

Case Study, Part 1: The Right-to-Know Movement in India

By Vivek Ramkumar¹

Why Information?

To some people, it is surprising that a poor people's movement in India should demand the right to information. But the Mazdoor Kisan Shakti Sangathan (MKSS), a union for the empowerment of peasants and workers, believes that information is an effective tool to force open the doors of citizen participation in governance.

Three quarters of India's population of more than a billion people live in rural areas and depend on subsistence farming for their livelihood. Twenty five per cent of the population survive on less than a dollar a day and around 40 percent are illiterate. India has a rich history of democracy, its foundation laid by Mahatma Gandhi's freedom movement against the British colonialists, and an estimated two million non-governmental organizations (NGOs), most of which focus their advocacy around specific issues such as food, land redistribution, and human rights.

It was against this background that an organization emerged in the late 1980s with a rather unusual demand – the right of citizens to obtain government information and official records. The MKSS saw the right to information as critical to enable citizens to question officials about public resources and to demand accountability. They argued that the right to information would change the paradigm of governance because increased transparency would help citizens (especially poor citizens) sift through the layers of deceit, hypocrisy, and half-truth that are part of politics and governance in India. More importantly, through their demand for information, citizens could assert their rights to their share of public resources for productive use and break out of their prevailing sense of apathy and helplessness.

In an official meeting organized by the training school for Rajasthan Civil Servants, Lal Singh, a leader in the MKSS, was given three minutes to explain why the right to information was an important piece of legislation. The government organizers were in a hurry to end the meeting and he was seen as the token rural speaker. Lal Singh stood up and announced:

You have given me three minutes to say my piece, but what I have to say will only take one minute. You (pointing at the trainee bureaucrats) view the right to information in terms of its impact on your power and accountability; we (referring to the rural poor) view right to information in terms of its impact on our livelihood and our entitlements. However we both should look beyond our self-interest and view the right to information in terms of its impact on the very foundations of our nation and the society in which we want to live.

This section of the Case Study describes the stages of the MKSS' path, while Section II details the right-to-information campaign's public audit process.

The MKSS case study can be used to explore and better understand:

- What 'the right to information' means and why it is important;
- The links between basic needs and rights;
- Ways in which traditionally excluded people can build power behind their demands.

¹ Vivek Ramkumar was a member of MKSS prior to working with Just Associates where he developed this case study with assistance and editing from Annie Holmes, Cindy Clark and Lisa VeneKlasen. Special thanks to MKSS leadership and members for sharing their vision and their powerful example.

Discussion: 1. What do you think Lal Singh meant when he linked the right to information to the core ‘foundations’ of a society?

Three Friends ...

Three friends from very different backgrounds arrived in a village in 1987. Over the next decade they forged an alliance with local farmers and workers to form one of India’s most successful social justice movements. The first of the three was an established feminist and former civil servant with several years of experience working on development issues; the second had lived most of his life in rural settings and was a communications and outreach specialist with a rural NGO; and the third had attended college in the U.S. but, motivated by a sense of social justice, decided to work and live in a rural village. They spent the next three years integrating themselves into the village community of Devdungri, in central Rajasthan. They lived frugally in a small hut much like the other huts in the village, fetching water for the household from the village well, cooking two simple meals a day on firewood, and sleeping on the floor.² During this period, they met residents and community members, most of whom were farmers or rural workers living in and around their village. They used their time – and their interactions with these villagers – to observe, learn, and understand the critical issues that shape rural life.³ They were inspired by stories about community members who struggled against injustice and worked towards social and political reform against enormous odds. They forged close relationships with these people, who became members of the MKSS when it was formed.

Profile: Lal Singh

Lal Singh is one of the principal leaders of the MKSS. A farmer by profession, he met the founding members of the MKSS when he came to help them repair their kitchen door. Later, he invited them to his village of Sohargarh to help organize the residents to confront the landlord who had illegally occupied the village forest. Prior to meeting the MKSS founders, Lal Singh had fought his own battle for justice within the police department. He had been a constable in the Rajasthan Police force – a highly sought-after job for a rural resident because it provides lifelong health and pension benefits. He led the constables in a strike to demand that the officers stop forcing them to do domestic chores like gardening, cooking, and washing clothes. To break the strike, the government threatened to fire all those who did not return to duty. Lal Singh was among the few who, as a matter of principle, refused to go back until the demands were met; as a consequence, he lost his job and all its benefits.

