Chapter 1: Introduction

This dissertation is a study of the principles, practices and the impact of the jan sunwai (जन सुनवाई) or public hearings,[1] which were convened in select village panchayats in Ajmer, Bhilwara, Rajsamand and Pali districts of the state of Rajasthan, India. The jan sunwais were organised by a civil society organisation known as the Mazdoor Kisan Shakti Sangthan (MKSS), within the people's movement for transparency between 1993 and 2012. The dissertation argues that the MKSS-prototype of the jan sunwai is transforming both the culture and architecture of the Indian polity towards a citizen-centric governance model.

The jan sunwai is a deliberative forum that has deepened the scope of Indian democracy at the village level by facilitating direct dialogue - amongst the people as well between the people and the State. From this dialogic nature of the jan sunwai emerged the title of this dissertation: *Fostering dialogical governance*. The title seeks to highlight how the jan sunwai fostered dialogue in governance. Transparency and dialogue were the defining characteristics of the MKSS prototype of the jan sunwai. These characteristics have been incorporated into different pieces of legislation, and most notably, in the Right to Information Act (2005), the Rajasthan Right to Hearing Act (2012) and in select social audit legislations, rules and practices, such as the Meghalaya Social Audit Act 2017. Such institutionalisation emphasises the role of the people in governance: through their participation in the auditing processes of public works, the redressal of grievances, and by holding public servants accountable to the people for the decisions of the government.

The MKSS prototype of the jan sunwai is significant for other reasons as well. It played a catalytic role in the people's movement for transparency; acted as a forum for a politics of resistance as well as for governance; ensured greater participation of

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[1] The term jan sunwai is in singular. The plural is jan sunwaiyan (जन सुनवाइयां). The term jan sunwai is used in its transliterated form in this dissertation. The term jan sunwais is used for denoting the plural form of the hearings.

the people, and especially, the marginalised sections of society in rural Rajasthan; redressed the grievances of the villagers; and, held officers of the State as well as elected representatives at the village and block levels accountable to the people through social auditing. Since the dynamics of the jan sunwai have been institutionalised by the Indian State, it is pertinent to examine the nature and functioning of the jan sunwai.

1.1   Objectives of the dissertation

The main objective of this dissertation is to examine the principles, practices and impact of the MKSS prototype of the jan sunwai in Rajasthan within the movement for transparency between 1993 and 2012. This objective is further divided into the following:

1. To explore the significance of the jan sunwai in the people's struggle for securing their right to livelihood and for exercising the right to information

2. To analyse the communication strategies employed by the members of MKSS for mobilising the people in rural Rajasthan towards ensuring their participation at the jan sunwai

3. To evaluate how the jan sunwai empowered the marginalised social sections of rural Rajasthan so that these sections could air their grievances

4. To assess how the jan sunwai redressed the grievances of the people in rural Rajasthan

5. To examine the efficacy of the social auditing practices at the jan sunwai for explaining how these practices have been institutionalised in India

6. To contrast the jan sunwai with other deliberative forums (like the gram sabha and the ward sabha) and thus illustrate how the jan sunwai strengthened the panchayati raj in Rajasthan

1.2   Structure of the dissertation

This dissertation is divided into eight chapters. The introductory chapter begins by explaining the nature of the study, the title, the objectives and the structure of the dissertation. Thereafter, the extant literature on the jan sunwai is reviewed with the purpose of locating the research gaps. The relevance of the study is discussed next. The notes on the sources and methods bring the first chapter to a close.

The second chapter is titled "Jan sunwai and the quest for transparency in Rajasthan". This chapter characterises the jan sunwai as a dialogical forum. It traces the history of the jan sunwai and its evolution from being a forum for sharing information to one used for conducting social audit and redressing the grievances of the citizens. This historical narrative is based on a study of print and audio-visual archival sources pertaining to the jan sunwai as well as the transcripts of oral history interviews of those respondents, who participated at the jan sunwai.

The third chapter is titled "Art forms of the jan sunwai". It describes the strategy and rationale behind using puppetry, foot marches, street theatre, folk songs and other forms of communication that were used by the members of MKSS for encouraging people to participate at the jan sunwai. This chapter is curated out of the experiences and perspectives of the "barefoot performers," who practised the art forms of the jan sunwai and the repertoire of songs, skits and sketches created by them. Based on the cultural repertoire of the jan sunwai, the chapter argues that besides spreading awareness, the art forms were an effective mode of protesting against secrecy and corruption in governance.

The fourth chapter titled "Dialogue and inclusion: People's participation at the jan sunwai" describes the dynamics of people's participation at the jan sunwai. It begins by locating the jan sunwai within the dialogical tradition and highlights the roots of political dialogue in India. Thereafter, the chapter illustrates the ways in which the civil society organisations approximated the inclusion of the marginalised peoples in the deliberations at the jan sunwai. The poor, illiterate and landless

peasants, women and members of Scheduled Castes and Scheduled Tribes could air their grievances before the community and the officials. Airing grievances by speaking-up at the jan sunwai was an act of resisting and protesting secrecy, corruption and other forms of oppression. Subsequently, this chapter documents the backlash faced by the people for speaking up at the jan sunwai and describes the strategies used for countering the backlash. These strategies were derived from the principles of non-violence, which helped in generating a collective action by people for transparency and accountability.

