and implementation of projects / Programmes thereby correcting the weaknesses in practical field. For the enhancement of good governance, participatory economic development is stressed to strengthen monitoring and evaluation system, to make decision making procedure and public expenditure pattern more responsible and transparent, to implement effectively decentralization at local level and to enforce administrative mechanism to be efficient, capable, responsible and effective. The working capacity and reliability of local bodies will be enhanced to mobilize local resources through decentralization. Transparent bases of projects selection, prioritization and transparency in their implementation will be followed strictly to upgrade effective implementation of development Programmes. Priority will be given on the utilization of new technology, productivity and enhancement of work efficiency and population management to implement above mentioned four strategies effectively and to make their cumulative effects positive and high to achieve the target of the plan. Participatory development process will be encouraged by managing active participation of private sectors, non-government sector and civil society along with public sectors and local agencies to reduce poverty through socio-economic transformation of rural areas.

4.1. Issues of Governance

- Lack of effective implementation of the legal provisions related to the operation of public services
- Lack of measurable standards for the objective evaluation of the employee's performance
- Lack of transparency in decision making process, centralized decision making system, ambiguity in the allocation of responsibilities
- Lack of effective mechanism to discourage the irregularities and the interference of non-administrative sector in administrative sector etc. are the problems prevailing in the field of good governance

4.2. Policy and work plan

- Interact and co-work with various stakeholders and civil societies in order to make the political and high managerial leadership aware of and committed to the reform process.
Initiate the process of improving performances of certain ministries; in addition, involve civil society in the performance evaluation of agencies that deliver public services.

- Prepare an individual civic charter of each administrative units working at the central and at the local level.
- Encourage non-governmental organizations, community organizations and institutions, users' groups and the private sector in delivering services and materials to the people.
- Turn over the tasks performed by the central level agencies to the local bodies as many as possible. Adopt the policy on contracting out non-core services.
- Set the service standard of and the annual performance improvement plan of the agencies that directly deliver services to the people.
- Adopt the policy on promoting transparency in and responsibility for the performances of the government agencies.
- Adopt the further effective policy on recruiting and promoting civil servants based on their merits in order to make the civil service effective, in addition to making training job-oriented. Implement a transparent policy on the transfer of civil servants for making the civil servant transfer system effective.
- Adopt the policy on implementing an Affirmative Action Plan for increasing the women's participation in the civil service.
- Make improvement in the technique of examinations given to recruits for increasing the job efficiency of Public Service Commission.
- Prepare a long-term policy on the salary of civil servants making structural changes in it.
- Adopt the policy on proper sizing of the civil service reviewing the number of civil servants required and cutting off the unproductive staff positions for making the civil service clean and prompt.
- For the total system of good governance, legal provisions will be developed against currency laundering, and anti-corruption strategy will be formed. The institutions like Commission for Investigation of Abuse of Authorities and National Alertness Centre will be strengthened.
- Strengthen the monitoring and evaluation system for monitoring and evaluating the implementation of policies, programs and projects to complete them at the estimated cost and time, and to achieving the anticipated results in quantity and in appropriate quality.
- Link the human right program with the national development program based on the available resources for implementing the commitments made to human rights in various international forums, and for effectively protecting and promoting human rights mentioned in various international conventions and ratified by Nepal, and fundamental rights provided by the Constitution of Nepal of 2047 (1990).
- Place emphasis on development of necessary basic services, institutional aspect and manpower for making the quality jobs of preparing new human rights laws and refining the prevailing human rights laws, and for making these laws pursuant to the international standard.
- Develop physical infrastructures and institutional capacity of law courts, and develop manpower required for them.

4.3. Good Governance Program

a) Develop ability and leadership of the reform process
b) Increase the financial efficiency of civil administration
c) Enhance efficiency and motivate civil servants
d) Honesty, corruption control and transparency
e) Improve job performances of government agencies

4.4. Strategies for Good Governance

- Prepare the foundation for necessary legal and institutional reform by clearly defining the relation between political sector and administrative sector and by making the administrative processes and functions fair, easy, lean, transparent, participative and clearly predictable and create the environment for people to perceive good governance.
- Apply the processes of electronic governance system in the administrative works of the agencies by setting the long-term objective of making paperless government.
- Strengthen and reform corruption control related legal system and administrative structure congruous to the commitment made by international community through the international convention against corruption.
• Make public service delivery fair, transparent and effective ensuring the environment to receive qualitative public services fairly, compatibly, legally and timely by the targeted groups.
• Make the public service inclusive making the provision of providing equal opportunities for service entry to the eligible and interested individuals of all classes and communities.
• Devolve/delegate the administrative authority to the agencies closest to the common people for such sorts of functions for which they are capable.
• Develop administrative capacity to make the public policy formulation, implementation and evaluation process effective.
• Make the monitoring and evaluation process of administrative and development functions effective.
• Make the implementation of the performance-based employee reward and punishment policy effective making the employee's performance evaluation objective.
• Make necessary reform on the various aspects of human resource management including the employees' appointment placement, transfer, promotion and determination of compensation predictable so that they could be made predictable legal and congruent to the fundamental norms of motivation.
• Regulate, monitor and enhance the capacity of private, co-operatives nongovernment and civil society organizations, involved in the functions of quality determination, production and distribution of public services and commodities.

5. Conclusion

Since the government decides how the policy should be, it’s hard to believe that the policy would be different form the perception of the ruling government. The government is trying to process the public policies contrasting the overall situation. It’s not completely failing. But the empirical situation is far away from the policy that should have been implemented completely. However, it is expected that the public policy will be decided for the peace and development of the public under the governance of the government. Public policy is intricately tied to good governance. This is true because the ultimate objective of public policy is the accomplishment of nation building. Both Good public policy parameters and implementable policy cycle will lead to the provision of social issues: reduce poverty, unemployment and income inequality that are major elements of poor governance. Manipulative leadership perpetuates corruption and in such a polity the vast majority of the people suffer in frustration and aggression. Aggression as a result of weak public policy and bad governance manifest because poor people who are in the majority are not getting enough to eat, not being able to purchase clothes, an inability to continue traditions that are important to them and feelings of defenselessness, hopelessness, fear, ignorance, humiliation, exclusion from social and commercial life and low ability to provide basic necessity for the household are easily visible. A good public policy is critical to enhance good governance. This paper found that public policy has a strong positive relationship with governance architecture in Nepal and attempt to make policies that are inclusive and sustainable was the impetus for the special issue on public policy and good governance. To sum up, an honest public policy and efficient yet good governance are the primary tools if we are to realize the Gandhi is greatest words “to wipe out every tear from every man’s eye.”

References