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Food Policy and Social Movements: Reflections on the Right to Food Campaign in India

By:

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Executive Summary

The Right to Food Campaign in India began in 2001. It was a time of absurd paradox. Even as the foodgrain stocks held by the government rose to 50 million metric tons, several parts of the country were reeling from a third consecutive year of drought. The threat of severe hunger loomed large, yet efforts to address this threat were insufficient. In April 2001 the People's Union for Civil Liberties, Rajasthan, an active civil society group in the north Indian state of Rajasthan, submitted a writ petition to the Supreme Court of India. Briefly, the petition demanded that the country's food stocks be used without delay to protect people from hunger and starvation. This petition led to a prolonged "public interest litigation"¹ [PUCL vs. Union of India and Others, Writ Petition [Civil] 196 of 2001]. Supreme Court hearings have been held since then at regular intervals, and significant "interim orders" have been issued by the court from time to time regarding the scope and implementation of eight food-related schemes of the Government of India. The litigation provided a springboard for the Right to Food Campaign.

The Right to Food Campaign (RFC) asserts that "everyone has a fundamental right to be free from hunger and malnutrition and that the primary responsibility for guaranteeing these entitlements rests with the state" (Right to Food Campaign 2005). Further, if people's basic needs are not a political priority, then state intervention itself depends on effective popular organization using democratic means. In broad terms, the RFC's role is to ensure that hunger and malnutrition become a political priority and that resources reach the intended beneficiaries. The Right to Food Campaign is, however, not merely a pressure group that secures increased allocations to food schemes. It is a social movement with a much broader agenda, playing an important role in bringing down the barriers that people face in gaining access to the programs and resources to which they are entitled.

In the Indian context, barriers of various kinds, including corruption, apathy, and many forms of social discrimination, make it difficult, and at times even impossible, for the intended beneficiaries to gain access to the programs expressly meant for them. Those at risk of hunger are necessarily poor, but also tend to be socially powerless and marginalized. The RFC recognizes that the realization of the right to be free from hunger and malnutrition depends critically on entitlements to livelihood security, such as the right to work, land reform, and social security.

From the perspective of people within state institutions, social movements such as the Right to Food Campaign pose a confounding dilemma. On the one hand, the Right to Food Campaign is an ally in the government's fight against hunger and malnutrition. The RFC achieves its goals through collective action—by taking on the state and its functionaries, often exposing the weak links, leakage, and corruption. How do policy makers engage with such a social movement?

Your assignment is to recommend how the Government of India can engage with the Right to Food Campaign as an ally in its fight against hunger and malnutrition. What can it do at the macro-policy level to address these issues? And what measures can it take to break the network of vested interests that undermine the implementation of food-related programs?

Background

The Context of Food Policy in India

A three-year-old girl named Kuttima could benefit from attending the local child care center, but her mother will not send her, because Kuttima is a Dalit child, and the upper-caste worker in the center may not clean her if the child defecates. Periamma, her neighbor, is a widow who has applied for the pension for destitute widows and does not know if she has been selected for the scheme. The village head says that she is not on the beneficiary list, but rumor in the village has it that she is on the list and that the village head is siphoning away the money. She has no way of finding out. Other people in the village where Kuttima and Periamma live

¹ Public interest litigation (PIL) is a process by which certain issues can be taken up by any concerned citizen in the public interest. These issues are typically taken up in the High Courts or the Supreme Court of India. PILs have significantly shaped social policy in India on issues including environment, education, hunger, governance, and domestic violence.

have similar problems. The village experienced a massive drought last year. Because the villagers are dependent on agriculture, none of them had any work during the drought. The relatively rich had some savings to fall back on, but the poor faced a life or death struggle. The government initiated some labor-intensive employment projects in the village. A man named Maman got 15 days of work, but the supervisor paid him for only 10 days of work. That was unjust, but Maman was too scared to protest—what if he were denied even that?

Stories like these are common across India. Food programs in India are meager in scale, and even these do not often reach the people entitled to them. Barriers of various kinds, including corruption, apathy, and many forms of social discrimination, make it difficult, even impossible, for the intended beneficiaries to access programs expressly meant for them. Those at risk of hunger are necessarily poor, but in addition tend to be socially powerless and marginalized. This is the context in which food policy is framed in India; this is also the context that motivates the efforts of the Right to Food Campaign in India.

