**Draft Outline**

**SAFAR-NLS Course on Social Accountability (July-September 2020)**

**Course Summary**

India has been an enduring puzzle in the study of democracy and development. While the “vibrancy” of Indian democracy has been widely discussed, India’s development efforts have been treated with much more skepticism. India’s development trajectory has been marked by regular iterations of a range of welfare measures however weak political institutions, overburdened and under-resourced bureaucracies and pervasive inequalities pose significant challenges to the exercise of genuine democratic freedoms. Amongst other things, ensuring the welfare of citizens brings out the contrast between electoral democracy and everyday democracy. Given this seeming incompatibility in India, how do ordinary people hold the state accountable between elections? What are the democratic interfaces through which people engage with the state every day to claim basic entitlements, ask questions and participate in decisions that affect their well-being? What role can these institutions, procedures and mechanisms of accountability play when democracy in contemporary India itself faces fundamental challenges?

This course is rooted in theory that has emerged from practice. It presents a view from the ground, developed through the articulation and practice of everyday engagement by ordinary people. Centering the experiences of social movements that have engaged with or critiqued the state, this course will explore a range of substantive debates around welfare rights and social accountability. It will also draw on empirical work from the disciplines of anthropology, economics, political science, and sociology. The course has four objectives: 1) to provide students with a critical understanding of current debates on social accountability and their legal, social and political history in India 2) to gain insights into some practical examples of citizen-centered social accountability across key sectors, through case studies and interactions with leading activists and practitioners 3) to orient students to contemporary challenges to social accountability 4) to develop interdisciplinary analytical and practical skills that will be valuable beyond their immediate application to ongoing social accountability projects and new projects that students may want to initiate.

**Participation and Assignments**

The course will run for 12 weeks and will include 4-5 hours of coursework per week. Week 6,8 and 9, there will be no lectures. These weeks will be dedicated to group work. The course will include seminars which will be a more reflective Q&A between the students and course coordinators. The seminars will also introduce cases of social accountability in action to further ground the ideas discussed in the lecture. . Students are expected to attend all classes and to actively participate in discussions and submit weekly responses based on the assigned readings, films, case studies.

We understand that group work will take more than the time assigned in the course, but we hope that by reducing lecture time and by scheduling group work time, students will get be able to engage more deeply with the ideas, practices and readings discussed every week.

**Assignments**

There are two assignments for the class. The first, 7‐8 page paper will involve responding to a prompt provided by the course coordinators, and will receive detailed feedback on argument, content engagement, and writing style/quality. The first paper will be due by the end of the 5th week.

The second will be a group assignment where students will pick a theme and apply learnings from the weekly session on unpacking the elements of social accountability within that theme. An abstract of the group project must be submitted by the end of the 6th week. Groups will use the duration of the course to do the research as laid down in Annexure 1, and prepare a presentation for a mini conference which will be held in the last week of class and will be open to the public. The group will also be expected to submit a 10 page paper based on the presentation for final grades.

**Grading**

The class grade will be compiled as follows: 30% Participation (including weekly responses, attending discussion seminars and active engagement in class), 30% First Paper, 40% Group presentation and paper.

**Session 1: Introduction (Week 1, 2 hours)**

This session will focus on introductions to the course, students and instructors. Students will be given an overview of the course, format and requirements and a trailer to the concepts and practices that will be covered in upcoming weeks.

*Suggested lecturer*: Anindita Adhikari and Rakshita Swamy

**Session 2: The state, democracy and accountability (Week 1, 2 hours lecture + 1 hour seminar)**

This session will introduce democracy as a link between social and political power or state power and explore its potential and limits. We will ask fundamental questions such as what is the relationship between the state and government and in turn the state, government *and* democracy?

If the state is accepted as a non-negotiable frame of our national political conscience and governments are based on distinct political ideologies and depend on the act of voting then it is perhaps this distinction itself that creates the political and social space for citizen monitoring and therefore accountability. What is the state of democracy in India today? What does the space for public action and accountability look like? Are democracy and accountability synonymous terms?