The fifth chapter titled "Quest for justice: Grievance redressal at the jan sunwai" assesses the grievance redressal function of the jan sunwai and its institutionalisation within the Rajasthan Right to Hearing Act 2012. The emphasis on a time-bound redressal of citizens' grievances along with provisions for multiple appeals emerged out of the jan sunwai. The MKSS prototype of the jan sunwais were being convened at a time when liberal States were transitioning from an administration centric governance model to a citizen-centric one. The movement for the right of citizens to grievance redressal benefitted from this shift that was conjoined with the emergence of digital technologies. Web and mobile-based e-redressal applications - like, for example, Rajasthan Sampark - facilitated the registration of grievance, their tracking and the provision for appeals. However, the digital modes may have diluted public deliberations, face-to-face social interactions, usually associated with the jan sunwai. This chapter, therefore, suggests combining digital technologies with dialogical forums such as the jan sunwai for resolving people's grievances and for creating a participatory polity based on dialogue.

The sixth chapter titled "Quest for truth: Jan sunwai as a mechanism of social audit" examines the practice of social auditing at the jan sunwai. The chapter begins by reviewing the history of social auditing on public works in select states of India. This historical review is followed by a section that compares social auditing and conventional audit procedures. The challenges and debates that ensued the demand for institutionalising social auditing practices of the jan sunwai are examined in the

next section.[2] The final section lists out how the Comptroller and Auditor General of India and the Ministry of Rural Development of the Government of India have developed rules and standards for conducting social audits in consultation with the civil society experts. This section also illustrates how the social audit practices of the jan sunwai have been incorporated and institutionalised by the Meghalaya Social Audit Act 2017.

The seventh chapter titled "Role of the jan sunwai in strengthening panchayati raj" elucidates the impact of the jan sunwai on the functioning of the panchayati raj system in Rajasthan. The chapter begins with an outline of the early history of panchayati raj in Rajasthan. Thereafter, the reports of various committees and select legislations for setting up the panchayati raj in post-independence India are surveyed. This survey provides an overview of the scope and weaknesses of the panchayati raj system prior to 1993. In 1993, the Indian Constitution was amended and the panchayati raj system acquired a constitutional mandate. Although this constitutional amendment has been described as a silent revolution, the panchayati raj system still suffered from institutional weaknesses and numerous challenges in its implementation. Some of those challenges pertaining to the participation of the people were remedied by the MKSS prototype of the jan sunwai, which promoted the people's engagement with panchayati raj institutions and thus fostered people's participation in local governance. Besides, the transparent and inclusive nature of the jan sunwai distinguishes it from other deliberative forums like the gram sabha, ward sabha, nyaya panchayats and citizen vigilance committees. Therefore, this chapter recommends the adoption and adaptation of principles and practices of the jan sunwai by the gram sabha and ward sabha. Adoption of the principles of the jan sunwai would enable the other deliberative platforms to evolve into forums for public consultations, where people could initiate and draft legislations.

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[2] *Oxford Advanced Learner's Dictionary.* 2019. "Institutionalisation." Oxford: Oxford University Press. https://www.oxfordlearnersdictionaries.com/definition/english/institutionalization. [Accessed 10 November 2019]

The eighth chapter is the concluding chapter. It begins by elucidating the thesis statement and recapitulating the impact of the jan sunwai. It makes certain recommendations on how democracy could be deepened further by implementing the principles and practices of the jan sunwai. The recapitulation is followed by an evaluation of the jan sunwai using the elements of the Discourse Theory of Democracy as articulated by Jürgen Habermas. The jan sunwai is established as a forum for rational deliberation that has broadened the concept and practice of deliberative democracy. It has broadened the practice of deliberative democracy by achieving the inclusion of the marginalised peoples in public deliberations. The final section highlights the limitations of the study and points towards emerging possibilities for future research.

1.3   Literature review

There is a substantial amount of literature on various aspects of the jan sunwai. The more significant studies have been clustered according to their thematic affinity and reviewed here under various rubrics. These rubrics have emerged as the core chapters (2-7) of this dissertation.

1.3.1 Jan sunwai and the movement for transparency

Historical and scholarly accounts on the Right to Information Act have highlighted the role of the jan sunwai in creating a people's movement for transparency. Many scholars have provided an early account of land and wage struggles in Rajasthan as well as the formation of the MKSS as a collective of workers, peasants, women, Dalits and other village residents. Their studies also describe the circumstances that led to the genesis of the jan sunwai (Roy 1996, 1120–21; Bakshi 2000, 22–75; Dogra and Dogra 2001; Mishra 2003; Kidambi 2008, 3–9; Srinivasan 2011, 54–98; Pande 2014; Roy and MKSS Collective 2018).

For many decades, the poor in Rajasthan were entangled in cycles of hunger, famine, drought, unemployment and migration. Corruption in government welfare programmes compounded their problems. Besides, they were unable to air their

grievances "because of [the] lack of access to resources and forums, where their voices can be heard" (Roy 2000, 1). The MKSS experiments demonstrated the significance of transparency and the necessity of a "platform controlled by citizens where the information could be put to use" (Roy and Dey 2002, 9). That platform became the jan sunwai.

The jan sunwais provided the people with a first-hand experience of what information, and consequently the right to information, could do for them. Access to information enabled the people to investigate the reasons for their hardships, especially delayed and inadequate wages (Mukhopadhyay 2018, 328). With the information accessed, the people gained greater access to the local government and greater influence in matters of local governance (Goetz and Jenkins 2001, 376–78). The people thus graduated from being "victims of corruption" to being champions of transparency (Nagaraj 2008, 314–30).

