

Civil Society Should Shift Focus on Human Capital as Democratic Spaces Shrink

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While the term civil society originated in ancient Rome and Greece – it is more or less a direct translation from Cicero’s “societas civilas” and Aristotle’s “koinōnia politikē”. As times changed, the term began to be used differently. In Europe, “civil society” came to refer to civil government and political society (Locke), a “system of needs” which seeks to intervene between the family and the state (Hegel), or an order that rules through consent, and is opposed to “political society” which rules by force (Antonio Gramsci).

In South Asia, especially India, civil society activity can be initially said to have acquired a voluntary character in the form of “kar seva” (Sikhism) or “shramdaan”. This largely took the form of donating one’s work for social good, providing medical relief and running schools (Christian missionaries), or undertaking social and religious reforms (Ramakrishna Mission).

As the freedom movement picked up, Mahatma Gandhi became instrumental in creating awareness about the role of selfless service, laying emphasis on voluntary social workers in nation building through “constructive” work such as the removal of untouchability, welfare of tribal communities, promoting the handloom and village industry, providing basic and adult education, and prohibition of alcohol. Gandhi considered voluntary action as being necessary for a non-exploitative, peaceful, and progressive society.

In India, civil society initially derived its strength from the Gandhian tradition of volunteerism.

However, in the 1960s and 1970s one witnessed a shift - civil society was now asking itself and governments tougher questions on the root causes of persistent poverty, exploitation, and redistributive justice. Sections of civil society started moving away from merely providing welfare support.

Three clear roles emerged:

- Reaching the unreached, including those who were victims of geographical isolation and those who were marginalised -- the destitute, the sick, and the hungry -- providing them with services and succour, which would be enhanced whenever there were natural calamities.

- Of innovators using technology, building capacities, application of science to solve human deprivation.
- Of those who focused on strengthening democratic institutions, ensuring that people in the margins are heard, based on the premise that the state has to be accountable to people.

Post-1970s social work, both as a discipline and profession proliferated, with three institutions – Tata Institute of Social Sciences (Mumbai), Delhi School of Social Work, and the Baroda School of Social Work – playing a critical role in professionalising the ecosystem.

In the 1980s civil society became synonymous with NGOs and people's organisations. The Dalit movement gained ground and self-help groups came up. As many NGOs were ready to help out, they started getting contracted and received government funds to ensure last mile delivery of services. As the direct offshoot of the economic liberalisation of 1991, the sector started receiving more funds both from within and outside India, spreading its action to larger human rights issues, taking up women's rights, fighting for economic, social and environmental justice.

Currently, apart from carrying out traditional activity, Indian civil society organisations (CSOs) also intervene on a large number of issues, including fighting for a secular and democratic society which gets divided because of communal and caste riots, fighting for land rights, seeking justice for victims of police oppression, creating awareness about environmental destruction caused by development projects, and lobbying for just and appropriate laws replacing oppressive ones which undermine rights of the underprivileged.

As civil society expanded its activities, becoming the true expression of citizens' rights, there was an obvious retaliation. The reprisal took different forms, ranging from qualifying NGOs and voluntary organisations as “five-star” to calling them “anti-development”, irrespective of who ruled the country. In 2012, for instance, when the United Progressive Alliance ruled, the NGOs that had led the protests against the Kudankulam nuclear power plant in Tamil Nadu were under investigation, the suspicion being that they “misused” foreign funds to rally local opposition. They continue to come under surveillance under the National Democratic Alliance rule, too.

The UPA government revoked permission of some 4,000 NGOs to receive foreign funds, apparently for “prejudicially” affecting public interest, an argument which continues to be reiterated with renewed vigour following the new NDA government coming to power in 2014. While it is possible to call this a shrinking of democratic space for CSOs in India, one should not forget that the situation is also worsening across the world. Global clampdown on civil society has deepened and accelerated.

More than 100 countries have introduced restrictive laws limiting the operations of CSOs. Restrictions on civil society have intensified in not just those countries where authoritarian regimes rule, but also in democracies. The number of human rights defenders killed continues to rise. In some countries, such as India, the onslaught takes the form of blocking foreign funding to NGOs.

Often, while lobbying with the government, CSOs succeed in creating a space for themselves for a better democratic society. One such example was the formation of National Advisory Council (NAC) under UPA chairperson Sonia Gandhi, set up to advice the coalition on ways to implement its ambitious Common Minimum Programme. Some of its members had opposed industrial projects and government policies in the past. Despite its shortcomings, NAC brought a new dimension to policy-making that has been absent in India - the voice of civil society speaking for the large population of India's disenfranchised, the kind of citizen profile politicians aren't really all that interested.

One should understand that in a vast country like India, civil society cannot work as a homogenous group. India has significant variations in ideologies and governance, which is natural to its size. Yet, the fact is, CSOs are continuing to evolve, even confronting new elements in elected governments. India needs more civil society action, not less. The authorities should know that efforts to cow CSOs by blocking foreign funds through the Foreign Contribution Regulation Act, have not stopped them from continuing with their activities.

Apart from their other activities, CSOs in India today work to campaign and defend several of the transformative legislations which they helped draft, including the Biodiversity Act (2002), Domestic Violence Act (2005), the Right to Information Act (2005), National Rural Employment Guarantee Act (2005), Forest Rights Act (2006), Unorganised Workers Social Security Act (2008), Right to Education Act, (2009), harsher punishments in the anti-rape laws (2013), Right to Food Act (2013) and the Land Acquisition Act (2013).

Internally the challenges the small and medium-sized organisations face today are the following:

1. Acute disconnect with middle classes, who see voluntary organisations as opportunists, and also unaccountable and corrupt.
2. Since many NGOs are into implementation of government programmes, the staff recruited and deployed are largely ill-trained to lead. They work more as managers and workers. They are also underpaid. Their motivation and creativity, naturally, suffers and takes a beating.
3. Badly funded, they are expected to deliver on a very large scale, which strains and reduces their ability to reflect and offer innovation and knowledge products.

4. Large donors and multilaterals design country programmes and hire subcontracts to deliver, implementing them often without imagination.
5. There is increased surveillance and tightening of regulatory provisions under the Foreign Contribution Regulation Act and the Income Tax Act, leading to the closing down of rights-based organisations.

All of this is leading to the homogenisation of development delivery, losing out on nuanced creative community-based expressions of civil society.

Countries such as Bhutan, which have a specialised law which is an enabler and a regulator, and differentiates civil society organisations by their engagement, are a step forward. However, investment in training and capacity building infrastructure is still being developed.

Multilaterals and bilaterals are active in promoting these nascent organisations. They need to invest more in building and evolving thought leaders and resource centre capabilities.

In the long run it is the human capital investment which can work on the ground to strengthen democracy. This should result in strengthening local institutions and people's voices which will keep the state and market in creative tension and balance GDP and Human Development Indicators. It would also ensure that the most vulnerable sections access their citizenship rights and opportunities to enjoy a better quality of life without plundering natural resources.

The Indian lesson of pushing high growth indicators has only led to the bottom 25 percent becoming poorer and the top 10 percent controlling 45 percent of the wealth. These are dangerous trends, and Bhutan could learn what not to do, as it offers one of the best Happiness Indexes to the world.

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