# HOCHSCHULE RHEIN-WAAL RHINE-WAAL UNIVERSITY OF APPLIED SCIENCES FACULTY OF SOCIETY AND ECONOMICS

# RIGHT TO INFORMATION IN THE REPUBLIC OF INDIA: AT THE INTERSECTION OF SOCIAL INEQUALITY

**BACHELOR THESIS** 

BY

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# RIGHT TO INFORMATION IN THE REPUBLIC OF INDIA: AT THE INTERSECTION OF SOCIAL INEQUALITY

A THESIS SUBMITTED IN

PARTIAL FULFILLMENT OF THE

REQUIREMENTS OF THE DEGREE OF

**BACHELOR OF ARTS** 

IN

**GENDER AND DIVERSITY** 

BY

**RUTU GOLE** 

20458

SUPERVISED BY
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SUBMISSION DATE

10<sup>TH</sup> MAY 2021

# **ABSTRACT**

'Right to Information in the Republic of India: At the Intersection of Social Inequality' seeks to explore the interrelationship between the exercise of the right to access state-held public information and social inequality in India. A large body of literature suggests that social inequality impacts the accessibility of democratic rights while the democratization of rights strengthens civil society and anchors the process towards social equity. Drawing on this hypothesis, the methodological framework of documentary research is employed for examining the social realities surrounding India's Right to Information Act since its inception in 2005. To meet the research objective, numerous public documents that contain quantitative and qualitative data published by the government of India, experts in the field and recognized national and international organizations are referenced. The inferences drawn from this social investigation are analyzed from the lens of a theoretical triangle inclusive of:

- 1) Social inequality by Solga, Berger and Powell (2009)
- 2) Intersectionality by Hill Collins and Bilge (2016)
- 3) Citizenship and social class by Marshall (1950)

With an aim to further explore this correlation, the effects of the utilization of the right to information on social inequities in India are examined. Standing at the intersection of social inequality in the Republic of India, the Right to Information Act 2005 exemplifies the interconnection between democratic practices and social disparity.

#### **KEY WORDS**

inequality, right to information, democracy, documentary research, intersectionality

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#### LIST OF ABBREVIATIONS

**BBC British Broadcasting Corporation** 

**BPL Below Poverty Line** 

CHRI Commonwealth Human Rights Initiative

**CIC Central Information Commission** 

**CPI Corruption Perceptions Index** 

CV Curriculum Vitae

**DPT Department of Personnel & Training** 

**DRD** Department of Rural Development

FOI Freedom of Information

GDI Gender Development Index

GOI Government of India

**GOIC Government of India Cabinet** 

GUC Get Up for Change

**HDI Human Development Index** 

ICCPR International Covenant on Civil and Political Rights

IHSN International Household Survey Network

**ILC Imperial Legislative Council** 

**INR Indian National Rupee** 

MKSS Mazdoor Kisan Shakti Sangathan

MLJ Ministry of Law and Justice

MRD Ministry of Rural Development

MSPI Ministry of Statistics and Programme Implementation

MWCD Ministry of Women and Child Development

NCPRI National Campaign for People's Right to Information

NITI National Institute of Transforming India

ORGCC Office of the Registrar General & Census Commissioner

**OSA Official Secrets Act** 

PCA Primary Census Abstract

PIB Press Information Bureau

PIO Public Information Officer

PPP Purchasing Power Parity

PRC Pew Research Center

PTI Press Trust of India

PWC PricewaterhouseCoopers

Raag RTI Assessment and Advocacy Group

RTI Right to Information

Samya Samya - Centre for Equity Studies

SNS Satark Nagarik Sangh

SC Scheduled Castes

SECC Socio Economic and Caste Census

SHG Self Help Groups

ST Scheduled Tribes

TI Transparency International

TT Bureau TT [Tidningarnas Telegrambyrå] Nyhetsbyrån Bureau

**UDHR Universal Declaration of Human Rights** 

**UN United Nations** 

UNCFI United Nations Conference on Freedom of Information

UNDP United Nations Development Programme

UNESCO United Nations Educational, Scientific and Cultural Organization

**USD United States Dollar** 

**VO Voluntary Organizations** 

WEF World Economic Forum

YW Boston Young Women's Boston

# **LIST OF SYMBOLS**

₹ INR

\$ USD

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# **GLOSSARY**

- 1 Lakh (Hindi) = 100,000 (one hundred thousand)
- 1 Crore (Hindi) = 10,000,000 (ten million)

# 1. INTRODUCTION

Credited as the world's largest democracy with a diverse population of over a billion (Plecher 2020), India was constituted into a "sovereign democratic republic" (GOI MLJ 2020a:22)¹ following its decolonization in 1947 (BBC News 2019a). This republic, which soon celebrates 75 years of independence, has been a target of systemic corruption and social inequality that continue to hamper its internal democratic processes (Justino 2015:9). The social conflicts invoked by these democratic disruptions (Justino 2015:9) pose a threat to the nation's ideal of "social, economic and political justice" that confers "equality of status and opportunity" to its citizens (GOI MLJ 2020a:22).

Decades of systemic corruption gave the impetus to a public demand for transparency and accountability of the government sectors resulting in a grassroot social movement in 1996 (Singh 2011:45). This anti-corruption campaign culminated in the formulation of a constitutional right in 2005, known as the Right to Information Act 2005 (RTI), that imparts Indian citizens the access to state-held public information (Aastha 2018:6–7). By making government information accessible, the RTI has empowered the Indian civil society with a critical tool for fighting systemic corruption (Singh 2011:62). The establishment of the RTI marks an important milestone in India's journey towards anti-corruption and democratic governance.

Despite the RTI's potential, figures point towards its extreme underutilization as only 0.1% of India's population exercise the RTI (CIC 2019a:22; Plecher 2020). Additionally, the applicant's position within intersectional social categories such as gender, class, religion, caste, regional background, and educational status influence the access to the RTI. An evaluation of the RTI's national usage indicates a correlation between the user's membership of social categories, social inequality and the exercise of the RTI (RaaG and NCPRI 2009b; RaaG and NCPRI 2009c:7–34). This visible interlink between the exercise of the RTI and social disparity in India frames the hypothetical premise for the thesis.

#### Theoretical Framework

A theoretical triangle, elaborated further, is determined to explore the correlation between the utilization of the RTI and social inequality in India.

<sup>1</sup> Plea filed in the Supreme Court of India in 2020 to remove the terms "secular and socialist" from the Preamble of the Constitution of India (PTI 2020).

Solga, Berger and Powell (2009:12) postulate that an individual's social position and the concomitant access to resources is defined by one's location in the social structure. Social categories, defined by the membership of social groups, comprise of individuals with shared characteristics and conditions (Solga et al. 2009:12). The theory of social inequality by Solga et al. (2009:11, 13) investigates the process by which "systemic differences between social groups" create social "asymmetries" further resulting in social inequity. It can be deduced that social differences impact an individual's access to resources while the lack of access to resources perpetuates social differences.

Social categories such as gender, religion, caste, socio-economic background, geographical location, educational level, and occupational status play a vital role in determining one's social position. The theory of intersectionality states that differential realities are experienced by individuals located at the various 'intersections' of social categories (Hill Collins and Bilge 2016a:7). It is founded upon the idea that "distinctive standpoints" emerge as a result of the individual's position in social systems which are "interconnected and mutually construct one another" (Hill Collins 2017:20). It follows that belonging to a certain intersectional social category determines the access to social resources. Hill Collins (2017:20) asserts that these intersecting structures reproduce "configurations of social inequalities" that impact the efficient functioning of social structures.

The theory of citizenship and social class explores the relationship between the two statuses perceived as coexisting antonyms (Marshall 1950:9). Marshall (1950:1) highlights the different dimensions of democratic citizenship and distinguishes between its "civil, political and social" aspects that impact an individual's exercise of constitutional rights. It is argued that only through the simultaneous fulfillment of these three democratic constituents can a "universal status of citizenship" be achieved (Marshall 1950:7). Citizenship plays an important role in tackling social inequality for which the "combined effect" of civil, political and social citizenship form a prerequisite (Marshall 1950:7). It can be derived that social inequality plays a crucial role in the exercise of democratic rights and ironically, the establishment of constitutional rights does not equate with its effective utilization.

#### Research Objective

This thesis, seeking to investigate the interconnection between the exercise of the RTI and social inequality in India, intends to answer the following research questions:

- 1) What is the interrelation between the exercise of the RTI and social inequality in India?
- 2) How do the following theories explain the impact of social inequality on the exercise of the RTI in India?
  - a) Impact of the determinants, dimensions, causes and effects constituting the structural levels of social inequality on the exercise of the RTI (Solga et al. 2009)
  - b) By using the analytical tool of intersectionality, analyzing the impact of the interpersonal, disciplinary, cultural and structural domains of power that instrumentalize social inequality on the exercise of the RTI (Hill Collins and Bilge 2016a)
  - c) Impact of the civil, political, and social citizenship and social class on the exercise of the RTI (Marshall 1950)
- 3) What are effects of the implementation of the RTI on social inequality in India?

# Methodology

The methodology of documentary research is employed to examine the topic in question. Documentary research requires analysis of "personal, private and public" (Payne and Payne 2004:61) qualitative and quantitative data for the purpose of "social investigation" (Scott 1990b:1). The selected material should meet the criteria of "authenticity, credibility, representativeness and meaning" for effectively carrying out documentary research (Scott 1990a:19–35).

The research surrounding the exercise and the implications of the RTI demand an assessment of public documents published by the government of India, experts in the field and recognized national and international organizations. These documents contain quantitative and qualitative information that will be utilized as the primary source to critically examine the research topic.

#### Structure of the Thesis

The thesis is divided into eight chapters structured to meet the aforementioned research objective.

Before delving deeper into the theoretical background, the thesis narrates the legal conception of the citizens' democratic right to information in international and national environments. Chapter 2 traces the history of the formation of this constitutional right, its definitions, and implications since its endorsement by the United Nations in 1948 and

subsequent implementation by the government of India in 2005.

The next section, <u>chapter 3</u>, establishes the contemporary socio-economic and political context of India by referring to the human development indices across various social categories such as gender, caste, and regional background.

<u>Chapter 4</u> provides a detailed description of the three prominent theories that lay the theoretical foundation for this study. The theories of social inequality by Solga et al. (2009), intersectionality as defined by Hill Collins and Bilge (2016a) and citizenship and social class by Marshall (1950) will constitute the sub-chapters of <u>section 4</u>.

The methodology of documentary research is determined to analyze the relationship between the exercise of the RTI and social disparity in India. Chapter 5 explains the relevance of the quantitative and qualitative aspects of documentary research to arrive at verified inferences. It further demonstrates the application of this research methodology to the context of the RTI and social disparity in India.

<u>Chapter 6</u> forms the core of this thesis; the <u>first part of this chapter</u> presents the findings of the methodological research of the RTI and social inequality in India inclusive of quantitative and qualitative results. In the <u>subsequent sections</u>, the inferences thus drawn will be examined from the theoretical lens of social inequality by Solga et al. (2009), intersectionality by Hill Collins and Bilge (2016a) and citizenship and social class by Marshall (1950). This theoretical analysis will be supported by relevant scientific literature reviewed for this purpose.

<u>Chapter 7</u> is organized with an aim to answer the third research question, namely, the effects of the implementation of the RTI on social inequality in India. It will provide an overview of the impact of the RTI since its inception in 2005 on social disparity in India.

The thesis concludes with <u>chapter 8</u> by briefly summarizing the contents of the thesis and provides an overview of the critical insights gained during the research process. This chapter also examines the strengths and limitations of the RTI Act 2005 and the possibilities for constructive amendments to further social equality in the heterogenous Republic of India.

#### 2. LEGAL CONCEPTION OF THE RIGHT TO INFORMATION

The conceptual underpinnings of the right to information are elaborated in the following section.

# 2.1 United Nation's Right to Freedom of Information 1948

Adopted internationally in 1948, Article 19, which refers to the freedom of expression in the Universal Declaration of Human Rights (UDHR), subsumes the right to information and advocates it as a basic human right (UN 1948a:74–75). The United Nations Educational, Scientific and Cultural Organization (UNESCO) (UNESCO 2017) describes the universal right to information as the "freedom of information" (FOI) to access data held by public bodies. In accordance with the UDHR, the United Nations (UN) (1966:49, 55) ratified the FOI in 1966 as a fundamental civil and political right. Enshrined in Article 19 of UDHR and Article 19.2 of the International Covenant on Civil and Political Rights (ICCPR), the rights read in full as:

#### Article 19 of the UDHR

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

(UN 1948a:74-75)

#### Article 19.2 of the ICCPR

Everyone has the right to freedom of opinion and expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

(UN 1966:55)

Additionally, the ICCPR recommends the member states to develop an economic, social, cultural, civil and political infrastructure for an effective institutionalization of the right (UN 1966:49):

Measures shall be taken to promote the freedom of information through the elimination of political, economic, technical and other obstacles which are likely to hinder the free flow of information.

(Bossuyt 1987:396)

A remarkable outcome of the United Nations Conference on Freedom of Information (UNCFI) held in 1948 was the passing of extensive 43 resolutions by the state parties (UN 1948b:21–41) amongst which the right to information was seen as a "keystone of the structure" (McGonagle 2015:11). The resolutions of the covenant can be broadly divided into six chapters, each emphasizing a particular issue (UN 1948b:iii) shown in Table 1.