The Right to Food Campaign asserts that “everyone has a fundamental right to be free from hunger and malnutrition and that the primary responsibility for guaranteeing these entitlements rests with the state” (Right to Food Campaign 2005). Furthermore, if people’s basic needs are not a political priority, then state intervention itself depends on effective popular organization using democratic means. In broad terms, the RFC’s role is to ensure that hunger and malnutrition are high political priorities and that resources reach the intended beneficiaries. The Right to Food Campaign is not, however, merely a pressure group that secures increased budgetary allocations to food schemes. It is a social movement with a much broader agenda, playing an important role in bringing down the barriers that people face in gaining access to what is meant for them. It also recognizes that the realization of the right to be free from hunger and malnutrition depends critically on entitlements to livelihood security, such as the right to work, land reform, and social security. Given its broad scope, it is difficult to address the RFC in its entirety in a single case study. This case therefore offers a snapshot of two aspects of the Campaign: securing policy changes at

the macro-level and working at the grassroots level to make policies work.

The Right to Food Campaign: Historical Overview

The story of the Right to Food Campaign begins in the north Indian state of Rajasthan in 1999–2000. The state had faced a series of droughts that eroded livelihoods and exposed large sections of the population to starvation. An estimated 33 million people were affected (Right to Food Campaign 2006). Under conditions of drought, governments typically take up a variety of relief measures, the most important of which is provision of employment at minimum wages to allow individuals and families to sustain themselves. On this occasion, civil society groups in Rajasthan were concerned that the scale of drought relief was too small.

It was also a time of absurd paradox. Even as parts of the country were reeling from the severe stress of drought for the third consecutive year, food-grain stocks held by the government exceeded 50 million metric tons. This level was far above the norms set by the government for buffer stocks.² In fact, government warehouses were overflowing, and with storage capacity filled, mounds of grain were left out in the open.

In Rajasthan a veteran activist Om Srivastava floated the idea of calling a meeting on the issue, but this meeting did not happen until drought struck again the following year. In June 2000 an information-sharing meeting was organized in which 300 organizations from across the state participated. A spate of activities followed, including an “action-oriented meeting” in December 2000 in which the chief minister (CM) participated. The CM was sympathetic but argued that state finances were strained and that the involvement of the Government of India was crucial. As the drought worsened, activists decided to intensify the struggle and organized a large meeting close to the Legislative Assembly building attended by, among others, many well-known intellectuals and journalists. Given that officials from the center and the state were constantly passing the buck to each other, the

² In July 2001, for instance, whereas the established norm for buffer stocks was a minimum of 24.3 million metric tons (for rice and wheat), the stocks were in fact 61.7 million tons (Government of India 2002).

organizers brought officials from both levels of government onto the same platform at this meeting. This meeting became one of the springboards for RFC nationally.³

Critical to this mobilization of support for the RFC was Rajasthan's long tradition of partnership among civil society actors in fighting for a common cause. One such network of organizations was already active in a campaign for the right to information. The network comprised many organizations with very different profiles, sources of funding, sizes, and ideologies. They were also well distributed geographically, covering most districts in Rajasthan. During periods of intense struggle, most organizations pooled their resources—manpower, finances, and skills. In the process, the People's Union for Civil Liberties, Rajasthan (PUCL)⁴ had already emerged as an informal node of networking.

As the food crisis loomed in parts of Rajasthan, in many other parts of Rajasthan and elsewhere in the country, rodents and birds were helping themselves to the grain stored out in the open. There was even a suggestion that some grain be dumped into the Arabian Sea! "Hunger amidst plenty" became the refrain. The absurdity of the state's policies became the focus of the campaign. To highlight the issue, demonstrations were held in front of state-managed food depots in different parts of Rajasthan. The campaign drew media attention to "hunger deaths," traditionally a strong political issue in India. Neelabh Mishra published an article in the newspaper *Hindustan Times* called "An Anatomy of Hunger," a moving case study of a few hunger deaths in the state. Another prominent journalist, P. Sainath, wrote a series of articles in *The Hindu*, a leading national newspaper, giving hunger greater visibility and causing deep embarrassment to a government "sitting over food mountains."

During this time Colin Gonsalves, a leading lawyer, urged the group to approach the Supreme Court of India. Given the reluctance of the courts to take up cases involving "policy issues," the participants pursued this suggestion with little hope. In April 2001 the PUCL, Rajasthan, submitted a writ

petition to the Supreme Court of India. Briefly, the petition demanded that the country's food stocks be used without delay to protect people from hunger and starvation.⁵ As things turned out, the petition led to a prolonged "public interest litigation" (PUCL vs. Union of India and Others, Writ Petition [Civil] 196 of 2001). Supreme Court hearings have been held since then at regular intervals. The campaign's success in highlighting "food mountains" made it difficult for the government to argue that it did not have resources. Instead, the government responded by saying it was already implementing eight large food-related programs and that no new measure was required. The petitioner pointed out that many of these schemes existed only on paper and were not being implemented. On November, 28, 2001, the court directed the government to faithfully implement all the schemes it had pointed out on paper. Because India is a common law country, where a direction from the Supreme Court automatically becomes a law, this ruling effectively converted all eight schemes into legal entitlements.

