

Transparency, Information and the Accountability Ecosystem: Lessons from India

Brendan Halloran / October 13, 2015

I have had the opportunity over the past several months to learn more about citizen and state efforts to use transparency and access to information as a tool for government accountability in the Indian context. My three principal sources of insight on these issues have been Shekhar Singh, a longtime activist for the right to information (RTI) in India; Rajesh Veeraraghavan, who recently finished a PhD studying government transparency efforts in Andhra Pradesh and who has been consulting for us at T/AI for the past year on technology and governance; and several activists from MKSS, the Rajasthan-based workers empowerment movement. I don't pretend to be an expert on RTI or India, but interesting conversations and reading have revealed some insights, generally from these individuals or organizations, but also a few of my own. Overall, these perspectives on leveraging access to information in India shed light on the linkages between transparency efforts and state accountability, suggesting a need to connect the dots and think about the ecosystems of actors and processes in which these efforts are embedded.

RTI as a tool for accountable governance

India's 2005 RTI act has been a success in many ways. According to analysis, some 8 million requests were filed last year. The bulk of these were filed by individuals trying to get specific information related to themselves, often requests for information about their entitlements from the state. One study of RTI requests found that while 60% of petitions received some information in response, only half of these included the full information sought. In many cases these requests have had a significant and positive impact for individuals, leading to the resolution of problems they were experiencing with their engagement with the state. Examples include ration cards, passports, and government benefits being released to the RTI petitioner, sometimes after years of waiting (often with an implicit or explicit demand for a bribe to expedite the process). Indeed, one analysis suggested that filing an RTI request often has a similar success rate to paying a bribe: both lead to positive resolutions in about 70% of cases. In other words, filing an RTI request can force bureaucrats holding up state processes – to collect a bribe from the recipient – to advance the processes, to avoid their superiors becoming directly aware of their corrupt activity.

So far so good. However, questions arise. Shekhar raised the concern that although RTI requests were proving to be a useful tool for individuals to ensure government responsiveness on individual issues, even after a decade it has not had a systemic impact on the Indian state. Bribes are still being demanded and services are still being denied. Indeed, Shekhar wondered about the possibilities of an 'RTI divide', where bureaucratic attentions were focused on those individuals who managed to file and pursue an RTI application, potentially to the detriment of other individuals, particularly the poorest or most marginalized who have less access to the RTI instrument. RTI has been used as an tool to achieve government accountability on an individual basis, but the dramatic increase in transparency does not seem to be leading to more accountable governance more broadly, and there may be a zero-sum situation in which RTI requests shift bureaucratic attention to some groups and individuals, perhaps resulting in further delays or higher demands for bribes from other, potential more vulnerable, individuals and groups. It does not seem feasible or desirable for government responsiveness to be predicated on the use of the RTI tool. Rather, Shekhar agreed, an ecosystem of accountability tools, actors and mechanisms is required to ensure broader state responsiveness to citizens, so that even the most marginalized can get improved governance without directly using the RTI instrument.

State Efforts to Promote Transparency for Accountability

What about, to borrow a metaphor from Rajesh, when the state holds the flashlight of transparency? Surely this is a more systemic and sustainable approach to ensuring accountability, by going beyond individual RTI requests to an institutionalized monitoring of government agents. Rajesh focused his PhD research on India's rural employment scheme and the efforts of the government of Andhra Pradesh to ensure the transparent and accountable implementation of that program, in the face of multiple pressures to manipulate and subvert the project by government bureaucrats, local elected officials, land-owning power holders, and others. Unsurprisingly, these diverse factors that worked against the state government's accountability efforts limited the success of this approach. Most importantly, local power dynamics and deep inequalities most often trumped the seemingly-well intentioned efforts by state auditors to uncover malfeasance and hold perpetrators accountable. The weakest link in the chain was the vulnerable poor themselves, who were expected to report discrepancies to audit teams who most often arrived and departed a village in a single day, leading any workers who dared speak up against powerful individuals to their fate.

