Civil Society in India and Aspects of Good Governance

Giriraj Singh Chauhan*

The concept of civil society has a complex trajectory in the field of governance across the globe. In India, especially in last two decades the civil society movement has got momentum to affect the area of governance. Innumerable administrative reform commissions and committees have produced no appreciable impact on quality of governance. The emphasis now is on facilitating external pressure from citizens on the system to improve through the Right to Information Act, Consumer Protection Act, Citizens Charters, e-governance, Democratic Decentralisation, Performance Appraisals, Public Interest Litigations, etc. The paper tries to analyse how in India civil society organisations are converting aspects of good governance into reality and also in the process the quality of governance.

The Civil Society

The famous American political scientist Milton Esman identified four agencies of development viz., political system, administrative system, mass media and voluntary organisations or civil society. He felt that the involvement of civil society in the developmental process has three merits: a sense of solidarity, participation in decision–making, and opportunity to interact with agencies of development including government. He termed these organisations as constituency organisations (Esman, 1978). The term civil society has come to enjoy much political, administrative and intellectual

*Assistant Professor, Department of Public Administration, Mohan Lal Sukhadia University Udaipur (Raj.), E-mail: Giriraj_India@yahoo.com

currency in recent years. But it has a fairly long history. Civil society, though not a novel phenomenon, has been reinvented in 1990s primarily as a reaction to the disillusionment with state led development. Initially the two terms 'state' and 'civil society' were used inter-changeably and treated synonymously. This usage continued till the eighteenth century. The credit of separating and differentiating civil society from state goes to G.W.F. Hegel. He was instrumental in separating state from civil society and thus made a clear cut distinction between the two terms. In nineteenth century Karl Marx and Fredrick Engels followed Hegel in terms of conceptualising the civil society. In twentieth century, famous Italian Marxist theorist and politician Antonio Gramsci analysed the concept of civil society. Civil society has meant different meaning at different times in history. Many people have tried to define it but few definitions needs special mention as they have tried to explain the most comprehensive meaning of it. First one is given by Michael Walzer who describes civil society as the sphere of uncoerced human association between the individual and the state, in which people undertake collective action for normative and substantive purposes, relatively independent of government and the market (Walzer, 1995). Another definition is given by Larry Diamond who defines civil society as representing the realm of an organised social life that is voluntary, self generating, largely self supporting and bound by a legal order or set of shared values. These two definitions largely cover the entire gamut of civil society (Diamond: 1997). Thus it can be said civil society is conglomeration of intermediate associations of society-academic, cultural, religious or charitable-that are separated from family, and from the institutions of state and market. These intermediate associations can be charities, non-governmental associations (NGO), social movements, traders' associations, social service initiatives and faith based groups. Based on above definitions the following can be the features of civil society - they are non-state institutions, covers a large space in society, refers to the organised society, are intermediary between the state (political society) and the family (natural society), autonomous in working but subject to the authority of state, opposes authoritarianism and totalitarianism, promotes citizenship by educating the individual, facilitates citizens' participation in the politico-administrative affairs, formulates public opinion and sets the demands which are general in nature, are based on voluntarism, advocates pluralism to reduce the domination of the state, and lastly serves as moral referent in the community value system.