Certain scholars of the jan sunwai have described it as a public sphere (Thomas 2014, 135 and Pande 2014). The jan sunwai as an 'alternative public sphere' differed from the formal village assemblies, like the gram sabha, as well as from the bourgeois public sphere as characterised by Jürgen Habermas (Pande 2014, 85–95). It was more inclusive than the gram sabha and various caste assemblies, or even, the panchayats. The inclusive nature of the jan sunwai was due to the efforts of civil society activists and organisations.

Civil society organisations played a key role in organising the jan sunwais and for advocating a right to information legislation. The MKSS members coordinated various grassroots activities under the auspices of the National Campaign for the Right to Information (NCPRI). Thus, a broad-based movement comprising the elite and the poor was created (Baviskar 2010, 139–42, Kidambi 2008; Pande 2014). It was a coalition of jan sanghthans (people's collectives), jan andolans (people's movements), lawyers, journalists, academics and professionals. It channelled the people's demand for information into a legislative process leading to the RTI Act 2005 (Singh 2010, 56–60). Some scholars have focused on the role of the urban,

educated and middle-class members of the NCPRI, who employed their 'cultural and social capital' in advocating the RTI Act (Sharma 2012). It was also argued that certain members of civil society organisations were engaged in "bureaucratic politicking" by employing their connections within the government and the bureaucracy for influencing the law-making process (Hatzfeldt 2015).

1.3.2 Art forms of the jan sunwai

Rajni Bakshi and Suchi Pande have alluded to how MKSS members used innovative communication strategies for mobilising people's participation at the jan sunwai. The members organised pad-yatra (foot marches), displayed banners, composed and sang songs, performed street plays and puppet shows and indulged in sloganeering for spreading awareness about the need for transparency, and later, for the RTI. These strategies were aimed at encouraging people to speak-up against corruption at the jan sunwai (Bakshi 2000, 22–75; Pande 2014, 76–78). Aruna Roy in her book *The RTI Story* has offered a comprehensive description of the use of folk media in generating awareness and has documented the stories, skits and songs composed during the struggle for transparency legislation (Roy and MKSS Collective 2018). These skits and public protests were aesthetically colourful. The skits and songs also induced the participation of the spectators during the performance.

1.3.3 Jan sunwai for fostering the participation of the marginalised

Certain studies on transparency and public action have argued that transparency was a necessary requirement but not a sufficient stimulus for people's participation (Florini 2007; Meijer, Curtin, and Hillebrandt 2012; Harrison and Sayogo 2014). Notwithstanding, the demands for information and transparency affected people's participation. In the case of the jan sunwai, the information procured from the government helped the people in engaging, contesting and making claims on the State. This contestation with the State and the circulation of information at the jan sunwai altered the boundaries of power between the people and the State (Srinivasan 2011, 74). This shift in power dynamics occurred within the socio-economic

contexts of rural Rajasthan in which caste and class were, and still are, significant determinants of political power (De 2017, 1–2). Differential access to information by social groups determined their ability to participate in governance. By ensuring equal access to information for various social groups, the jan sunwai reduced the margin of social differences.

The jan sunwai thus attempted to reverse power equations among different social groups in an unequal society. This attempt at reversal provided agency to the marginalised – both as individuals and as part of the collective – to think, talk, understand, and decide on their own terms, and respond to the proceedings of the jan sunwai (Guru 2007). The individual claims and grievances were transformed into a collective demand – from mine to our's, which was reflected in the slogan "our money" (Roy 2000, 6). The jan sunwai was particularly instrumental in mobilizing marginalised peoples - peasants, workers, labourers, women, and Dalits. The Dalits and other backward classes confronted the sarpanchs, zamindars and mahajans for their corrupt actions. These processes conscientised them of their rights in a democratic polity and encouraged them to take part in governance. Later, the demand for information bought diverse communities into networks of advocacy and action (Madhavan 2016, 9).

The people's participation was also dependent on their individual and collective motivations, specific social and political contexts as well as the presence of communicative infrastructures (McGee and Gaventa 2011; Wijnhoven, Ehrenhard, and Kuhn 2015). The communicative infrastructure at the jan sunwai facilitated the participation of the villagers. The people, while speaking up, were not at the mercy of the technical interpreters, advocates and representatives for asserting their views as was the norm in law courts and elected assemblies. The jan sunwai was, thus, a form of "contentious action deeply grounded in the communication processes that involved conversation, deliberation, verification, evidencing, and corroboration" (Thomas 2017, 730). It was at once a site for public engagement and protest – against the arbitrary implementation of public programmes.

1.3.4 Jan sunwai as a forum for grievance redressal

There are numerous though scattered studies on grievance redressal mechanisms in India. Nick Robinson has studied the legal, political and bureaucratic avenues for redressal of citizen's grievances in India, including right-based legislations (Robinson 2013, 9–12). Varun Gauri and Daniel Brinks have pointed out that the processes of redressal under the National Food Security Act were necessarily dialogical, incorporating an element of 'communicative action' (Gauri and Brinks 2012). Other scholarly studies have suggested that the recognition of the citizen's right to public services has led to grievance redress legislation in India (Thulaseedharan 2013, 62; Sircar 2012, 23–26).

