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Governance, Citizens and New Civil Society in Contemporary Urban India: Lessons from Mumbai

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Abstract

The 2011 anti-corruption movement in India—characterised by a huge trust deficit in the political class—was the culmination of several such localised movements that marked the birth of a new civil society in contemporary urban India. This paper studies the profusion of middle-class-led associations in Mumbai fighting for good governance, and their increased political mobilisation in the city. It argues that a new civil society bypasses elected representatives and ward committees. Using fresh strategies, new civil society expands its political boundaries in an attempt to influence policy and practice in ways largely defined by post-1990s developments. Changes in policy and practice during the 1990s were brought about essentially by three interlinked forces—policies of economic liberalisation that were set in motion in 1991, the good governance discourse championed most ardently by international agencies like the World Bank and the International Monetary Fund, and the urban decentralisation agenda in India charted out in the 74th Constitutional Amendment Act, 1992.

Introduction

India ushered in the year 2011 with a widespread anti-corruption movement that grabbed national and international media attention. It was the culmination of several localised mobilisations that simmered across urban India. These local movements, and later the massive one, were all characterised by a huge trust deficit in elected representatives and the political class in general. Calling on the government to address widespread corruption in public offices through better governance,

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the anti-corruption movement marked the beginning of a new civil society in contemporary urban India; at the forefront were Bangalore, Hyderabad, Mumbai, and Delhi.

The city of Mumbai, or Bombay as it was known, has witnessed civil society engagements over the centuries. These engagements have taken various forms: citizens' movements for rights and privileges; interventions through the press; informal and formal workings of governance that cut across civil society and political society; working class movements; and movements around language and ethnicity. The evolution of what would eventually be referred to as Mumbai's 'civil society', is strongly embedded in the city's colonial history. Even the most rudimentary forms of early civil society in the city were marked by an engagement with the state for certain specific rights. This engagement, spanning over a long period in colonial and postcolonial history, is also linked with the evolution of the discourse on citizenship, shifting power structures, class formation, formal and informal politics, and various forms of engagement with the state. Arjun Appadurai, renowned social-cultural anthropologist, has noted that throughout the 20th century—and even earlier, in the 19th century—Mumbai has had powerful civic traditions of philanthropy, social work, political activism, and social justice. There was a distinct change in the situation after the 1990s, resulting from economic liberalisation, the move towards democratic decentralisation after the 74th Constitutional Amendment Act (CAA), 1992, and the good governance discourse. The so-called 'new civil society', that emerged parallel to the changing political context of the times, pressed for increasing participation of citizens and partnerships with the government across sectors.

This paper is based on a qualitative analysis of a detailed case study on the Non-Government Organisation (NGO) Council in Mumbai, its position in the trajectory of greater Civil Society Organisation (CSO) participation and citizen partnerships that began in the post-1990s, and the increasing political mobilisation of CSOs in Mumbai—specifically witnessed since the municipal elections of 2007. Thus, this paper examines the following research questions:

What led to the emergence of new civil society in contemporary urban India?

What are its characteristic features and political implications?

The respective sections in the paper dwell on the following:

- The changed political scenario of the 1990s that facilitated a new kind of activism and proliferation of CSOs across urban India, spearheaded essentially by middle-class citizens.
- The case of the NGO Council in Mumbai as an example of new civil society.
- Insights on the increasing political mobilisation of CSOs as witnessed in Mumbai over the years.

- The characteristic features of new civil society and its political implications.
- How new civil society is a fragmented space.

The paper concludes that there exists an inextricable link between the State and civil society, with the latter able to grow only within a given political environment. New civil society expands its boundaries in significant ways and much of its growth can be attributed to the favourable post-1990s political environment.