Types of Civil Society

Several types of civil society has emerged over the last few decades which can be broadly classified into the non-profit sector civil society, developmental NGOs grassroot associations, social movements, social enterprise and social entrepreneurs and global civil society (Edwards, 2011). Lets' talk about the first one, the non-profit sector - non-profit organisations form a specific category of associational life in civil society, and are usually defined by their high level of formality in terms of legal registration, by the preponderance of external funding in their budgets (as opposed to membership support) and by their roles as intermediaries that sit between grassroot constituencies and communities, and government and other agencies. Non-profit sector constitute an important element in the ecosystem of a civil society. The second type is developmental NGOs - since the mid-1940s, the non-governmental development organisations dedicated to promoting long-term economic, social, and political progress have proliferated across the world. Over the last 25 years, their numbers, reach, and profile have expanded dramatically. These organisations are separate in legitimacy and governance from governmental bodies; they acclaim and utilise the tenets of international aid as a substantive basis for their existence; they gain direct or tax- based public support, in part because they are not established to generate wealth for their owners; they operate at any or all levels of socio-political organisations from the individual, family, household, and local levels to transnational and global concerns, presence and relationships and are not partisan in the politics of their endeavours. The third type of civil society is the grassroot associations. Grassroot associations are a subset of associational universe and in many ways they capture the ideal of civil society. These are groups where people come together voluntarily to advance a concern or interest, solve a problem, take an action or connect with each other based on something they share in common. Grassroot associations are characterised by more democratic and less hierarchical forms of governance and accountability, the predominance of volunteers as opposed to paid staff, and a local focus, factors which distinguish them from non-profit, staff driven organisations. They are light on ideology but strong in their commitment to teaching people the skills of democracy and participation. The fourth type of civil society is social movements, they are informal networks created by multiplicity of individuals, groups, organisations, engaged in political or cultural conflicts on the basis of shared collective identity. The fifth type of civil society is social enterprise and social entrepreneurs. They develop, fund and

implement solutions to social, cultural or environmental issues. In other words they apply commercial strategies to maximise improvements in human and environmental well being - this may include maximising social impact rather than profit for external shareholders. The sixth type of civil society is called global civil society. This type of civil society that is global civil society includes multiple forms of association such as international networks, social movements and campaigns; international federations and confederations of churches, professional and business associations; cross border membership based organisations of the poor; and non-governmental organisations that are oriented towards the global arena. Beside these there are several other organisations which may be included under the umbrella concept of civil society viz., trade unions, religious associations, youth groups, think tanks and research institutions etc.

Role in Good Governance

In recent years, there has been a widespread acknowledgement of civil society's role in improving governance. United Nations Millennium Project Report (Investing in Development), for example claims that strong civil society engagement and participation are crucial to effective governance (Bhattacharya, 2008). The one dominant view is that the state and markets have left the communities behind and have created the imbalance as far as the welfare of the communities is concerned. Therefore the role of civic communities becomes vital in the process of governance (Rajan, 2019). Governance is a process by which a society manages itself through the mechanism of the state. The core ingredients of good governance are: people's effective participation, transparency, responsiveness, consensus orientation, equity and inclusiveness, the rule of law, effectiveness and efficiency, accountability and strategic vision. These core ingredients constitute the bedrock of democracy (Doraiswamy, 2007). The styles of governance are undergoing major changes in recent decades under the impact of rising public demands for social services that the state alone is unable to meet successfully. Also there are strong socio-economic forces challenging the hegemonic position of the state as the sole decider and supplier of social services. The globalisation trend has further fuelled the urge to look for alternative ways for making provisions for social services beyond the known exclusive role of the traditional supplier – the state. Liberalisation policies under the impact of what is called 'neo-liberalism' have widened the roles, responsibilities and burdens of social actors outside the state. They have led to a refocusing of the relationship between state and

