

POLITICAL PATRONAGE AND NEPOTISM IN PUBLIC ADMINISTRATION

AUTHOR – ESAKKIAPPAN .K & INDUSHA .K.R, SCHOLAR FROM THE TAMILNADU DR AMBEDKAR LAW UNIVERSITY (SOEL).

BEST CITATION – ESAKKIAPPAN .K & INDUSHA .K.R, POLITICAL PATRONAGE AND NEPOTISM IN PUBLIC ADMINISTRATION, INDIAN JOURNAL OF LEGAL REVIEW (IJLR), 4 (3) OF 2024, PG. 255-261, APIS – 3920 – 0001 & ISSN – 2583-2344.

ABSTRACT:

This article shows how political patronage and nepotism influence public administration, leading to inefficiency, corruption, and a loss of public trust. It is developed from historical examples such as the Roman Empire and medieval Europe through to modern-day India and the U.S. to determine how favoritism in appointments leads to inefficiency in governance. It underlines that political loyalty more than merit oft dictated the key appointments in government institutions at a cost dearly paid for policy execution and public service. The article is calling for reforms in the direction of meritocracy, openness, and accountability in public administration towards substituting institutional safeguards with judicial oversight and intra-party democracy to bypass nepotism as well as political interference. Concluding with this scope, the article finally concludes that a shift toward a merit-based system would strengthen governance and rebuild public confidence.

INTRODUCTION

Public administration, being the pillar of today's administration, is charged with the duties of providing public service, policy implementation and welfare of the people. But unfortunately, there is a strong prevalence of politically related political favoritism and other related favors in public administrations. Such practices favor, for instance, political associate or relatives rather than qualified and competent personnel; such practices, therefore, have significant repercussions to governance, accountability, and justice.

In a number of countries, political appointments and nepotism remain rampant in public administration, where employment is vested on biasness, influence and corruption. It does this by not only degrading the efficiency of public services but also damaging the authority of institutions, worsening the gap in social as well as economic terms, and hampering growth of economy.

This article aims at providing understanding on how political patronage and nepotism may be

discouraged and how the public administration may be made reformed and well administered.

THESIS STATEMENT:

In this research, it is postulated that political patronage and nepotism grossly influence public administration leading to inept and unresponsive governance, loss of public confidence in institutions, and reduced accountability, however, little knowledge is known to exist explicating the processes and effects of these forms of practices hence the need to offer effective anti-corruption measures toward enhancing good governance, transparency and accountability in public entities.

a) **Political Patronage:**

Political patronage refers to the practice in which political leaders, parties, or officeholders reward supporters, allies, or members of their party with public sector jobs, contracts, or other benefits in exchange for loyalty or electoral support. This system allows those in power to consolidate their influence by distributing state resources based on political connections rather than merit or qualifications. In many cases,

*patronage weakens institutional integrity and undermines the principles of fairness and transparency in public administration, as appointments are made not on the basis of competence, but political favor.*⁵²⁶

b) Nepotism:

*Nepotism is a form of favoritism that involves granting jobs, contracts, or other privileges to relatives or close friends, irrespective of their qualifications or competence. In public administration, nepotism erodes meritocracy by prioritizing personal relationships over professional ability. This practice can foster an environment of inefficiency and corruption, as key government positions are filled by individuals who may lack the necessary skills to perform their duties effectively.*⁵²⁷

THEORETICAL FRAMEWORK:

The theoretical framework for analyzing political patronage and nepotism in public administration can be rooted in several key theories of governance and public choice.

A) MAX WEBER'S THEORY

Max Weber's theory of bureaucracy provides the greatest criticism of political patronage and nepotism as applied to public administration. Public offices must be filled on merit, proper competence, and qualifications rather than through personal connections or political loyalty. His model has brought a very strongly needed hierarchical organization with clear cut well defined roles, rules, and procedures to aim towards efficiency as well as impartiality in governance.

This ideal, however is thwarted by political patronage and nepotism. These ideas emphasize personal or political loyalty over professional competence. Such political patronage manipulates the administration system to push towards inefficiency while 'meritocracy' is merely being eroded through the simple act of inserting friends, family

members, or party loyalists into government service. This is a threat to the integrity of public institutions since it threatens filling offices with people who are not qualified enough to hold those positions, thereby weakening the decision-making capacity and the performance of public services

B) PUBLIC CHOICE THEORY

Public Choice Theory, which explains how politicians in positions of power like to act in their own interest. Politicians, through patronage and nepotism, demonstrate loyalty, strengthen their political base, and keep control over public resources by installing allies or family members in key positions. This strategy diverts public resources from public goods use to serve private or partisan interests.

