

RIGGS, PIONEER OF DEVELOPMENT ADMINISTRATION: ALSO FOR LAWYERS!

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For anyone with an interest in development administration, Fred W. Riggs is a big name. He has greatly contributed to the understanding of administrative performance in developing countries. Unfortunately, so far his work has seldom been connected with law-and-development issues. But it should, since legal systems also depend on effective institutions. To those interested in the actual operation of legal systems I highly recommend his early works 'The Ecology of Administration' (1960) and 'Administration of Developing Countries; the Theory of Prismatic society'(1964). These books have been praised as extremely insightful, innovative and valuable contributions to the field. Riggs explained with great clarity why in many instances administration in developing countries would normally fail to fulfil its promises. Remarkably, he did so without blaming certain groups or taking a moralistic stance. In his view public administration in developing countries is caught in the historical transition from Agraria to Industria which entails a set of specific, interrelated social, economic, political and administrative phenomena. Because of the work of scholars like Fred Riggs administrative institutions in developing countries, which had so often been analysed in terms of closed management systems, are now commonly understood as integral, permeable parts of society reflecting both its culture and structure.

For the study and analysis of transitional societies, Riggs devised a model, an ideal-type of the 'prismatic society'. The word prismatic refers to the prism which is used in physics to diffract fused bundles of light. Within the prism one finds both undifferentiated and the differentiated beams. This metaphor is central to the model of 'prismatic society', which has three main characteristics. 'Heterogeneity' refers to the co-existence and mixture of both modern and traditional structures. 'Overlapping' refers to those two types of structures performing similar functions, for example dispute settlement by courts as well as by traditional leaders.

'Formalism' refers to a gap between prescribed norms and actual practice. These concepts are then applied to the subsystems of the 'prismatic society'.

For each subsystem a useful set of concepts is presented, some of them being new inventions phrased as neologies, for example 'polycommunalism' and 'clepts' (social), 'prices indeterminacy' and 'bazar-canteen' model (economic), and 'authority-control' differential (political). The administrative sub-system is extensively elaborated and explained as the 'sala' model, with its noble mission, its limited effectiveness, its low morale and endemic corruption. Here terms as 'tutelage' and 'sinecure' are presented.

Riggs' work has also been criticized, among others by Robert Tilman, and by Richard Chapman and Michel Monroe. Some critics found Riggs too gloomy. Of course those were the days of Big Government and the rise of big technical assistance or development co-operation. Others attacked the theoretical foundations of his theories, which were based on the tenets of structural-functionalism that was seriously attacked by critical social scientists during the 1970s and 1980s. For public administration specialists it will be interesting to hear from Fred Riggs how he evaluates both his early works as well as the criticisms.

To me, as a student of public administration and law in developing countries, these criticisms have not mattered too much. While I struggled to understand the behaviour and opinions of civil servants in India, Egypt or Indonesia, to see what went wrong with decentralisation, participation and policy implementation, time and again the work of Riggs turned out to be a major support. Also in the fields of comparative law and sociology of law, which he has never explicitly touched on, his conceptual framework of 'polynormativism' and 'lack of consensus' has been quite helpful. So I found, for example, the concept of polynormativism in the context of prismatic societies having more explanatory value than the

well-known concept of legal pluralism in legal anthropology.

Today Fred Riggs lives as a retired professor at Honolulu, Hawaii, where he continues to work as one can learn from his homepage (<http://www2.hawaii.edu/fredr>) .

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