Apart from the legal implications, the court's direction had important consequences for public debate. For example, the order of November 28, 2001, made school feeding a legal entitlement of every child attending government-run and government-funded primary schools. The order set the frame of reference for how extensive school feeding should be and which children should be covered. The court set February 2002 as the deadline for partial implementation of this order and June 2002 for full implementation. When most states "defaulted," they were framed as "violating the law" and "not caring for children." The campaign then decided to appeal to organizations across India to observe April 9, 2002, as a "day of action" for school feeding. This appeal received overwhelming support, with demonstrations in almost 1,000 villages across India.⁶ The network that was formed became the core of the Right to Food Campaign nationally.

³ It is difficult to pinpoint the beginnings of a campaign. In the view of the authors, this is one of the many important events that led to the formation of the RFC.

⁴ PUCL is a national network, and it was only the Rajasthan chapter that was closely involved in the RFC.

⁵ For details, see Right to Food Campaign (2006).

⁶ This is an informal estimate made by one of the authors at the end of the mobilization based on feedback from various regions. Given the decentralized nature of the campaign, information is not precise, but the author believes that this is a reasonably reliable estimate.

The Right to Food Campaign Today

Like the network in Rajasthan, the Right to Food Campaign functions today as an informal network of organizations committed to realizing the right to food. Given the growth of the RFC, a new secretariat was set up with one person working full-time.⁷ The bulk of the work is done by volunteers. The secretariat functions with minimal funding raised entirely from small individual donations.⁸ The secretariat serves to enable communication and to organize periodic conferences where participants can meet face-to-face and determine the priorities of the RFC.

The secretariat collects and shares a wide variety of information including Campaign activities and implementation of Supreme Court orders by the states. Information is shared through a website (www.righttofoodindia.org), a widely circulated newsletter, periodic meetings, and other measures. Since 2003 the secretariat has also organized two to three national meetings each year at which participants decide on strategies. Further, activists working on the right to food need an assortment of skills, such as organizing small-scale local surveys, medically establishing hunger deaths, and organizing social audits. The secretariat builds these tools or solicits them from groups with expertise on the selected issue. It has also been involved in creating cultural materials including posters, pamphlets, plays, and poems. Finally, the secretariat has organized many national demonstrations.

Policy Issues

Few countries in the world have health and nutrition indicators as disastrous as India's. According to the second National Family Health Survey (1998–1999), 47 percent of all Indian children are undernourished, 52 percent of all adult women are anemic, and 36 percent have a body mass index (BMI) of less than 18.5 (implying chronic energy deficiency). In fact, according to the *Human Development Report*, only two countries (Bangladesh and Nepal) have a higher proportion of undernourished children than India, and only two countries (Bangladesh and Ethiopia) have a higher

proportion of infants with low birth weight (Drèze 2004).

Yet fighting hunger and malnutrition have not been a high policy priority in India. When India embarked on broad-based economic reforms in 1991, expenditures on the social sector as a percentage of gross domestic product (GDP) declined and have not increased by much since the mid-1990s.⁹ Furthermore, India has achieved only a quarter of its target under the Millennium Development Goals. Indeed, the verdict on India's progress over the period 1990–2004 is expressed succinctly in a report from the United Nations Children's Fund (UNICEF): "making progress, but insufficient" (UNICEF 2006b).

Even in the public sphere, discussions on health and malnutrition are conspicuous by their absence. For instance, *The Hindu* publishes two opinion articles every day on its editorial page. In a count of these opinion articles between January and June 2000, it was found that health, nutrition, education, poverty, gender, human rights, and related social issues combined accounted for barely 30 out of 300 articles; not one dealt with health or nutrition.¹⁰

Apart from the amount of resources allocated, what is allotted is often underutilized, and a significant proportion is routinely lost to inefficiency and corruption. What is left is often appropriated by relatively powerful social groups, leaving very little to the marginalized people who are in desperate need of these programs. The socially disadvantaged include lower castes, women, children, widows, the aged, and the illiterate, among others. They are often the worst victims of corruption as well, as illustrated by the accounts presented in the beginning of this case study.

However well-crafted a food scheme might be, its efficacy is far from self-evident. Take the case of

⁷ One of the authors, S. Vivek, served in this capacity from 2002 to 2005.

⁸ One exception to this practice was a donation from Z-Trust, set up by eminent writer Arundhati Roy.