In addition to the public services acts, certain other legislations guaranteeing social and economic rights also focus on the grievance redressal mechanism. These legislations include Right to Education Act, Right to Information Act, Mahatma Gandhi National Rural Employment Guarantee Act, Forest Rights Act 2006, the National Food Security Act 2013 and the Land Acquisition, Rehabilitation and Resettlement Act 2013. The transparency and redressal clauses within these legislations were derived from the movement for transparency, and these also include provisions for convening a jan sunwai or public hearings (Harriss 2013, 563).

It is pertinent to recall that redressing citizen's grievances was one of the goals and functions of the jan sunwai. Evidence suggests that the various mechanisms for redressing citizen's grievances present in different legislations may have incorporated elements emanating from the jan sunwai. For instance, the Right to Hearing Act 2012 (RTH Act 2012) provides for an open public hearing, where the citizens could address their grievances directly to the public officials, who were mandated by law to attend the hearing. Similarly, the provisions in the RTH for appellate authorities, grievance officers and a grievance commission are identical to the provisions in the RTI Act 2005.

1.3.5 Jan sunwai as a mechanism for social auditing

Auditing was traditionally a state function, which has now been opened up for public participation through the process of social auditing (Mukherjee 2018). Social auditing in its current form has been derived from the jan sunwai because it facilitated citizen scrutiny and feedback in matters of governance (Jenkins and Goetz 1999, 613–14). The jan sunwai engaged the "very poor in [the] scrutiny of official accountability processes, challenging assumptions that the socially marginal and illiterate may lack the human capital or long-term vision to invest in efforts to improve the quality of governance"(Goetz and Jenkins 2001, 369).

As 'invited spaces', social audits facilitated people's participation in governance by improving service delivery, combating corruption and enforcing public accountability (Aiyar 2010). Thus, social audits augmented the citizens' space for claiming access to their rights and entitlements. It completed the "accountability loop" by 'ensuring [conditions for] answerability' of public officials (Aiyar 2010, 209). Social auditing through the jan sunwai exercised a form of communicative action that enabled people to demand accountability in the functioning of the organs of local government (Mukhopadhyay 2005, 5463–69).

Suchi Pande traced the institutionalisation of the jan sunwai mechanism of social auditing under the MNREGA (Pande 2014). In her account, Pande highlighted the moments of collaboration between civil society and the government as well as the tension between civil society actors and the members of the local state. Besides MNREGA, social auditing has been a regular feature of certain other welfare legislation and programmes. It constitutes their primary transparency and accountability framework (Vij 2011; Jenkins and Manor 2017; Naik 2014; Jha and Acharya 2013; Krishna and Subramaniam 2014). Moreover, "conversion of many social benefits into legal entitlements has helped to enhance functionality and accountability in many social programmes" (Drèze and Khera 2017, 46). The social audit has decentralised the auditing and vigilance functions, bringing them from the "parliament to the [people's] courtyard"(Yadav and Kidambi 2016).

Efforts are also underway for developing and implementing social audit rules and standards with active collaboration between civil society, the Comptroller and Auditor General, the Ministry for Rural Development and other state departments (Roy and Dey 2018). Recently, Meghalaya (Chisti 2017) and Haryana (*The Tribune* 2018) enacted the social audit acts that cover a wide range of functions devolved to the local bodies, both rural and urban. Social auditing also functions as a school for educating people through informed deliberation amongst themselves and for training citizens in public service (Mukhopadhyay 2018, 300).

Social auditing raises questions about the nature of evidence and truth. The truth-function of the jan sunwai was linked to the tension between orality and the written word, where "oral testimonies of the ordinary unlettered" challenged "the sanctity and power of written records" (De 2017, 3). Since the proceedings of the jan sunwai raised questions on the nature of truth and evidence, comparisons have been made between the jan sunwai and the law courts. It has been argued that the jan sunwai was unlike a law court because it did not conduct trials for punishing erring government officials and elected representatives. Rather, it focused on the "exculpation of truth" for combating corruption and redressing the grievances of the citizens (Nagaraj 2008, 325).

1.3.6 Jan sunwai and panchayati raj

Studies on the movement for the RTI describe a contentious yet collaborative relationship between the jan sunwai and the panchayati raj institutions. Kuldeep Mathur has observed that the panchayati raj institutions tended to perform better in those areas where civil society organisations were active (Mathur 2013, 49). In other words, active civil society organisations were necessary for this State institution to function effectively. This implies that an active civil society may be necessary for a participatory polity in rural India. The jan sunwai, which emerged in rural Rajasthan, was pioneered by a civil society organisation. But it may share other similarities with the gram sabha – an organ within the panchayati raj. The similarities have prompted

comparisons between the jan sunwai and the panchayati raj. However, there was a key difference.

The panchayati raj institutions, in theory, sought to embody local self-government rather than only 'governance' (Ministry of Panchayati Raj 2013, 1–2). It aimed at achieving social and economic development and fostering active citizenship by involving people in planning and implementation of welfare programmes. The reality, however, was different. The panchayati raj institutions were often mere instruments of decentralisation. The jan sunwai on the other hand demonstrated through its functioning "the conceptual difference between decentralisation and self-governance" (Roy and Dey 2002, 10). It aimed at including all stakeholders and thus providing "a critical impetus to the wider struggle for participatory democracy."