Drivers Behind New Civil Society in Urban India

The development of new civil society in urban India occurred under certain conditions brought about by changes that set in post-1990s. First: in 1991, economic liberalisation was ushered in, redefining the role of the state and opening up various sectors of governance to non-state actors including CSOs. Second: the involvement of CSOs was further facilitated by constitutional changes like the 74th Constitutional Amendment Act (CAA) in 1992 that stressed on decentralisation and participatory governance. Along with the good governance discourse propounded by international agencies like the World Bank (1997), contemporary urban reforms envisaged in government programmes like the Jawaharlal Nehru National Urban Renewal Mission (JNNURM), 2005, further reaffirmed the involvement of CSOs in hitherto traditional domains of governance.

These domains included: solid waste management; water; housing for the poor; disaster management; city beautification; and urban infrastructure. Since the 1990s, the term 'civil society' has been increasingly invoked by India's urban middle classes to describe their own expectations and aspirations for governance. This is reflected in the rise of government and middle class-driven civil society partnerships in Mumbai, as well as in other cities. The period following the 1990s has witnessed a profusion of middle-class activism across urban centres in India.

Finally, a series of significant laws have further empowered the educated middle class citizenry in India. These laws include the Right to Information Act (2005); the widespread use of Public Interest Litigations, which were already in existence since 1982; and the more recent Public Disclosure Law (2005) and Community Participation Law (2005), which have all greatly influenced the growth of civil society forces across urban India, especially those advocating better governance.

Another major impetus for the growth of India's civil society was the spate of natural disasters that hit the country in the beginning of the 21st century. These calamities reinforced the need for stronger partnerships between the government and CSOs. The need for fruitful partnerships has been time and again established in various policy documents of the government.

The NGO Council in Mumbai—An Example of New Civil Society

The NGO Council in Mumbai was formed as a response to the floods of July 2005 that devastated the city. The calamity exposed Mumbai's vulnerability, crumbling infrastructure, lack of coordination among government departments and with civil society, and lack of preparedness. It raised an alarm amongst both the municipal authorities and CSOs, who then congregated in a partnership aimed at bringing about effective governance to prevent the repeat of such disasters. The NGO Council was a pan-city citizens' organisation, comprising 69 CSOs, working together for better governance in Mumbai.

The NGO Council adopted a partnership model with the municipal authority of Mumbai and with other NGOs and government bodies. In the preamble to the Memorandum of Understanding (MoU) signed between the NGO Council and the municipal authority on December 12, 2005, the role of CSOs in the development process was spelt out: first, serving as a non-political link between the people and governmental institutions; and, second, by bringing professional expertise to assist in government's efforts. Some of the more prominent subjects discussed at the meetings were: corruption; accountability; better governance and service delivery, especially with respect to cleanliness; solid waste management; disaster management; beautification; traffic; street vendors; and the management of pedestrian spaces.

Fighting corruption was top of the agenda of the NGO Council. It initiated what was called the 'Mumbai-Pact Against Corruption' with the Anti-Corruption Bureau of Maharashtra, involving CSOs and activists. The NGO Council was instrumental in, among others, the formulation of the Municipal Solid Waste (Prohibition of Littering and Regulation of Segregation, Storage, Delivery and Collection) Rules 2006, which were notified on March 1, 2006. The NGO Council was also instrumental in helping the municipal authority set up a ham radio network, which proved to be very useful during the bomb blasts in July 2006 that targeted Mumbai's local trains. It then launched a web site for the dissemination of information related to municipal governance that creates an impact on the citizens' everyday lives. For instance: municipal circulars; solid waste collection route plans; disaster management information; responsibilities and contact numbers of various departments of the municipal authority; procedures on how to register births and deaths; and budget details of the municipal authority.

The NGO Council also organised discussions with experts, NGOs and citizens, separately and along with municipal officials, on a wide range of civic issues. From these have emerged meaningful and detailed recommendations pertaining to better governance. A citizen-friendly and holistic template for policies that the municipal authority could issue in the future was also submitted. Finally, the NGO Council helped bring together on one platform, municipal officials, several organisations (NGOs and corporates) and individual citizens. The municipal authority could convey its policies,

services, and procedures, while these organisations could offer their services, suggestions, and expertise through a common portal and regular meetings.