C) CORRUPTION THEORY

In the opinion of Corruption Theory, political patronage and nepotism are institutional corruption because they distort the functioning of government with a favoritism culture where public positions and resources are administered for personal advantage and not for the greater good of society. This negatively affects public trust and also has weaker accountability mechanisms.

HISTORICAL ROOTS OF POLITICAL PATRONAGE AND NEPOTISM:

Let's mention the current trend in the world of disqualified political supporters to be given the post to manage the department and giving the post to family members and friends is a tradition carried forward from time immemorial.

1. Ancient Civilizations: The politics of patronage and nepotism are older than governance itself. In Egypt and Mesopotamia, the powerful positions were dominated by the ruling elite and their relatives. Even the ceremony in which the Pharaohs ascended the throne was such that he appointed his many family members or close friends to important positions so that these family members and friends could be loyal only to the ruler himself and keep control over the kingdom. This pattern

⁵²⁶ R. Rose, *The Postmodern Presidency: The White House Meets the World*, Chatham House Publishers, 1991, p. 22.

⁵²⁷ M. Johnston, *Corruption, Contention, and Reform: The Power of Deep Democratization*, Cambridge University Press, 2014, p. 51.

of government managed to create dynasties; however, at times it led to inefficiencies in government because of a lack of meritocratic government.

2. Rome's Political Play: The Roman Republic was that blessed political institution which actually gave rise to the classic case of patron-client system, "you scratch my back, I'll scratch yours." The rich patrons would offer protection and opportunities in return for unstinting political loyalty. When Rome became imperial, emperors such as Augustus handed high rank positions to family members, further entrenching nepotism in governance.

3. Double Dose of nepotism in Medieval Europe: In fact, Monarchies and the Church were great patrons of nepotism in the medieval age. Kings indulged in bestowing titles upon their sons, and Renaissance popes like Alexander VI granted crucial Church offices to the relatives. And so, by this time, the family ties became a prescription for final power.

4.19th Century:

"SPOIL SYSTEM"

The Spoils System became an epithet for U.S. politics in the early 19th century, in which government jobs were awarded on the basis of political loyalty rather than qualifications. Famously, Senator William Marcy in 1832 used the phrase "To the victor belong the spoils" to describe how victorious political parties rewarded their supporters with public offices. Such a system fastens on the policies of President Andrew Jackson throughout his incumbency (1829-1837).

Before Jackson stepped into the presidency, indeed some patronage existed but there was an overall focus to keep things running on a merit-based standard. Jackson, however believed firmly that immovable elites in government were corrupt and removed from reality. He argued that having regular people in government would make it more democratic and voice of the people-centric. This came to create the foundation for the spoils system.

Upon his inauguration, Jackson implemented a mass replacement of federal personnel, replacing nearly 10% of the civil service with his loyal political followers. Jackson viewed this as democratizing, but in reality, there were appointees without the skills for the job to which they were appointed, gross inefficiencies prevailed, and wide corruption was evident.

The US Post Office developed into a formidable tool of the Spoils System. Thousands of postmasters were displaced by inherently political but unqualified people, which also led to disorganization in the postal service. Corruption had its stronghold over the US Customs Service because of the politically appointed customs officials involving themselves in bribery and embezzlement.

5.20th Century to Present

"NEHRU-GANDHI DYNASTY"

The Nehru-Gandhi family has been the most influential in Indian politics since independence. India's first Prime Minister, Jawaharlal Nehru, established a political legacy which counted heavily for his heirs. Indira Gandhi became Prime Minister partly due to her surname and position. She ruled during 1966-1977, and returned from 1980-1984; her period was marked by the notorious Emergency, imposed from June 1975 to March 1977, during which she used patronage to accumulate power. She left an heir of nepotism with her son Sanjay Gandhi, who although was never an elected representative, was extremely powerful.

Ever since Sanjay's death, Rajiv Gandhi, a man with no political experience, became the Prime Minister after Indira's assassination in 1984 and after his assassination his widow, Sonia Gandhi, was installed at the head of Indian National Congress (INC), leveraging her position as the wife of an ex-Prime Minister. Their son, Rahul Gandhi, has been thrust into the public eye as a future leader even though there are reports he was inept, and these suggest some nepotism still characterizes Indian politics.

In the U.S Between 2016 and 2020, during President Donald Trump's administration, his daughter, Ivanka Trump, and son-in-law, Jared Kushner, held high advisory positions in his administration at the White House. They took the plum portfolios; however, these two have been demonized for their lack of experience in governance.

The appointments faced much criticism on the issue of nepotism and confusion over whether there was a conflict of interest, influence, and less transparency in decision-making.