This session will explore the various forms (thick and thin) of democracy- procedural/formal, participatory and substantive to ask how we can both extend and deepen it. Through this discussion, we will arrive at a working definition of accountability (inspired by Ambedkar’s partial exposition on social democracy) as a way to understand democratic deepening.

*Key concepts:* constitutional democracy, social contract, democracy between elections

*Tentative readings and material:* TBD

*Format/structure:* Readings and discussion

*Suggested lecturers:* Patrick Heller and Anindita Adhikari

**Session 3: Debates on accountability (Week 2, 2 hours lecture)**

In continuation of the previous week, we will extend the debate on democracy to discuss different types of accountability structures. What are the traditional forms of accountability at the national level (vigilance commissions, audits by the C&AG, Public Interest Litigations), state level (top-down monitoring, department-led audits), local level (panchayati raj structure, nigrani samitis) and how are these different from social accountability mechanisms and institutions? How effective have traditional forms of accountability been and what are the limitations?

Through this discussion, we will arrive at the structure of the Bhilwara Principles which emphasize six elements crucial to the realization of social accountability. These six principles of *jaankaari, sunwai, karyawahi, bhaagidaari, suraksha and janata ka manch* seeks to address power inequities by democratizing and decentralizing information and creating institutionalised platforms for people to participate in decision making and oversight

*Key concepts:* vertical vs horizontal accountability, centralized vs decentralized accountability, bhilwara principles

*Tentative readings and material:* TBD

*Format/structure:* Readings and discussion. Presentation on the Bhilwara Framework of Social Accountability and the story of its evolution. This week students will be given a menu of options to develop their class projects around. They can choose from this list or suggest their own.

*Suggested lecturers:* Rakshita Swamy and Yamini Aiyar

**Session 4: Trajectory of accountability and rights in India (Week 2, 2 hours lecture + 1 hour seminar)**

In this session, we will move from theories of state, democracy and accountability to its concrete instantiation in the Indian context. This session will introduce students to the history of the struggles for rights-based welfare in India and the introduction of rights-based laws such as RTI, NREGA and NFSA which also marked a paradigm shift in how we understand social accountability. The Forest Rights Act (FRA) will also be discussed as a point of contrast to the above laws. We will take a long view of the struggles for rights including those that have had limited “legislative” success.

*Key concepts:* Social movements and the state/government, public action and deliberation, legal and institutional frameworks, rights-based welfare and social accountability

*Tentative readings and material:* excerpts from RTI book by Aruna Roy and MKSS collective, Kumar, Kundan and John M. Kerr (2012), Janne Ka Haq by Vikas Yadav

*Format/structure:* Film, reading and discussion.

*Suggested lecturers:* Aruna Roy, Shankar Singh and Anindita Adhikari

**Session 5: Rural public service delivery and the anatomy of a social audit (Week 3, 2 hours lecture)**

This session will be interactive and based on a close engagement with the micro dynamics of a social audit. The anatomy of a social audit provides a powerful window into the landscape and life cycle of social security in rural India (with a specific focus on food, pensions and work), claiming entitlements and the concepts of deliberation and disputing. This session will unpack social audit through a discussion on who is making claims of the government, what are the enabling and constraining conditions in rural settings, what are the different structures and flow of information, who facilitates, what is the role of panchayats and so on.

*Key Concepts:* Basic entitlements vs rights, public hearings, participation, collective platforms

*Tentative readings and material:* Video of a jun sunwai that captures different aspects of information (digital, MIS, wall painting), claims vs complaints vs grievances vs disputes

Cases: NFSA/NREGA/FRA separately or as a bundle of rights? Map the history of courts to courtyard (Sowmya’s book chapter) in the rights based welfare state trajectory; Sociology of law readings on disputing, excerpts from Claiming the State (Gabi Kruks) and Clients and Constituents (Jennifer Bussell), James.C Scott (1969) on corruption;

*Format/structure:* Students will be asked to watch a 30 min video of jun sunwai and answer a set of questions that captures various aspects of this exercise such as the role of records and information (digital/non digital), public hearing norms, the role of panchayat functionaries, claims, complaints and disputes, how resolution is arrived, what social audit reports look like and so on.