The NGO Council in Mumbai forms part of the long trajectory of new civil society formation in the city, starting from Action for Good Governance and Networking in India (AGNI), Dignity Foundation, CITISPACE, Mumbai Task Force and the Advanced Locality Management (ALM) groups in the '90s, to the more recent Advanced Locality Management and Networking Action Committee (ALMANAC), the Citizens' Roundtable, the Road Committee, Area Sabha and Area Committee models in the late 2000s. These associations have been at the forefront, vociferously advocating and working towards better governance.

Political Mobilisation of New Civil Society: The Trajectory in Mumbai

CSOs like AGNI, YUVA, PRAJA, and Loksatta, have been working for good governance in Mumbai for some years now. They inspire the middle class, usually reticent, to be politically aware. On various occasions, these organisations have acted as interfaces between the local government and citizens. AGNI, for example, has served as an interface between government and citizens since the 1990s. It serves as a network for citizen groups to muster the democratic “numbers” that no political system can easily ignore, and works with government agencies for transparency and accountability. Each organisation in the AGNI network maintains its own goals, charter, structure, and activities. AGNI promotes communication amongst them and collective assertion by them vis-à-vis political and administrative authorities. In 1999, it was decided that clusters of NGOs, resident associations, and voluntary institutions would organise themselves at the level of electoral constituency to exert democratic pressure on the local government.

The NGO PRAJA, meanwhile, works for governance reforms. It has prepared, among other things, a citizens' charter and handbook, and an online complaint management system where citizens of Mumbai can take part in local governance. It has also worked on right to information. For its part, Loksatta has been working on political and governance reforms in both Mumbai and Hyderabad. It was initiated as a citizens' movement in 1996 and eventually became a political party, believing as it did that no genuine change can happen unless power is shared.

The municipal elections in Mumbai in 2007 set a trend: Adolf D' Souza, an independent candidate nominated by citizens' groups, won the elections. He was from Municipal Ward Number 63 of Juhu, a suburban area in Mumbai. His victory was not his alone, but that of all of Mumbai's civil society forces who were active in various facets of urban governance yet unable to accomplish much. D' Souza epitomised the coming together of civil society forces like Loksatta, AGNI, ALMs, and several other citizen groups like the Juhu Citizens' Welfare group (JCWG). The erstwhile NGO and now political party Loksatta expeditiously experimented with the Area Sabha concept (which allows

democratic decentralisation below the ward committees through the legislative process) with the Nagrisatta Ward Number 63 Association in Juhu. Loksatta had zeroed in on Ward Number 63 of Juhu from among 227 municipal wards in Mumbai to create a model of good governance; the goal was to replicate such a model across the city. With support from AGNI and ALM groups, an independent candidate selected by these CSOs was put up for the municipal elections of 2007; he eventually won.

Fast forward to the municipal elections of 2012: as many as 50 independent candidates from wards across Mumbai contested seats in the polls. A portal called Mumbai 227—designed to serve as a platform for independent candidates—was launched before the elections. The Mumbai 227, or ‘Peoples’ Movement’ as it was called, was the initiative of some eminent citizens of Mumbai; it has a central group with people representing civil society, an administrative group, and an advisory group. The portal displayed the names and profiles of the independent candidates, along with the wards and symbols they represented. These candidates were selected by a group of non-partisan, credible and eminent citizens of Mumbai from a list of probables, thrown up by a flexible, rigorous, transparent, and grassroots-driven process. After the selection, these candidates underwent rigorous training to enable them to fulfil their roles and duties as municipal councillors.

The impetus for the formation of Mumbai 227 came from the despair surrounding the city's deteriorating governance and the people's loss of faith in the political elite. The aim of the movement was to mobilise civil society forces that were already working actively across the city, to fight for better governance from within rather than outside the system.