non-state actors in shaping and implementing public policy. Also in post cold war period, the collapse of the soviet system led to resurgence of the idea of civil society as a necessary social space for building and sustaining democracy through the capacity building of freedom loving citizens as the bulwark of a strong democratic state. The prominence of civil society can also be traced to successive waves of democratisation, beginning in Latin America and Eastern Europe. Spreading across the developing world, civil society has been characterised as acting as increasingly crucial agent for limiting authoritarian government and working toward popular empowerment. The other praiseworthy aspects relates to reinforcing democratic accountability and improving the quality and inclusiveness of governance. Civil society's role in the provision of public goods and social services in supplementation of state or government provision, and its particular role during civic emergencies like floods and earthquakes have received universal acknowledgement and acclaim. Against this backdrop, civil society has been considered to be essential prerequisite of 'good governance'. Its contribution has been particularly recognised in nurturing an ethical and open democracy by working steadfastly toward ensuring transparency, effectiveness, openness, responsiveness, and accountability; the rule of law, and acceptance of diversity and pluralism. Civil society has also a glorious track record of espousing the special interests of the excluded sections of society - the marginalised, the poor and the women. The contribution made by civil society to good governance is essentially concerned with the means by which organised interests seek to influence and engage with institutions. In doing so, they usually help to strengthen state legitimacy and relations of trust between public officials and ordinary citizens. There are many ways of looking at the relationship between civil society and governance. One influential view of the positive democratising and developmental role of civil society linked to Robert Putnam's well-known research on 'social capital'. To quote Putnam "Participation in civic organisations inculcates skills of cooperation as well as a sense of shared responsibility for collective endeavours. Moreover, when individuals belong to "cross –cutting" groups with diverse goals and members, their attitudes will tend to moderate as a result of group interaction and cross pressures …" (Putnam:1993). In his view, citizen participation in different social groups together contributes directly and indirectly to social cohesion and democratisation. Apart from this democracy strengthening value civil society can also play major role in following aspects related to good governance: it promotes democracy, improves the quality of aid and

livelihood of poor, promotes sustainable development, promotes transparency and accountability, brings marginalised sections into mainstream, enhance civic competence and social capital, replaces rigid rule driven bureaucracies by mission oriented organisations, promotes bottom-up democracy, helps fight against negative effects of globalisation, promotes administrative reforms, enhances people's participation, increases administration's responsiveness, promotes equity, makes development inclusive, promotes human rights, sustains democratic decentralisation, enhances transparency and accountability of administration and improves efficiency and effectiveness. Civil society's functional contribution to good governance could be: watchdog against violation of human rights and governing deficiencies, advocate of the weaker sections' point of view, agitator on behalf of aggrieved citizens, educator of citizens on their rights, entitlements and responsibilities and the government about the pulse of the people and it could be a service provider to areas and people not reached by official efforts or as government's agent and could also be mobiliser of public opinion for or against a programme or policy.

Civil Society in India

The growth of civil society in India can be divided in to two categories i.e., before independence and post-independence. According to Neera Chandoke the evolution of civil society in pre-independent India can be divided into seven categories (Chandoke, 2011). First category belongs to nineteenth century social and religious reform movements such as Brahamo Samaj and the Arya Samaj which worked for women education and widow remarriage; opposed the caste order, ritualism and idolatory; and tried to rationalise and restructure a hierarchical and discriminatory Hinduism. Second category belongs to those in the early decades of twentieth century, in which Gandhian organisations engaged in what was euphemistically termed the social uplift of the doubly disadvantaged castes and the poor. Third category belongs to a number of self-help organisations grew up around trade unions in industrialised cities such as Bombay and Ahmadabad, for example Swadeshi Mitra Mandla and the Friends of Labourers Society. Fourth category belongs to movements against social oppression like the self-respect movement in Tamil Nadu sought to overturn the hierarchical social order and establish the moral status of the so called lower castes. Fifth category belongs to professional English - speaking Indians who formed a number of associations to petition the colonial government to extend English education and employment opportunities to