Repossessing the Forest

In the neighboring village of Sohargarh, the future MKSS members organized the village community to re-possess a community-owned forest that had been taken over by the local landlord, a member of the upper-caste community that dominates India’s social and economic hierarchy. In return for allowing the residents of Sohargarh the use of the forest, he levied a tax equal to half the proceeds of firewood they collected there and a portion of the milk they obtained from cattle that grazed there.

² To date, all MKSS staff members continue to live in the same house and maintain the same simple lifestyle, which reflects the realities of rural life for the majority of residents in India.

³ In their initial years in Devdungri, the future founding members of the MKSS spent part of their time working on a *Delivery Systems Study*, on a fellowship from the Central Ministry of Human Resources. Later when the MKSS was formed, donations from constituents and well-wishers sustained the organization.

The struggle was not an easy one. It turned violent when the landlord physically assaulted two founding members of the MKSS. Word spread like wildfire in Sohargarh that the landlord had beaten Shanker and Nikhil. In the past, an incident like this might have intimidated the villagers, but now there was general outrage that the landlord had beaten two outsiders who were only trying to help the community. If not for the timely intervention of the police, Sohargarh might have seen a bloody battle between the landlord's thugs and the village members. The incident scared the landlord and quickly ended his 'rule' over the community. As the law was in their favor, the community was successful in re-possessing the forest through official channels.

This community success spurred the villagers to form the MKSS as a union to represent the area's disempowered residents.

Discussion 2: Why do you think the officials finally responded to the community's demands?

The Anti-Alcohol Campaign

The MKSS scored a notable victory when it organized the residents of Sangawas – another village neighboring Devdungri – to campaign against the distribution of alcohol in their community. Alcoholism is a major social ill in India with disastrous consequences for the fabric of community life. Families may become debt-ridden when male members spend their limited resources on alcohol, and drunken men frequently beat their spouses and children. Corrupt officials turn a blind eye to the illegal distribution of alcohol as the liquor mafia bribes them. In community meetings with village residents, the MKSS founders learned about the effects of alcoholism and discussed the need for joint action and strategies to close down the illegal alcohol shops. Once again, the collective will of the community prevailed. By filing a complaint with the police, they forced the reluctant officials to close the shops distributing alcohol. Sangawas residents have remained vigilant in preventing subsequent illegal distribution of alcohol.

These interventions on the issues of land reform and alcoholism were critical in consolidating the MKSS' institutional strength. Members came to grasp the processes of social reform. Through these actions, MKSS honed its skills in building a grassroots movement for people's intervention on social justice issues. Future campaigns combined these modes of struggle and constructive actions that were instrumental in the success of the right-to-know movement.

Discussion 3: What factors do you think contributed to the success of the MKSS in its initial campaigns?

Profile: Laxmi Chauhan

Rajasthan is a deeply conservative state and the status of women is very poor. In rural areas, women are forced to wear a *ghoonghat* (a cloth that covers most of their head and face) when they are in public. However, Laxmi Chauhan, one of the youngest members of the MKSS, does not let her gender or visible handicap – she lost an eye as a child – get in the way of her activism. In spite of being born in and a resident of a deeply conservative rural community, Laxmi makes speeches and appears in public without wearing the traditional head cover expected of a married woman. As a young woman, she was deeply influenced by the MKSS campaign in her village to stop the illegal distribution of alcohol. Today, she is an inspiration for young women in the rural community as she forcefully addresses issues of oppression and injustice in MKSS-led campaigns.