Table 1: United Nations Conference on Freedom of Information, 1948:

Resolutions

CHAPTER	RESOLUTION	TITLE	MAIN FOCUS
I	1 – 4	General principles (UN 1948b:21-25)	"Fundamental right to freedom of information; right of access to sources of information; diversity of sources, moral obligations, condemnation of propaganda; aims of friendship, understanding and peace; combating racial and national hatred and prejudice" (McGonagle 2015:17)
II	5 – 24	Measures to facilitate the gathering and international transmission of information (UN 1948b:25–32)	"Free movement and admission into foreign territories; possible definition of foreign correspondent; nondiscriminatory access to news (sources and material); no censorship unless concerning military security; practical cooperation; development of news agencies; role of press and agencies in reporting on States' efforts to promote peace, etc." (McGonagle 2015:17)
III	25 – 38	Measures concerning the free publication and reception of information (UN 1948b:32–38)	"Libel laws; media ownership and control; cost of radio sets and related taxation; technical needs of war-torn countries; teaching of journalism; international code and court of honour; guaranteeing independence and economic security of news personnel" (McGonagle 2015:17)

IV	39	Continuing machinery to promote the free flow of information (UN 1948b:39–40)	"Terms of reference for Sub- Commission on Freedom of Information and of the Press" (McGonagle 2015:18)
V	40 – 41	Miscellaneous (UN 1948b:40-41)	- (McGonagle 2015:18)
VI	42 – 43	Possible modes of action by means of which the recommendations of the conference can best be put into effect (UN 1948b:41)	"All documents passed by Conference referred to ECOSOC for 'study' Governments invited to comment on draft Conventions proposed by Conference" (McGonagle 2015:18)

Source: McGonagle 2015:17-18

The conceptual rationale that guides the establishment of the democratic right to freedom of information is described in the following paragraphs.

Administrative processes heavily rely on the official information recorded by the state government (Yannoukakoua and Araka 2014:333). These official documents which represent "government information" include details such as legal regulations, bureaucratic procedures, citizens' rights and developmental plans (Yannoukakoua and Araka 2014:333). Additionally, statistical data in the official registry of the state form the primary source of citizens' demographic information (Yannoukakoua and Araka 2014:333). State-held information is not only crucial for the functioning of democratic governance but also largely drafts the "written memory of public administration" (Yannoukakoua and Araka 2014:333).

The freedom to access data held by the state authorities facilities citizens' participation in public affairs (McDonagh 2013:31) thus enabling an informed and active citizenry (Yannoukakoua and Araka 2014:333). Civic engagement in democratic processes is essential for safeguarding the transparency and accountability of the public sector (Yannoukakoua and Araka 2014:333). A "knowledgeable citizenry", materialized by the right to access public information, plays an instrumental role in preventing corruption and misuse of power in democratic administration (Neuman 2002:5).

# 2.2 India's Right to Information Act 2005

The regime of the right to information set in motion by the UN in 1948, only took bureaucratic roots in the Republic of India after six decades. Until the establishment of an official right to information in 2005, public access to state-held data was restricted by the Official Secrets Act 1923 (OSA) of colonial India retained post independence in 1947 (ILC 1923:2–3). Section 3 of the act authorizes the government to withhold information regarding any "matter the disclosure of which is likely to affect the sovereignty and integrity of India" or threaten the "security of the state" (ILC 1923:4). Scoring a Corruption Perceptions Index (CPI) of 41 as evidenced in a report published by Transparency International (TI) in 2019 (TI 2019:3, 8), the Indian citizenry continued to witness numerous corruption scandals in public administration over the years. Until the implementation of the RTI, public functionaries, in several cases, were protected by the ambits of the OSA Act 1923 and could not be held accountable for systemic corruption (Firstpost Staff 2019; Pandey 2019).

The year 2005 is a prominent landmark in India's democratic history of the establishment of freedom of information that can be traced to a grassroot social movement. In 1996, India was shaken by a local protest in the rural town of Beawar in Rajasthan over the lack of famine relief measures promised by the state (TT Bureau 2014). Without a formal access to state-held records such famine aids, healthcare services, financial allowances, information about rehabilitation of the displaced population, laws against human rights violations, beneficiaries could not claim their rightful entitlements (TT Bureau 2014). Incessant demands for public information made to the local governing bodies triggered RTI campaigns and extensive lobbying not limited to Rajasthan, symbolic of which were the Hindi slogans "Hamara Paisa, Hamara Hisab" (translation: "Our money, Our Accounts") and "Hum Janenge, Hum Jiyenge" (translation: "We will know, We will live") (Khaitan 2009; TT Bureau 2014). The contribution of the pioneer political activist Aruna Roy of Mazdoor Kisan Shakti Sangathan (MKSS) along with several others in the realization of the RTI act in India cannot go unacknowledged (GUC n.d.; Roy 2018a; Roy 2018b). The Indian civil society's decade long orchestrated efforts towards transparent governance came to fruition with the official establishment of the constitutional right to information, the RTI Act 2005, that permits access to public information held by the state (Singh 2011:62).

The timeline of the evolution of the RTI Act 2005 is tabulated in Figure 1.

Figure 1: Landmarks in the RTI Journey, 1975 – 2009

SOME LANDMARKS IN THE RTI JOURNEY			
1975:	Supreme Court of India rules that the people of India have a right to know.		
1982:	Supreme Court rules that the right to information is a fundamental		
1985:	right.  Intervention application in the Supreme Court by environmental NGOs following the Bhopal gas tragedy, asking for access to information relating to environmental hazards.		
1989:	Election promise by the new coalition government to bring in a transparency law.		
1990:	Government falls before the transparency law can be introduced.		
1990:	Formation of the Mazdoor Kisan Shakti Sangathan (MKSS) in Rajasthan and the launching of a movement demanding village level information.		
1996:	Formation of the National Campaign for People's Right to Information (NCPRI).		
1996:	Draft RTT bill prepared and sent to the government by NCPRI and other groups and movements, with the support of the Press Council of India.		
1997:	Government refers the draft bill to a committee set up under the Chairmanship of HD Shourie.		
1997:	The Shourie Committee submits its report to the government.		
1999:	A cabinet minister allows access to information in his ministry. Order reversed by PM.		
2000:	Case filed in the Supreme Court demanding the institutionalization of the RTI.		
2000:	Shourie Committee report referred to a Parliamentary Committee.		
2001:	Parliamentary Committee gives its recommendations		
2002:	Supreme Court gives ultimatum to the government regarding the right to information.		
2002:	Freedom of Information Act passed in both houses of Parliament.		
2003:	Gets Presidential assent, but is never notified.		
2004:	National elections announced, and the "strengthening" of the RTI Act included in the manifesto of the Congress Party.		
May 2004:	The Congress Party comes to power as a part of a UPA coalition government, and the UPA formulates a "minimum common		
June 2004:	programme" which again stresses the RTI. Government sets up a National Advisory Council (NAC) under Mrs. Sonia Gandhi.		
August 2004:	NCPRI sends a draft bill to the NAC, formulated in consultation with many groups and movements. NAC discusses and forwards a slightly		
December 2004:	modified version, with its recommendations, to the government. RTI Bill introduced in Parliament and immediately referred to a Parliamentary Committee. However, Bill only applicable to the central		
Jan-April 2005:	government.  Bill considered by the Parliamentary Committee and the Group of Ministers and a revised Bill, covering the central governments and the state introduced in Parliament.		
May 2005:	The RTI Bill passed by both houses of Parliament.		
June 2005:	RTI Bill gets the assent of the President of India		
October 2005:	The RTI Act comes into force.		
2006:	First abortive attempt by the government to amend the RTI Act.		
2009:	Second abortive attempt by the government to amend the RTI Act		

Source: Singh 2011:51

The Gazette of India (2005b) articulates the RTI Act 2005 as follows:

An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

(GOI MLJ 2005b:1)

It entails that public authorities in India are obliged to:

maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated; publish within one hundred and twenty days from the enactment of this Act.

(GOI MLJ 2005b:4)

In compliance with Section 12 of the RTI Act 2005, Central Information Commissions (CIC) and positions of Public Information Officers (PIO) have been institutionalized by the government of India for disseminating information requested under the RTI appeals:

- 12. (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Central Information Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.
- (2) The Central Information Commission shall consist of the Chief Information Commissioner; and such number of Central Information Commissioners, not exceeding ten, as may be deemed necessary.

  (GOI MLJ 2005b:10)

Indian citizens can register an application for obtaining state-held public information by filling the government-recognized RTI form (GOI DPT 2013c). The RTI form, filled in complete with precise details of the requested content ("3000 characters") and personal information, can be submitted online by linking to the bilingual (English and Hindi) national portal or by visiting the government office in person (GOI DPT 2013c; GOI DPT 2013d). Payment of nominal fees imposed by the public authorities forms a prerequisite for the approval of the RTI appeal (GOI DPT 2013c).<sup>2</sup> The PIO of the concerned department in the regional or central government is obligated to provide the requested information within 30 days from the date of the application (GOI DPT 2013d), failure of which can result in a "penalty of two hundred and fifty rupees each day till application is received or information is furnished" (GOI MLJ 2005a:17).<sup>3</sup> Applicants can view the status of their RTI request by visiting the portal (GOI DPT 2013b) and based on the result can either file a second appeal or register a complaint against the PIO (CIC 2019c).

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<sup>&</sup>lt;sup>2</sup> It is worth noting that the RTI request fees do not apply for persons "living below poverty line" (BPL) (GOI DPT 2013c). However, this criterion does not apply for marginalized communities in India.

<sup>&</sup>lt;sup>3</sup> INR 250 = USD 3.35 (Xe 2021).

Figure 2 captures an image of the RTI application form.

Proceeds Carbon Bits and March Country Country

Figure 2: RTI Online Application Form

Source: GOI DPT 2013c

#### 3. SOCIO-ECONOMIC AND POLITICAL CONTEXT OF INDIA

India, the second most populous country in the world as of 2020 (UN 2020), conducted its fifteenth decennial census (IHSN 2019)<sup>4</sup> and its first socio-economic and caste census (SECC-11) in 2011 (DRD MRD GOI 2011a).<sup>5</sup> The fifteenth census provides enumeration for a population of approximately 1.2 billion residents of 28 states and 5 union territories that constitute the Republic of India (ORGCC MHA GOI 2011). The socio-economic status of the inhabitants based on the pre-defined social categories of gender, religion, caste, tribe, occupation, and regional background can be found in the SECC-11 (DRD MRD GOI 2011b). A social fabric interwoven by over six recognized religions (ORGCC India 2011g; PRC n.d.), 2000 ethnic groups (Mahal and Matsoukas 2018:1), 3000 castes, 2500 sub-castes (BBC News 2019b; Elliott 2017) 22 official languages and 121 spoken languages (ORGCC India 2011a:6) makes India, truly, a 'land of diversity'.

However, the increasing incidents of civil unrest in post-independent India (Justino 2015:9-11) challenge the notion of "unity in diversity" (Guttman 2003:263) claimed by

<sup>&</sup>lt;sup>4</sup> Seventh census in post-independent India (IHSN 2019).

<sup>&</sup>lt;sup>5</sup> First socio-economic caste census was conducted in 1931 in colonial India under the British rule (PIB, GOIC 2010).

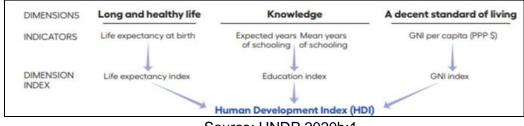
the world's largest democracy. Of the several underlying factors leading to more than 60,000 riots between 1960 and 2011, separatist movements, disputes between caste based, ethnic, and religious groups and social disparities stand out as prominent reasons behind these conflicts (Justino 2015:9). The developing economy's persistent struggles against poverty and widespread social inequality are magnified due to the heterogeneity of its populace.

To understand the complexities of social diversity and its relationship with social inequality in India, a review of the human development index (HDI) is presented in the following section. The HDI measures the developmental progress of the various population segments in the country. The comparison of HD indices underlines the discrepancy in advancement of members belonging to different social categories such as gender, caste, and religious background.

# Human Development Index of India

Moving away from the conventional idea of measuring development in purely economic terms (UNDP 2020c:6) the HDI provides a consolidated representation of the health dimension, the educational status and the standard of living of the population of a country (UNDP 2020b:2). The health index measures the life expectancy at birth, the educational component calculates the mathematical mean of the years of schooling and the standard of living estimates the income of the population (UNDP 2020b:2).

Figure 3 depicts a graphical representation of the combined calculation for the HDI using the parameters of life expectancy at birth, knowledge, and standard of living. Each constituent holds equal value in the summation for computing the HDI.



**Figure 3: Diagram of Human Development Index** 

Source: UNDP 2020b:1

Classified as a medium development country, India ranked 131<sup>st</sup> with a score of 0.645 in global HDI in 2020 (UNDP 2020a:243).<sup>6</sup> According to the reports published by the UNDP

<sup>&</sup>lt;sup>6</sup> Human development scale: Very high 0.800 and above; High 0.700–0.799; Medium 0.550–0.699; Low below 0.550 (UNDP 2020b:4).