Characteristics and Political Implications of 'New Civil Society'

The making of a new civil society in India was a process that was pushed forward by almost complete inefficiency in governance, corruption in public life, and a general distrust of the political class, particularly elected representatives. The shortfalls in governance had become quite acute: inefficient delivery of basic services like water and solid waste management; bureaucratic delays in accessing municipal services; corrupt practices in government offices; poor maintenance of roads, gardens and open spaces, footpaths; irregular collection and disposal of garbage; and the lack of scientific techniques in the management of solid waste that were affecting all sections of the population.

Efficiency in governance, therefore, is an overriding driver feature of new civil society, drawing copiously from the principles of new public management. These principles are often summarised as follows: “The market-based model of public management, with its emphasis on entrepreneurialism and satisfying individual clients' self-interest, is incompatible with democratic accountability, citizenship, and an emphasis on collective action for the public interest.” (Eikenberry and Kluver, 2004:132). Efficiency in governance was also the overriding principle behind the formation of the

NGO Council, which believed that the government and a large number of associations, citizen initiatives loosely termed as 'civil society' could indeed work together towards common goals.

A second significant characteristic of new civil society is that it ignores electoral accountability. Bypassing elected representatives like municipal councillors is a fallout of this kind of thinking. Associations of new civil society perceive electoral politics as being characterised by vested interests (vote banks, corruption). There has been no mention of including elected representatives in the NGO Council since its inception. Nor has there been any inclusion of elected representatives in similar such initiatives in other cities like Hyderabad and Bangalore. An attendant trend is the growing numbers of independent candidates in local municipal elections.

Third, new civil society embodied in partnerships like the NGO Council, bypasses constitutionally provided spaces of participation like the Ward Committees. Ward Committees are institutionalised mechanisms for meaningful interaction between citizens, elected representatives or municipal councillors, and municipal officials, for redressing grievances and promoting good governance at the local level. Except in states like Kerala and West Bengal, Ward Committees have not been functioning to the best of their mandate, due to both their structural and implementation limitations.

Finally, it must be noted that exclusive partnerships with the executive wing of the local municipal government have their own set of perils. This is evident from the fate of the NGO Council. The NGO Council, formed through a Memorandum of Understanding between the representatives of 69 associations who were members of this Council and the municipal authority of Mumbai, lost its initial steam with the transfer of the then Additional Municipal Commissioner. He was a major source of encouragement behind its formation. Many of the NGO Council's initiatives—like the Cleanliness and Solid Waste Rules, 2006, for example—could not be implemented because of lack of support from his successors.

Discussion

In the absence of spaces for addressing concerns of middle-class citizens and a perception that the poor (favoured by elected representatives) were in a better negotiating position with the state, middle-class, educated, and professional citizens formed their own CSOs to voice concerns related to their class situations and particularities. The phrase 'non political link', often used to refer to the position of the members of new civil society, cannot be interpreted as the absence of politics, but rather as an attempt to employ new strategies to stake claims to urban space, its governance and services and influence political action. The consensus approach of new civil society is a political strategy that enables middle-class CSOs to act as pressure groups on the government, get more visibility and help avoid some of the difficulties that arise from adopting the confrontation mode.

New civil society, mostly spearheaded by middle-class, educated citizens, creates significant impact on the politics of contemporary urban India. There could be several reasons for this. One, the middle class in India has the resources to articulate, mobilise around issues of common interest, and develop an agenda. It has the economic and cultural resources to do so. Second, most of the members of middle-class-led associations have strong ties with government officials who prove useful during interactions and in the interest of 'getting things done'. Some of the members of these associations are former insiders and are well-versed with the functioning of government departments. Third, members of the middle class have access to various other resources including the printing press, television channels and the internet that significantly help in gaining visibility.

Finally, the reasons for use of the term 'civil society', especially among middle-class citizens, could be because of recent renewed interest in the civil-society discourse itself. Since civil society is fragmented, undefined and usually carries a non-political connotation, middle-class CSOs prefer to use this term, rather than any other term that might easily assign them into restrictive brackets. In many ways, new civil society is the preserve of India's middle classes which Nandy (1998: 4 in Mawdsley, 2004) describes as the 'middle-class culture of public life' and elaborates that 'the entire ideology of the Indian state is so formatted and customized that it is bound to make more sense—and give political advantages—to [the urban middle classes]'.