⁹ See Mooij and Dev (2004) for a detailed discussion of social sector priorities as reflected in the annual budgets.

¹⁰ Low coverage of social policy issues is common in many countries. For a detailed study on this issue, see Franklin (1999, 287). Curran (1991, 266) offers interesting insights on the media and policy in democracies. For a broader discussion on the role of the media, see Brophy-Baermann and Bloeser (2006), Drèze and Sen (1989), Gamson and Modigliani (1989), Kuhn (1995, 284), and Stromberg (2004).

the public distribution system (PDS). India has the largest public distribution system in the world, and the PDS is also the largest food-related scheme of the Government of India. It channels up to 15 percent of grain production in the country to poorer consumers. State agencies purchase food grain from farmers across the country and distribute it at a subsidized price through a large network of Fair Price Shops (FPSs). These FPSs are contracted out to private dealers or run by cooperatives, village governments, or other means. A large part of the network is managed by private dealers. To ensure that the system functions well, the government has designed an elaborate system of accounting and monitoring.

Every purchase is to be marked on the ration card that is held by the beneficiary, so that the beneficiary knows what is being accounted for. The stock position is updated regularly on a board in front of the shop. There are strict accounting norms for the transactions that are maintained in the registers at the shop. Food inspectors regularly visit the shops to inspect the registers and to talk with people about their experiences. Furthermore, people can visit the inspectors to register complaints to be investigated. Malfeasance by the vendor can result in criminal prosecution. The possibility of stiff punishments, along with monitoring by inspectors and beneficiaries, creates a tight incentive system for the vendors to operate properly. Most would agree that this is a well-designed scheme. Indeed, it is a perfect system—on paper.

In practice, things are quite different. In some states, it works rather well. But in several others, it is almost dysfunctional. Parivartan, an activist group, found that the residents of a slum in Delhi, where Parivartan worked, had a litany of complaints about the system. Food grains were seldom available. The dealers routinely told them that they could do nothing about it, since stocks had not come. The stock boards were never kept, and even if they were, residents had no confidence that the information on them was correct. The vendor had false measures and an assortment of tricks to give people much less than their entitlement. Kerosene, for instance, forms a large share of the budget of people in the slum, but it was not unusual for them to get just three liters instead of the five they were entitled to. These beneficiaries knew they were being cheated but were not able to do much since

the vendor was a “powerful” man with connections. Many others were not even aware that they were being cheated since they did not know they were beneficiaries.

As the example illustrates, the challenges of food policy design and implementation are manifold. It is not merely a matter of making rules. An effective food policy requires a close understanding of the social, political, and cultural context in which the policy is to be implemented. Furthermore, to understand hunger and malnutrition in India (and elsewhere), it is important to look at poverty as well as other kinds of deprivations. For example, social relations in India, including caste structure and gender relations, have an important impact in many ways. We are unable to take up this topic in detail in this paper, but we highlight these issues and illustrate their importance in policy making.¹¹

Stakeholders

Identifying groups of people who could gain materially is important in understanding human actions because economic incentives are one of the most important motivations for human behavior. To borrow from a popular movie, “following the money” provides the most important clues to people who have stakes in the system. At the same time, it is equally important to consider other motivations, including a social commitment to ensure that everyone is free from hunger.¹² Committed activists, honest officials, intellectuals, and many politicians have a different stake in how well the scheme functions.¹³ Without this recognition, it is impossible to understand the role of social

¹¹ The following works deal with the interrelationship between social policy and social relations: Alesina et al. (1999), Banerjee and Somanathan (2001), Banerjee et al. (2005), Pande (2003), and Thorat and Lee (2005). For a general review of caste and politics in a democracy, see Ambedkar and Rodrigues (2004, 572). For related issues including gender, see Agarwal (1992), Anderson and Halcoussis (1996), Haddad (1996), Halcoussis and Lowenberg (1998), Kuiper and Barker (2005), McIlwaine and Datta (2003), and Nussbaum (1999, 2003).

¹² Amartya Sen has interesting discussions on this topic and its significance in economics and policy making. For examples, see Sen (2000, 366) and Sen (1977).

¹³ In an interesting article Jos Mooij argues that the political stakes are determined by how active grassroots movements are (Mooij 1999a; see also Mooij 1999b, 2005).

movements and their considerable influence in policy design and implementation. When it comes to an issue as basic as hunger, most people share a concern that society should be free from hunger. In this sense, all of us are important stakeholders in this framework.