Rajesh's PhD dissertation richly describes the micro dynamics of transparency and accountability efforts in India, and he highlights both the structural and human elements of efforts to strengthen government accountability, with a focus on the overall the power relationships that flow within and across these processes. Importantly, Rajesh's work shows the fragility of a large-scale state-society 'sandwich' strategy to squeeze corrupt actors from above through state surveillance and below through citizen reporting. Ultimately, these processes are subject to contextual conditions, especially the economic, social and political structures that maintain the power of elite groups vis-à-vis excluded minorities. For example, some workers who reported irregularities to government auditors about the work they did and payments they received – or didn't – were influenced by local power brokers to retract their statements before they could enter the formal record. Simply accessing information (e.g. work records or evidence of

discrepancies) often did not enable marginalized groups, participants in a rural public works scheme in this case, to challenge power structures.

Nor is technology a simple solution. High level officials have sought to limit the discretion (to engage in petty corruption) of front line bureaucrats, partly through a series of technological fixes. What this has turned into is a game of cat and mouse, where each new tech innovation intended to eliminate potential opportunities for corruption are subverted by bureaucrats adapting to new realities (for another take on 'squeezing the balloon' from Malawi, see [here](#)). The technologies employed by the state did limit the opportunities for corrupt behavior, but ultimately technology intersected with human decision making and political dynamics in complicated and unforeseen ways. This was no case of a 'magic bullet'.

Rajesh argues that openness is political, not some public good, and subject to political pressures and dynamics. One individual's openness is another's surveillance, and that can apply even to presumed beneficiaries of transparency. Even when information is made available or technology leveraged, without a real [countervailing power](#) on the part of those who are assumed to benefit from these processes, the possibilities for holding the state accountable are limited, even when the state is shining the flashlight on itself!

Movements and RTI

One Indian activist I know said that the RTI movement started with a few workers demanding their work logs, and from their spread like wildfire, creating a workers' movement with just the kind of countervailing power lacking in the Andhra Pradesh case. MKSS was born of this process, and I've been fortunate to hear about the movement's struggles and successes from activists like Nikhil Dey and others. I recently discussed with them a new campaign the movement is leading in Rajasthan to ensure improvements to education across the state, leveraging India's right to education law.

In this campaign, 'A Question of Education', MKSS leverages RTI requests, citizen monitoring, mandatory public hearing forums, and strategic alliances with the media to address deficient education provision. In some 15,000 schools across the state (approximately 20% of the total), MKSS and a coalition of civil society organizations organize citizen monitoring and documentation of the gaps between what is mandated in the law and what exists on the ground. This includes deficient school infrastructure, teacher-to-pupil ratio, etc. With the support of MKSS, community members invoke a law that grants them the right to a hearing with relevant officials to discuss these issues. The campaign keeps pressure on decision makers with strategic use of RTI requests, significant media coverage of educational deficits and efforts of citizens to improve these, and periodic 'lockouts' by students who refuse to accept the conditions under which they are forced to study.

The Question of Education campaign maintains an active focus at both the local and state levels, targeting decision makers at each tier of government with specific demands related to their competencies, taking advantage of legally-mandated spaces for engagement, and tactics to increase the chances of follow through. RTI represents one important tool, but one that is leveraged in conjunction with media coverage, citizen monitoring, civil society advocacy, and protest (when necessary) within a coherent

strategy, and backed up by a consolidated movement with the capacities to [understand](#) and [navigate accountability politics](#) in the context of Rajasthan. I've argued elsewhere that [grassroots organizations and movements should be closer to the heart of the transparency and accountability agenda](#), and experiences like those of MKSS demonstrate powerfully why that is the case.

Transparency and the Accountability Ecosystem

The standard formulation of transparency + participation = accountability generally obscures the complexity of these ingredients and their interaction. Discussions with activists and scholars in the Indian context reveals the challenges and opportunities inherent in leveraging transparency in the pursuit of accountability. The overall lesson from the cases discussed is that there is an ecosystem of actors, mechanisms and processes around accountability for any given service, right or other issue. Campaigns need to connect the dots across these elements in strategic and integrated ways, working across scales of governance (and differently engaging diverse actors within the state) and leveraging complementary efforts, if they are to contribute to real accountability being realized. Furthermore, strengthening the accountability ecosystem itself – media, civic space, [state accountability institutions](#), electoral mechanisms – is an important long-term proposition for real gains to be sustained.

Thanks to Shekhar Singh and Rajesh Veeraraghavan for helpful comments on a previous draft. Any errors are my own.

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