

EXAMINING THE ROLE OF CIVIL SOCIETY ORGANIZATIONS (CSOs) IN INFLUENCING POLICY MAKING IN INDIA

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ABSTRACT

In India, a varied, democratic country with a growing population and complicated socio-political dynamics, CSOs shape policymaking. This report examines CSOs' diverse influence on Indian policymaking. The study examines how CSOs influence legislators, advocate for change, and help create, execute, and evaluate policies using academic literature, case studies, and empirical data. Indian CSOs work on human rights, environmental preservation, social justice, healthcare, education, and government change. They represent marginalised voices and promote inclusive and participatory decision-making as mediators between people and the government. CSOs challenge legislators, raise awareness of important problems, and provide community-driven policy solutions via lobbying, advocacy campaigns, research, and grassroots mobilisation. The study also discusses CSO policy advocacy difficulties and prospects. Limited resources, bureaucratic impediments, political co-optation, and intense stakeholder reaction are among these problems. CSOs use their networks, experience, and grassroots legitimacy to overcome these barriers and effect change. The report also underscores the dynamic nature of CSO-government interactions in India, which include cooperation, contestation, and negotiation. It highlights successful CSO-led policy initiatives that have led to legislative changes, institutional innovations, and societal transformations. In conclusion, civil society organisations are crucial to India's policymaking process because they can promote inclusive, participatory, and accountable government. It urges for further study and debate to evaluate CSO impact on policy making and find ways to improve their efficacy in promoting social justice and democratic governance in India.

Keywords: Civil Society, Policy, Citizens, Organisation

INTRODUCTION

Civil society is a broad category of non-governmental, volunteer organisations that are motivated by public participation. It plays a crucial role in contemporary governance frameworks.¹ The idea of civil society has ancient origins but has developed throughout time, becoming more well-known thanks to the writings of thinkers like Hegel. Today, civil society goes beyond simple charity and influences global governmental processes in a profound way. The development of policymaking dynamics in India is characterised by a move away from state-dominated, centralised systems and towards more inclusive, collaborative alternatives. This shift, which was sparked by liberalisation and globalisation, emphasises how important civil society is becoming to government. In particular, this article examines

¹Armida Fernandez, "Role of civil society in health care: Mechanisms for realizing universal health coverage in vulnerable communities of India", *Frontiers in Public Health* (February 22, 2024)
<https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2023.1091533/full>

transformational dynamics and highlights case studies of civil society organisations (CSOs) that have affected policy results. It also examines the meaning, significance, and function of civil society in the context of Indian policymaking. It also discusses the difficulties civil society has in overcoming dangers to democratic freedoms and civic space, highlighting the need of maintaining an inclusive and participatory framework for policymaking. This study aims to clarify the intricate relationship between civil society and policymaking processes by using an interdisciplinary approach. It emphasises the critical role that civil society plays in influencing governance frameworks and promoting democratic values.

MEANING, IMPORTANCE AND ROLE OF CIVIL SOCIETY

The word "civil society" refers to a broad category of voluntary, non-state, and not-for-profit organisations founded by members of the public. It represents a wide range of relationships and interests and is distinct from the State and the market. Although civil society has ancient origins, its definition and significance have changed throughout time. The German philosopher Hegel popularised the idea of civil society, which subsequently grew to include a wide range of non-state entities, including business organisations, social movements, NGOs, self-help groups, and special interest groups.² The individuals who voluntarily band together to pursue shared goals for the betterment of society or to bring concerns to the government are the main force behind civil society. The autonomous area of civil society, which is separate from the state and government, is one of its main characteristics.³ Here, citizens are permitted to engage in independent initiatives and government oversight. Civil society is frequently perceived as an arena devoid of political parties, wherein individuals willingly organize collectives with the intention of advancing the collective welfare and swaying those in positions of power. Civil society significantly facilitates the process of societal formation and alteration. By acting as an intermediary between the general public and the executive branch, it shapes legislation and cultivates a sense of inclusion founded on confidence and regard. In order to ensure the overall prosperity of society and adherence to constitutional principles by all branches of government, civil society is indispensable.