Clearly, the critical group of stakeholders here consists of those vulnerable to hunger. This group includes poor people and those who are marginalized and socially disadvantaged, including, but not confined to, backward castes. Recognizing this stakeholder group is the most challenging and important task in food policy. The Right to Food Campaign has identified many groups who belong to this stakeholder group. They include, among others, landless laborers, poor women and Dalits, widows and aged people without support, families with disabled people, children under six, and school-going children. Some people have been critical of the RFC for leaving out vulnerable groups including the urban poor, children out of school, and many socially stigmatized groups. Identifying those in “need” has always been a highly political act that mirrors cultural norms. In the U.S. context, this debate is often articulated around “deserving” and “undeserving poor,” the definitions of which have changed over time.¹⁴ One of the crucial tasks of social movements in food policy is to identify and articulate needs and bring the existence of hunger to the attention of policy makers.

In contrast to groups that would benefit from the RFC, there is a resilient network of vested interests that benefit directly from leakage and corruption. These interests include corrupt officials, politicians, middlemen, and contractors of government projects, among others. Apart from affecting implementation, these powerful groups often have a large impact on policy making as well. Recognizing this, the Supreme Court of India has banned the use of private contractors in most food schemes in India.¹⁵ The vested interests have the

greatest interest in keeping the system inefficient and corrupt and would stand to lose if transparency and accountability were restored.

The power of these vested interests is evident in the example of the PDS in the Delhi slum. Parivartan decided to test the built-in incentive system in the scheme and started filing complaints with the inspectors, offering extensive testimony and evidence.¹⁶ Nothing transpired because the inspectors were in “nexus” with the vendors and were beneficiaries of the corrupt scheme. Inspectors failed to register complaints and, if pressed to do so, would fail to follow up. If pressed further, they would initiate an investigation that would be a nonstarter. On one occasion Arvind Kejriwal, the head of Parivartan, was walking with an inspector in the colony when he pointed out that the FPS was not open when it should be. The inspector turned his head the other direction and said he did not have the time to investigate!

For this group with vested interests, it was critical to ensure that the formal incentive system was not activated, for if prosecuted, a vendor could be jailed for a considerable duration. Vendors dealt with this danger through informal means and by carefully building several layers of protection. First, they had a strong nexus with the inspectors, but they had to make sure that the inspectors themselves were not penalized. So the vendors solicited the support of higher officials and politicians who had great influence on the officials. That left them to tackle the beneficiaries and those acting on their behalf. They tried the carrot and the stick with the beneficiaries who were agitating. The “troublesome” ones were promised their entitlements and told that they might never get them again if they failed to stop agitating. The vendors met the activists and promised them huge bribes. When that failed, they turned to more drastic measures. A young activist was clandestinely attacked with a sharp instrument, which “fortunately” slit her chin rather than her throat. Another activist was attacked the next week; the attackers were never found. Even if the attackers had later been found, it would have been impossible to establish that the vendors were behind this attack. The vendors were obviously

good discussion on this issue, see Gilmour and Jensen [1998].

¹⁶ Some of this effort is documented on Parivartan’s website (<http://parivartan.com>).

¹⁴ For some interesting discussions see Brodtkin (1993) and Handler and Hasenfeld (1991).

¹⁵ Private contractors typically tend to be wealthy and politically well connected (often a precondition for getting contracts). These characteristics enable them to violate laws with greater impunity than government officials. Furthermore, as things stand, accountability laws are much less confining for contractors than for government officials, setting perverse incentives. For a

going to great lengths and were willing to take significant risks to escape punishment.

While this story describes two particular groups with conflicting interests, many others have indirect stakes in food policy. For example, some people are vehemently opposed to government expenditure on food schemes. Others have strong opinions on what form food policy should take. For example, some international organizations such as the World Food Programme (WFP) have a strong preference for fortified snacks. The motivation for preferences could, in general, be ideological or material for the individual or organization (see Nestle 2002).

This complex web of stakeholders has significant influence on food policy even if some stakeholders are not directly engaged in it. The effectiveness of food policy is thus influenced by several interests—some coincident, others conflicting—working simultaneously.

Policy Options

This section looks at how the different actors navigate this complex setting to shape policy and how concerned officials could respond.¹⁷

The Right to Food Campaign in Perspective

To put the work of the RFC in perspective, we take up two instances. At one level, the RFC fights for policy change above, engaging with policymakers and government. At another level, it works locally, effecting changes at the micro-level.

Fighting for policy change above. At the macro-level, the RFC was strengthened by its success in getting school-feeding programs implemented across the states in India. It then rallied for far-reaching measures to secure entitlements. Five measures emerged as priorities: (1) universal school feeding, (2) universal child care for children under six, (3) an Employment Guarantee Act, (4) food

security for groups vulnerable to destitution, and (5) the strengthening of the public distribution system. The RFC sustained activities in each of these areas simultaneously. This section considers one of them—the Employment Guarantee Act (henceforth, EGA)—perhaps the RFC's most important achievement to date.