COMPARATIVE ANALYSIS OF U.S & INDIA:

In U.S Though this "Spoil System", the Corruption rate was increased, People losing their trust towards the Government and People are dissatisfaction with the Spoil System. The changing point came up with the assassination of President James A. Garfield in 1881 by Charles J. Guiteau who had been denied a government position under the "Spoil System" This tragic system highlighted the Seriousness of Patronage based appointment and public demand to reform

After this Congress passed the **Pendleton Civil Service Reform Act in 1883** sponsored by the Senator George H. Pendleton of Ohio, this act established that Position of government jobs should be awarded based on Merit system determined by Competitive exams rather than Political Patronage.

Though this "Spoil System" officially ended with the Pendleton Act. The Political Patronage is still exist in the Government But the Civil Services Position was greatly professionalized by the Government. This decision was one of the remarkable decision made by the US Government.

But In India Political Patronage and Nepotism have weakened the democratic institutions in India. Appointing Favorable Persons in the key position, Merit based appointment are avoided by the Political officials It leads to Poor governance and Peoples are losing their trust towards the Government and Mainly It leads to

Higher risk of Corruption rate in the nation. Lets see about,

How Political Patronage and Nepotism Impact on India's Public administration:

- Whether it is in government ministries, in public sector enterprises, or even in local administration, appointments based on political connection rather than on merit often result in a quality deterioration of governance because those occupying key positions may not possess the skills or qualifications to manage public resources or to provide services to citizens effectively.

- For example, in many situations, high-ranking bureaucrats and officials are appointed more for their political connections or loyalty to the ruling party rather than any capacities for administration. Such appointments lead to policy paralysis and poor decision making since these appointees are more interested in keeping good books of their political patrons than in serving the interests of the people. Loyalty over qualification serves as an open door to bad management and corruption in public service and the same washes up in society-at-large, a particular example being in health care, education, and public infrastructure. In the Famous Case of **K.Karunakaran vs. State of Kerala** K. Karunakaran was a former Chief Minister of Kerala, who abused his office by giving favors in administrative appointments. The Supreme Court held that all those appointments which have been made on considerations of favoritism and political considerations violate the principles of fair play and equality. This case has underlined how political patronage undoes meritocracy and administrative efficiency in public office.⁵²⁸

- The so called Dynastic politics is clearly visible in across the country The Nehru-Gandhi Dynasty in the National party, Yadavs in Uttar Pradesh and Bihar, Abdullah's in Jammu Kashmir and the DMK Party in Tamilnadu. These are the some examples of visible dynastic

⁵²⁸ K. Karunakaran v. State of Kerala, 2000 (3) KLT 425 (SC)

politics other than that there are lot Nepotism and Political Patronage in the Politics. The Peoples in the Political parties gives important to their Family members and Party members instead of Merit based quality members. It ultimately affecting the quality of Public administration and Policy making and this result in a political system where innovation and fresh ideas are sidelined

- Political Patronage and Nepotism create the fertile field for Corruption. The person who are in the position of power feel more responsible to their patrons rather than public. In India High profile corruption scandals where Nepotism played a major role in awarding contracts, influencing the administrative decisions etc. **2G Spectrum** case was best example for this one. In the **Centre for Public Interest Litigation(CPIL) vs. Union of India** This case is better known as the 2G spectrum case, more so because of the intrinsic significant corruption in favoritism and excesses of public administration. The Supreme Court of India had cancelled 122 telecom licenses allocated by the government way back in 2008, citing arbitrary and non-transparent allocation practices. This policy reflected the risk of political patronage in the award of government contracts and licenses and favored openness and probity in public administration.⁵²⁹

- Political patronage and nepotism pose some of the most destructive effects they undermine meritocracy. Meritocracy, the idea of moving upward to positions based on one's ability and hard work, has been a hallmark of India's public services, increasingly seen as a way out of humble beginnings in a country with social immobility. The involvement of key positions by political connections instead of these being held by ability reduces talented people from considering public service.

- The result is a brain drain, which is the finest professionals opt to leave the public sector or even abroad, thereby depriving India of the critical competencies needed in solving

the most daunting developmental and governance issues that need to be addressed. This further results in public administration manned by persons who might not have the appropriate skills or the motivation to put policies into proper effect thereby exacerbating the inefficiencies that plague such a system.

- In the USA after the Pendleton Act The Political Patronage positions were avoided in the Civil Service The people are appointed through meritocracy But In India There is no strong provision for Non merit persons should not involved in the Civil service.

- At such times, political leaders also pack bureaucracies or administration positions with loyalists. What this implies is that control is exercised by the former but at the same time taints the independence and professional character of public administration, as the latter tend to serve political interests rather than general interest. Many governors and top bureaucrats are politically loyal to their party, especially if inducted in a period of **Congress or BJP rule**, and governors are sometimes shifted or relieved to accommodate party needs.

