THE QUEST FOR TRANSPARENCY AND ACCOUNTABILITY IN GOVERNANCE IN INDIA: AN INTROSPECTION

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Aa Chal Ke Tujhe, Maein Leke Chalun

Ik Aise Gagan Ke Taley

Jahaan Gham Bhi Na Ho, Aansu Bhi Na Ho

Bas Pyaar Hi Pyaar Paley

Ik Aise Gagan Ke Taley

A popular Hindi song

[Come let me take you
To such a land
Where there are no tears and pain
Just love and more love]

Introduction

Civil society organisations (CSOs), consisting of non-state, non-political, citizen initiatives, often with a focus on the needs of specific groups among the poor (such as the Scheduled Castes), have been active in India for many years. One root for this activism can be traced to developments after the Emergency of 1974-75 when fundamental rights were suspended for a brief period. Civil society, in a spontaneous but un-coordinated reaction, stood up for the defence of fundamental rights against the Emergency and worked to overthrow the government that imposed the emergency in the elections that followed[1]. Since then it has blossomed in many ways.

A major issue that has engaged civil society attention is corruption. India ranks low on the Transparency International Index. Many believe that corruption is now deep rooted in Indian society and is the main obstacle to economic growth. There is talk of a 'criminal-politician' nexus; many elected representatives have been accused of serious crimes[2]. Institutions to fight corruption—the Central Vigilance Commission, the *Lok Ayuktas*—have been set up. Civil society has made considerable gains in this area. For example, by taking recourse to the courts and winning its case, civil society has now made it mandatory for anyone standing for election to declare their assets and disclose if any criminal cases are pending against them. It is a big step forward, but there is still much to be done in the area of electoral reforms. The struggle is on.

Over the last ten years, civil society organisations have demanded transparency—understood as timely access to reliable and relevant information—as a prerequisite to accountability in governance. Civil society has also begun to demand that its views be considered in the formulation of policies and programmes, in the implementation of programmes, and in social audit, especially of those programs meant for the poor[3]. This organised demand for transparency has led to the enactment of the Right to Information Act in 2004. Civil society is monitoring the implementation of this Act. This is new in India.

All this has led to a new consciousness among citizens about their role in a democracy. It is no longer one of just exercising the right to vote and waiting for the next election. In between, citizens and their organisations demand that their voice be heard, and their demands be fulfilled. People's participation in governance has taken root and is exemplified by the 73rd and 74th constitutional amendments which have created 'local self governments' to foster and promote such participation[4] in a democratic framework. In Madhya Pradesh, a poorer state in India, this, along with other factors, has led to an improvement in literacy by over 20% in ten years[5].

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[1] Such civil society action can be very important in deepening democracy, as Vikram K Chand shows in the case of Mexico. See Mexico's Political Awakening, Notre Dame University Press, 2001.

[2] Recently a Cabinet Minister [Shibu Soren] has been convicted of murder and sentenced to life imprisonment. This is a hopeful sign that the system *can* work.

[3] For example the Centre for Governance and Budget Accountability in Delhi recently submitted to the Finance Ministry a set of demands based on consultations with a range of CSOs. It plans to monitor how the Finance Minister deals with these demands over the course of the financial year.

[4] The Indian constitution adopted after Independence was federal in nature and provided for two tiers of the executive, a union [federal] government and state governments. These amendments gave constitutional status to a third tier of local self governments that would be closer to the people.

[5] See http://www.fundaschool.org/; Amita Sharma and R. Gopalakrishnan, **"**New Ways of Doing Business in

From a situation in which 'the government knew best', we now have a situation where citizens demand that the government listen to them and act accordingly[6]. Where earlier we had Five Years Plans endorsed by the National Development Council, we now have a deeper participative process in which what goes into the plans depends on what citizens demand. District Planning Committees, consisting of elected representatives, have been given constitutional status. They have not yet become operational in many states, but the process of participatory planning has begun. In Kerala, for example, each local jurisdiction (the gram panchayat or the village council) has gone through elaborate exercises of documenting local resources, and making plans for what is wanted over the next five years[7]. There is however, a long way to go.

In this paper, we begin an analysis of this development in civil society using the analytical framework developed in Brookings[8] to explore what insights may be gained by following this approach. Starting with a brief mention of some well known groups, we note the kind of work they have done, and the impact it has had. We then ask what we have learned from this experience. What are the shortcomings and threats to such work? And finally, what are the challenges before Indian groups as they look forward to the next ten years? The purpose of this paper is not to offer solutions or conclusions, but to provoke a debate on these issues and hopefully, stimulate more work.