(2020c:3) in 2020, the life expectancy in India is quoted to be 69.7 years and the average duration of formal education is approximated to be 12.2 years. Although the average annual earnings of an individual sum up to 6681 Purchasing Power Parity\$ (PPP\$), 42.4% of the Indian population account for the "working poor" (PPP\$3.20 a day) with 21.2% "living below the poverty line" (BPL) (PPP\$1.90 a day) (UNDP 2020d). The Indian index of 0.645 (UNDP 2020a:243) is not representative of the entire populace's human development and starkly differs across social groups.

An important feature of the HDI is assessing the progress of historically marginalized social groups at a "sub-national" level (Borooah, Sadana Sabharwal and Thorat 2013:8). The intergroup discrepancy can be evidenced in the variations in the HD indices. In India, the "low-ranking" castes, tribal communities and religious minorities exhibit low developmental progress in comparison to privileged social groups (Borooah et al. 2013:8–9). The gendered difference and regional divide in the HDI are visible within each social category. The following figures illustrate the developmental gap between various social groups in India in 2015 and 2020.

Figure 4 represents the differences in the HDI, also known as the Gender Development Index (GDI), between the male and female population in India, irrespective of their regional background in 2020. The HDI for males is 0.70 while that for females is 0.57 indicating a gap of 0.13.



Figure 4: Gender Development Index of India, 2020

Source: UNDP 2020d7

Figure 5 presents the HDI of the urban and rural population of India in 2015 classified according to the social categories of privileged groups (termed as "general") and "low-ranking" castes (termed as "scheduled") in comparison to the overall population (termed as "all"). The HDI of the social groups in urban areas, noted to be 0.69 for privileged groups and 0.43 for scheduled castes, is approximately twice that of the rural population

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<sup>&</sup>lt;sup>7</sup> Data unavailable for other social categories.

which is 0.37 for privileged groups and 0.28 for scheduled castes. The HDI gap between privileged groups and "low-ranking" castes amplifies in urban areas (0.26) than in rural districts (0.09).

■Rural Urban Caste Background ΑII 0.30 0.49 General 0.37 0.69 **Scheduled Castes** 0.28 0.43 -0.8 -0.6 -0.4 -0.2 0.0 0.2 0.4 0.6 8.0 1.0 Index

Figure 5: Human Development Index of India, 2015

Source: Mehrotra et al. 2015:56, 587

# 4. THEORETICAL FRAMEWORK

The theoretical foundation upon which this thesis is built is expanded in this chapter.

# 4.1 Social Inequality

Drawing on existing research, Soziale Ungleichheit - Kein Schnee von gestern! Eine Einführung (Translation: Social Inequality - Not a thing of the past! An introduction) discusses the phenomenon of social inequality as a core characteristic of social structures and establishes its relationship with an individual's membership of social groups (Solga et al. 2009:11, 13).8 Solga et al. (2009) pose the following three research questions to investigate the production of social asymmetries associated with social groups:

- 1) "Why are there systematic differences between social groups?" (p. 11)
- 2) "Are these differences regularly associated with advantages and disadvantages, i.e. with "social inequality" (p. 11)
- 3) "Why are these advantages and disadvantages permanently detectable?" (p. 11)

The compendium of social inequality theorized by Solga et al. (2009) is premised on the following concepts:

<sup>&</sup>lt;sup>8</sup> Translated using <a href="https://www.deepl.com/en/translator">https://www.deepl.com/en/translator</a>

# **Social Structure**

Social structure refers to a "relatively stable system" of social relationships that exists between members of different social groups regulated through "norms and values" and "routines, rituals and laws" in society (Solga et al. 2009:13). Social structures are characterized by power relations that sanction certain social behaviors while dismissing other actions (Solga et al. 2009:13).

# **Social Inequality**

Social structures facilitate the distribution of vital resources such as "capital, power, education, income" in conjunction with the varying benefits and deprivations amongst social groups (Solga et al. 2009:13–14). Differential access to the social resources and opportunity structures result in unequal conditions between social groups generating a state of systemic social inequality (Solga et al. 2009:14).

#### **Social Position**

Social position refer to an individual's location within a matrix of institutionalized social relations such as the "labor market, educational system, family, religion, and state" which are accompanied by particular resources, functions and opportunities (Solga et al. 2009:14). Some examples of social positions include "employees and entrepreneurs, children and parents, teachers and students ... professional positions" and additionally, "working class and bourgeoisie, strata, lifestyles and social milieus" (Solga et al. 2009:14).

# Theory of Social Inequality

The theory of social inequality by Solga et al. (2009:14) states that occupation of certain positions within social structures entails unequal access to resources that are linked to systemic "advantages and disadvantages". "Lasting forms" of social disparity are produced and reproduced as a consequence of the differential access to social positions and the associated resources imparted to members of social groups (Solga et al. 2009:15). It should be emphasized that the ownership of resources by occupants of particular social positions is independent of the individual's "behavior and thinking" and "(personality) characteristics" although they might play a role in the deployment of these resources (Solga et al. 2009:14–15). Solga et al. (2009:11, 14) point out that social relations and social inequality are unstable phenomena that are "produced" and hence, "shaped and changed" by society.

# Structural Levels of Social Inequality

The distinguishing of four structural levels of social inequality by Solga et al. (2009:16) prove to be insightful in identifying the mechanisms that play a role in the construction of social inequality. The four structural levels of social inequality are defined as (Solga et al. 2009):

- 1) "Determinants" (p. 16)
- 2) "Dimensions" (p. 16)
- 3) "Causes" (p. 16)
- 4) "Effects" (p. 16)

# 1) Determinants of Social Inequality

Individuals are allocated to different social groups characterized by particular privileges and constraints based on social characteristics such as "gender, educational level, social background" (Solga et al. 2009:16). These characteristics that define membership of "social categories" can be further classified into "geschriebenen (ascribed) und erworbenen (achieved)" attributes (Solga et al. 2009:16–17).

# a) Ascribed Characteristics

As determinants of social inequality, ascribed characteristics such as "gender, social or regional origin, age, disability" are assigned to individuals in society (Solga et al. 2009:17). Biological characteristics are not directly translated into social positions but have to undergo social processes to become relevant factors in determining social inequality (Solga et al. 2009:17).

# b) Achieved Characteristics

Achieved characteristics such as "education, occupation, marital status" are acquired by individuals "through conditions of action and living" and hence are subject to changes affecting biographical trajectories (Solga et al. 2009:15, 17). Since achieved characteristics are social constructions their contribution towards the generation of social disparity is shaped by the social conditions (Solga et al. 2009:17–18).

#### 2) Dimensions of Social Inequality

The concept of dimensions of social inequality refers to the varying gains and losses experienced by social actors such as "income, material wealth, power, prestige, education ... housing, work and employment and living conditions" (Solga et al. 2009:18).

It should be mentioned that a particular dimension of social inequality can equate to a determinant for another category in specific social contexts (Solga et al. 2009:18).

# 3) Causes of Social Inequality

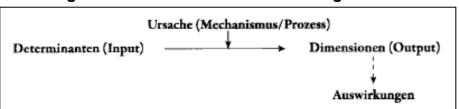
Solga et al. (2009:19) identify the causes of social inequality as the "social processes or social mechanisms" that render membership of social groups into unequal living conditions. "Conditions of exploitation, social prejudice or discrimination" are some examples of the causes of social inequality (Solga et al. 2009:19).

# 4) Effects of Social Inequality

The effects of social inequality are defined as outcomes of unequal opportunities and obstacles (dimensions) encountered by members of social groups with certain social characteristics (determinants) fabricated by social processes (causes) (Solga et al. 2009:20). The recognition of a particular consequence of social inequality as either a "dimension" or an "effect" is an arbitrary process which largely rests on the analytical framework employed by the researcher (Solga et al. 2009:20). Some examples cited in this context are "living conditions such as social networks, health risks" and variance in individual "orientations", "behavior" and "lifestyles" (Solga et al. 2009:20).

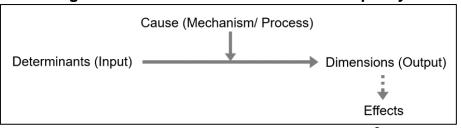
Figures 6 and 7 illustrate the four structural levels of social inequality.

Figure 6: Strukturebenen sozialer Ungleichheit



Source: Solga et al. 2009:17

Figure 7: Structural Levels of Social Inequality



Source: Translated from Solga et al. 2009:178

Tables 2 and 3 present some examples for the four structural levels of inequality.

Table 2: Beispiele für soziale Ungleichheiten und deren Strukturebenen

Determinante	Beispiele für Mechanismen	Dimension	Auswirkung/en
Zugeschriebene Merkmale			
Geschlecht	Statistische Diskriminierung	Ungleicher Zugang zu Führungspositionen	Einkommens- ungleichheiten
Klassenlage	Ausbeutung (→ Marx/Engels)	Einkommens- ungleichheiten	Lebensführung und -stile
Soziale Herkunft	Kulturelles Kapital (→ Bourdieu)	Bildungs- ungleichheiten	Ungleiche Arbeits- losigkeitsrisiken
Erworbene Merkmale			
Bildungs- ungleichheiten	Kopplung des Zu- gangs zu Arbeits- plätzen an Bildungs- abschlüsse	Ungleiche Einkommen	Ungleiche Armuts- und Gesundheits- risiken
Erlernter Beruf	Monopolisierung von Markt- segmenten und -chancen (→ Weber; → Parkin)	Ungleiche Arbeitslo- sigkeitsrisiken	Ungleiche Armuts- und Gesundheits- risiken

Source: Solga et al. 2009:21

**Table 3: Examples of Social Inequalities and Their Structural Levels** 

DETERMINANT	EXAMPLES OF MECHANISMS	DIMENSION	IMPACTS
Ascribed			
Characteristics			
Gender	Statistical discrimination	Unequal access	Income
		to management	inequalities
		positions	
Class Location	Exploitation	Income	Lifestyle and –
	(→ Marx/Engels)	inequalities	styles
Social	Cultural capital	Educational	Unequal
Background	(→ Bourdieu)	inequalities	unemployment
			risks
Achieved			
Characteristics			
Educational	Linking access to jobs to	Unequal Income	Unequal
Inequalities	educational		poverty and
	qualifications		health risks
Learned	Monopolization of	Unequal	Unequal
Occupation	market segments and	unemployment	poverty and
	opportunities	risks	health risks
	(→ Weber; → Parkin)	1 2222 248	

Source: Translated from Solga et al. 2009:218

# 4.2 Intersectionality

The theory of intersectionality, a term coined by the black feminist activist Kimberle Crenshaw (Crenshaw 1991:1244; Hill Collins and Bilge 2016b:106), is credited for making a stellar contribution to the various traditional and interdisciplinary fields encompassing praxis, policy, academia, advocacy and activism (Hill Collins and Bilge 2016a:1). Despite its "definitional dilemmas" (Collins 2015:2), there has been a broad scholarly consensus (Hill Collins and Bilge 2016a:2) about intersectionality as an "analytical tool" referring to:

The major axes of social divisions in a given society at a given time, for example, race, class, gender, sexuality, dis/ability, and age operate not as discrete and mutually exclusive entities, but build on each other and work together.

(Hill Collins and Bilge 2016a:4)

Furthermore, the pursuit of a deeper understanding of the complexities of the term calls attention to "what intersectionality does rather than what intersectionality is" (Cho, Crenshaw and McCall 2013:795).

# Intersectionality as an Analytical Tool

The application of intersectionality as an analytical tool is founded upon the idea that "individual biography" is molded by the "multiple nature of individual identities" in combination with social categories such as "class, gender, race, sexuality, and citizenship" (Hill Collins and Bilge 2016a:8). These distinct social groupings overlap to form "intersecting categories of social division" which mutually impact each other (Hill Collins and Bilge 2016a:4). These "axes of social divisions" (Hill Collins and Bilge 2016a:4) are inherently connected to power structures and entail differential social advantages and disadvantages for individuals situated in them (Hill Collins and Bilge 2016a:7). It implies that an individual's location in the intersectional social grid creates distinct realities and subsequent experiences of inequality for social agents (Hill Collins and Bilge 2016a:7)

### **Domains of Power**

Hill Collins and Bilge (2016a) identify "four distinctive yet interconnected domains of power" (p. 7) that are implicit to social structures in the analytical tool of intersectionality described in the following paragraphs.

# 1) Interpersonal Domain of Power

The interpersonal domain refers to the micro-level component of power relations shaped by individuals through everyday 'interpersonal' social interactions (Hill Collins and Bilge 2016a:7). The nature of social relations that develops between social agents further shapes their experiences of domination and subordination encountered in their daily lives (Hill Collins 2013:72; Hill Collins and Bilge 2016a:7)

# 2) Disciplinary Domain of Power

Hill Collins and Bilge (2016a:9) define the meso-level of the disciplinary domain as the power that social institutions hold in conferring individuals "differential treatment". The opportunities, discrimination and privileges granted to subjects are closely connected with their social positions (Hill Collins and Bilge 2016a:9). The disciplinary domain is regulated by "modern bureaucracies" through formal rules and regulations operationalized through "primary surveillance" (Hill Collins 2013:72)

# 3) Cultural Domain of Power

Cultural representation plays a crucial role in manufacturing and perpetuating hegemonic ideas defined by Hill Collins and Bilge (2016a:10) as the cultural domain of power. The endorsement of dominant ideologies through mass media and communication technologies inadvertently impact societal conceptions of equality and consequently, social relations (Hill Collins and Bilge 2016a:10–11). Examples of this domain of power include cultural notions such as "white supremacy, patriarchy, heterosexism" that are shaped and "shared" by members of the society (Hill Collins 2013:72).