Yamini Aiyar and Suchi Pande have compared the jan sunwai vis-à-vis the gram sabha and the caste assemblies using concepts of 'invited spaces' and 'public sphere' respectively (Aiyar 2010, 211–13; Pande 2014, 86–93). Reetika Khera and Aruna Roy have described the application of the principles of transparency and accountability in panchayat elections (Khera 2005, 725–28; Roy and MKSS Collective 2018, 205–18). Other scholars have studied the attitudes of public servants towards the jan sunwai. At different points, the elected representatives and line-officers either supported or averted the jan sunwai by controlling the access to information (Dey *et al.* 1995; Roy 1996; Mishra 2003; Pande 2014). The review of literature on the MKSS prototype of the jan sunwais in Rajasthan has pointed to a few gaps in research. These research gaps are sketched out in the next section.

1.4   Gaps in existing research

There are studies that have described the use of folk art forms for mobilising people for the jan sunwai in parts of rural Rajasthan. This dissertation examines the rationale and efficacy of using folk art forms as modes of political mobilisation. The dissertation studies the art forms and other forms of communication that were adopted for encouraging people to participate in the jan sunwais. These strategies are then compared briefly with the mass media, such as print, radio and television. In addition, this dissertation also contributes to the extant literature on the art forms of the jan sunwai through a social profile of the barefoot artistes, who practised political commentary using folk art.

Extant scholarly studies have characterised the jan sunwai proceedings as a method of protest. This has prompted questions on the nature of the opposition faced by the participants. However, there have not been enough studies examining the nature of this opposition and how it was countered by the people. Therefore, this dissertation explores the motivations of individuals for participating at the jan sunwai, the costs they incurred, and the benefits gained, beyond the shadow of the collective.

Despite the significance of the grievance redressal mechanism for governance, studies on the jan sunwai as a grievance redressal mechanism are few. There is hardly any scholarly study on the Rajasthan Right to Hearing Act 2012, which is a singular legislation created with the explicit purpose of being a grievance redressal law. This dissertation therefore examines the link between the jan sunwai and the Right to Hearing Act as well as other legislations like the RTI Act 2005 and RGDPS Act 2011. These three legislations are examined as forming part of a single continuum. More importantly, the dissertation adds value by examining the role of digital technology in grievance redressal as well as the effect of technology on the jan sunwais.

The institutionalisation of the social auditing practices of the jan sunwai is a

recent process. A methodical examination of these processes would help in understanding and documenting the evolution of the jan sunwai from being an informal public hearing forum into becoming the foundation of social accountability laws in India. This dissertation therefore examines the processes whereby social auditing rules and standards have been institutionalised by the Indian State. Such an examination would also prompt a study of how the jan sunwai dealt with questions related to the nature of evidence and truth.

This dissertation adds to the existing knowledge generated by various studies that compare the jan sunwai with institutions of the panchayati raj. Specifically, this dissertation examines the role of the civil society in the functioning of the jan sunwais and the panchayati raj institutions. It also studies how certain practices of the jan sunwai could strengthen the panchayati raj in functioning more effectively.

1.5   Relevance of the study

When research on this dissertation began in 2015, there were scarcely any scholarly studies on the Rajasthan Right to Hearing Act 2012. As the research was progressing, the Meghalaya Social Audit Act 2017 came into being. The origin of both these acts may be traced to the efforts of the MKSS prototype of the jan sunwai. These two acts could be connected to at least two other legislations created over the last decade and a half. This dissertation thus connects four pieces of legislation – Right to Information Act 2005, Rajasthan Guaranteed Delivery of Public Services Act (RGDPS 2011), RTH Act (Rajasthan 2012) and the Meghalaya Social Audit Act 2017 – as part of a continuum in the people's movement for transparency.

Taken independently, the Rajasthan Right to Hearing Act 2012 and the Meghalaya Social Audit Act 2017 are direct outcomes of the principles and practices of the jan sunwai. If the jan sunwai was a forum that listened to the people, the Rajasthan Right to Hearing obliged the State to listen to the people. If the social audit was a key characteristic of the jan sunwai, the Meghalaya Social Audit Act institutionalised social auditing. Additionally, this dissertation illustrates the role of

the jan sunwai in strengthening the panchayati raj by reinvigorating people's participation in the local bodies.

The jan sunwai was a civil society initiative and has been institutionalised through active efforts of members of civil society. Thus, by illustrating the impact of the jan sunwai, this dissertation illuminates the role of civil society in deepening democracy by transcending electoral/representative democracy. Representative or electoral democracy is but one form of democracy. Dialogic and deliberative bodies at the local level, like the jan sunwai, train the people to actively participate in public affairs both as individuals and as people. In a world that is increasingly becoming ever more atomistic, the weaknesses of representative democracy may be overcome by effectively exercising the principles of the jan sunwai, where the people represent themselves as people rather than through their elected representatives alone. The presence of an active civil society would bolster the process, provide means for channelling people's opinions into policies and thus "determine the course of State policy" (Taylor 1990, 98).

In the last instance, this study has attempted to archive the unarchived by collecting the oral history testimonies of those individuals who participated in various jan sunwai sessions held in Rajasthan in the decade of the 1990s. Collecting individual oral history testimonies have aided the process of analysing the experiences and perceptions of numerous individuals, who may often receive very little attention. The collection of individual experiences includes those from marginalised sections of rural Rajasthani society, who were part of the struggle for transparency. Additionally, by studying the folk-art forms of Rajasthan used for mobilising the people to participate in the jan sunwai, this dissertation compares the local art forms with the dominant modes of the mass media. In addition to oral histories, this study is based on an analysis of print and audio-visual archival material. No other study on the jan sunwai has, to the best of the researcher's knowledge, employed audio and video archival material on the jan sunwai from the repositories of Rough Cut Productions, Delhi.