- Such appointments often create a politicized bureaucracy where officials tend to align more with the political agenda than the public service. Transferring the officials- more so during election times- creates instability and lowers administrative continuity. During the 2014 general elections, there was controversy over the removal and transfer of several governors, which is perceived to be a move to install BJP government loyalists.

- Political patronage and nepotism remain the two inexhaustible sources of injury to India's public administration, sowing seeds of corruption, inefficiency, and public distrust. The system needs major reforms that make merit, transparency, and accountability guide appointments to public office. As such, the priority for India should be building a civil service free from political interference, where appointments and promotions are based on merit, experience, and competence.

⁵²⁹ Centre for Public Interest Litigation & Ors. V. Union of India & Ors., Writ Petition (Civil) No. 423 of 2010, Supreme Court of India, Judgment dated February 2, 2012.

INDIA'S JUDICIAL DECISIONS ON POLITICAL PATRONAGE AND NEPOTISM IN PUBLIC ADMINISTRATION:

- Even though courts cannot alter the constitution, they have helped indirectly reforms in the administrative process through the interpretation of constitutional postulates and directing the legislative or executive authorities to take corrective measures. For example, the interpretation brought in by the Supreme Court in **S.P. Gupta v. Union of India (First Judges Case)** has brought in reforms in the appointments through judicial processes; thereby eliminating political influence in appointments. This report is further recommended with constitutional and legislative reforms so as to enhance the merit selection process and eliminate political influence in appointments.
- Courts have declared appointment after appointment falling under the head of nepotism or political patronage as unconstitutional on the ground of violation of constitutional rights like Article 14 (right to equality) and Article 16 (equality of opportunity in matters of public employment). In **Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi**, the Supreme Court declared appointments made for political purposes to be unconstitutional. The remedy in such cases is the nullification of irregular appointments so that public posts are filled through proper, transparent, and merit-based procedures.
- But where political patronage leads to miscarriages of justice, like wrongful termination or exclusion from office, the courts have also made such rulings to reinstate the wronged persons or award them damages. Courts have, therefore, granted wrongfully dismissed employees a reinstatement for the simple reason that some have been served for politically favored people as in a number of cases dealing with arbitrary terminations and transfers in public services. Reinstatement to one's position or claims for wrongful exclusion from merit-based appointment might be included in the remedy.

RECOMMENDATION:

1. India must have a more robust merit-based recruitment process, at least for senior positions in public administration. Merit-based appointment procedures of hiring and promotion must be done without interference from politics for fair appointment of the right candidates for key positions.
2. Political parties must implement reforms at their internal level, ensure intra-party democracy, and provide equal opportunities in the leadership's positions on the basis of merit. Establishing open procedures for choosing the party leadership can contribute to marginalizing family ties within politics.
3. Strengthening Institutional safeguards Institutional protection has to be strengthened so that public servants function independently. Article 311 of the Indian Constitution that prevents arbitrary dismissal of civil servants can be used with greater strength to protect officials from overbearing political pressures. Reforms in All India Services (Conduct) Rules may minimize even further political interference in decision-making processes.
4. Reforms in the Prevention of Corruption Act-the loopholes, which effectively and unnoticeably prevent politically connected persons from being prosecuted, need to be sealed. Providing greater autonomy to agencies such as CBI and ED, to dispense with political influence and pursue fair investigations, is quintessential.
5. The Representation of People's Act, 1951 be amended to bring reforms that curb family dynasty in political parties: Strengthen disclosure requirements for candidates, Transparency in the process of intra-party elections, Limit to key positions held by members belonging to the same family within one party.
6. Minimize political influence and implement reform in civil service appointment and promotion. Prompt implementation of Article 312 of the Constitution, which protects independent and meritocratic character of civil services. Strengthen All India Services

(Conduct) Rules to protect civil servants from political coercion.

CONCLUSION:

Political patronage and nepotism have been deeply rooted in public administration not only in India but also all over the globe. The literature study undertaken discusses the nature of intertwining personal relationships, family ties, and political patronage that fundamentally undermines both the integrity and efficiency of governance. For instance, patronage networks only allow for prosperity under India's persistent landscape, and meritocracy has been completely eroded, leading to inefficiencies and widespread corruption.

The historical trends of nepotism have helped to ensure political power, but they have quite obviously blocked the development of effective democratic institutions. Public offices dedicated to service and competence are all too often mere tools for keeping political influence and, therefore, bring inferior governance and erode trust in the institution. The impact on the Indian civil service is stark: the best candidates were overlooked for those connected to the political networks.

That is how, finally, this transformation can be achieved. Unless and until India's political and administrative institutions are structured to revolve around the public good rather than personal or political benefit, India will not have its truly democratic and efficient system of governance that treats and benefits every citizen equally.