The idea of an employment guarantee cannot be understood without accounting for the discourse of fiscal austerity. India's policy discourse has shifted sharply from socialism to market fundamentalism in the past three decades. This trend has been particularly acute since the early 1990s. Fiscal austerity has come to be regarded as indispensable for growth, and growth has come to be seen as the antidote to poverty. Under the circumstances, there would be stiff resistance to an EGA that requires large financial outlays. Nonetheless, the campaign started working toward an EGA, energized by the success of the campaign on school feeding.

Employment was already high on the agenda, given the string of droughts in Rajasthan. During the 2003 drought, Rajasthan was scheduled to have an election. The chief minister of Rajasthan at that time was sympathetic to the idea but argued that it was infeasible with the state's finances. Nonetheless he agreed to push the idea with the national headquarters of his party. The Congress (I), a national party, had developed a system of holding periodic meetings of all its CMs in different states. Between 2003 and 2005 the party endorsed the idea of an employment guarantee in many meetings of its CMs. Before the Rajasthan elections the party organized a meeting in the Parliament in which it invited prominent members of the RFC to discuss the EGA with its parliamentarians. The meeting was chaired by Manmohan Singh, who subsequently became prime minister. Congress (I) lost the election in Rajasthan, but many key members had by this time absorbed the idea of an EGA. Soon after, a combination of fortuitous political circumstances served the RFC well.¹⁸ In the run-up to the national elections in June 2004, the RFC convinced the Congress (I) to include EGA as one of its poll promises. To everyone's surprise, the Congress Party emerged with the largest number of seats,

¹⁷ This case study is confined to the issue of how the state can engage with social movements in the making and implementation of food policy. There are other highly relevant issues, such as how civil society actors can engage with the state and with vested interest groups, both at the local and at the national level. These issues are no less important, but we do not take them up here.

¹⁸ On the importance of fortuitous circumstances for social movements and policy making, see Kingdon (1984, 240).

and its allies also won a significant number of seats, giving them a comfortable majority. The Left Parties won their largest number of seats in India's electoral history, and they decided to support the Congress Party from the outside. The allies decided to draft a "Common Minimum Programme" (CMP), which provided an agenda for governance.

The RFC pointed out that the EGA was one of the poll promises, and it also appealed to the Left Parties to support the program. The RFC won a significant victory when the EGA was included in the CMP. Soon after, another political development offered an unexpected opportunity for the RFC. The government experimented with a new institution called National Advisory Council (NAC) composed of intellectuals and civil society actors from different fields. The NAC was mandated to advise the government on implementing the CMP. Of the 12 people, 3 were associated closely with the RFC and a few others had been involved at some stage.

The RFC's intensive preparation enabled the NAC members affiliated with the RFC to set the agenda at NAC. Before the government could get its act together, the RFC produced a draft EGA. This draft became the frame of reference, and when the government put forth its own drafts, they were widely portrayed as "diluted" and "weak." Without this timely move by the RFC, the government could have taken credit for "progressive legislation." By framing the issue in advance, the RFC forced the government to revise its act and match its draft to the "people's draft."

To keep momentum, the RFC organized a series of events and built alliances with powerful political personas and parties. Events were held nationally and in many states to keep the pressure on the government to legislate.¹⁹ In the run-up to the winter session of Parliament, a large campaign was organized to solicit nationwide support for the EGA. More than 1 million signatures were collected from people in 400 out of 500 districts in India. The signatures were displayed in a large meeting in Delhi in front of the Parliament on the same day. After further rounds of bargaining to strengthen

the bill, it was finally passed and came into effect on February 2, 2006.

Toward making policies work. In addition to fighting to put hunger and malnutrition on governments' agendas and keep it there, the other challenge is to ensure that the benefits of government schemes reach the intended beneficiaries.

To see how this can happen, recall that in the case of Parivartan and the PDS, a system of checks-and-balances built by the government was rendered irrelevant by the network built between various actors in the system. Attempts to restore the government's controls tested the strength of this nexus of vested interests, driving them to adopt means that included intimidation and violence. The beneficiaries who were being denied the benefits were "kept in their place" by ignorance (that they were beneficiaries), the impassivity of the system, and ultimately by violence. The vendors were taking significant risks to escape punishment. That they were pressed into taking such risks is an indication that their system of corruption was under pressure and that they feared that the formal punitive mechanisms would actually be activated.

The formal rules that frame food schemes could end up benefiting the powerful if the nexus of vested interests remain and their sources of power are not removed. Can this tight-knit network be broken? A network of organizations led by Mazdoor Kisan Sangharsh Samiti (MKSS) in Rajasthan did just that.