1.6   Research design

The research design was drawn out for complying with the research objectives, for operationalizing the research and for generating new data on the jan sunwais. In the sections below, the nature of the sources, the methods for collecting data, analytical methods, and the mode of corroborating information in various kinds of sources have been sketched out. This section concludes with references to some of the challenges faced during field studies.

1.6.1 Nature of the sources

This study is based on three kinds of source material: oral history narratives of select respondents, who participated in the jan sunwai, as well as print and audio-visual archives.

1.6.1.1   Oral history

Oral testimonies were collected from twenty-nine respondents in twenty-five villages in four districts of central Rajasthan – Ajmer, Bhilwara, Pali and Rajsamand. The respondents were selected with the help of data accessed at the print and audio-visual archives. Efforts were made to interview women and people from weaker sections as well as the people from middle-income groups for understanding their perception of the jan sunwai. Twenty-seven audio and two video interviews were collected based on a semi-structured questionnaire. Each interview was transcribed into Hindi (Devnagari) and was translated into English. The analysis was conducted out of the repository of the English and Hindi interview transcripts.

1.6.1.2   Print archives

The MKSS papers since its foundation until the passage of the RTI Act and MNREG Act are archived at the Nehru Memorial Museum and Library, New Delhi. The index to the MKSS collection provided the details of the jan sunwais. The set of files for every jan sunwai contained press releases, notes by the MKSS members, preparatory material that included photocopies of muster rolls and other panchayat documents, pamphlets, and correspondences between the MKSS and the

administration as well as the villagers and the MKSS. The organisation of archived material provided insights into the evolution of the jan sunwai. The documentation pertaining to the early years were in the form of loose sheets of data while the information pertaining to the later years were systematically documented. In addition to these, local publications, reports and write-ups were also accessed at the MKSS library. Hemerographical sources included the leading dailies that covered the RTI movement and social audits.

1.6.1.3   Audio-visual archives

Rough Cut Productions is located at New Delhi. It had a collection of videos of the jan sunwai and struggle for the RTI. These videos were collected by Anurag Singh, who is a documentary filmmaker. He has also recorded two films on the struggle for the Right to Information Act 2005. Singh has been associated with the MKSS and the Narmada Bachao Andolan for over two decades. People at Rough Cut assisted with accessing the audio-visual recordings of the jan sunwai. These videos also included other events from the RTI struggle in Rajasthan as well as public advocacy initiative of the NCPRI. The jan sunwai videos at Rough Cut had not been accessed by any of the previous researchers, who had studied the jan sunwai and the history of RTI.

The videos were stored on MicroMv tapes. These were later digitised. Each tape contained twenty-five to thirty short clips ranging from ten seconds to ten minutes. The researcher went through the clips and indexed them according to different criteria such as, the subject of discussion, the people who appeared in the clips and the themes that emerged from the analysis of data collected from the people. The videos aided in identifying people, whose names were mentioned in the print archives, and vice-versa.

The videos also helped in deciphering the muster rolls and other government registers that had been archived. To cite an instance, there was a list with "S" or "A" marked in front of people's names, without any explanatory labels. In one of the

videos, MKSS members were seen asking the workers whether they signed or put thumbprint. This helped in identifying that 'S' was marked for the person who signed and "A" signified *angootha*, that is the thumb or thumbprint. Visual documentaries by various organisations on the people's movement for transparency are also available on YouTube.

1.6.2 Profile of the respondents

The table below lists the name of the respondents, their village of domicile and the corresponding district, level of education and the ethnic community to which they belonged. Women and men in the villages of central Rajasthan, where the jan sunwais were held, were selected for the oral history interviews. These individuals had participated in the jan sunwais and the struggles for the right to information in Rajasthan. They belonged to different age groups, castes and classes. Among the respondents, there were Dalit and OBC women and men, former panchayat chairpersons (one female and three male), ward members, school headmaster, barefoot communicators and non-MKSS members. Most of the respondents spoke Marwari and were non-literate.

Table 1. List of respondents with select demographic information

Names of the respondents	Gender	Village	Education	Community
1. Shanta Devi	Female	Thana, Bhilwara	Unlettered	Not known
2. Norti Bai	Female	Harmada, Ajmer	Unlettered	Dalit
3. Chunni Bai	Female	Talai, Rajsamand	Unlettered	Dalit
4. Sushila Devi	Female	Rawatmal, Ajmer	5th standard	OBC
5. Raji Bai	Female	Shakkargarh, Rajsamand	Unlettered	Dalit

6. Premi Devi	Female	Bhim, Rajsamand	Unlettered	Dalit
7. Hemsingh	Male	Kaletara, Rajsamand	Unlettered	OBC
8. Kaluram Salvi	Male	Vijaypura, Rajsamand	9th standard	Dalit
9. Balu lal	Male	Thana, Bhilwara	8th standard	OBC
10. Shankar	Male	Thana, Bhilwara	10th standard	OBC
11. Ranjit Singh	Male	Jawaja, Ajmer	Graduate	OBC
12. Shyam	Male	Thana, Bhilwara	Not known	Not known
13. Pratap	Male	Thana, Bhilwara	Not known	OBC
14. Rodeji	Male	Tilonia, Ajmer	Not known	OBC
15. Sampat lal Dalal	Male	Thana, Bhilwara	Graduate	Jain
16. Ladu Singh	Male	Dhapda, Bhilwara	Graduate	OBC
17. Lal Singh	Male	Tal, Rajsamand	12th standard	OBC
18. Dhanna Singh	Male	Kookarkheda, Rajsamand	Graduate (retired school teacher)	OBC