TRANSFORMATIVE DYNAMICS: THE ROLE OF CIVIL SOCIETY IN SHAPING POLICYMAKING IN INDIA

Particularly between the years following India's independence and the late 1980s, the policymaking process in India has undergone a significant transformation over the course of its history. Initially, the policymaking process was centralized and hierarchical, with the state assuming the primary role as the "maker" of policy. Centralised planning and reliance on expert-led organisations, such as the Planning Commission, which prioritised policy implementation over scrutiny, were defining features of this approach. In contrast, as a consequence of globalization and liberalization, the function of the state began to evolve, necessitating a shift towards a governance model that is more networked and collaborative. To facilitate this transition, a policymaking approach that was previously hierarchical and centred on the government was refined to be more horizontal, embracing participation from

²C. C. Rangarajan, "Responding to Globalization: India's Answer," The 4th Ramanbhai Patel Memorial Lecture, Ahmedabad, 2006. <http://eac.gov.in/aboutus/speech.htm>

³Hegel, "Elements of the Philosophy of Right," Cambridge University Press, Cambridge, 1991.

non-State actors. This included, among other non-state actors, corporations and civil society organizations (CSOs). As a consequence of the altering dynamics of policymaking, which increased the significance of collaboration between the government and enterprises, policy networks emerged. Despite the fact that institutional channels for civil society engagement were initially limited, the necessity of involving civil society actors in policy processes has become increasingly apparent. This understanding has developed gradually throughout the passage of time. The National Advisory Council (NAC), aside from its substantial contributions to the development of critical legislation including the Right to Information Act and the Mahatma Gandhi Rural Employment Guarantee Act (MNREGA), has been instrumental in facilitating collaboration between the government and civil society.⁴

Since the late 1980s, there has been a gradual opening up of formal involvement of civil society in the process of planning. This has been accomplished by efforts such as the appointment of Bunker Roy to the Planning Commission and the organisation of national conferences that bring together members from government and non-governmental organisations.⁵ The development of democracy, the calls for expanded engagement from grassroots movements, and the adoption of decentralisation measures such as the 73rd Amendment Act are all factors that may be ascribed to this change towards greater involvement from civil society. Both the imperatives of neoliberal states and the aspirations of grassroots groups for more democratic involvement were the driving forces behind the idea of including civil society in the policymaking process. Conversely, grassroots movements advocated for an approach to policymaking that operates from the bottom up, prioritizing community participation and dialogue. This stood in opposition to the neoliberal state's objective of integrating civil society into the governance process as a means to address intricate social issues. When examined comprehensively, the evolving policymaking environment in India signifies a shift towards increased collaboration among governmental bodies, civil society organizations, and other relevant actors. Nevertheless, challenges remain that must be surmounted to ensure that civil society is adequately represented and involves in substantive policy processes. This underscores the ongoing challenges that emerge when striving to achieve a harmonious coexistence of state-centric and networked governance models.⁶

CASE STUDIES

- NCPRI: National Campaign for People's Right to Information⁷

The National Campaign for People's Right to Information (NCPRI) is a coalition of grassroots organisations, activists, and concerned citizens advocating for transparency and accountability in governance. Established in 1996, NCPRI was instrumental in championing

⁴“2006: Rural job scheme MGNREGA introduced”, Frontline (February 22, 2024)

<https://frontline.thehindu.com/social-issues/social-justice/india-at-75-epochal-moments-2006-rural-job-scheme-mgnrega-introduced/article65725853.ece>

⁵Riley, Dylan, and Juan J. Fernández. “Beyond Strong and Weak: Rethinking Postdictatorship Civil Societies.” *American Journal of Sociology*, vol. 120, no. 2, 2014, pp. 432–503. JSTOR,

<https://doi.org/10.1086/678272>. Accessed 21 Feb. 2024.