*Suggested lecturers:* Village Resource Persons of State Social Audit Societies in Bihar, Telengana, Ashish Ranjan Jha and Anindita Adhikari

**Session 6: Rural public service delivery and the anatomy of a social audit (continued) (Week 3, 2 hours lecture + 1 hour seminar)**

This session will continue to look at the trajectory of the institutionalization of social audits through mandates set forward by Government, Judiciary and the C&AG, amongst its expanding scope beyond rural public service delivery.

*Key concepts:* Social audits and its operational details

*Tentative readings/material:* Audit of Scheme Rules, 2011; Auditing Standards of Social Audit, 2015, Comptroller and Auditor General of India; Compliance Audit of Social Audits conducted by the C&AG; Supreme Court Judgements mandating Social Audits in socially relevant schemes; Social Audit Reports of sample audits (Meghalaya, BoCW, NFSA etc)

*Format/structure:* Lecture and presentations

*Suggested lecturers:* Rakshita Swamy and R. Subrahmanyam/Gurjeet Singh

**Session 7: RTI clinic (Week 4, 3 hours interactive lecture and interaction)**

This will be an immersive two hour clinic in which students will learn the provisions of the RTI law and will draft and file RTI applications. Activists, journalists and researchers that have filed prominent RTI applications will be invited to discuss their questions, how they formulated the questions, the filing and appeal process, and how the information has contributed to public discourse and in holding government accountable.

*Tentative readings/material:* RTI Act, primer, NCPRI reports

*Format/structure:* Presentation, discussion of draft RTI and live demonstration of filing an RTI application

*Suggested lecturers:* Pankti Jog, Venkatesh Nayak, Angela Rangad, Rawat Ram and Anindita Adhikari

**Session 8: Social Accountability through and of digital technology (Week 4, 2 hour lecture + 1 hour seminar)**

The last two decades have seen the changing form that digital technology and data have played in our social, political and economic lives. This session will critically look at the role that digital technology has assumed in social policy. The session will introduce some contemporary innovations that have been rolled in the planning, implementation, funding and evaluation of key social welfare schemes in the name of “good governance”- use of management information systems and public finance management systems, creation of databases and their interoperability, aadhaar and direct benefit transfers. The costs and benefits of these innovations will be debated based on evidence of denial of entitlements and social exclusions on one hand and examples of how technology can enable and expand access to entitlements when designed and driven by users themselves. This section will highlight instances when digital technology can actually enable citizens to access their rights, to know and to demand accountability. Examples include democratizing registration of demand for work under MGNREGA through technological means, web-based platforms such as Rajasthan’s Jan Soochna Portal and Karnataka’s Mahiti Kanaja through which information on welfare programs is made transparent, eligible beneficiaries are identified and enrolled, activists and civil society organizations can use its dashboards to monitor implementation and strengthen the ecosystem for accountability.

*Tentative readings and material: Geek Heresy* by Kentaro Toyama, *Blacked Ou*t by Alisdair Roberts, *MGNREGA’s information system flawed, misguiding* by Debmalya Nandy, *Overcentralization: Reason why MGNREGA may be seen as destined to be a failure* by Debmalya Nandy, *Fabrication and falsification* by Rajendran Narayanan, *Politics of Information* by Rajendran Narayanan, Rakshita Swamy and Nikhil Dey, *Does Digital India Deliver in Improving Government Front-End Services?* By Rajendran Narayanan, Inayat Sabhikhi and Rahul Lahoti, Jan Soochna Portal Guidelines of Department of IT, Government of Rajasthan

*Format and Structure:* Presentations on “innovations” mentioned above including listening to testimonies from people who have faced the brunt of digital technology violating their rights. The session will include a live demonstration of the Jan Soochna Portal. The role played by Information and Facilitation Centers like the Sahayta Kendras in Jharkhand that facilitate ordinary citizens to use publicly available information and demand accountability at the lowest level will also be explored. A brief glimpse of a grievance redress architecture based on digital technology i.e. Rajasthan Sampark, along with a discussion about ongoing efforts to make this digital architecture work for its end-users.