# 4) Structural Domain of Power

The macro-level domain of power represents social structures that legitimize particular "configurations" (Hill Collins 2017:20) of systemic social inequality (Hill Collins and Bilge 2016a:12). Social institutions such as "banks, hospitals, schools, corporations, retail establishment, government agencies, and health care" organize power relations in society through instruments of inclusion and exclusion (Hill Collins 2013:72).

The micro, meso, macro and hegemonic levels of social relations construct "ideas of difference" that result in an unequal power dynamic within and across all four domains of power (Hill Collins 2013:73). These differential power relations produce and reproduce perennial sources of social inequality regulated by separate and intersecting

interpersonal, disciplinary, cultural and structural orbits (Hill Collins 2013:73). Hill Collins (2013:74) adds that the social position of an individual in these overlapping domains of power relations plays a defining role in shaping an individual's lived experiences of inequality and the subsequent formation of "distinctive standpoints" (Hill Collins 2017:20). An individual's full capacity for agency and access to opportunities are limited by the specificity of one's social location in this power grid (Hill Collins 2013:74). The theory of intersectionality highlights the interrelationship between an individual's situatedness in intersecting social categories connected to differential experiences of social inequality characterized by power relations (Hill Collins and Bilge 2016a:15).

# **Using the Analytical Framework of Intersectionality**

The analytical tool of intersectionality finds applicability in the following areas:

- The mechanisms at work that further global social inequality can be dissected using the analytical tool of intersectionality (Hill Collins and Bilge 2016a:15). The social location of individuals in "mutually constructing" and intersecting "social divisions of race, gender, age, and citizenship status, among others" fabricate human experiences of inclusion and exclusion (Hill Collins and Bilge 2016a:15, 22). Intersectionality provides the analytical instrument required for understanding the correlation between social positions and the racialized, gendered, historical and contextual aspects of social disparity (Hill Collins and Bilge 2016a:15, 21).
- The analytical framework of intersectionality offers a nuanced understanding of prevailing global social diaparity that supersedes a purely economic rationale (Hill Collins and Bilge 2016a:15)
- An intersectional perspective encourages an acknowledgement of the salient relevance of social institutions and their crucial role in addressing social issues (Hill Collins and Bilge 2016a:15).
- 4) The thematic scheme of intersectionality works in close association with the "core ideas" of "social inequality, relationality, power, social context, complexity, and social justice" (Hill Collins and Bilge 2016a:25)

Figures 8 depicts a graphical representation of the concept of intersectionality.

Gender Religion

Nationality Intersectionality Education

Caste Class

Figure 8: Diagram of Intersectionality

Source: Adapted from YW Boston 2017

# 4.3 Citizenship and Social Class

The seminal essay *Citizenship and Social Class* by sociologist T. H. Marshall published in 1950 brings to the forefront the concept of democratic citizenship and its relationship with social inequality in the British context (Marshall 1950:9). Drawing on the discourse of constitutional citizenship, Marshall (1950:10) distinguishes between its three aspects, namely, the civil, the political and the social. Citing several cases for exemplification, the study highlights the intertwining and dynamic nature of the three elements and postulates their correlation with differences in social class (Marshall 1950:11, 28). Marshall (1950:9) challenges the presumption of the egalitarian doctrine of citizenship concluding in a state of universal equality and asserts that the establishment of democratic rights are in "certain respects" "the architect of legitimate social inequality".

Marshall's (1950:28-29) theory is premised on a specific definitional understanding of social class and civil, political and social citizenship seen as contenders who coexist in the capitalist economy.

#### **Social Class**

Social class is a concept based on the economic differences between individuals in a society instrumentalized by a "system" of inequality reinforced through "ideals, beliefs and values" (Marshall 1950:29). The establishment of capitalism institutionalizes this system of social inequality leading to an uneven distribution of economic resources amongst social members (Marshall 1950:29).

# Citizenship

The institution of citizenship imparts "full members" of society the status of a citizen implicit of the affiliated rights and duties (Marshall 1950:28–29). However, the "path" towards the recognition of "full members" saw several electoral amendments over the course of history with a gradual addition of marginalized social groups to the former category (Marshall 1950:20–21). It was only in 1918 that the civil rights movement successfully abolished the gendered ("manhood suffrage") and class based limitations obstructing universal suffrage (Marshall 1950:20–21). Marshall (1950:29) perceives citizenship as a "developing institution" that promotes the "image of an ideal citizenship" that sets a benchmark in the attainment of a "fuller measure of equality".

# **Elements of Citizenship**

The unabridged publication by Marshall (1950:14) traces the history of democratic citizenship and allocates the development of rights to different time periods – "civil rights to the eighteenth, political to the nineteenth, and social to the twentieth" centuries. Marshall (1950:12) articulates the evolution of these rights over a period of several decades as a process of "fusion and separation"; "fusion" as "geographical" and their "separation" as "functional". The essay proposes to define the three constituents of citizenship as follows:

# 1) Civil Citizenship

The element of civil citizenship refers to "rights necessary for individual freedom – liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice" (Marshall 1950:10). "Courts of justice" concern themselves with the area of civil rights (Marshall 1950:11). The eighteenth century established the civil rights, a predecessor of the other two, as synonymous with the "status of freedom" (Marshall 1950:18–19).

# 2) Political Citizenship

Political citizenship bestows upon individuals the "right to participate in the exercise of political power" either as a "elector" or an elected member of the "parliament and councils of local government" (Marshall 1950:11). It was only through numerous successive reforms that universal suffrage was achieved in the nineteenth century, granting political enfranchisement to the formerly excluded segments of the population, namely, women and working class men (Cohen 2010:3–4; Marshall 1950:20–21).

# 3) Social Citizenship

The scope of social citizenship covers a broad range of rights such as "economic welfare and security", sharing "social heritage" and leading a "civilized life" according to contemporary standards (Marshall 1950:11). The "educational system" and "social services" work closely with issues related to social citizenship (Marshall 1950:11). The establishment of public education in the twentieth century revolutionized the existing notions of citizenship in recognition that "political democracy" requires an "educated electorate" (Marshall 1950:25–26). The linking of social rights with education thereby firmly anchored social citizenship in the concept of democratic citizenship (Marshall 1950:26)

# Theory of Citizenship and Social Class

Marshall (1950:29) notes that citizenship and social class are ideas stemming from "opposing principles" of equality and inequality respectively and that their convergence is inevitably conflicting. The cohabitation of these "inconsistent" notions rests on one condition – "inequality of the social class system" can be rationalized provided "equality of citizenship is recognized" (Marshall 1950:8). It can be inferred that historic social inequality pertaining to "differential status" in "class, function and family" was reduced to a "single uniform status of citizenship" after its institutionalization in the nineteenth century (Marshall 1950:34).

The analysis of citizenship from a social class perspective entails an acknowledgement of the antagonistic relationship between democratic rights and social inequality (Marshall 1950:28–29). The universal recognition of civil, political, and social rights does not diminish social inequality but rather lays an illusional "foundation of equality" upon which the "structure of inequality" can be built (Marshall 1950:34–35). An example quoted in the context elaborates this claim: the right to freedom of speech cannot be effectively exercised if the citizens lack the educational resources to voice their opinions (Marshall 1950:35). Marshall (1950:84–85) critiques that the egalitarian practice imbibed in the three elements of the unified rights only guarantees formal equality; the establishment of substantive equality demands a thorough redressal of social inequality.

Figure 9 illustrates the relationship between the three faculties of democratic citizenship.

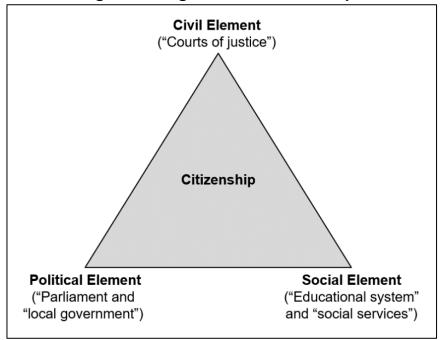


Figure 9: Diagram of the Citizenship

Source: Illustration by author based on Marshall 1950:10-11

### 5. METHODOLOGY: DOCUMENTARY RESEARCH

The objective of answering the research questions is met through the application of the methodological framework of documentary research described in the following section.

# 5.1 Documentary Research

Documentary research is a scientific research methodology that involves the analysis of "personal, private and public" (Payne and Payne 2004:61) documents for the purpose of social investigation in numerous disciplines (Ahmed 2010:2) Guba and Lincoln (1981) define documents as "any written material other than a record" (p. 228) with a tangible and/ or "semi-permanent existence" (Payne and Payne 2004:61) that is not intentionally catalogued for the social research project (Ahmed 2010:3–4). "Inscribed text" (Scott 1990b:5) forms the core of any written document that expose "a rich vein" of analysis for researchers (Hammersley and Atkinson 1995:173). Payne and Payne (2004) classify these sources into the following three categories:

- 1) Personal: "letters, diaries, autobiographies" (p. 61)
- 2) Private: "minutes, records, manuals" (p. 61)
- 3) Public: "reports, publications, statements and handouts" (p. 61)

# **Documentary Data Selection**

The fulfillment of the criteria of "authenticity, credibility, representativeness and meaning" (Payne and Payne 2004:65) form a necessary precondition for the selection of documents in the application of this methodology (Scott 1990a:19–35). Scott (1990b) encourages researchers to pause and ask the following keys questions before qualifying a particular documentary source:

- 1) "Authenticity. Is the evidence genuine and of unquestionable origin?" (p. 6)
- 2) "Credibility. Is the evidence free from error and distortion?" (p. 6)
- 3) "Representativeness. Is the evidence typical of its kind, and, if not, is the extent of its untypicality known?" (p. 6)
- 4) "Meaning. Is the evidence clear and comprehensible?" (p. 6)

# **Documentary Data Analysis**

The purpose of documentary data analysis is "bringing order, structure, and interpretation" to the volume of prevailing quantitative and qualitative data (Marshall and Rossman 2011:207). Although quantitative data tends to give "precise" information while qualitative data provides essential "details" about the subject matter, research analysts should be mindful that both types of content, individually, only yield a "partial" picture of the social reality (Blaxter, Hughes and Tight 2010:217). Fielding and Fielding (1986:27) assert that qualitative content can complement quantitative data by "providing theoretical framework, validating survey data, and interpreting statistical relationships" which might not be well-pronounced in statistical particulars. Ahmed (2010:6) suggests that incorporating both forms of data sources in documentary research might impart comprehensive knowledge of the subject matter.

#### Quantitative Documentary Data Analysis

In the case of quantitative data analysis, social scientists draw inferences through a reasoned assessment of the figures presented in the documentary source (Ahmed 2010:6). Emphasis should be placed on deciphering unidentified "statistical relationships" between different components of the collected data (Fielding and Fielding 1986:27)

#### Qualitative Documentary Data Analysis

Qualitative data analysis demands a rigorous and systemic analytical enquiry, the method for which is summarized in the following four stages (Ahmed 2010:6):

#### 1) Stage I: Data Collection (Ahmed 2010:6)

 Consolidating scientific data from an array of source materials (Ahmed 2010:6)

#### 2) Stage II: Data Reduction (Ahmed 2010:6)

 Reduction of the bulk of data into "manageable proportions" without omitting vital details (Ahmed 2010:6)

# 3) Stage III: Data Display (Ahmed 2010:6)

 Presenting the data in a figurative formats such as charts, diagrams, matrices and tables that tease out the "relationships, propositions, and explanations" between the various constituents of the aggregated information (Ahmed 2010:7).

## 4) Stage IV: Data Drawing and Verifying Conclusions (Ahmed 2010:8)

• The former stages of data reduction and data display assist the social researcher in yielding deductions that can be further verified using grounded analysis (Ahmed 2010:8).9 Identification of "regularities, patterns, explanations, possible configurations, causal flows and propositions" from the gathered data while maintaining a skeptical outlook are characteristic of the overall analytical process (Miles and Huberman 1994:11).

Figure 10 illustrates the four stages of the documentary data analysis.

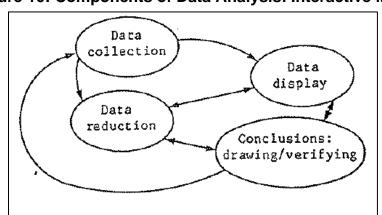


Figure 10: Components of Data Analysis: Interactive Model

Source: Miles and Huberman 1994:12

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<sup>&</sup>lt;sup>9</sup> Developed by Glaser and Strauss (2006:1), grounded theory refers to development of "theory from data – systematically obtained and analyzed in social research".

# 5.2 Documentary Research: Right to Information and Social Inequality in India

Documentary research provides a reliable methodological framework for examining the relationship between the exercise of the RTI and social inequality in India. Quantitative and qualitative data made publicly available by the state commissions, relevant departments of the Indian government, RTI researchers and national and international organizations will be referenced for conducting documentary research. The identified public data affirmatively respond to the aforementioned four qualifying questions posed by Scott (1990b:6) and thus meet the required standards of "authenticity, credibility, representativeness and meaning" (Scott 1990a:19–35).