⁶Ibid.

⁷Refer to:

https://www.humanrightsinitiative.org/programs/ai/rti/india/national/2006/ncpri_const_&_info_brochure.pdf

for the Right to Information (RTI) Act, which was later enacted in 2005. NCPRI is involved in advocacy campaigns, policy research, and offers assistance to individuals and communities looking for information under the RTI Act. The organisation also keeps a close watch on the implementation of the RTI Act and pushes for its strong enforcement at the grassroots level. NCPRI's initiatives have played a crucial role in enabling individuals to obtain information, ensure transparency among government officials, and fight against corruption in India.

- MazdoorKisan Shakti Sangathan (MKSS):⁸

The MazdoorKisan Shakti Sangathan (MKSS) is a grassroots movement in Rajasthan that advocates for the rights of workers and peasants. Established in 1990, MKSS has been instrumental in promoting the Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA), ensuring 100 days of wage employment for rural households. Engaging rural communities, MKSS organised social audits and advocated for important provisions such as minimum wages and prompt payment of wages in MNREGA. Continuing to monitor the implementation of MNREGA and advocating for improvements to ensure that the programme benefits the most marginalised sections of society is crucial.

- Campaign for Survival and Dignity (CSD)⁹

The Campaign for Survival and Dignity (CSD) comprises tribal rights organisations and forest-dependent communities pushing for the enforcement of the Forest Rights Act (FRA). Established in 2003, CSD was instrumental in pushing for the passage of the FRA in 2006, with the goal of acknowledging and granting forest rights to forest-dwelling communities. The CSD engages in advocacy campaigns, offers legal assistance to marginalised communities, and oversees the enforcement of the FRA to guarantee secure tenure rights and control over natural resources for forest-dependent communities. The organisation has played a crucial role in empowering marginalised communities and advocating for environmental conservation in India's forests.

- Naz Foundation:¹⁰

The Naz Foundation is a non-profit organisation that supports the rights of LGBTQ+ individuals in India. Established in 1994, Naz Foundation was instrumental in challenging Section 377, which deemed homosexuality illegal. The organisation conducted research, provided legal assistance to LGBTQ+ individuals, and organised advocacy campaigns to raise awareness about LGBTQ+ rights and combat discrimination. The efforts of Naz Foundation led to the groundbreaking Supreme Court ruling in 2018 (Navtej Singh Johar v. Union of India¹¹), which legalised homosexuality and affirmed the rights of LGBTQ+ individuals in India. The organisation is dedicated to championing legal reforms, social acceptance, and equality for LGBTQ+ individuals in all aspects of life.

⁸Refer to: <https://mkssindia.org/struggle-for-peoples-right-to-information/>

⁹“Changes to Forest Conservation Rules dilute forest rights, say tribal communities”, Down to earth (February 22, 2024) <https://www.downtoearth.org.in/news/environment/changes-to-forest-conservation-rules-dilute-forest-rights-say-tribal-communities-84000>

¹⁰“Navtej Singh Johar and others v Union of India: Supreme Court’s moment of atonement”, Times of India (February 22, 2024) <https://timesofindia.indiatimes.com/readersblog/my-tryst-with-law/navtej-singh-johan-and-others-v-union-of-india-supreme-courts-moment-of-atonement-46075/>

¹¹2018 INSC 790.

- All India Democratic Women's Association (AIDWA):¹²

The All India Democratic Women's Association (AIDWA) is an organisation dedicated to promoting gender equality, social justice, and women's empowerment in India. Established in 1981, AIDWA has been leading efforts for legal changes and policy actions to combat gender-based violence, discrimination, and inequality. The organisation conducts awareness programmes, offers support services to survivors of violence, and participates in advocacy efforts to promote women's rights at the grassroots level. Through its efforts, AIDWA has achieved important legal successes, such as the passing of the Protection of Women from Domestic Violence Act and the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act. The group is actively rallying women and supporters to confront traditional norms, push for policies that consider gender issues, and build a fairer and more welcoming society.