The Struggle for Minimum Wages

For decades, rural development programs have suffered from corruption. Corrupt officials acting in collusion with their political benefactors⁴ siphon off large sums of the money intended for public works and then deny workers their legitimate claims. These actions are then veiled by official secrecy laws, which make records pertaining to government programs inaccessible to the public. As a result, little concrete evidence of corruption can be uncovered, despite the widespread reports.

Large parts of Rajasthan are desert. The state receives very little rainfall and is highly drought-prone. The combination of small landholdings and limited water for irrigating crops means that most farmers must supplement their household income by taking temporary waged work within the state or in neighboring states. Because of the lack of private industry there, the state government has become the largest employer of rural workers. In years of drought – and occasionally even in periods of normal rainfall – the government sponsors employment-generating programs. Village residents earn food (through food-for-work programs) or cash wages that are calculated according to the government's minimum wage law.

Many of MKSS' primary constituents – peasants and rural workers – were denied their minimum wages by the government. As a logical extension of their demands, MKSS began to represent the interests of public wagedworkers.

Examples of Corruption: 'Ghost' works

- The same village well was dug three times in a five-year period. The measurement books maintained by the project engineers showed that each engineer had dug a hole about 90 meters deep. The total depth of the well should have been around 270 meters. However, the well was actually only 90 meters deep. On two occasions, project funds had been completely siphoned off.
- A veterinary hospital was shown in the records as built. In reality, the project managers siphoned off the entire amount allocated to the hospital. Learning that there was to be a public hearing, they hastily constructed a makeshift hospital on the second floor of the village administration building. The logic that cows and buffaloes could not realistically walk up flights of stairs did not occur to them.
- The police were not exempt from the net of corruption. Official records showed that five rooms had been built in the local police station. Bemused community members pointed out during a public hearing that there were only three rooms in the police station.

⁴ Elected officials in India are infamous for misusing their powers when appointing officials to oversee government agency functions. They select individuals who will help them to divert public funds meant for local projects into their own pockets. Nominated officials are often blatant in their corrupt practices, safe in the knowledge that their elected bosses will protect them.

Jan Sunwais – The Public Hearing as Citizen Forum

Initially, the MKSS' response to the denial of minimum wages was to demonstrate by conducting two *dharnas* (sit-ins). Officials responded to MKSS representations with hostility. The officials insisted that the workers had been paid what was rightfully theirs, referred to program financial records to justify these claims, and refused MKSS requests for access to copies of these payment records. The officials cited the Official Secrets Act, a legacy of British colonial rule in India. Mohanba, an elderly member of the MKSS, declared in an internal meeting “*there is some magic in these official records and until we get these records, we won't get our legitimate wages.*” His statement struck a chord with the others, and so the MKSS decided to launch a campaign to obtain information – the birth of the right-to-know movement in India.

Over the next few years, the right-to-information campaign involved a series of public meetings and representations to political leaders, demanding that official information and government records be provided to the public. Through the intervention of sympathetic officials, the MKSS was able to obtain copies of some records – including bills, vouchers, cash books, labor rolls and engineers' measurement books – showing details of employment-generating projects. This information was circulated so that residents of the relevant villages could compare the records with what had really happened. Preliminary findings revealed that long-held suspicions were true – there was widespread corruption in the administration of these programs. For example, recorded wages were never paid to people who worked on projects; canals and other infrastructure were either never built or were built with cheaper materials than those in the documents.

The MKSS established a forum called *Jan Sunwai* (public hearing) to involve villagers directly and to record their responses systematically. In addition to a formal panel of judges – eminent citizens of the area – they invited members of the media, all village residents, and relevant public officials (including local politicians) to attend the hearings. After announcing rules for the conduct of the public hearing, MKSS members systematically presented the information contained in the records and asked attendees whether the information was true. (For further details of the process, see Section II of the case study.)

The first public hearing was held in the village of Kot Kirana. It was highly successful and most village residents and local officials attended. The findings were widely reported in the media. Following this first hearing, the MKSS held a series of others in several villages. The government eventually took notice and instituted action on the findings of the public hearing report.