# Documentary Data Selection: Right to Information and Social Inequality in India

Quantitative and qualitative data for the documentary research of the RTI and social inequality in India are pooled from various official sources, some of which are listed below. The documented materials consist of a variety of publications such as statistical records, formal statements, reports, circulars, handouts, guidelines, legal regulations, and manuals.

- Census Authority of India (ORGCC India 2011d; ORGCC MHA GOI 2011)
- Central Information Commission (CIC 2019b)
- Commonwealth Human Rights Initiative (CHRI) (CHRI n.d.)
- Constitution of India (GOI MLJ 2020b)
- International Household Survey Network (IHSN) (IHSN 2019)
- RTI Assessment and Advocacy Group (Raag) and National Campaign for People's Right to Information (NCPRI) (RaaG and NCPRI 2009b)
- RaaG and Samya Centre for Equity Studies (Samya) (RaaG and Samya 2014d)
- Research by Borooah et al. (2013), Mehrotra et al. (2015), Shyamlal (2017), BBC
   News (2019b), Mahal and Matsoukas (2018), Elliott (2017) and Guttman (2003)
- Right to Information (GOI DPT 2013a; GOI DPT 2013d; GOI MLJ 2005b)
- Socio Economic and Caste Census (DRD MRD GOI 2011b)
- United Nations Development Programme (UNDP 2020c)
- United Nations (UN 1948b)
- World Economic Forum (WEF) (WEF 2020)

# Documentary Data Analysis: Right to Information and Social Inequality in India

The process of the executing documentary data analysis of the RTI and social inequality in India is based on the rationale that documents are not "stand alone" entities (Atkinson and Coffey 1997:55) but should be understood as "socially situated products" (Scott 1990a:34) that need to be studied in particular theoretical frameworks (Ahmed 2010:2). The inferences drawn from analyzing quantitative and qualitative documentary data are critically examined through the theoretical lens of social inequality by Solga et al. (2009), intersectionality by Hill Collins and Bilge (2016a) and citizenship and social class by Marshall (1950). Scott (1990b:5) reiterates that documents as "indicators of social actions and relations" manifest the dynamic relationship between social agents and social structures as constructs that mutually influence each another. A possible supposition could be that the collected documentary evidence offers a periscopic vision of the interrelationship between the exercise of the RTI and social inequality in India. To summarize, the process of documentary research is but a "reflexive" one that entails categorizing and examining the gathered scientific material (Ahmed 2010:2) for "social investigation" (Scott 1990b:1) of the Indian social context.

#### 6. RIGHT TO INFORMATION IN THE REPUBLIC OF INDIA

This chapter forms the core of the study project and attempts to answer the <u>first two</u> research questions, namely:

- The interrelationship between the exercise of the RTI since its inception in 2005 and social disparity in India
- 2) The theoretical explanations for the impact of social differences on the exercise of the RTI in India using the framework of social inequality by Solga et al. (2009), intersectionality Hill Collins and Bilge (2016a) and citizenship and social class by Marshall (1950).

The <u>sub-chapter 6.1</u> draws on data related to the usage of the RTI and social asymmetries in India. Due to the paucity of state-held sources, literacy ratio has been used as a substitute measure for social inequality. This section systematically applies the methodology of quantitative and qualitative documentary research for deriving inferences.

The <u>next section</u>, 6.2, deals with the application of the theoretical triangle to the context of the RTI and social inequality in India. Effort has been put into supporting the results with relevant scientific literature published by RTI experts and research organizations.

Figure 11 graphically represents the rationale that guides the organization of this thesis.

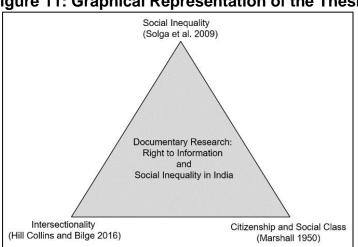


Figure 11: Graphical Representation of the Thesis

Source: Illustration by author

# 6.1 At the Intersection of Social Inequality

Socio-economic inequality in India manifests itself across the intersections of diverse social categories. The SECC-2011 documents the socio-economic status of the Indian population according to their gender, caste, religious, occupational, and regional background (DRD MRD GOI 2011b). It can be understood that an individual's location in these intersectional categories largely determines the access to resources and opportunity structures and consequently determines one's socio-economic status in India.

With an aim to explore the research topic, statistical data pertaining to literacy and the usage of the RTI will be referenced. In the case of this correlative application, literacy can be understood as a measure of the prevailing social inequality in India. Additionally, literacy forms the primary requisite for the exercise of the RTI along with other basic infrastructural factors such as access to the internet, availability of electricity, proximity to the government office, modes of transportation for commuting to the government office, degree of literacy, language competence, financial means for payment of the RTI fees, holding a bank account with a particular nationalized bank, owning a credit or debit card, having a registered postal address and an email account.<sup>10</sup>

In fulfillment of the methodological considerations (Scott 1990b:6), the existing quantitative and qualitative data have been confirmed to be representative of the Indian

Marked as "\*mandatory" fields in the guideline for the RTI application (GOI DPT 2013a). For details, refer to figure 2 (GOI DPT 2013c).

social circumstances. Identifying the correlation between utilization of the RTI and literacy ratio as a substitute for social inequality will be a helpful starting point to demonstrate the interlink between the two factors.

# 6.1.1 Right to Information in India

Drawing on inferences from 37,704 interviews, 630 focus group discussions, 25,000 RTI applications and the inspection of several public departments across villages, towns, and cities in 11 Indian states (RaaG and NCPRI 2009a:4–6), the reports published in the public domain by RaaG and NCPRI (2009b) in 2009 and RaaG and Samya (2014d) in 2014 present an overview of the usage of the RTI in India. The findings of these reports for the social categories of gender, caste, regional, and educational background will be elaborated in the following paragraphs.<sup>11</sup>

Figure 12 depicts the gender divide between the exercise of the RTI in India based on a survey conducted in 2014 by RaaG and Samya (2014c:1–2). The report recommends the Ministry of Women and Child Development (MWCD), a department in the government of India, to "urgently" investigate the reasons leading to this gendered gap and to formulate strategies to raise awareness amongst citizens regarding the significance of this democratic right in their lives (RaaG and Samya 2014c:2).

92.00 8.00 80.00 -60.00 -40.00 -20.00 0.00 20.00 40.00 60.00 80.00 100.00

Percentage

Figure 12: RTI Exercise in India: Gender Divide, 2014

Source: Adapted from RaaG and Samya 2014c:1-2

Although 70% of the overall Indian population resides in rural regions, only 14% of the rural citizens exercise their right to information in contrast to the 30% urban population whose RTI exercise sums up to 86% of the overall usage (RaaG and Samya 2014c:2). Figure 13 points out the regional discrepancy in the exercise of the RTI.

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<sup>&</sup>lt;sup>11</sup> Data unavailable for other social categories.

■ Rural Urban Regional Background 14.00 86.00 -100.0 -80.0 -60.0 -40.0 -20.0 0.0 20.0 40.0 60.0 0.08 100.0 **Percentage** 

Figure 13: RTI Exercise in India: Regional Divide, 2014

Source: Adapted from RaaG and Samya 2014c:2

Figure 14 and 15 shed light on the caste based and tribal divide in the exercise of the RTI in urban and rural India. It has been observed that marginalized sections of the Indian society are at a higher risk of being intimidated during their RTI application process (RaaG and Samya 2014c:3) which could be considered as one of the possible drivers behind the low figures presented in the rural section of figures 14 and 15.

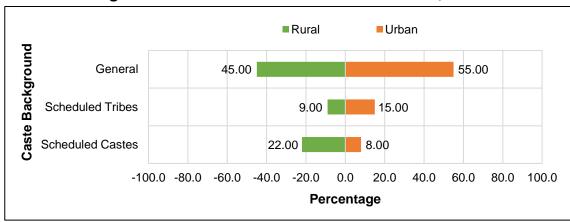


Figure 14: RTI Exercise in India: Caste Divide, 2009

Source: Adapted from RaaG and NCPRI 2009c:9

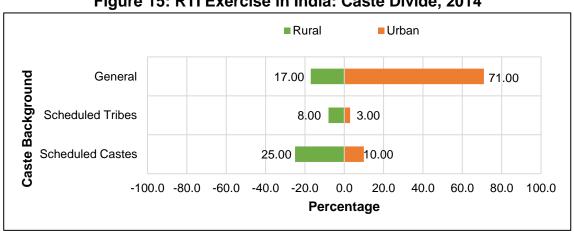


Figure 15: RTI Exercise in India: Caste Divide, 2014

Source: Adapted from RaaG and Samya 2014f:47

Figure 16 represents the interrelation between the utilization of the RTI and the educational status attained by Indian citizens further segregated by regional contexts. Graduates in urban and rural areas, as leading applicants of the RTI, show an equal number in their utilization of the RTI (RaaG and NCPRI 2009c:9). The graph highlights the correlation between the exercise of the RTI and illiteracy in India (RaaG and NCPRI 2009c:9). The gendered aspect of the educational divide and its subsequent translation into the RTI usage is missing in the primary source (RaaG and NCPRI 2009c:9).

■Rural ■Urban **Higher Education** 1.00 7.00 Post Graduation 10.00 25.00 **Educational Background** Graduation 30.00 35.00 10.00 College 15.00 High School 25.00 15.00 Middle School 6.00 3.00 8.00 2.00 Primary School Pre-Primary School 6.00 2.00 Illiterate 2.00 2.00 -100.0 -80.0 -60.0 -40.0 -20.0 40.0 60.0 80.0 100.0 0.0 20.0 Percentage

Figure 16: RTI Exercise in India: Educational Divide, 2009

Source: Adapted from RaaG and NCPRI 2009c:9

During a 12 month period from 2018 to 2019, the government of India had received 1,370,129 applications from Indian citizens seeking information from 2145 authorities of the major public sector departments (CIC 2019a:22).<sup>12</sup> Since its inception in 2005, the RTI has seen an unequal exercise in India, an evaluation of which leads to unflattering findings:

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<sup>&</sup>lt;sup>12</sup> Departments of agriculture, defense, culture, environment and forests, health and family welfare, human resource development, information and broadcasting, labor and employment, law and justice, rural development, science and technology, and social justice and empowerment (CIC 2019a:8–9).

- Only 0.1% of the total population of India exercise the RTI (CIC 2019a:22; Plecher 2020).<sup>13</sup>
- Study of the applicants' profiles exercising the RTI show a gendered usage; while 92% of the applicants are males only 8% are females (RaaG and Samya 2014c:1–2).
- The socio-economic, caste based, religious, occupational and educational profile of the applicants influence their usage of the RTI (RaaG and NCPRI 2009c:8–9).
- Although 70% of the Indian population lives in rural areas, only 14% applications
  are received from these regions, highlighting the urban-rural divide in the
  utilization of the RTI (RaaG and Samya 2014c:2).
- The gathering of public information by the civil society through the RTI has resulted in the exposure of several corruption scandals of the Indian state institutions (Shyamlal 2017:15). As a consequence, several RTI applicants have experienced assault, harassment and threats for exercising their democratic right (CHRI n.d.). The absence of a formal mechanism for whistleblowers' protection has led to the assassinations of 86 RTI activists in the past decade (CHRI n.d.).

# 6.1.2 Social Inequality in India

An overview of the literacy figures in India illustrates the interlink between intersectional social categories and access to educational resources. The figures presented in this section have been adapted from the data published by the census board of India in 2011 (ORGCC India 2011d). The social categories of gender, caste, tribe, geographical location, and religion inclusive of the three major religions in India, namely, Hinduism, Islam and Christianity have been chosen for exemplification.

India recorded a population of 1,210,854,977 in 2011 with a male population of 51.47% and female population of 48.53% (ORGCC India 2011c). Of the overall population, 68.85% resides in rural areas and 31.15% resides in urban regions (ORGCC India 2011c). The literacy figures in India represented in figure 17 highlight the discrepancy in educational outcomes: only 65.77% of the male population and 49.62% of the female population in rural regions can read and write (ORGCC India 2011c). Meanwhile, the literacy gap (8.3%) between males and females reduces in urban India (ORGCC India 2011c).

<sup>&</sup>lt;sup>13</sup> Population of India was recorded to be 1,334,000,000 in 2018 Plecher 2020; 1,370,129 RTI applications were received by the state in 2018-19 (CIC 2019a:22).