These organisations demonstrate the wide variety of individuals contributing to influence policymaking in India and promote social justice, human rights, and democratic governance. Through their advocacy efforts, grassroots mobilisation, and community engagement, these organisations play a crucial role in holding the government accountable, amplifying marginalised voices, and driving positive change in Indian society.

NAVIGATING CHALLENGES TO CIVIC SPACE AND DEMOCRATIC FREEDOMS

How civil society engages in the policy process depends on its ability to adjust to changing policy environments and societal trends. Given the evolving nature of policy challenges, it is crucial for civil society organisations (CSOs) to showcase flexibility and adaptability in their strategies to effectively interact with policymakers and stakeholders. It is essential to be open to new methods and technologies while also comprehending the complex relationship between various societal influences and policy objectives. At the heart of ensuring civil society's involvement in the policy process lies the need to promote inclusivity and diversity in policymaking spaces. This involves not just supporting the representation of historically marginalised voices and communities but also actively striving to break down systemic barriers to participation. By highlighting the perspectives of marginalised communities and advocating for diversity in decision-making settings, CSOs can help shape policies that better reflect the diverse needs and goals of society. Furthermore, with the world becoming more interconnected, organisations have a unique chance to utilise international networks and platforms to impact global policy agendas. By forming strong alliances with similar organisations and participating in global institutions and discussions, CSOs can increase their influence and push for policy adjustments on important global topics like climate change, human rights, and economic growth. However, the success of civil society's involvement in the policy process depends heavily on its capacity to establish and uphold trust and credibility with policymakers, stakeholders, and the general public. It is essential for CSOs to uphold transparency, accountability, and integrity as core values in their operations and advocacy work to maintain credibility and trust as partners in the policymaking process. Moreover, individuals in society must manoeuvre through a terrain filled with obstacles to civic space

¹²Refer to: <https://indianexpress.com/about/all-india-democratic-womens-association/>

and democratic freedoms. CSOs in various regions are encountering heightened limitations on their ability to freely express themselves, gather, and form groups, along with escalating risks of being harassed, intimidated, or suppressed. Amidst these challenges, it is crucial for civil society to stay alert in safeguarding basic rights and freedoms, and to devise creative approaches to surmount legal and political barriers to their involvement in the policy arena.

CONCLUSION

To sum up, civil society organisations (CSOs) in India have a variety of effects on how policies are made and help to promote social justice, democratic governance, and human rights. Through a range of advocacy initiatives, community involvement, and grassroots mobilisation, CSOs play a vital role as go-betweens for people and the government, amplifying the voices of the marginalised and promoting constructive change in Indian society. CSOs exhibit resilience and adaptation in overcoming barriers including scarce resources, bureaucratic roadblocks, and threats to civic space in order to bring about significant policy change. From campaigning for the rights of marginalised populations and contesting discriminatory legislation to promoting openness and accountability via the Right to Information Act, the case studies showcased the transformational influence of CSOs in a variety of fields. These instances highlight the critical role that civil society plays in influencing institutional innovations, legislative changes, and social transformations. They also highlight the need of promoting an inclusive and participatory framework for policymaking. Going ahead, further study and discussion are required to assess how well CSO lobbying influences policy outcomes and to pinpoint tactics for amplifying their influence. Furthermore, in order to guarantee that civil society remains active and effective in influencing the processes of government, it is essential to work towards preserving democratic liberties and fostering civic space. Essentially, civil society organisations play a pivotal role in bringing about transformations in India's policymaking environment by promoting inclusive, accountable, and participatory governance that aligns with the varied demands and desires of the populace. Civil society will continue to be essential in pushing progressive policy changes and furthering democratic ideals as India develops.

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