the educated middle class such as the Bombay Presidency Association. Sixth category belongs to the Congress party that led the freedom movement to establish a number of affiliated groups such as women and youth organisations. The seventh category belongs to social and cultural organisations committed to the project of establishing a Hindu nation, such as the Hindu Mahasabha and the Rashtriya Swayam Sevak Sangh (RSS). The second category belongs to the growth of civil society in post-independent India. In post-independent India in initial years since the political leadership was seen as legitimate, civil society organisations did not feel the need to politicise the population, make them conscious of their rights, or create a civic community in which newly independent citizen of India could engage with each other and with the state. But after two and half decades the civil society movement in India started gaining momentum due to prevailing political conditions. The first of these was the 'Total Revolution' movement of Jay Prakash Narayan who could tape the simmering discontent against Mrs. Indira Gandhi for her policies and authoritarian style of working. Interestingly when emergency was declared by Mrs. Gandhi, the opposition to emergency by people led to consolidating the civil society in India. Civil society organisations in India took root to confront violation of democratic rights and to fill in the developmental deficit of the state. From the late 1970s, civil society mobilisations took place around the struggle for caste and gender justice, the protection of civil liberties and the environment, the struggle against large development projects that have displaced thousands of tribal peoples and hill dwellers and the rights to food, work, information, shelter, primary education and health. These movements have brought people together across social and class divides and confronted state policies. According to Ghanshyam Shah, by the year 2000 it was estimated that grassroot groups, social movements, non-party political formations and social action groups numbered between 20,000 and 30,000 nationwide (Shah, 2004). In the 1990s a striking shift from the vocabulary of social service and reform to that of empowerment, rights, development, governance, and accountability heralded the advent of new forms of civil society organisations and activism political democracy has been institutionalised throughout the country, yet large numbers of people continued to exist on the margins of survival. Consequently a large number of civil society organisations became involved in development. Experiments in alternative models of development had been initiated in the 1970s by educationists, scientists, engineers, environmentalists and social activists.

Civil Society in India and its Role in Ensuring Good Governance

In India the civil society has played an important role in ensuring good governance. These organisations have played important role in areas of right to information, consumer protection, citizen's charters, whistleblower protection e-governance, report cards, democratic decentralisation, public interest litigation etc. (Manjunath et.al. 2004). Under civil society auspices a series of proactive and cohesive efforts advocating good governance have been launched since 1990s. Some of the milestone that are related to civil society's active engagement in the process of governance are: (a) The fight against corruption by Anna Hazare led movements in Maharashtra and passing of Lokpal bill at the centre, (b) The enacting of Right to Information Act at the centre and in the states primarily due to the efforts of Mazdoor Kisan Shakti Sangathan (MKSS), Parivartan (Delhi) and Common Cause (Delhi) and also active engagement by common people and conglomeration of civil society organisations, (c) Public Interest Litigation: Common Cause (Delhi) and Consumer Education Research Centre, Ahmadabad, (d) Report card studies on public services: Public Affairs Centre, Bangalore, (e) Campaign for electoral reforms and Citizens' charters: Lok Satta, Hyderabad, (f) Jan Sunwais (Public hearings) on public works: Mazdoor Kisan Shakti Sangthan (MKSS) and Parivartan, Delhi, (g) Campaign for effective municipal decentralisation: CIVIC, Bangalore, (h) Public discussion on the state of municipal and state budgets: several organisations in Gujarat and Bangalore, (i) Campaign for Citizens' Charters: Praia, Mumbai, (j) Voter awareness campaigns: Catalyst Trust, Chennai, Public Affairs Centre, Bangalore; Lok Satta, Hyderabad, (k) Participatory municipal budgeting experiments: Janagraha, Bangalore, (l) Public-Private Partnerships: Bangalore Agenda Task Force, Bangalore, (m) On the issue of Police Reforms, Prison Reforms, and Right to Information: Commonwealth Human Rights Initiative (CHRI), Delhi, (n) Advocacy and campaigning for protection of human rights: Peoples' Union for Civil Liberties (PUCL), (o) For Social Policy, Right to Food, Urban Poverty: Centre for Equity Studies, Delhi, (p) For Rights of Children including Right to Education: Bachpan Bachao Andolan, New Delhi, (q) For Electoral and Political Reforms: Association for Democratic Reforms (ADR), New Delhi. Beside these there are many civil society organisations which are working for various rights and entitlements for people. They are also working for the rights of women, tribal, dalits and on the issues of livelihood, environment, displacement, etc.

