

Abstract

How can citizens participate in the governance processes beyond their role as voters in an electoral democracy? What are the modes of citizen-State deliberations that can effectively channel the opinions of the people into the law-making processes, and thus, create a more participatory and just polity? This dissertation responds to these questions by examining the principles, practices and the impact of a particular kind of deliberative forum known as the *jan sunwai* (public hearing). The *jan sunwais* studied in this dissertation were convened by a civil society organisation called the Mazdoor Kisan Shakti Sanghathan in certain villages of central Rajasthan as part of the people's movement for transparency between 1993 and 2012.

The dissertation explains how the *jan sunwais* pioneered a dialogic form of governance between four stakeholders: the people *qua* people, the elected representatives, the officers of the State and civil society activists. The dialogic nature of the *jan sunwai* facilitated the people's access to government documents and the collective verification of development works through social auditing. It emerged as a platform, where the marginalised sections of society could air their grievances, demand redressal from the representatives of the State and participate in the decision-making processes. While the villagers of Rajasthan were initially focussed only on securing their wages, they gradually became active in combating corruption in public works and seeking accountability from government officials. They soon recognised that there was an intimate relationship between securing one's own individual interests and procuring the greater common good. The *jan sunwais* were thus transforming the political consciousness of the people in rural Rajasthan.

The *jan sunwais* also inspired ground-breaking legislations in India and Rajasthan that pertained to transparency, grievance redressal and social auditing. The Right to Information Act 2005, Rajasthan Guaranteed Delivery of Public Services Act 2011, Rajasthan Right to Hearing Act 2012, and even, the Meghalaya Social Audit Law 2017 were born out of the experiences of the *jan sunwai*. The *jan sunwai*

experiences of the people triggered the legislative drafting of these laws at the levels of both the states and the union.

This dissertation demonstrates how the jan sunwai served as a causal factor for these legislations, which have substantially deepened Indian democracy by transforming it from being administration-centric to becoming more citizen-centric. The jan sunwai approximated the ideals of deliberative democracy enunciated by Jürgen Habermas. Through rational deliberations at the jan sunwai, the people in rural Rajasthan graduated, from being mere subjects of the law to becoming the first authors of those laws that affected them daily and directly. This pioneering legislative transformation of the Indian polity was substantially due to the efforts of civil society activists and organisations, which have in the words of the Canadian philosopher, Charles Taylor, ‘inflected the policies’ of the Indian State.

Keywords: Jan sunwai, Transparency, RTI Act 2005, Right to Hearing, Social audit, Deliberative democracy, Jürgen Habermas, MKSS, Charles Taylor