19. Lakshman Singh	Male	Sadaran, Rajsamand	12th standard (retired military personnel)	OBC
20. Narayan Singh	Male	Devdungari, Rajsamand	Graudate	OBC
21. Heera Ram	Male	Dagariya, Rajsamand	Unlettered	Dalit
22. Mota Ram	Male	Vijaypura, Rajsamand	2nd standard	Dalit
23. Shankar Singh	Male	Lotiyana, Ajmer	Graduate	OBC
24. Nikhil Dey	Male	Devdungari, Rajsamand	Graduate	Not known
25. Ramlal Bhat	Male	Nosal Kotadi, Ajmer	Not known	OBC
26. Gajanan	Male	Mamoni, Baran	Not known	Not known
27. Jamni Devi	Female	Jawaja, Ajmer	Not known	OBC
28. Chiman Ram	Male	Amartiya, Janawad	Illiterate	Dalit
29. Roop Singh	Male	Kalaliya, Pali	12th standard	OBC

1.6.3 Research method

Oral history method was the central method employed in this research. It was central because many of the participants at the jan sunwais did not keep written records of past events in their villages and depended on memory for recalling those events. Oral history includes conducting interviews, which can be used for carrying out elaborate empirical studies and analyses. Jan Vansina, one of the prominent historians of Africa, pioneered the use of oral history for studying the history of Central Africa based on the accounts of people about their traditions, legends, epic, reminiscences, and other forms of oral retelling (Miller 1999, 1252–3). His seminal work, *Oral tradition as history* described the use and effectiveness of the methods of oral history or the acts of recollection in reconstructing the history of people from non-literate or pre-literate societies (Grele 1999, 881–83). Over the years, oral history has emerged as an "aid to [document] movements for social justice across the world. It is particularly significant in countries like India, where literacy levels are low and where memories of the oppressed are routinely erased from public memory" (Deshpande 2017, 38). In this study too, oral history aided in documenting people's quotidian encounters, motivations for collective action and experiences of jan sunwai.

Gaps in people's memories necessitated locating and accessing the archives for information such as date, place, people, organisations and chronology of events related to the ten jan sunwais conducted between 1994 and 2002. The oral narratives of the respondents were corroborated with the information contained in the print archives at Nehru Memorial Museum and Library (NMML), New Delhi and the audio-visual archives at Rough Cut Productions, New Delhi.

The print and audio-visual archives contained information about many individuals, who had participated at the jan sunwai. However, the narratives of those individuals remained hidden in the shadow of the collective. This study attempted to record the hidden experiences of those individuals through oral history. Their oral narratives reflected not "just what they did but what they wanted to do, what they

believed they were doing, and what they now think they did" (Portelli 2015, 63–74). In that respect, the oral histories enrich the archives, as the latter may not present the complete narrative; though, they are necessary for completing the narrative.

1.6.4 Data collection and analysis

The field studies were conducted in four phases: (18 May – 19 June 2015), (07 Dec – 28 Dec 2015), (16 Feb – 28 Feb 2016), (17 April – 04 May 2017). Archival research was carried out in August and December 2016. The respondents were located with the help of information from the archives and historical accounts. For each of the ten jan sunwais, a list of villages and people was prepared from the muster rolls and other documents from the archives.[3] The list was prepared in the following manner: the work supervisors were always included as they could help in locating other individuals. Thereafter, every third name on the muster roll was selected. Three persons were selected from the age groups 18-30, 31 to 45, 46 to 60 years each to create a representative sample.

The members of the MKSS were the first point of contact, particularly the rural members of the collective. They recounted their experiences and aided with locating other respondents. The decision to go through the local people was considered as a way for avoiding barriers, risks and trust related issues that people may feel in sharing their anecdotes with the researcher, who was a stranger. As the field study progressed, the researcher built newer connections and located more respondents. Many of them, and their narratives, had not been documented. Some of the respondents included those who had not participated at all in the jan sunwais. Those who had not participated explained the reasons for staying away.

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[3] Muster rolls are employment registers. These contained details such as name of the person, gender, age, nature of work, village, day-wise attendance, number of days worked, per day wage and total wages. It also contained a column where the workers signed or put their thumbprint after receiving their wages. The muster rolls also contained the name of the work-supervisor and details of the project.

The respondents were treated with respect and dignity and not merely as sources of information or objects of analysis. Consent of the respondents was taken before the interview. The respondents were informed about the purpose and potential uses of the data and their rights with respect to the interviews. A copy of the consent form with the name and details of the researchers was provided to them.

Interviews were conducted in Hindi and Rajasthani using a semi-structured, open-ended questionnaire. Open-ended questionnaires provided the flexibility to customise the questions according to the response of the interviewee and according to the insights that emerged after every phase of research. Questions in the first and second phases focused on the nature of the jan sunwai and participation of the marginalised sections. In the third and fourth phases, the questionnaire included questions related to a specific jan sunwai, the role of the respondents and the nature of backlash faced, if any. The preliminary questionnaire forms part of the appendices. Information from the archives was used as cues to help the people in recalling the events related to the jan sunwai. The respondents were also encouraged to share anecdotes and experiences related to the jan sunwai and the movement for RTI. The duration of the interviews varied from 19 to 40 minutes.