*Suggested lecturers*: Rajendran Narayanan and Rakshita Swamy

**Session 9: Exploring accountability of construction workers’ rights (Week 5, 2 hour lecture presentation)**

Workers walking back from cities to their homes hundreds and thousands of kilometers away, will be the most enduring images of the covid-19 lockdown for years to come. This exodus of migrants from our cities raises many uncomfortable questions to us and the government about how we treat our workforce. One of these, the plight of construction workers becomes particularly salient, given their role in building the very flyovers they were compelled to walk on in order to get home by foot. This session will throw some light on what the State’s accountability to construction workers is in theory, and how it pans out in reality. Apart from giving a brief overview of the size and role of construction workers in the economy, it will also include a brief history of a peoples’ campaign for the passage of the Building and other Construction Workers (BoCW) Act. The session will conclude with an exercise of social audit that was conducted of the BoCW Act in different parts of the country, and the lessons it threw up for steering any further efforts for improving accountability of the State to its construction workers.

*Key concepts:* labor and precarity in urban India, accountability for informal workforce, labor codes and laws such as BoCW Act

*Tentative readings and material:* Report on the pilot social audits from Rajasthan and Delhi following the SC orders, Guidelines on Social Audit of BoCW Act issued by Ministry of Labour and Employment, SC Judgement on BoCW and Social Audits, *Common Service Centres-The Emperor’s New Clothes*, The India Forum;

*Format/structure:* Overview presentation on key facts related to construction workers, discussion on conditions of construction workers in cities, lecture on trajectory of the campaign for passage of BoCW Act and social audits of BoCW Act. What does it take even after a social audit to have administration take corrective action on social audit findings and deal with question of how to deal with private entities engaged with service delivery (such as Common Service Centres) when seeking accountability from the State.

*Suggested lecturers*: Paras Banjara, Ruth Manorama and Rakshita Swamy

**Session 10: Exploring accountability of workers’ rights (Week 5, 2 hour lecture + 1 hour seminar)**

Construction workers are just one distinct category of workers in the Indian work force. Hawkers and street-vendors, agricultural workers, factory and boiler workers, mine workers, workers of the platform based economy (Zomato, Uber, Ola, Urban Company etc), loaders, sanitation workers, waste pickers, drivers are just some of the other categories within the broader segment of organized and the unorganized workers. These are also the workers who were most affected by the lockdown on account of COVID-19. This session will explore the recent “reform” of introducing four Central Labour Codes in place of 44 sector and issue specific central labor laws. The session will attempt to develop a critical understanding of the Labour Codes along with understanding what the shift from status quo to the Codes entails, and what the gains and losses to accountability are as a result of these changes. It will also juxtapose the trajectory of the “reform agenda” in this case, with the rights-based reform agenda studied in Week 4.

*Key concepts*: labour rights, ref

*Tentative readings and material*: TBD

*Format and structure:* Lecture presentations and discussion

*Suggested lecturers:* Professor Babu Mathew and Rakshita Swamy

**Session 11: Accountability and the commons (Week 7, 2 hour lecture)**

This session attempts to place the accountability debate within the broader context of ecological security, which has implications for both conservation of nature and protection of livelihoods. Students will be introduced to existing legal provisions that govern the management and ownership of commons which includes land, forests, and water. By laying out the trajectory of governance of commons in India, the session will explore conceptual and operational questions of how accountability manifests in a paradigm where natural resources are owned by citizens and the State plays the role of a trustee.

*Tentative Readings and material:* Kothari, A and A Patel (2006), Lahiri-Dutt, K (2007 & 2012), Bebbington (2018), Oskarsson, P (2018), Aseem Shrivastava and Ashish Kothari (2012)

*Format/Structure:* Film, reading, discussion

*Suggested lecturers:* Jagdeesh Rao and Anindita Adhikari

**Session 12: Case study (Week 7, 2 hour presentation and interaction)**

This session will involve a deep dive into understanding efforts to hold an ongoing mining operation accountable to statutory norms and needs of the local community, through a case study.