Civil Society Interventions—Some Examples

The organisations mentioned below are taken from my own [incomplete] knowledge of this sector. It is not a comprehensive or complete listing. It is meant only to give a flavour of the kinds of work CSOs are engaged in and to invite inputs and debate. Where possible, the website reference has been given for those who would like to follow up further.

- In Rajasumund district of Rajasthan, citizens got together under the umbrella of the *Mazdoor Kisan Sangharsh Sanghatan* [MKSS or the Peasants and Labourers Struggle Association] to demand access to the muster rolls on the basis of which wages were paid to labourers. The refusal of the state to provide such access led, first, to protests and then to the movement for the Right to Information, which drew nationwide support. Some states, like Rajasthan and Karnataka passed RTI laws, and the CSO pressure led to a nationwide law[9]. There is today a CSO National Campaign for the Right to Information.

Government: Partnering for Primary Education", International Review of Administrative Sciences, Vol. 67, No. 2, 287-295 (2001).

[6] There is of course the danger that vested interests will capture this space and use it towards partisan ends. Civil society will have to find ways to guard against this very real danger.

[7] See, for example, http://www.publichealth.pitt.edu/supercourse/SupercoursePPT/3011-4001/3441.ppt#256,1,Kerala People's Campaign for Decentralised Planning.

[8] David de Ferranti, Justin Jacinto, Anthony Ody, and Graeme Ramshaw, "How to Improve Governance: A New Framework for Analysis and Action," The Brookings Institution, Transparency and Accountability Program, March 16, 2007, [unpublished draft]. This paper was a preliminary effort; it has since been developed into a discussion paper to be published at the end of 2008.

[9] India learned a great deal from the Mexican experience, especially in the institution of Information Commissioners, which we have modified to suit Indian conditions.

Many CSOs are monitoring the functioning of this law[10] which now has nationwide coverage.

- In Delhi, the state government took the initiative to consult *Resident Welfare Associations,* on people's priorities in a programme called *Bhagidari[11]*. They later got together to protest against the arbitrary increase in power rates by the newly privatised utilities. The citizens demanded that the utilities live by the orders of the Regulator, who permitted rate increases only when savings in transmission losses were shown. Today, these associations are a major force in the running of the city.

- Also in Delhi, *Parivartan*[12], a people's movement, used the provisions of the Delhi Right to Information law to ensure that poor citizens received their entitlements under the law from the Public Distribution System. By asking for specific information—where is my application today? Who is responsible for delay? What action has been taken against him? And so on, Parivartan has been able to make the civil supplies system work as it was meant to. There was much resistance to the work of Parivartan. One of their staff members was attacked with a knife. But the support of citizens has ensured that it is now a force to reckon with in Delhi.

- *PRS Legislative Research*[13] is an independent body meant to provide parliamentarians with briefs on major issues coming before Parliament. Although issues are complex, PRS provides simple clear and non partisan briefings that have given it credibility in a short span of time.

- In Bangalore, 4 NGOs got together to launch the *PROOF campaign*[14], in which citizens demanded quarterly financial statements from the city government[15]. The information was provided, debates were held, and the process of such consultation continues. This was also interesting in the way 4 different organisations worked together to a specific end.

- *The Centre for Budget and Policy Studies*[16], has worked with municipal budgets of small towns in Karnataka, and placed the results of budget analysis on the web to make it accessible. CBPS followed this up with workshops and debates with elected representatives to give a deeper meaning to the notion of representation. A film called 'The Story of a Municipality' has been used to stimulate debate in many fora.

- In Orissa, the *Centre for Youth and Social Development* opened a dialogue with the Speaker of the state Assembly, and organised workshops to familiarise members of the

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[10] See http://www.undp.org/oslocentre/docs05/pradeepsharmafellowshippaper.pdf; and also http://www.satyamevajayate.info , http://www.indiatogether.org/stories/ncpri.htm for a sampling.
[11] See http://delhigovt.nic.in/bhagi.asp.
[12] See http://www.parivartan.com/success_stories.asp.
[13] See http://www.prsindia.org/index.php.
[14] See http://www.indiatogether.org/campaigns/proofblr/.
[15] Seema Dargar, City Government, Budget Analysis and Public Accountability in Bangalore, CBPS, 2003.
[16] See www.cbpsindia.org.