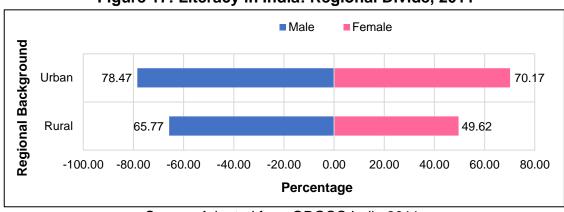


Figure 17: Literacy in India: Regional Divide, 2011

Source: Adapted from ORGCC India 2011c

The historically disadvantaged castes (termed as "scheduled") occupy 16.63% of the total population in India of which 76.28% live in rural districts and 23.72% live in urban areas (ORGCC India 2011e). The literacy graph presented in figure 18 emphasizes the lack of educational resources available for the "scheduled" castes predominantly residing in rural regions (ORGCC India 2011e). Females belonging to the "low-ranking" castes are deprived of education in both rural (44.62%) and urban (60.30%) regions (ORGCC India 2011e). Tribal minorities make up for 8.63% of India's population of which 90.00% live in rural districts (ORGCC India 2011e). The regional gaps in literacy figures of tribal communities residing in rural and urban India can be witnessed in figure 18. Tribal communities in rural locations endure the lowest literacy rate in India with a male literacy ratio of 55.69% and female literacy ratio 39.38% (ORGCC India 2011e).

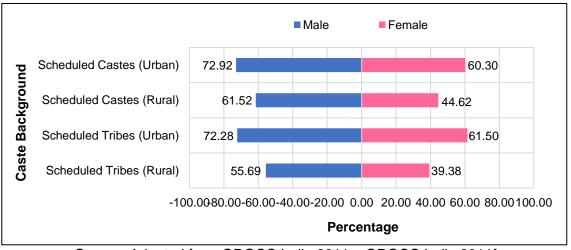


Figure 18: Literacy in India: Caste Divide, 2011

Source: Adapted from ORGCC India 2011e; ORGCC India 2011f

Across urban and rural India, the population distribution in 2011 according to the three dominant religions was: 79.80% having a Hindu background, 14.23% having a Muslim background and 2.30% having a Christian background (ORGCC India 2011h). Figure 19

underlines that the literacy ratio is not proportional to the population distribution. Despite belonging to minority communities, the Christian population in urban and rural regions enjoys the highest literacy, followed by a Hindu majority and Muslim population (ORGCC India 2011h). The gendered fault lines in literacy ratios cannot be ignored; women show substantially low literacy than their male counterparts in India (ORGCC India 2011h).

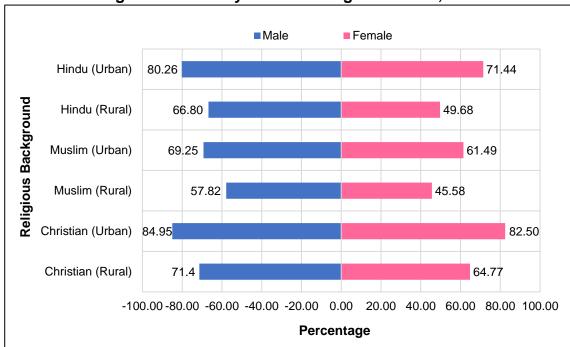


Figure 19: Literacy in India: Religious Divide, 2011

Source: Adapted from ORGCC India 2011h

# 6.2 Theoretical Analysis: Right to Information and Social Inequality in India

Having elaborated the case of the RTI utilization and literacy in India, it can be deduced that social inequality in India cannot be studied as a unitary phenomenon, but to a significant extent, in conjunction with the aspect of social intersectionality. As indicated in figures 12, 13, 14, 15, 16, 17, 18 and 19 the simultaneous membership of various social categories such as gender, religion, caste, tribe, and regional location create differential access to educational resources and thereby, miscellaneous living conditions for individuals. The uneven distribution of power between these social groups translates in hierarchical social positions resulting in asymmetrical "life chances" (Yuval-Davis 2015:92–94). The historical stratification of social locations "produce and reproduce" unequal social conditions (Yuval-Davis 2015:94, 99) that can have important implications for the 'equality of status and opportunity' and 'unity in diversity' of the Indian state. Standing at the intersection of diverse social groups, nearly synonymous with social

inequality, one can witness the intermingling nature of social positions and social disparity that intricately weave the social fabric of modern India.

# 6.2.1 Social Inequality Framework

Solga et al. (2009:16) posit four structural levels that operationalize inequality in social settings:

- 1) Determinants
  - a) Ascribed characteristics
  - b) Achieved characteristics
- 2) Dimensions
- 3) Causes
- 4) Effects

Shah (2010:4) confirms that social stratification characterized by hierarchical social relations is endogamous to Indian society. The social divisions can be broadly classified along the lines of:

- 1) "Religious heterogeneity" composed of Hindu, Muslim, Christian, Buddhist, Jain, Sikh, Parsi and Jewish communities to name a few (Shah 2010:4)
- 2) "Linguistic heterogeneity" (Shah 2010:4) with 22 officially recognized languages and nearly 121 spoken languages (ORGCC India 2011a:6)
- 3) "Caste heterogeneity" inclusive of 3000 castes and 2500 sub-castes in a predominantly Hindu state (BBC News 2019b; Elliott 2017)

The social position in the diverse social composition of India largely emerges from being born into a particular familial background and socio-economic and political circumstances. The low social mobility in India results in the fixed stationing of an individual's social position in the social hierarchy leaving limited scope for upward movement (WEF 2020:9, 11, 14). It can be derived that an individual's social position plays a dominant role in determining the accessibility of opportunity structures that further shapes the life course. Figures 17, 18 and 19 substantiate the correlation between an individual's social location and the access to literacy resources in India.

The research topic will be analyzed in the following paragraphs using the social inequality framework classified into determinants, dimensions, causes and effects as theorized by Solga et al. (2009).

#### Social Inequality Framework

#### 1) Determinants

In the Indian context, ascribed and achieved characteristics of social inequality become a starting point for accessing basic resources such as literacy and education. Figures 17, 18 and 19 depict the impact of 'ascribed' social categories such as gender, caste, religion, and regional belonging on the 'achieved' characteristic of literacy. It can be assumed that achieved and ascribed characteristics together act as determinants for accessing educational resources.

# 2) Dimensions

In this case, literacy and education can be considered as the dimensions of social inequality that create differential benefits and hindrances in the accessibility of the RTI. It is worth noting that literacy and education alone do not suffice the preconditions for the exercise of the RTI and language competence might be required as the informative publications related to the RTI are largely available in English, Hindi and a few regional languages (RaaG and NCPRI 2009c:26). Internet literacy might also factor as a valid dimension for the uneven usage since the state accepts RTI applications on the official national website (GOI DPT 2013c; GOI DPT 2013d).

#### 3) Causes

Elaborate bureaucratic procedures for the RTI applications such as filling the form with precise information and payment of RTI fees (GOI DPT 2013c; GOI DPT 2013d),<sup>14</sup> obstacles faced by applicants in the RTI form submission process such as access to the internet or commuting to the government office (CIC 2019c; GOI DPT 2013b),<sup>14</sup> intimidation tactics used by the PIOs to deter RTI applicants from registering appeals (RaaG and NCPRI 2009c:10; RaaG and Samya 2014c:3) can be quoted as a few examples of the causes that constrain citizens' exercise of the RTI.

#### 4) Effects

The combined effects of determinants, dimensions and causes of social inequality impact the exercise of the RTI in India as evidenced in figures 12, 13, 14, 15 and 16. The statistical data indicated in figures point towards the gendered, location, caste and education based usage of this democratic right.

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<sup>&</sup>lt;sup>14</sup> Described in the last paragraph of <u>chapter 2.2</u>.

A summary of the conclusions drawn from this theoretical application has been tabulated below.

Table 4: Social Inequalities and their Structural Levels: Right to Information

DETERMINANT	DIMENSIONS	CAUSES	EFFECTS
Ascribed			
Characteristics			
Gender,	Literacy,	Bureaucratic	Unequal RTI
Caste,	Education,	procedures,	exercise
Religion,	Knowledge of the	Constraints in the	
Regional	internet	RTI usage,	
location		Threats by PIOs	
Achieved			
Characteristics			
Literacy	Literacy,	Bureaucratic	Unequal RTI
inequality,	Education,	procedures,	exercise
Educational	Knowledge of the	Constraints in the	
inequality	internet	RTI usage,	
		Threats by PIOs	

Source: Tabulated by author based on data drawn from GOI DPT 2013a; GOI DPT 2013b; GOI DPT 2013c; RaaG and NCPRI 2009c:10, 26; RaaG and Samya 2014c:3 adapted to Solga et al. 2009:21

#### 6.2.2 Intersectional Framework

According to Hill Collins and Bilge (2016a:25) issues related to "inequality", "power", "social context" and "social justice" can be examined using the theory of intersectionality. The scope of the RTI and its relationship with social inequality in India falls within the above mentioned bracket.

To highlight the "persistent" disparity that shapes contemporary Indian social realities, Haq (2013:172) draws on the impact of intersectional social categories such as "gender, colour, caste, ethnicity, religion, marital status, and class" on the lived experiences of Indian women. India endures discrimination at "multiple levels" with regards to "gender equality, diversity and inclusion" (Haq 2013:172) as a consequence of the systemic mechanisms that transform these social intersections into "axes of social divisions" (Hill Collins and Bilge 2016a:4). The instruments of inclusion and exclusion that legitimize social inequality can be witnessed at the micro, meso and macro levels of the Indian social sphere (Haq 2013:172).

Hill Collins and Bilge's (2016a:7) intersectional analytical framework describes four interconnected domains of power that function at different levels of social relations, namely:

- 1) Interpersonal
- 2) Disciplinary
- 3) Cultural
- 4) Structural

The four interlinked domains of power posited by Hill Collins and Bilge (2016a:7) purport to offer an elaborate framework for the analysis of the relationship between the exercise of the RTI and social disparity in India. The power relations that develop at each level of these domains and its subsequent impact on the exercise of the RTI will be explained further.

#### **Domains of Power**

# 1) Interpersonal Domain of Power

Reports by research organizations show that interpersonal social interactions play an important role in creating awareness about the RTI further impacting its exercise in India (RaaG and Samya 2014b:42). As seen in figure 20, citizens learning about the RTI through social contacts amounts to 25% in rural areas inclusive of family and friends (13%), the internet and social media (4%) and public meetings (8%) (RaaG and Samya 2014b:42). While in urban areas 29% of the population becomes aware of the RTI through family and friends (15%), the internet and social media (11%) and public meetings (3%) (RaaG and Samya 2014b:42).

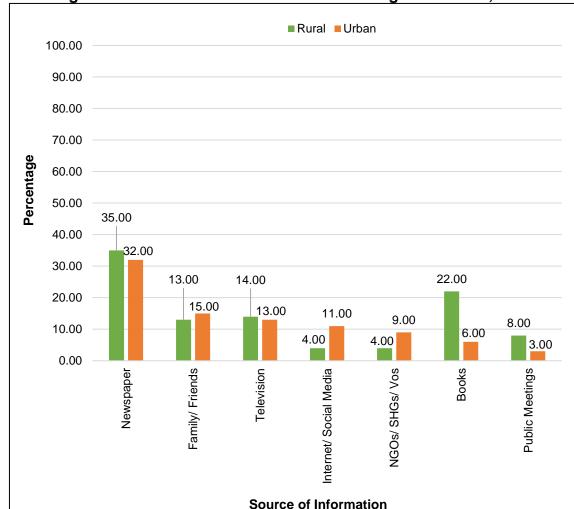


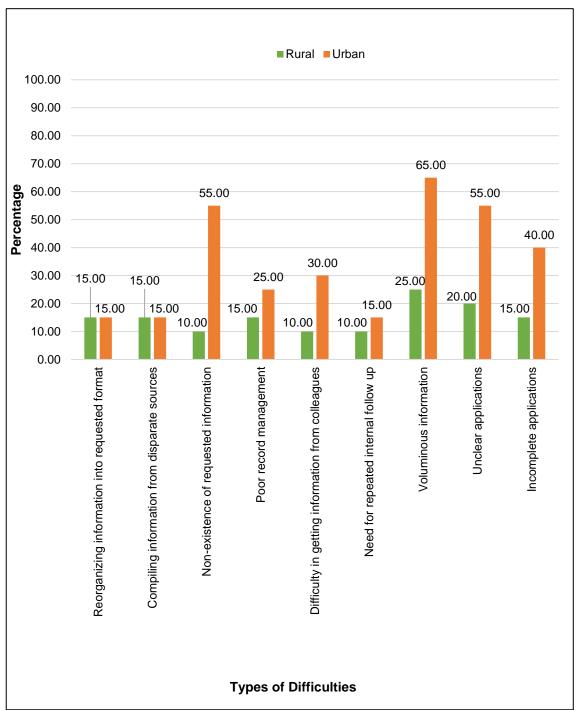
Figure 20: Awareness of the RTI in India: Regional Divide, 2014

Source: RaaG and Samya 2014b:42

## 2) Disciplinary Domain of Power

Bureaucratic procedures and formal rules and regulations, on the one hand facilitate dispensing information requested under the RTI Act and on the other hand, create hurdles in its access. Figure 21 charts a list of reasons and their contribution in the inaccessibility of the RTI in urban and rural settings. Nearly 40% of the RTI applicants from rural regions and 15% from urban areas were "intimidated, threatened and even physically attacked" during the filing of their RTI request in person (RaaG and NCPRI 2009c:10; RaaG and Samya 2014c:3) which confirms the vitality of the disciplinary domain of power in social structures.