This is not to suggest that the space of new civil society is homogeneous; the reality is far from it. Fragmentations and contestations have been reported in studies from cities as varied as Bangalore (Nair, 2005) and Chennai (Harriss, 2007). In Mumbai, significant differences exist in terms of ideology, functions, and affiliations among various types of middle-class CSOs addressing governance issues. CSOs like YUVA, Apnalaya, StreeMuktiSangathan, Committee of Resource Organisations (CORO), and Labour Education and Research Network (LEARN), all work from the perspective of the poor; on the other hand, groups like Dignity Foundation, AGNI, Cityspace, Citizens' Roundtable, and a host of Resident Associations, work by excluding the same poor.

Competition among existing CSOs also renders the space of new civil society a contested one. During the formation of the NGO Council, prominent NGOs like Loksatta, AGNI and Dignity Foundation supported the idea of forming a representative body of CSOs in the form of the NGO Council. However, as the idea began to take shape (through an MoU and subsequent passing of the Cleanliness and Solid Waste Rules, 2006, the Local Area Citizen Group Charter, 2006, several draft policy papers and recommendations to the government and collaboration with the Anti-Corruption Bureau of Maharashtra), the big NGOs began to feel threatened. They eventually pulled out of the Council.

Contestations, largely class-based, marred the efforts of the NGO Council to live up to its original mandate as a representative pan-city organisation. The disparate backgrounds of its members and

the myriad issues that the NGO Council sought to bring under one umbrella did not succeed to make it 'representative' enough. The body was riddled with contestations from the very outset. The alienation of grassroots and community-based organisations was understandable: the office was located in an elite area in South Mumbai; meetings were conducted primarily in English; and official communication and information was disseminated through the internet. The disconnect was very obvious and many NGOs that initially participated in the meetings of the NGO Council subsequently got disillusioned.

Conclusion

The inextricable relationship between the state and civil society has long been established. Civil society can grow only when necessary conditions prevail during a given time and context; many of these conditions are created by the agencies of the state. The need to include citizens in decision-making has a long history in India, evident from documents like Lord Mayo's resolution in 1870, Lord Ripon's resolution of 1882 and in independent India the Central Council of Local Self-Government in 1954.

The so-called 'new civil society' owes its birth and development to the changed political environment of the post-1990s period that reiterated its role in good governance both nationally and globally (See Singh, 2012). Reforms facilitating local participatory governance and inclusion of social audits and citizens' evaluation of ongoing government policies have already been initiated. Several experiments are being carried out across cities to this effect. Newly acquired legal tools like the Right to Information Act and Public Interest Litigations have further empowered CSOs to acquire greater accountability from the government at all levels: local, state, and Central.

One can conclude from the trajectory in Mumbai and other cities that citizens' participation has become part and parcel of India's policymaking process for many years now. Only the manifestation of multiple forms of participation is new. While such multitudes add to the democratic flavour in their distinct ways, urban governance could also benefit with reinvigorating existing participatory institutions like Ward Committees. Participatory forums often run the risk of being overpowered by powerful groups. Thus the biggest challenge confronting new civil society is to make such citizen initiatives work better for disadvantaged citizens. The lessons culled from CSO experiments in other parts of the developing world could provide some clues in this regard (See Schubeler, 1996; Goetz and Gaventa, 2001; Tukahirwa et al., 2010).

To conclude, associations of new civil society have helped enhance citizens' role in public life in contemporary urban India through articulate use of the media, other forms of communication, social networks and lobbying. New civil society plays a significant role as it brings to the table important issues of governance, disseminates reports and analyses, optimally uses informal ties in the

state machinery, organises meetings and public gatherings, and innovates new ways of interfacing with the government in an attempt to influence policy and political actions.

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