Legislative Assembly with the manner in which standing committees of the Assembly could make inputs to the state budget. They have brought out a useful series of publication in a series called 'Budget Watch'[17] which has been extensively debated in the public domain.

- In Orissa, in the backward district of Koraput, where the majority of citizens are tribal people, the *Council for Analytical Tribal Studies* has been documenting the day to day situation of poor tribals and feeding this information to the local administration in an effort to make it more efficient.

- In Hyderabad, *Lok Satta*[18] began as a movement against corruption that has transformed itself into a movement for clean elections and is demanding electoral reforms.

- *Cehat*[19], an organisation focussing on health issues, based in Mumbai, has documented the state's investments in health over a twenty year period and this data base is now a reference point for all who work on health issues

- *Prayas*[20] is another agency, based in Pune, which works in the area of energy policy, and takes part in debates on the needs of the poor for energy and the inequities in their access to it.

- In Kerala, *Thanal*[21] is an organisation concerned with environmental issues and food security. It contributes through its field based studies to policy debates, and has been effective in advocating for several policy changes—for example, the banning of the use of endosulfan in north Kerala agriculture.

- *Sanket Development Group* began with work on a Human Development Report for the state of Madhya Pradesh in the mid 1990s for the state government. This index was used to persuade the government to channel additional funds to districts where the HDI was low. From this work, it has branched out to budget analysis at the district level and has prepared estimates of development expenditures for Videsha district, which have been shared with other NGOs and the government. The Director of SDG has now been elected to Parliament, and has opened a new division called Resource Centre for Legislators which provides Members of Parliament with detailed analyses on issues of interest. This included a briefing on budget processes.

- In 2005, more than a hundred such organisations came together to launch the *Wada Na Todo* campaign[22]—Don't Break Your Promises Campaign to monitor promises made by the government, especially in the National Common Minimum Programme of the new government that took office in 2004. This is a major campaign with nationwide reach.

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[17] http://www.cysd.org/publication.php.
[18] See http://www.loksatta.org/.
[19] See http://www.cehat.org/.
[20] See http://www.prayaspune.org/peg/prayas_home.php.
[21] See http://www.thanal.org/.
[22] See http://www.wadanatodo.net/aboutus/default.asp.

Enough has been said to make the point that civil society has not only been active but fairly effective as well. Most of these organisations are small, have a clear focus of interest, and believe in primary data from which they interact on policy issues. While all are non –profit in their operations, some may not be registered; some are registered as Trusts; others as Societies and there is a group that are registered under Section 25 of the Companies Act as Companies but which do not distribute a dividend. Each form has governance implications, but at this point it may be better to move on just noting this difference.

Most have learned the value of working together in networks in order to be effective. This is because none of them has the scale and resources to make an impact. Together—as formal or informal networks, it is felt that they can make a difference.

Evolution of the CSOs

Civil society organisations of the kind we are concerned with have evolved since the 1970s[23]. Starting from the need to preserve fundamental rights against the assault by the state on them in 1974, they have generally been confronting the government on many issues. To a large extent, *confronting the government* is seen as the main work of many CSOs. It is only in recent years that *the question of engagement with the government* has come into the agenda. This is discussed in greater detail below.

In the 1980s and early 1990s, foreign donors encouraged these organisations, which depend upon them for funding, to move in two directions new to Indian society—to include 'people's participation' and 'gender equality' in their programmes. As a result, CSOs began to encourage the formation of community based organisations with representation of the poorest, and with a mandatory representation for women, especially those from the poorest sections of society[24]. This was a big step forward from the earlier situation in which the officials of the government made all such decisions and simply informed people about what had been done for them.

It is interesting that state government departments began to work with these community organisations. Over a period of about 10 years, such organisations as Joint Forest Management Committees or Watershed Management Committees became the norm. This ushered in a period of co-operation between CSOs and government, with many CSOs implementing government programmes. Community based organisations became the base from which the CSOs derived their legitimacy. But over time, many of these community based organisations came to be dominated by the local officials of the state governments[25]. This opened up the danger that CSOs could be 'co-opted' by the local administration and be unable to resist domination by civil servants. This could raise issues about the 'genuineness' of people's participation, especially in a fractured polity.

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[23] I exclude voluntary associations in the Ghandian tradition, and religious trusts of various kinds.