Issues Related to Civil Society Organisations in India

There are broadly two categories of issues related to civil society organisations. First set of issues are related to the working of civil society organisations viz., lack of sufficient financial resources, lack of trained and professional workers, inadequate information base, limited functional perspective, and many are based on narrow and myopic vision. The problem of unaccountability and corruption is also prevalent in these organisations. In January 10, 2017 the Supreme Court of India ordered audit of 30 lakhs NGOs who were getting public funds as to ensure transparency and accountability to curb corruption. Second set of issues are related to the opposition faced by civil society from government. Both political and administrative executive have never been comfortable working with civil society organisations. No government likes dissent, for example many civil society organisations have alleged that recently under the garb of Foreign Contribution (Regulation) Act rules; the Central Government has targeted many civil society organisations that were critical of government (Haider, 2016). While giving written reply to a question in Lok Sabha in July 2016, the Central Home Minister for State said that in the year 2015, 10,020 civil society organisations were deprived of taking grants under FCRA rules as allegedly they were violating rules of FCRA. The United Nations Commissioner for Human Rights has raised serious concerns about this. The UN experts called on the government to repeal the FCRA law as its provisions are increasingly being used to "silence" groups that are critical of government policies. They categorically said "we are alarmed that Foreign Contribution Regulation Act (FCRA) provisions are being used more and more to silence organisations involved in advocating civil, political, economic, social, environmental or cultural priorities, which may differ from those backed by the government." It is important that the governments understand the increasing role of civil society organisations in ensuring good governance. Government should give them more space to make democracy viable and vibrant and be more tolerant and patient while dealing with them.

Conclusion

It would be appropriate to quote Larry Diamond, who observed "Democracy - in particular, a healthy liberal democracy- requires a public that is organised for democracy, socialised to its norms and values, and committed not just to its myriad narrow interests but to larger, common, civic ends. Such a civil public is only possible with a vibrant civil society"

(Diamond, 1997). A democratic state needs a strong civil society, but a strong civil society can only exist within a democratic framework guaranteed by the state. This is symbiotic relationship, which should also mean that one does not trespass into the others domain. Thus, civil society is going to stay in democracy but only requirement is to remove certain demerits they have and also there is requirement of a synergy between the government and civil society for the better welfare of people.

References

Bhattacharya M (2008), *New Horizons of Public Administration*, New Delhi: Jawahar Publishers.

Chandoke, Neera (2011), Civil society in India, in M. Edwards (ed.) *Oxford Handbook of Civil Society*. New York: Oxford University Press.

Diamond Larry et al. (Ed.) (1997), *Consolidating the Third Wave Democracies*, Baltimore: Johns Hopkins University Press.

Doraiswamy P K (2007) The Role of Civil Society in Good Governance, *The Hindu*. Retrieved from http://www.thehindu.com/todays-paper/tp-features/tp-openpage/the-role-of-civil-society-in-good-governance/article2276002.ece,accessed on 5.11.2016.

Edwards Michael (Ed.) (2011) *Oxford Handbook of Civil Society*. New York: Oxford University Press.

Esman J. Milton (1978), Development Administration and Constituency Organisation, *Public Administration Review*, Vol. 38, No. 2, pp. 166-172

Haider Suhasini (2016) Curbs on NGOs Come in for Flak. *The Hindu*. Retrieved From http://www.thehindu.com/news/national/Curbs-on-NGOs-come-in-for-flak/article14426067.ece. accessed on 5.11.2016

Manjunath S. et al. (ed.) (2004) *Civic Engagement for Better Public Governance*. Bangalore: Public Affairs Centre.

Putnam Robert et al. (ed.) (1994) *Making Democracy Work*. Princeton: Princeton University Press.

Rajan Raghuram G (2019) *The Third Pillar How Markets and the State Leave the Community Behind.* Noida: Harper Collins.

Shah Ghanashyam (2004) *Social Movements in India: Review of Literature.* New Delhi: Sage Publication

Walzer M. (1995) The Civil Society Argument, In Julia Stapleton (ed.), *Group Rights: Perspectives Since 1900*, England: Thoemmes Press.