The state of Rajasthan has been a hotbed of inspiring activism in India, especially on the issue of food. In the region where MKSS started working, property rights over land were kept secret from the people themselves. Because people did not know whether a piece of land belonged to them, they were vulnerable to exploitation by the powerful in the village. MKSS cultivated allies within the administration, and when the district administrator gave them the right to check land records, which they did in 1988, all hell broke loose. This was the beginning of a campaign that has been running for about two decades. MKSS realized that the elites would find it more difficult to exploit people who knew their entitlements—in other words, information is power.

¹⁹ Governments in India have notoriously used the tactic of introducing legislation and not completing the process for many years. Many bills have died a "natural death" in this way.

When the district administrator gave MKSS information on land records, it was a discretionary move by a friend. Rajasthan did not have a freedom of information law requiring officials to give them information on various government schemes. To harness the power that information offered, MKSS decided to work toward a right to information law. The group built strong networks on the ground in their community and formed a network of like-minded organizations across the state. The government, for its part, was not willing to part with the power but had no legitimate argument against such a law. The adverse publicity generated by the media was embarrassing and did not auger well in a democratic polity. The government's delay tactics were met by a resolved campaign. The right to information act was finally passed amid a protest that continued for 53 days²⁰ in the state capital, attracting nationwide attention.

The question then arises: Why agitate for laws if laws are not being implemented anyway? The answer is that laws may not be sufficient, but they are enabling. Collective action and public attention potentially foster greater implementation of laws, particularly in democratic regimes. Without the Right to Information (RTI) Act, an official who denied information was justified and faced no threat of punishment. The legislation made information a clear entitlement whose denial is now punishable. Equally important, the law creates a new norm that makes the denial of information illegitimate, thus making the protests of the campaigns more powerful.

As Parivartan's experience shows, entitlements do not get converted into reality automatically. A network of vested interests will try to appropriate the entitlements. The strategy of MKSS was to counter this kind of power with empowerment. If a beneficiary does not know that he or she is receiving a benefit on paper, he or she is less likely to protest when the benefit is not forthcoming. The vulnerability of ignorance can be overcome only with the power of information. Without this enabling law, the government could have resisted people's attempts to get information with more legitimacy, and thus more authority. The law had converted the denial of information into an illegitimate activity and added much moral authority to the campaign. Using this legitimacy, MKSS

weakened any further resistance with consistent mobilization.

Many beneficiaries knew they were being swindled. Did demanding information generate any results for them? The answer is a resounding yes. Getting information on paper gave beneficiaries an important tactical advantage. In a government system paperwork is of great importance and is the ultimate instrument in activating formal redress processes. Corruption can often be established with official papers. For example, one of the authors encountered a corrupt official who employed three people just to affix fake signatures of intended beneficiaries. This practice was known and accepted within his corrupt system—were it subject to challenge, these signatures could clearly be used as evidence against him. A village-level official told us that he would rather part with his life than his papers!

MKSS was empowering people not just by increasing the threat of activating the formal system of punishments, but also by strengthening people socially. The accounts received from the administration were read aloud in large public meetings called social audits, which were sources of both amusement and anger. To their amusement, people found that people long dead had worked on projects and duly signed for their payments. But mostly to their anger, they found that many of them had been cheated of benefits that could have helped them escape from the acute misery of hunger. This anger mobilized people to act collectively, thus creating an alternative network of power. This process is also acutely embarrassing for local officials and vendors, who often come from the same communities as the swindled beneficiaries.²¹

Collective action is difficult to initiate and sustain, but when it succeeds it can be extremely empowering for those who are individually marginalized or powerless. It is more difficult to intimidate a group than to deal with bold individuals. Collective action also creates a sustained public debate that is embarrassing and potentially costly in a democratic framework. It is far more difficult for an individual to get public attention or

²⁰ The *dharana* ended on July 14, 1997.

²¹ A documentary entitled "Right to Information and Corruption" by Jan Madhyam Productions provides a detailed account of how social audits work. It is available in the public realm, including on Google Videos.

the attention of media. Working in groups also enables the creation of allies within and outside the community. For example, working in groups enabled people in Rajasthan to gain access to higher government officials, media, influential people, politicians, and others that strain the nexus of corruption.

Reasonable evidence shows that the efforts of long campaigns by MKSS have borne fruit. Recent surveys reveal that regions and schemes on which MKSS and others in Rajasthan have worked in a sustained fashion have much less corruption. The success of MKSS also encouraged like-minded organizations in other parts of the state to adopt similar tactics. The results have been equally encouraging in other regions where anti-corruption efforts have lasted for a considerable duration.