[24] A good example of CSO role in this is Myrada, see http://www.myrada.org. Myrada's record shows how CSOs can play an effective leadership role in these areas.

[25] See, for example, http://www.cbpsindia.org/mch/pdfs/JFPM_Final_paper.pdf.

The introduction of these two items—people's participation and gender equality—into the development debate in India led to another major change. The union government of India, which funds many pro-poor programmes, found that there was a great deal of dead weight losses as well as corruption in the delivery system. Years of debate led to a consensus that the only way out was to ensure people's participation through elected representatives at the local level[26]. The result of this realisation was the amendment of the constitution to create 'local self governments—municipalities in urban areas and 'panchayats' in rural areas. The panchayats were to function at three levels—the district, an old and established administrative unit in India, the development block, created in the 1950s, and the gram or village at the lowest level. States passed laws based on this amendment and elections were held which brought them into existence. An important feature of these LSGs is the fact that *at least one-third of all elected representatives must be women*. This brought in about a million women into political office in the late 1990s. However, these LSGs are new[27]. Until adequate funds, functions and staff are available, they are not likely to be effective. In the absence of effective LSGs, some CSOs have chosen to bypass them and work with the local administration. This has been an area of tension[28]. The picture varies across India[29].

Some CSOs then began to work towards the strengthening of these LSGs. There are interesting examples of how technology[30] has been used in this program of continuing education. In this effort, they have often used budget information to give direction to the LSGs. There is a need for CSOs to work in this field.

What Are the Areas of Concern?

Civil society organisations are well set in India, and they are concerned with a broad range of development issues. There are some that directly implement development projects—for example, by running schools. There are others that are concerned with monitoring the implementation of various development programmes—for example the right to food campaign[31]. In general, most of these campaigns are networks of many organisations. Each CSO is too small to make an impact, but it has been shown that by coming together much can be achieved. The methods of work vary, from organising protest marches to litigation.

In my own reading of the situation, the following are areas of concern that must be addressed:

Who—or what is the 'Government' or the' State 'that CSOs monitor?

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[26] K.C. Sivaramakrishnan, Power to the People: The Politics and Progress of Decentralisation, Konark Publications, New Delhi, 2001. ISBN; 81-220-0584-5.

[27] Vinod Vyasulu, Panchayats, Democracy and Development, Rawat Publishers, New Delhi, 2002.

[28] This is especially true in states that were pioneers in decentralisation, like Karnataka. See the World Bank studies referred to below.

[29] There are useful World Bank studies of this. See
http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/EXTSAREGTOPPRISECDEV/EXTSAREG TOPDECENTRALIZATION/0,,contentMDK:20254773~menuPK:521455~pagePK:34004173~piPK:34003707~theSitePK:4969 00,00.html.

[30] The Indian Space Research Organisation has made available its transponders to facilitate long distance transmission of videos etc for this purpose.

[31] See http://www.righttofoodindia.org/index.html.

CSOs have been asserting the role and responsibility of the state in promoting development in India. Given the provisions in the Directive Principles of State Policy in the Constitution, they have a perfectly valid point here. The State cannot be allowed to abdicate its constitutional responsibility for development. Yet, there is no clarity on what this entity is. Most often, it is the Government of India that is considered the villain of the piece. But in a federal structure like India, many issues of interest—especially human development issues like health—are the responsibility of the state governments. After the 73rd and 74th constitutional amendments, many of these responsibilities have devolved on local self governments.

There is a lack of appreciation of the responsibility of these lower tiers of government among CSOs in India. In many of these cases, CSOs take recourse to the local administration rather than the local government. And since local self governments are new, since they lack experience and capacity, they are further undermined by this process. It is necessary for CSOs to work to strengthen these LSGs. Some are doing so, but much of advocacy bypasses them. A deeper understanding of the multi-layered state is essential to CSO success in coming years.

What is the balance between a strategy of confrontation, and one of engagement?

In the case of the monitoring of the employment guarantee, CSOs have pointed to many lacunae in the field. Yet these have been pointed out aggressively, as if they were deliberate measures to subvert the law, rather than inadequacies that result from the maze that is Indian administration. There is also a rather strict adherence to the law: it has been pointed out that crèches were not available at work sites, which is true. But it is also true that crèches are not available in the whole village. There is a need to distinguish between what may be called class A and class C items. Otherwise, there is a danger that perspectives are lost. The passing of a law does not mean all obstacles or weaknesses are eliminated overnight. Focussing on the less important lacunae may mean that those who would like to divert these funds elsewhere get ammunition in their hands—an outcome none of those working on this issue desire.