Figure 21: Types of Difficulties in RTI Exercise in India: Regional Divide, 2009



Source: RaaG and NCPRI 2009c:25

## 3) Cultural Domain of Power

The construction of ideas surrounding the RTI contribute to the rights consciousness of citizens represented in the figure 21. Reports point towards an annual average of 65 RTI related publications of which articles in English are twice of those published in Hindi and other regional languages (RaaG and NCPRI 2009c:26). It indicates that the literature available in particular languages will see a limited readership in India. There is an

increasing need for the campaigning of the RTI's relevance in citizens' democratic participation in India (RaaG and Samya 2014c:1). Possible suggestions include broadcasting "case studies and other material, including research findings, newspaper and other media reports, and interviews" with experts through "television and advertisements" in English, Hindi and all regional languages (RaaG and Samya 2014c:1). Additionally, social media and the internet could be utilized for increasing the visibility of the RTI in the Indian social context (RaaG and Samya 2014c:1).

## 4) Structural Domain of Power

The structural domain refers to the macro-level aspect of social relationships such as financial, educational, healthcare and state institutions (Hill Collins and Bilge 2016a:12). Despite the UN's universal proclamation of the right to freedom of information in 1948 (UN 1948a:74–75), it was formally established in India in 2005 after nine years of collective efforts by the civil society (GOI MLJ 2005b:1). Although the RTI infrastructure inclusive of the CIC and PIO has been established in India according to the laws passed under the RTI Act 2005 (GOI MLJ 2005b:10), its administrative functioning still faces several obstacles as exhibited in figure 20. Reports show variable and debated success rates in the dispensing of information to the RTI applicants by state instruments: 70% success rate documented in government records, 60% according to the survey conducted in 2009 and 55% as per to the research team's experiences (RaaG and NCPRI 2009c:13). These figures accentuate the dominant position that the structural domain holds in the regulation of power relations in the Indian society.

# 6.2.3 Citizenship and Social Class Framework

Marshall (1950:9–10) identifies three elements of democratic citizenship and explores their relationship with social class in the essay *Citizenship and Social Class* published in 1950. The three aspects of citizenship have been recognized as (Marshall 1950):

- 1) Civil citizenship (p. 10)
- 2) Political citizenship (p. 10)
- 3) Social citizenship (p. 10)

The aspects of citizenship and its interrelation with social inequality in the Indian context is explored in the following section.

#### **Social Class**

Social class in India is associated with the financial earnings of an individual tied to one's occupational background. The access to job opportunities finds an uneven base in India owing to the gendered, religious, location specific and caste based nature of the work sphere (Agrawal 2014:329). Agrawal (2014:329) notes that historically disadvantaged social groups in India such as women, "scheduled" castes and tribal communities face "social discrimination" in accessing the labor market. The impact of the prevailing social inequality on developmental outcomes is reflected in the differences in the HDI ratios presented in figures 4 and 5 and in literacy levels in figures 17, 18 and 19. It follows that the "occupational outcomes" are a result of the existing social inequity which is characteristic of the Indian labor market (Agrawal 2014:329). It can be argued that social class in India cannot be fully understood in purely economic terms but as a phenomenon emerging from differential social positions.

Oommen (2006:794) contends that the evolution of India as a modern nation state "is a product of colonialism not of industrialization" as opposed to the primarily "capitalist industrial societies" of the Western world. As a "predominantly agrarian" economy with a heterogenous populace (Oommen 2006:790, 793), Marshall's (1950:29) definition of social class as the primary basis for social inequality might find different meanings in the Indian context. It can be inferred that the social class in India intersects with differential social positions associated with language, religion (Oommen 2006:793), gender, caste, occupation and regional location. Contemporary social class as a consequence of the membership of various intersecting social groups continues to guide the history of social inequality in India.

#### Citizenship

The UN declared the RTI as a fundamental civil, political and social right in 1948 (UN 1948a:74–75) and endorsed it the ICCPR published in 1966 (UN 1966:55) which implies access to democratic citizenship inclusive of its three elements articulated by Marshall (1950:10). India adopted its constitution post independence in 1947 and imparted all its citizens "equality of status and opportunity" thereby legalizing the exercise of civil, political, and social rights (GOI MLJ 2020a:22).

Oommen (2006:795) argues that despite the establishment of a universal citizenship inclusive of its civil, political and social constituents, it does not find uniform applicability across "different polities" such as India. The reasons behind this unevenness can be retraced to the varying importance assigned to each of the three elements in diverse

historical contexts (Oommen 2006:795). The socio-cultural, economic, and political "composition" of the Indian state plays an influential role in the implementation of the democratic citizenship implicit of its constitutional rights (Oommen 2006:795). Oommen (2006:795) critiques that superimposition of the universal notion of citizenship on Indian social realities is analogous with "juxtapos[ing] indigeneity with universality". The theoretical inception of the idea of democratic citizenship has essentially Western roots and the installation of such in the "Old World" might result in a "gap between data, concepts and theories" (Oommen 2006:788, 795) and ground realities.

# **Citizenship and Social Class**

Viewing the RTI from Marshall's (1950) citizenship and social class perspective, the RTI can be presumed to be a basic civil, political and social right proclaimed by the Indian constitution in 2005 (GOI MLJ 2005b). In the context of the exercise of this constitutional right and its interlink with social inequality in India, social class plays a contributory role along with other factors in shaping democratic realities. It can be drawn that an individual's occupational background has an impact on the exercise of the democratic right demonstrated in figure 22.

Figure 22 shows the correlation between the usage of the RTI and an individual's occupational background. Remarkably, 30% of the rural population and 15% of the urban population in India exercise this right. High numbers are also recorded by business owners and employees of the agricultural sector (mostly farmers) in rural and urban regions. It should be recalled that an applicant's RTI request is accepted by the public authorities provided the fees are paid which are not applicable for the BPL category (GOI DPT 2013c). It can de deduced that this legal provision has shown a positive effect on the exercise of the RTI by the BPL applicants. Women predominantly occupy the home makers domain of the occupational landscape and record one of the lowest numbers in the exercise of the RTI documented in the report published by RaaG and Samya (2014c:1–2).

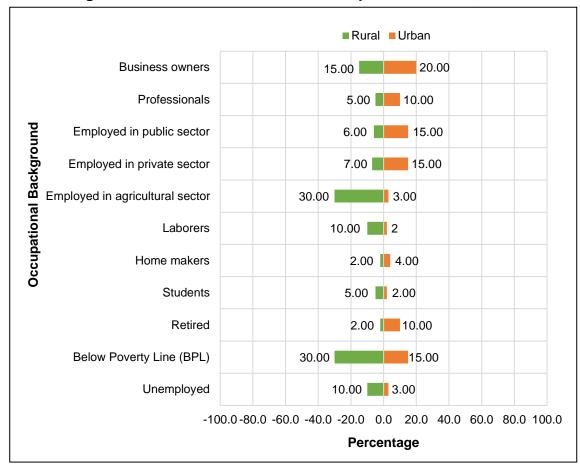


Figure 22: RTI Exercise in India: Occupational Divide, 2009

Source: Adapted from RaaG and NCPRI 2009c:8

# 7. EFFECTS OF THE RIGHT TO INFORMATION ON SOCIAL INEQUALITY IN INDIA

This chapter discusses the answer to the <u>third research question</u>, namely, the effects of the implementation of the RTI since its inception in 2005 on the social inequality in India. Additionally, a review of the impact of the awareness and exercise of the RTI on citizens' democratic outlook will be presented in this section.

Figure 23 charts the miscellaneous success rate of the RTI in dispensing requested information to the public within the stipulated period as reported by different primary sources. According to the RTI Act 2005, PIOs are obliged to transfer information within 30 days of the application (GOI DPT 2013d) failure of which results in a fine until the date of the completion of the administrative task (GOI MLJ 2005a:17). Figure 23 indicates the discrepancy in the figures presented by state records in contrast to the numbers represented in surveys conducted by research organizations. According to a survey conducted by RaaG and NCPRI in 2009 (2009c:13), 55% – 60% information was supplied to applicants with considerable delays amounting to 40% – 50% of timely

provided data. The waiting time can extend to an average of two years and in extremes cases up to six years (RaaG and NCPRI 2009c:19). PIOs from the central and state governments have complained of "too many applications", incomplete information in RTI applications, lack of availability of RTI related training, guidelines and manuals and the PIO's inexpertise in legal matters as possible reasons for prolongations in providing requested information to the RTI applicants (RaaG and NCPRI 2009c:23).

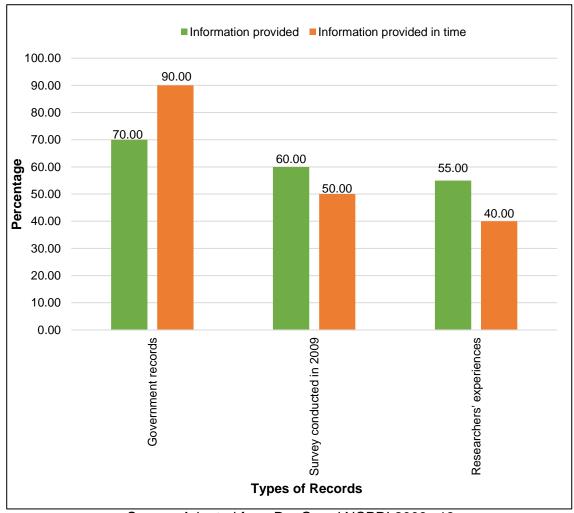


Figure 23: RTI Success Rate in India, 2009

Source: Adapted from RaaG and NCPRI 2009c:13

Figure 24 highlights the aspect of the provided information in meeting the RTI applicant's expectations. The survey conducted in 2009 depicts the rural-urban divide in the fulfillment of expectations as only 60% of urban applicants contrary to 40% of rural applicants show satisfactory figures (RaaG and NCPRI 2009c:14).

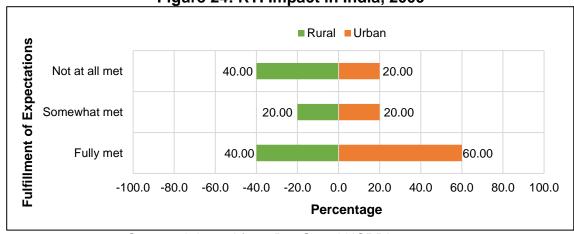


Figure 24: RTI Impact in India, 2009

Source: Adapted from RaaG and NCPRI 2009c:14

Based on case studies by RaaG and NCPRI (2009c:14–15), a summary of the impact of the exercise of the RTI on democratic realities in India has been enlisted below. It can be postulated that the exercise of the RTI might wield positive results in the gradual elimination of social inequality in the Indian context.

- 1) Ensuring accessibility of public information (p. 14)
- 2) Prevention of corruption in state administration (p. 14)
- 3) Exposing possible corruption in state governance (p. 14)
- 4) Limiting unnecessary "public expenditure", monitoring the usage of taxpayers' monetary contribution (p. 14)
- 5) "Exposing misuse of power and influence" (p. 15)
- 6) Enables access to "justice" (p. 15)
- 7) Rightful beneficiaries obtaining "entitlements" (p. 15)
- 8) Redressal of public "grievances" (p. 15)
  - Researcher's experiences state that 80% of their RTI appeals went unacknowledged of which 11% were rejected resulting in second appeals (RaaG and NCPRI 2009c:16).
  - As many as 86,385 complaints were filed against PIOs between 2005 and 2008 (RaaG and NCPRI 2009c:15)
- 9) Encouraging and supporting incorruptible PIOs (p. 15)
  - Nearly 20% rural PIOs and 45% urban PIOs claimed to have made effective changes in the functioning of their offices and decision making processes (RaaG and NCPRI 2009c:15)
- 10) Citizen empowerment through the exercise of democratic rights (p. 15)

The implementation of the RTI Act 2005 in India can be understood as a developing organism that requires further schematic, infrastructural and attitudinal sophistication. Studies recommend that measures should be taken to enhance public awareness of the

RTI, stricter punitive measures should be enforced for PIO's non-compliance and the duration for producing the requested data under RTI applications should be reduced (RaaG and NCPRI 2009c:29). The grievance redressal apparatus has much scope for improvement and the organization of "citizens' forums" with public supervision might assist in the matter (RaaG and NCPRI 2009c:29).

The following paragraphs cite case studies that exemplify the effects of the RTI on citizen empowerment or the lack thereof.

# Case Study I: Public Monitoring of Development Projects

The central government of India and the state government of Delhi undertook steps towards transparent administration in response to an RTI appeal made by the organization Satark Nagarik Sangh (SNS) regarding budgets assigned to development projects (RaaG and Samya 2014e:86). The parliamentary sessions held for the discussion of these public projects are now broadcast as "live webcasts" (RaaG and Samya 2014e:86). Additionally, the "details of expenditure" of the "development funds" allocated to the projects are displayed in Hindi and English at the central and regional government offices (RaaG and Samya 2014e:86).

Figure 25 captures the display board with financial details written in Hindi and the webcast of an ongoing parliamentary meeting (left to right).

The Part of the Pa

Figure 25: Public Monitoring of Development Projects, 2014

Source: RaaG and Samya 2014e:86

#### Case Study II: "Justice delayed is justice denied"

The second case study draws on a citizen's personal experience of the lack of efficiency of the RTI framework in dispensing information that had serious consequences on her living conditions (RaaG and Samya 2014a:110). It accentuates the efficacy gap between the formal establishment of the RTI and ground realities surrounding it. Sumitra, a widow living in Delhi and belonging to the economically weaker section of the society, depends

on the state sponsored "widow pension scheme" for financial survival (RaaG and Samya 2014a:110). Not having received the pension for a year, the beneficiary filed an RTI request in 2013 in addition to a second appeal that has been "pending" information settlement since 2014 (RaaG and Samya 2014a:110). The extended delay in providing information by the PIOs can be perceived as "justice denied" (RaaG and Samya 2014a:110).