In fact, the right to information campaign changed the work culture of Rajasthan significantly. A recent survey on employment programs in different states in India found that people were able to get official accounts and other information more easily in Rajasthan than in other states. This is not because Rajasthan has an RTI Act; in 2005 India passed a Right to Information Act that made the law applicable across the country. It is not because people in Rajasthan were agitating when others were not. In fact, groups in neighboring states were agitating heavily for information that was now routinely available in Rajasthan. The difference lies in the history of agitation in Rajasthan on this issue. By refusing to accept denial of information or corruption for more than a decade, the campaign changed the work culture. At the beginning of the campaign, it was the norm for officials to deny information, and they could count on support for these denials from fellow officials. But a decade of the campaign changed this norm. An official who denies information is now outside the norm and attracts immediate attention. People are now used to getting their papers quickly and are prone to complain and agitate more if they do not get what others normally get. Because of its ability to affect culture, a campaign can be powerful over the long run, even if it ceases to be active an active force.

The histories of countries that now have low levels of corruption show that sustained agitation by people was instrumental in reducing levels of corruption over time. Once a lower level of corruption becomes the norm, it becomes self-

reinforcing without the need for continuous struggle.²²

Food Policy Making in Perspective

Given the variety of interests within the state, it is almost impossible to speak of the “government’s perspective.” In practice, social movements like the RFC have a conflicting relationship with the state, since these campaigns exist to change the system. This situation poses a dilemma for officials who are keen to see food programs reach people. On the one hand, the RFC is an ally in the government’s fight against hunger and malnutrition. Within the movement’s broad agenda, the RFC has the power to transform societal norms and work toward ensuring that programs and policies are implemented and benefit those they are intended for. Yet within the democratic framework, it achieves this goal through collective action that involves taking on the state and its functionaries, often exposing the weak links, leakage, and corruption. How do concerned policy makers engage with such a social movement? In a democratic setting, how can the state provide a space for a movement in a way that allows it to be a partner in change?

The examples in this case study point to four broad ways concerned food policy administrators can assist the process:

1. *Providing entitlements:* Entitlements give something to fight for. If entitlements do not exist, the effort of social movements would go toward trying to create them. The bases of clear entitlements are clear eligibility norms and clear specification of benefits. These norms and specifications should be as simple as possible, and the eligibility norms should not divide people who must act collectively for their benefits.

2. *Creating an enabling legal structure:* An enabling legal structure weakens the source of power of the nexus and empowers intended beneficiaries. Sources of power come in many forms, and these differ across societies. Power can be based on social networks, control of information, and the physical and social distance of decision makers and those

²² For illuminating case studies on corruption and for systematic thinking on this issue, see Heidenheimer and Johnston (2001), Johnston (1997), Peck (1993), Mooij (1999c), and Wade (1982).

wielding power in the formal structure. Some elements can be found across societies, and some are specific to societies.

An enabling legal structure provides formal incentives in the form of carrots and sticks that encourage officials to act in ways that assist intended beneficiaries. Such a structure takes into account the informal rules that affect the formal incentive structure and strengthens it accordingly. The RTI Act and the EGA are examples of enabling legal structures.

3. *Act as allies:* The importance of allies cannot be underestimated. Allies with influence over the formal processes add to the strength of collective action. Sometimes an ally can accomplish what a sustained campaign fails to achieve over many months. Allies can be institutionalized in form of responsive and accessible institutions.

4. *Set workplace norms:* Norms are not merely set by cultural factors that are beyond influence. Norms are defined by “official” policies and laws. In addition, through their own style of work, administrators can have a powerful influence on the norms of their workplace.

In short, food policy administrators need to recognize that schemes are often designed with a formal incentive structure to help them work as intended. But these formal incentive structures do not work in isolation. The actual incentive structure is determined by the formal rules acting with the informal rules of the social context. Those in need of food schemes are poor and often marginalized, making it easy for those in positions of power to hijack their benefits. Collective action is capable of empowering people and helping them get their due benefits. Collective action in turn is strengthened by an enabling legal structure and by allies in the administration, media, police, and other powerful organizations. Together, these elements can make a low level of corruption the norm and thus help people get their entitlements automatically. Moreover, when people have the power of information and knowledge, the government can address hunger and malnutrition much more effectively than otherwise.

Assignment

Your assignment is to recommend how the Government of India can engage with the Right to Food Campaign as an ally in its fight against hunger and malnutrition. What can it do at the macro-policy level to address these issues? And what measures can it take to break the network of vested interests that undermine the implementation of food-related programs?

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Additional Readings

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