While pointing out these gaps, CSOs have blamed the local administration, but have not pointed out that this programme, which by law must be implemented by local self governments, has yet to be placed in their jurisdiction[32]. In many such cases, engagement over time, a co-operative approach with LSGs, may yield better long term results than simply confronting the state and district administrations which are remote from the scene, and which, in any case, are responsible for the failures of the past. This does not mean no confrontation. It means that CSOs must be strategic in their approach to these problems.

How firm is the factual/analytical basis of advocacy campaigns?

The tradition of confronting government—most appropriate when human rights are violated—may not necessarily be the best way of promoting an important cause in the face of institutional weaknesses and poor institutional design. If we take the implementation of the

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[32] Centre for Budget and Policy Studies, Bangalore: <u>Implementing the Employment Guarantee in Karnataka: The Situation on the Ground.</u> Report, November 2006.

Employment Guarantee, for example, as a desirable policy matter, it would be very useful if sound, empirical research preceded a vigorous campaign in which specific suggestions are put forward. The research base of policy has to be strengthened if CSOs are to achieve their goals in the long term. Credibility is a necessary condition for any kind of success, and CSOs have to work hard to build and retain a credible reputation. By attributing poor implementation to a lack of political will may be factually wrong if the institutional base has not been strengthened for the new tasks.

Another aspect of this question is the manner in which information is presented. CSOs have to learn to use citizen friendly ways of sharing information. Whether it is films or diagrams, this is an art in which a great deal more of effort is needed. A picture is worth a thousand words. Research results, to reach a wide audience, have to keep this in mind.

What about funding of CSO activity?

This is a complex issue. There are CSOs that completely reject funding from governmental, and foreign, sources.

A good example is the MKSS, or the WNTA. They feel that the advantage from receiving such funds is more than offset by potential conflicts of interest as they take up various causes. They work only with individual contributions from members and friends of the movement.

There are other CSOs that reject foreign funding, but accept money from governmental agencies. Money form foreign sources may distort priorities; hence it is better to refuse it. Government money, on the other hand, comes from the Indian taxpayer, and should be used to fight his causes. The CAPART is a union government agency that funds CSOs. It is also true that there has been tension between CAPART and CSOs on many issues: CAPART has even published a 'blacklist' of NGOs!

Many of the CSOs engaged in research based advocacy work with funds from foreign donors. They try and work with multiple donors so that they are not dependent on any one. If such an agency is happy to fund work that the CSO defines, they have no problems in accepting it. There is no question of influencing the agenda or of any kind of subversion as such foreign funds can only be accepted after government permission under the Foreign Contributions Regulation Act, under which many of these CSOs are registered. This Act is currently being strengthened.

To date, there is very little in the nature of Indian philanthropy. With Indian firms succeeding on the global scene, perhaps in the near future this is an avenue that will open up. The debate goes on.

The Accountability Framework of Analysis: A Preliminary Application

These concerns can be analysed in the TAP framework developed at Brookings. Using a Principal-Agent framework, the authors argue that CSOs are intermediaries between citizens and the government, and that it is useful to analyse the pattern of signals and actions that link these entities.

The process has several steps. *Given an initial level of accountability and governance*[33], CSOs begin to intervene in the social process. Beginning with *Engagement* within civil society to understand the Issue, we move on to *Formulation of Demands*, then *Transmission and Reception* of the *Signal* containing these demands. Then comes *Action* which is the *Response* from the government. In some cases, the chain can repeat, at a new level of accountability and governance, if *Feedback*[34] is brought into the analysis.

At each stage there may be multiple Agents representing the Principal—the Citizen—and this further complicates the process. It is also true that citizens differ considerably among themselves, and are not uniform in their demands or concerns. For example, elected representatives are legitimate agents of citizens, since they come through an electoral process and they do have differences in philosophy and priorities that must be resolved in debate and perhaps through voting. CSOs also speak for some citizens—often for the poor. What they lack in electoral legitimacy they more than make up for in sincerity of purpose. But each is involved in the process of engagement. What comes out them is some kind of amalgam of these actors' views and beliefs. In the final analysis, in a democracy, it is the decision in the legislative body that matters. Others can only try and influence that outcome.

Problems any where in the chain affect the final result.