Figure 26: "Justice delayed is justice denied": Sumitra, 2014



Source: RaaG and Samya 2014a:110

#### 8. CONCLUSION

This thesis contemplates on the interrelationship between the exercise of the RTI and social inequality in India by employing the methodological framework of documentary research. A trigonal theoretical lens composed of social inequality by Solga et al. (2009), intersectionality by Hill Collins and Bilge (2016a) and citizenship and social class by Marshall (1950) guides the examination of the inferences drawn from the documentary analysis. The academic inquiry includes the study of the effects of the utilization of the RTI on social disparity in India. The insights gained from this social investigation help in connecting the larger conceptual and praxis related dots of democratic functioning at the micro, meso and macro levels. The nexus of the exercise of the constitutional RTI and social inequality exemplifies the interconnection between democratic practices and citizen empowerment.

The concluding chapter discusses the following areas of the research project:

#### Methodology: Documentary Research

Quantitative and qualitative documentary data published under the public domain by the government of India and other national and international organizations that comply with the standards of "authenticity", "credibility", "representativeness" and "meaning" (Scott 1990b:6) are identified for this research. The analysis of the "inscribed texts" integrated in the documents highlights the relationship between the "agent and structure" (Scott 1990b:5) and in this context, between an individual's agency to exercise the RTI and the existing social structure of inequality in India.

In the process of carrying out documentary research, difficulties related to the primary sources exhibiting a paucity of data were encountered, important aspects of which are described in the following paragraphs.

#### Socio-Economic and Political Context of India

<u>Chapter 3</u> establishes the socio-economic and political context of India and references the GDI for demonstrating the gendered discrepancy in the developmental outcomes. However, the GDI does not represent the variations across different social categories and geographical regions. Figures 4 and 27 indicate the country based outcomes that are insufficient to understand the cross-sectional and urban-rural divide that guides social inequality in India.

Figure 27: Human Development Index of India: Male and Female, 2020

- Gender	Gender Development Index (GDI) 0.820
Gender Development Index (GDI)	0.820
Human Development Index (HDI), fema	le 0.573
Human Development Index (HDI), male	0.699

Source: UNDP 2020d

Another finding is that the HDI calculated in the research paper by Mehrotra et al. (2015:56, 58) addresses the differences across the limited social category of caste not inclusive of gendered and religious barriers.

The National Institution for Transforming India (NITI Aayog) (GOI n.d.b), a state sponsored initiative that works in close co-operation with "UNDP Assisted Projects" is an crucial primary source of information for drawing data related to India's HDI. However, the "external links" related to the UNDP schemes (GOI n.d.a) are inaccessible to the viewers as shown in figure 28.

Figure 28: NITI Aayog

Oops!

This is not the page you are looking for.

Source: GOI n.d.a

# Right to Information in India

<u>Sub-chapter 6.1.1</u> discusses the unequal exercise of the RTI in India since its inception in 2005. It should be noted that the findings are sourced from reports published by organizations working in the field. Empirical data related to the usage of the RTI have not been made available by the Indian state authorities.

Despite the RTI seeing 16 years of establishment as a fundamental democratic right in India, limited scientific literature that explores the relationship between its exercise and social inequality in India could be found. The lack of study resources related to the topic of research in the social scientific field is worth speculation.

The findings presented in the reports by RaaG and NCPRI (2009b) and RaaG and Samya (2014d) are based on surveys and focus group discussions involving candidates from 10 regions in India. The study projects, which are independently conducted by these organizations, do not include detailed descriptions of the research such as questionnaires and interview guidelines. It can be inferred that the outcomes only represent 30% of social realities surrounding the RTI utilization out of the 28 states and 5 union territories that constitute the Republic of India. An extensive cross-national empirical study might yield different results.

## Social Inequality in India

The census conducted in 2011 by the government of India does not explicitly represent any particulars related to social inequality in India across various social categories as seen in figure 29. Due to this lack of information, the substitute measure of literacy is used to exhibit the prevailing differences in access to resources across social groups such as gender, caste, religion, and regional background.

Figure 29: Census of India, 2011



Source: ORGCC India 2011b

# Theoretical Analysis: Right to Information and Social Inequality in India

## **Social Inequality Framework**

Solga et al. (2009) theorize the relationship between an individual's membership of social groups and structural levels of social inequality. The primary basis for group membership is determined by "ascribed" characteristics such as gender, social or regional origin, age, disability" and "achieved" characteristics such as "education, occupation, marital status" assigned to individuals in social settings (Solga et al. 2009:16–17). The ascribed and achieved characteristics metamorphose through four structural levels identified as "determinants", "dimensions", "causes" and "effects" to create socially stratified systems (Solga et al. 2009:16).

Understanding social hierarchies in India from the theoretical lens of social inequality by Solga et al. (2009) requires defining ascribed and achieved characteristics allocated to individuals belonging to different social categories. However, the boundaries between these social attributes frequently seem to merge in the Indian context. The low social mobility in India highlights the inter-generational reproduction of not only ascribed but also achieved characteristics (WEF 2020:9, 11, 14). For example, having an educated familial background implies increased chances of 'achieving' higher education for an individual (WEF 2020:9, 11, 14). In addition, the 'achieved' attribute of educational qualification finds a correlation with ascribed characteristics such as gender, caste, religion, and regional belonging as witnessed in the literacy ratios presented in figures 17, 18, 19.

In the context of the exploration of the interlink between the exercise of the RTI and prevailing social disparity in India, it should be underlined that the 'causes' expand the gap in the 'effects' of the RTI usage. The preconditions set for the acceptance of RTI applications reveal essential personal details such as the applicant's gender, full name (first and last name as an indicator of the gender, caste, and religion), residential address and financial status (whether BPL or not). The high CPI of India as an indicator of systemic corruption (CHRI n.d.) combined with the lack of a official whistleblower's protection apparatus (TI 2019:3, 8) might lead to the violation of the right to privacy of an applicant resulting in assault, harassment, threats and in extreme case, assassination of the RTI applicant (CHRI n.d.). The absence of a formal identity protection mechanism in the state governance can lead to serious repercussions particularly for rural RTI applicants (RaaG and NCPRI 2009c:10; RaaG and Samya 2014c:3) and members of marginalized sections of the Indian society such a women, "scheduled" castes and tribal communities (RaaG and Samya 2014c:3).

# **Intersectionality Framework**

Hill Collins and Bilge (2016a:4, 8) frame the analytical tool of intersectionality as the social process by which overlapping of social categories of "class, gender, race, sexuality, and citizenship" interact to produce "social divisions" that mutually influence each other. The construction of social inequity becomes a byproduct of these intersections materialized through micro, meso and macro levels of power relations (Hill Collins and Bilge 2016a:7). These "distinctive yet interconnected" domains of power function at the "interpersonal", "disciplinary", "cultural" and "structural" (Hill Collins and Bilge 2016a:7) vertical axes to generate horizontal constellations of unequal social conditions.

The application of the analytical framework of intersectionality by Hill Collins and Bilge (2016a) to the subject area highlights the correlation between the exercise of the RTI and the Indian "configurations" of social inequality (Hill Collins 2017:20). However, an indepth analysis of the role of the intersection of religious and regional background in the reproduction of social disparity seems to be lacking in the body of academic literature on the topic; claim corroborated by Shah (2010:4) in *The Structure of Indian Society: Then and Now.* India being a predominantly Hindu state, a large volume of research focuses on caste as the primary dimension of social inequality (Shah 2010:4).

The noticeable connection between the author's names (names indicative of the gender, caste, and religious background), their curricula vitae (CV) and their line of argumentation regarding the intersectional social realities in India is worth reflection. This example accentuates Hill Collins's (2017:20) rationale of lived experiences and "distinctive standpoints" emerging from an individual's situatedness in the social grid of intersecting power relations. It would not be farfetched to affirm that to a certain extent, a developing body of knowledge pertaining to the study of intersectionality in India rests on the academic viewpoints of the authors implicit of their social positional specificities.

#### **Citizenship and Social Class Framework**

Marshall (1950:9) antagonizes the relationship between democratic citizenship inclusive of its three elements and social inequality in the essay *Citizenship and Social Class* published in 1950. The presumption that the universal establishment of civil, political, and social rights in the eighteenth, nineteenth and twentieth century respectively might gradually absolve social class has been challenged by the theory (Marshall 1950:9). Marshall (1950:34–35) states that the institutionalization of civil, political and social citizenship did not diminish but made invisible the foundation of social inequality upon

which it stands. Furthermore, the exercise of these democratic rights does not depend on its formal implementation and is hindered by the barrier of social inequity (Marshall 1950:35, 84-85)

FOI as a fundamental civil, political, and social democratic right was universally instated by the UN in 1948 (UN 1948a:74–75) and in the Republic of India in 2005 (GOI MLJ 2005b). Despite 16 years of establishment, the RTI still finds a gendered, caste, religion, location and occupation based exercise in India as evidenced in figures 12, 13, 14, 15, 16 and 22. Drawing on Marshall's (1950) theory, it can be concluded that the usage of the RTI finds a correlation with the economic class of the RTI applicants. However, it should be acknowledged that social class and financial resources see an intersectional distribution in India (Agrawal 2014:329).

Marshall's (1950) theoretical supposition does not adequately explain the existence of social class in a predominantly agrarian India which, unlike the capitalist industrial societies of the West, constitutes of diverse social groups divided along (Oommen 2006:790, 793) gender, caste based, regional (Shah 2010:4), linguistic and religious lines (Oommen 2006:790, 793). Thus, social inequality in India can be understood as a phenomenon emerging from its hierarchical heterogeneity not confined to the economic class. Despite the recognition of these limitations, Marshall's (1950:25) postulation of the "edifice" of civil, political and social rights standing erect on an intact substructure of economic inequalities holds significant meaning in the Indian context.

#### Effects of the Right to Information on Social Inequality in India

The question of the impact of exercise of RTI on the social inequality in India finds manifold responses. On the one hand, the RTI has anchored itself concretely in the constitutional framework and on the other, the ground realities narrate diverging stories. Albeit its visible fault lines, the bureaucratic framework of the RTI has maintained a functioning apparatus for the past 16 years enabling formal, if not substantive, access for all Indian citizens. On the past 16 years enabling formal, if not substantive, access for all Indian citizens. In India Despite the prolongation, the implementation of the RTI Act in 2005 has been a welcome step in India's journey towards transparent democratic governance thus catalyzing a "knowledgeable citizenry" (Neuman 2002:5). The elimination of social inequality gains a stronger foothold in a well-informed and active civil society (Yannoukakoua and Araka 2014:333). However, trudging the long path towards democratization of public information that ensures "equality of status and opportunity" in the civil, social, political and economic spheres (GOI MLJ 2020a:22) requires diligent, meticulous, rigorous systemic efforts at the social structural core – the micro, meso and macro levels of the Indian society.

To this end, a quote from *Satyamev Jayate* by RTI activist Shankar Singh summarizes the socio-political salience of the fundamental democratic right of FOI:<sup>15</sup>

Aamir Khan, interviewer: *Kaagaz ki kya ehmiyat hai?* (Hindi) (Translation: "Why are these papers [state held information] so important?") (Bhatkal 2012).

Shankar Singh, activist, MKSS: *Kaagaz mein sabkuch hai. Kaagaz hi puri Sarkar hai.* (Hindi) (Translation: "There is everything in those papers. The entire government depends on those papers") (Bhatkal 2012).

COMING UP SATYAMEV JAYATE

Figure 30: Kings Everyday, Satyamev Jayate, 2012

Source: Shankar Singh and Nikhil Dey (left to right) in Bhatkal 2012

On a personal note, Singh's words are not only moving but also insightful to me as I am able to locate my personal and political stance in the space that the RTI has created for itself in India. As a topic I have been following for the past 16 years and continue to do so in the future, I hope to apply for the RTI Fellowship Program sponsored by the Government of India Department of Personnel & Training (GOI DPT) (GOI DPT 2020:1–5). It is with much gratitude that I acknowledge the thesis's role in granting me the opportunity for a structured academic discovery of the interrelationship between the RTI and social inequality in the Indian context. I hope to witness a growing body of academic research on the subject that will bring the Republic of India renewed spirits and albeit small yet significant victories that catapults India in its path towards healthy democratic governance.

<sup>15</sup> Satyamev Jayate (http://www.satyamevjayate.in/) aired in 2012 is a TV show focusing on social realities in contemporary India.

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## 10. DECLARATION OF AUTHENTICITY

I, Rutu Gole, hereby declare that the work presented herein is my own work completed without the use of any aids other than those listed. Any material from other sources or works done by others has been given due acknowledgement and listed in the reference section. Sentences or parts of sentences quoted literally are marked as quotations. The work presented herein has not been published or submitted elsewhere for assessment in the same or a similar form. I will retain a copy of this assignment until after the Board of Examiners has published the results, which I will make available on request.

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