Discussion 4: Compare the MKSS public hearings with direct action such as sit-ins and protest marches as strategies for participatory democratic practices. List the differences and discuss advantages and disadvantages of each in achieving political goals. Discuss specifically what individual citizens might gain from these different strategies.

Profile: Mohanba

One of MKSS' oldest members, Mohanba belongs to a community that is classified officially as a scheduled caste (the lowest caste group in India). For centuries, lower-caste communities have faced oppression and exploitation from the upper castes. Like many in his peasant community, Mohanba had to migrate periodically to other states in search of work. Though illiterate, Mohanba is a sought-after folk singer of devotional songs. Inspired by the MKSS' vision, Mohanba and his wife Chunnibai joined the organization and are long-time members. One of the media in which the MKSS communicates its message is song. Using the expertise of members like Mohanba, the MKSS composes lyrics that set campaign messages to familiar folk tunes and devotional songs. Mohanba's simple statement of the need to obtain the government accounts and their 'magic' galvanized the MKSS into starting the right-to-information campaign.

The Right-to-Information Campaign

Even though the public hearings were a success, the MKSS realized that its dependence on the intervention of sympathetic officials to obtain records remained a significant barrier to broader engagement in public discussions of official programs. They decided to launch a massive public *dharna* (sit-in) in the town of Beawer, demanding a law on the right of all citizens to information on government programs. By astutely timing the sit-in to coincide with national elections, the MKSS was able to contrast politicians' selfish electioneering messages with their own legitimate demand for access to information. During the *dharna*, speakers emphasized that, by using the right to collectively and individually ask questions and demand answers, citizens could participate meaningfully in official decision-making processes. The poor started to see that they had to be involved in the right-to-information campaign because the issue was connected intrinsically to their livelihood and survival.⁵ One of the campaign's slogans points to that link: **"The Right to Know, The Right to Live."**

Official resistance to transparency and accountability was so strong that it took nearly two years after the Beawer sit-in for the government to alter the village administration law (called the Panchayati Raj Act) to include provisions to make records publicly available.

It took two more years and another massive *dharna* in the state capital of Jaipur to force the state assembly to pass the statewide right-to-information law. The passage of the law was considered a major victory for the people – especially given the government's repeated pronouncements that acceding to the limited demand for information on public works was "impossible, impractical, and inconceivable."⁶

Profile: Aruna Roy

Aruna Roy is the best known face of the MKSS. At a young age, she gave up a potentially powerful career as a member of the elite Indian civil service – the Indian Administrative Service – to become a social justice activist. She worked for several years with a development organization in Rajasthan before moving to Devdungri village with her colleagues Shanker Singh and Nikhil Dey. A founding member of the MKSS, Aruna shaped the philosophy and principles of the MKSS along with her colleagues and helped make the movement one of India's most potent non-party political organizations. Aruna also introduced a gender perspective that influences all aspects of MKSS' work.

⁵ Aruna Roy & Nikhil Dey, Fighting for the Right to Know in India <<http://righttoinformation.info/arunapaper.htm>>

⁶ *ibid*

Discussion 6: How is the right to know linked with other rights?

Read more about MKSS and the right-to-know movement in Section II of this case study.

Chronology of events

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| 1987 | Three friends set up base in the village of Devdungri |
| 1989 | Campaign to reclaim the forest in Sohargarh |
| 1990 | Formation of the MKSS |
| 1990 | First hunger strike, demanding payment of minimum wages to workers in government-sponsored projects |
| 1991 | Anti-alcohol campaign in Sangawas |
| 1994 | <i>Jan Sunwai</i> (public hearing) in Kot Kirana to examine use of the village development funds |
| 1996 | <i>Dharna</i> (sit-in) in Beawer demanding the right to know |
| 1997 | National Campaign for Peoples' Right to Information formed as an umbrella network to coordinate the campaign in all states in India |
| 1998 | Rajasthan state government alters the Panchayati Raj Act (village administration law) and introduces right to know provisions in the law |
| 2000 | Rajasthan state legislature passes the state-wide Right to Information Law |
| 2002 | Indian national parliament passes the national Right to Information Law |