Example 1: India's Employment Guarantee Act

Using this framework to think about India's Employment Guarantee Act is useful. The Act[35] was the Government's *Response* to signals it received from CSOs about the distress due to lack of work—and wages—in the dry months of the year when there was no agricultural work to be had. This was seen as a major cause of poverty in rural India.

If lack of work as the cause of poverty was the message, how correct were CSOs in this belief? While at face value there is some validity to the notion, it is an open question that must be based on empirical research. If there is a mistake of any kind here, then that mistake will only magnify over the chain.

Engagement with researchers, activists and others in CSOs led to the view that this is a matter on which the government must provide a Guarantee to citizens. Further, such a guarantee must be enshrined in law so that there can be no going back on it. A law would ensure that adequate funds for this Guarantee would be provided in the annual budget.

At the formulation stage, it was also decided—by CSOs?—that the wage paid to work under the Guarantee must be at least the minimum wage[36]. This is to be decided upon by state

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[33] This is the standard economist's *ceteris paribus* caveat—all other things remaining equal for purposes of analysis.

[34] Feedback and Backlash are not part of the formulation in the Brookings model referred to above. I have taken the liberty of tagging them on to it.

[35] http://nrega.nic.in/rajaswa.pdf

[36] Economists argue that the wage paid must not exceed the market wage.

governments on the basis of data provided by the quinquenniel consumer expenditure surveys conducted by the National Sample Survey Organisation. The state could do no less.

And finally, at the formulation stage, it was also decided that the Guarantee must be implemented by the *local self governments* [LSGs] that had come into being after the 73rd constitutional amendments. These are elected councils and reliance on democratic institutions is at the base of Indian development strategy.

Based on these pulls and pressures, some from CSOs, others from civil servants and politicians, the NREGA was enacted. Each state then made rules to implement this Guarantee. This is the stage of *Transmission*. In most states, based on past experience and practice, the NREGA implementation was assigned to the Rural Development Department. Thus, a deviation occurred—from the LSGs that were to implement this Guarantee to the line department of the state government that was actually assigned this responsibility. When local officials took up the responsibility—Reception—they made their own contribution. The law specifies that, if work is not provided within 15 days of a demand being made, compensation at a specified rate must be paid. This does not appear in the local version of the rules in Karnataka[37].

A survey showed that the minimum wage specified in the law is being paid in Karnataka. But the survey also reveals that this wage is about twice the prevailing market wage. As a result, many small farmers are unable to hire labour for their agricultural needs. This is *Feedback*. But it also shows that there are multiple voices among those affected by this Employment Guarantee. Who will be heard is an open question. And how the Feedback is used remains to be seen.

My *expectation* is that Feedback in this case will lead to improvements over time, as the analysis suggests that the factors that led to the change continue to work in a way favourable to the continuance of this Guarantee.

Example 2: India's Right to information Act

There is also another possibility. The success of a CSO initiative may also lead to what may be called a *Backlash*. A backlash is a reaction from a party that feels it has lost out as a result of the change, and which then tries to have the change reversed. An example may be useful to illustrate this concept.

One of the most successful interventions of CSOs in India was the passing of the Right to Information Act[38]. This makes it a right of anyone to seek and obtain any information form any public authority—any agency funded by the taxpayer—by making a request and paying a small nominal fee. To facilitate the process of providing information, each such public authority has to appoint a Public Information Officer. The requested information has to be provided within a time frame, and there are penalties for not providing information in time, or for providing misleading information. The law was passed in 2004.

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[37] CBPS study cited above.
[38] http://persmin.nic.in/RTI/WelcomeRTI.htm

This process went through the steps discussed above. The first stage, Engagement, was when CSOs organised agitations to press this demand. They made this demand because of corruption in the system of wage payment in rural Rajasthan that existed because of differential access to information on fund availability. The solution was to reduce such information asymmetry. They organised to make this demand. Once it was clear that some kind of RTI was to be passed, then the Formulation stage began. Consultations were held and a comprehensive law drafted and then passed. This had to be transmitted to the bureaucracy, which was opposed to the whole concept. There was struggle at his stage to ensure that the Rules that were framed under the Act did not dilute the provisions in any way.

CSOs have not been happy with the rules that have been framed, but since the law has improved the governance situation, it is now a question of using the access to information to move forward. Civil society has taken a lead in this matter.