The interviews were supplemented with field observations, pictures and videos of mobilisation campaigns. The researcher had volunteered for two civil society campaigns – *Neenv Shiksha ka Sawaal* from 21 May to 19 June 2015 and *Jawaabdehi Yatra* from 08 December to 27 December 2015. These campaigns were organised by *Soochna evum Rozgar Abhiyan* (S-R Abhiyan), a coalition of civil society organisations that campaigned for RTI and MNREGA in Rajasthan. Village residents and civil society volunteers took turns in participating in the campaigns. The campaigns provided a chance to meet and establish a working rapport with the members of the MKSS and other organisations. Besides, the researcher gained first-hand experience of the terrain and the weather conditions of the region, which was helpful in preparing for conducting oral interviews. The researcher also participated in the information and awareness campaigns in the villages for understanding the

use of the art forms in mobilisation campaigns. In this sense, the researcher was also a participant-observer.

The oral history transcripts and archival data were analysed using the six-step thematic analysis approach developed by Clarke, Braun and Hayfield (2015). These included: familiarisation with data, generating initial codes or labels for data with shared-meaning, constructing themes by collating similar, contrasting or allied codes, reviewing and defining themes and producing the report.

Thematic analysis is considered a flexible approach to data analysis as it can be integrated with different research methods, such as oral history. Thematic analysis allows the researchers to analyse data collected from multiple sources, locate themes inductively as well as according to pre-conceived categories and moving seamlessly from one kind of text to another. In the present study, for instance, thematic analysis was adopted for analysing oral history interviews, printed archival materials, audio-visual material as well as legislations, policies and various committee reports. Most importantly, thematic analysis provided room for reflexivity and thus course correction through different phases of analysis, including collection of data in multi-phase designs.

In the first round of analysis of the interview transcripts, question-wise responses were grouped together. Different ideas contained in the responses were listed and examined. In the second round, similar ideas were combined into specific themes. These themes were then formed into clusters. These clusters were regrouped according to the objectives of the dissertation. Thereafter, the results of data analysis were used for conceptualising and formulating arguments.

In addition to oral history and archival research, the researcher also examined various legislations, policies and government reports related to social audit and grievance redressal for locating the practices that came close to resembling the process of the jan sunwai. This was done by tracing the origin of the social audit and grievance redressal through historical and scholarly accounts. After that, measures

taken by the State for institutionalising social audit and grievance redressal were evaluated.

1.6.5 Rationale for selecting the loci of field studies

On the basis of the information accessed from the archives, five out of ten jan sunwais were selected for conducting oral history. These were: Vijaypura (1994), Thana (1995), Kookarkheda (1998), Bhim (2000) and Janawad (2002). The final field study was conducted in the village panchayats, where Thana, Kookarkheda, Bhim and Vijaypura jan sunwai were held. The details of other jan sunwai were sourced entirely from the archives.[4] The nature of a jan sunwai was determined by the social contexts of the place in which it was convened. The people who participated in the jan sunwai were the residents of those villages. Familiarity with the surroundings and the people enabled them to recall and describe the details related to the jan sunwai. Conducting the field-study in the local Rajasthani environs helped in understanding rural realities such as terrain, local politics, social dynamics and traditions. That understanding helped in examining how the local contexts influenced a particular jan sunwai and how the jan sunwai determined local rural life thereafter.

1.6.6 Rationale for selecting the time period

The time period of the study extends from 1993 to 2012. The year 1993 is significant because it marked the beginning of the people's movement demanding access to information in Rajasthan. That year also coincided with the constitutionalisation of the panchayati raj system in India. The year 2012 is taken as the terminal point of this study because in that year the Right to Hearing Act was passed by the Rajasthan legislative assembly. Nonetheless, it must be noted that the history of the jan sunwai and the people's movement for transparency could be extended further backwards,

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[4] The researcher made an attempt to visit the sites, where the jan sunwais were convened. The final set of respondents was selected after considering the availability of people, their willingness to respond to the questions and the navigability of terrain.

earlier than the year 1993. Similarly, the movement for transparency has continued beyond 2012 towards achieving the goals of social accountability.

1.6.7 Challenges faced during research

In the earliest stages, the researcher had little knowledge of the insecurities related to health, education, food and employment that people faced in villages. The field-studies exposed her to the nuances of social realities and the people's struggle for livelihood in rural Rajasthan. One of the challenges faced in the research process was locating people, who had participated in the jan sunwai in 1994-1995, as many of them had either relocated from their villages or had passed on.

Moreover, in the case of the jan sunwais in Janawad and Kookarkheda, a criminal investigation was conducted by the anti-corruption department. The people were also summoned to the district court in Udaipur as witnesses. This was inconvenient for them. The people were, therefore, unwilling to talk about the jan sunwai. They assumed that this study too was a part of a government enquiry. On the other hand, people were easily approachable in those panchayats, where no such investigations were conducted.

Another challenge pertained to the reliability of oral history. It is difficult to establish the reliability and validity of human memory. For the purpose of this study, reliability was defined as "the consistency with which an individual will tell the same story about the same event on a number of different occasions." Validity was taken as the level of "conformity between the reports of the event and the event itself as reported by other primary source material, such as documents, diaries, letters, or other oral reports" (Hoffman 1994, 109).