**Guest lecture on electoral bonds (public lecture) (Week 8)**

The course has so far explored elements of social accountability from the perspective of the relationship between the citizen and the State. This public lecture will unpack what the implications of political funding on political accountability, and thereby explore elements of social accountability from the perspective of the relationship between the voter and the State.

*Suggested lecturer:* Nitin Sethi

**Session 13: Conceptual and legal framework of accountability (Week 9, 2 hour lecture + 1 hour seminar)**

The course so far would have given students a glimpse of the different elements of accountability at play, in the midst of the various pushes and pulls of an inequitable democracy. Do these elements contradict each other? Or are there commonalities that emerge? This session revisit the Bhilwara Framework of Social Accountability and discuss them in more detail. The framework has emerged from citizens and collectives that face the unjust violations of social accountability on a daily basis and has moved in its journey from a public campaign into a draft bill. . Through this presentation, students will be invited to discuss and critically analyse the framework and Bill through their individual and collective understanding from the course so far.

*Key concepts*: Explore a conceptual understanding of social accountability and its manifestation into Law

*Tentative readings and material*: The Bhilwara Principles: An Accountability Framework in Action, Common Cause OR *Explorations in the concept of Social Accountability*, Centre for Budget Governance and Accountability, *Jawaabdehi Yatra Report,* Draft Social Accountability Bill, Bihar’s Public Grievance Redress Law, Rajasthan’s Right to Hearing Act, Right of citizens for time bound delivery of goods and services and redressal of their grievances Bill, 2011; Report of the Parliamentary Standing Committee of Personnel, Public Grievances, law and Justice on the Draft Right of citizens for time bound delivery of goods and services and redressal of their grievances Bill, 2011; *Have Public Service Delivery Laws actually delivered*, Centre for Budget and Governance Accountability; *The Bihar Right to Public Grievance Redressal Act- an analysis,* Centre for Budget Governance and Accountability

*Format/structure:* The session will then translate to how minimum principles of a framework translated into legal provisions in various laws and policies. We will compare the framework and provisions of different laws such as Bihar’s Public Grievance Redress Law, Rajasthan’s Right to Hearing Act, Right to Public Service Acts of select states with the Draft Social Accountability Bill currently being advocated for by the MKSS and the SR Abhiyan.

*Suggested lecturer:* Nikhil Dey, Anindita Adhikari and Rakshita Swamy

**Session 14: Mini conference (Week 11, 3 hours)**

In this session, students will make group presentation. All the speakers and resource persons who contributed to the course will be invited to attend and provide feedback. The session will end with some comments from resource persons and a discussion on critiques of social accountability, victories and unanswered questions

Annexure 1

Students can choose one of the following cases (maximum of 5 students per theme) or add their own:

1. Domestic work and workers
2. Government School
3. Government Primary Health Centre
4. Street vendors and hawkers
5. Sanitation work and workers
6. Drinking Water
7. Waste management

For the chosen themes students will be required to research the following aspects related to the chosen theme:

1. What are the rights of different stakeholders?
2. What was the evolution of the rights? Was it a result of Government policy, people’s campaigns, judicial interventions, obligations to meet international covenants or something else? What were the key benchmarks of this evolution?
3. What are the formal/statutory provisions for accountability?
4. What component of the Bhilwara Framework are operational and which ones are absent?
5. What will a social audit in this case entail? What information would have to be shared before a social audit? Who should be present in a social audit public hearing? Where should the hearing take place?
6. What would an icon for this theme look like on the Mahiti Kanaja/Jan Soochna Portal?

Students will be required to undertake the following activities as well:

1. Interact with the most affected stakeholder at the point of service delivery, and observe the conditions under which they are able to accessing their entitlements or not.
2. Visit a local implementation office and observe which component of the Bhilwara Framework was operational or missing.
3. Look through the Jan Soochna Portal and Mahiti Kanaja and observe whether relevant information related to the chosen theme is disclosed. This will include listing of the nature of information that should be disclosed, based on an understanding of the theme developed by the student through the study
4. Help an affected stakeholder file a complaint through the official channel and Sakala and also list the nature of complaints being faced by stakeholders