The RTI has made a fundamental difference to the relationship between state and citizens in India. The colonial past meant the state was paternalistic, and saw citizens not as a source of strength, but as a threat. An Official Secrets Act was passed which prevented officials from sharing any information marked 'confidential' with citizens—or even other officials! Penalties were specified, and officers have been prosecuted from a breach of the OSA. This opaqueness became convenient which the moral and ethical standards of officials—elected or appointed—deviated from the highest standards. If not a cover for corruption, it certainly became a cover for inefficiency. The RTI repealed this Act, and opened up official action to public scrutiny. Many of the CSOs mentioned above have used the RTI in their work—especially MKSS and Parivartan. Aruna Roy from MKSS and Arvind Kejriwal from Parivartan have been awarded the Ramon Magsaysay Prize for their resourceful use of the RTI to benefit the poor and weak in India.

This very success has led to a *Backlash*. Many established institutions, accustomed to doing as they saw fit, suddenly found themselves under pressure because of the RTI. For example, the Union Public Service Commission, which is responsible for recruitments into the government services, found that it had release details of the examinations it conducts. It has objected strongly. Other institutions also have reacted negatively to this demand for sensitive information. Many are demanding selective restrictions be paced on the RTI. An amendment to the Act, bringing is restrictions on the kinds of information that can be kept out of purview, have been suggested. CSOs have protested this move. We have to wait and watch. In this case, more than Feedback, we have seen Backlash at work.

This framework can be usefully applied to other concerns of CSOs, and the result should help explain why there is often a difference between intent and impact. The concerns mentioned above can also be understood in this framework. In a later paper, we intend to examine some of the reforms attempted in the fields of health and education in Karnataka in the 1990s in the TAGC framework, to both understand the processes in a deeper way and also to try and gain insights into factors that could be built into design of future programs.

What have we learned?

- *Small initiatives can have big impacts*. MKSS for example started as a small initiative demanding payment of fair wages, but went up to changing the law of the land.

- *Leadership qualities matter*. This is true of just about every organisation cited above. Educated, dedicated leaders make a difference—consider MKSS or PROOF, for example.

- *Those initiatives that succeed are movements*. They are on going, relentless, not short term programmes that tire.

- *There is learning built into the process*. This results in flexibility in the demands made. What started as a demand for jobs and wages ended up as right to information for MKSS. What started as expenditure tracking for CBPS became a demand for better systems of accounting and debate based on that accounting.

- *Budget analysis* must have a technical component, but it *is not the face of the programme*. It is livelihood that matters most to a poor person. They understand outcomes rather allocations and expenditures as it is a question of existence/survival. Presentation of results must be simple and clear, even if the analysis is highly technical.

- *The movements are geography specific*. There are cultural differences in a huge country like India. This places certain limitations on the potential for replication.

Where Do We Go From Here?

There are questions that should be addressed in this framework. For example, even as levels of governance and accountability change as CSOs move forward, what are the issues in the range of factors that comprise these concepts that require special attention. What can this analysis tell us about the chances of success? What can we glean, in advance, about the kind of opposition and resistance to the proposed changes? And, in the Indian context, can we get answers to the following kinds of questions?

Should NGOs get into programme implementation? Should they run schools and hospitals as many do today? Does it not let the state off the hook? The CSOs we have discussed go beyond program implementation into policy advocacy. Such advocacy ranges from presentations to campaigns. CSOs have built alliances for campaigns. Should there be more of this in the future, or is the time right for another direction for CSOs?

How can CSOs move on from confronting the state---a multi-layered entity—*to engaging with the relevant organs of the state*—there is no point in demanding allocations for slum improvement if the institutional capacity for doing that is not built up. Can the TAGC framework help us in identifying the level of the state that must be addressed? Can this framework give us insights into the kind of investments in people and training that are essential?

Since the local government is both new and inexperienced, is there a role for civil society in working towards a strengthening these LSGs? Is there a point in demanding that schools or health centres work better if the capacity to make improvements does not exist locally? How do CSOs move forward in this situation?

By Way of Conclusion

There are many questions to which the TAP analytical framework can be applied. This paper has illustrated this potential with examples from India. Some other programs, relating to change programs in Karnataka will be addressed in a later paper. So the issue remains: while promising, how useful will this framework be in understanding changes sought by CSOs in India? Will it lead us, as promised in the song cited, to *Ik Aise Gagan Ke Taley?*

How useful will this exercise be to civil society? Will an improved understanding of accountability and governance using this framework help in ushering the desired changes? A question is a good place to end this paper.