

## **Vernacular Anti-Corruption: Rural Experiments with Agendas of Good Governance**

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### **Abstract:**

*This paper proposes to investigate anti-corruption campaigns in rural Rajasthan, India. Local claims against corruption in India are increasingly being articulated through the register of law, leading consequently to the advancement of ideals of governance as set forward by the state. With the recent enactment of the national Right to Information Act (RTI) in 2005, India has legally sanctioned the enforcement of administrative transparency and accountability. I argue that the institutionalisation of anti-corruption is inextricably intertwined with neoliberal principles of good governance. My study of village based anti-corruption campaigns is an attempt to investigate the local and unanticipated manifestations that emerge out of the technical policies on good governance.*

*In this paper I use the case study of anti-corruption public hearings - known in Hindi as jan sunwais - in rural parts of Rajasthan, India. Jan sunwais are typically organised in villages in which a scam is suspected regarding the (non-) implementation of a government-sanctioned development project. By employing an eclectic mix of state laws, particularly the RTI, and local norms of justice in a jan sunwai, rural populations publicly call corrupt local government officials to account.*

*With demands for transparency and accountability being the guiding objective and ambition of a jan sunwai process, they starkly resemble principles that guide agendas of good governance. Within a jan sunwai citizens take it upon themselves to correct state malpractices and to enforce ethical standards of governance. In this manner, they resemble social audits and contingently show parallels to principles of neoliberal political agendas.*

*In the paper I argue that although jan sunwais may echo neoliberal principles, in practice good governance comes to expression in multiple and unanticipated forms. Invocations of conceptual notions such as good governance, participatory democracy, transparency and accountability are not simply products of top-down interventions and discourses, but are creatively crafted into socio-cultural contexts. Jan*

*sunwais, with their aspiration for transparency and accountability, represent a culturally specific interpretation of notions of good governance.*

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### **Introduction**

In the contemporary development discourse, anti-corruption reforms make up a core component within the proclamations for good governance. By combining economic reforms with institutional and political revisions, agendas of good governance foreground notions of efficiency, accountability and transparency. In this equation, corruption is viewed as one of the principal causes of impaired social and economic development and, thus, as the antithesis of the good governance ethos. Leading international institutions, most notably the World Bank, the International Monetary Fund and Transparency International, prescribe a set of technical prerequisites as the panacea to many deficiencies and irregularities within public institutions. In consequence, anti-corruption incentives are taking root throughout the world falling under the overarching framework of good governance.

In this paper I examine anti-corruption campaigns in rural parts of Rajasthan, India. In India, local claims against corruption are increasingly being articulated through the register of state law. This legalization of claims is largely a result of the Right to Information Act (RTI), enacted in 2005, that legally sanctions the enforcement of administrative transparency and accountability at the national level. Implementation of the RTI is regarded as a major steppingstone in the government's attempt to counter widespread institutional corruption. Since its enactment, numerous government incentives and civil society initiatives have emerged, aiming to strengthen and advance the RTI throughout the nation. Particularly in rural areas where state laws remain largely unknown to local populations, endeavours are carried out by civil society organizations to raise awareness and efficacy of the RTI.

The case studies I draw on in this research are anti-corruption public hearings – known in Hindi as *jan sunwais* – in rural parts of Rajasthan. *Jan sunwais* are typically organized in villages in which a scam is suspected regarding the (non-) implementation of a government-sanctioned development project. By applying the RTI law, civil society activists and villagers attain all the documents related to the government project and thereby collectively probe and, if evidence is found, adjudicate the particular case of corruption. By employing an eclectic mix of state laws and local norms of justice in a *jan sunwai*, rural populations publicly call corrupt local government officials to account.

The objective of this study is to examine the extent to which demands for transparency and accountability of a *jan sunwai* process fall within the purviews of good governance agendas. As will be elaborated further below, good governance relies on self-reliant and self-managing citizens who bring forward ideals of participation, accountability, transparency, openness, the rule of law, effectiveness

and efficiency. Participants of a jan sunwai arguably conform to these prerequisites in that they take it upon themselves to correct state malpractices and to enforce ethical standards of governance. By monitoring and managing the effectiveness of duties and responsibilities of state actors, citizens engage in processes that parallel those of financial auditing.

In the paper I argue that although principles that guide a jan sunwai may echo standards of good governance as set by transnational institutions, in practice these benchmarks come to expression in multiple and unanticipated forms. Local manifestations of global aspirations do not neatly represent the sanitized version as held at the discursive level, nor are they simply products of top-down interventions and discourses. Instead, conceptual notions such as good governance, participatory democracy, transparency and accountability are creatively crafted into socio-cultural contexts. In a jan sunwai, claims for good governance are articulated against corrupt local officials in a culturally specific register that negotiates and translates transnational standards of good governance. I call this process the ‘vernacularization’ of institutional anti-corruption initiatives.

### **Right to Information: institutionalizing anti-corruption**

The Right to Information has been acclaimed to be a revolutionary step towards the solidification of democracy in India. It sustains the participation of citizens in the governance of the country and thereby extends democracy’s paramount principles of openness and transparency. With the RTI in place, anti-corruption is institutionalized and systematized at the national level.

Until the landmark day of 15 June 2005, official information of the government of India had been kept in obscurity under the draconian Official Secrets Act 1923, dating back to the colonial era. This Act, together with various other regulatory laws (such as the Indian Evidence Act – relating to the admissibility of evidence in courts) had been enacted by the British powers in order to prohibit disclosure of official records and to thus protect the executive powers in the name of security of the State and sovereignty of the nation.

On the aforesaid 15 June 2005 the Parliament of India passed a law that would put an end to this antiquated Act that had hitherto perpetuated the veil of government secrecy, and in its place the national Right to Information Act was enacted. With this progressive Act in force, any citizen can now legally claim access to official government information, which, Section 1(f) of Chapter 1 of the RTI Act defines extensively as “any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force”. Exemption from disclosure is limited to information that is deemed to “prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence” (Section 8 (1) a), Chapter 2).

Provisions within the Right to Information Act include the compulsory proviso to allow the general public to obtain any information without being “required to give any reason for requesting the information” (Sub-section 2, Section 6, Chapter 2). Failure to provide the information within 30 days results in the monetary penalization of the bureaucrat in question. All provisions aim to make information easily accessible to citizens and to thus ensure that bureaucrats at the various echelons of the state apparatus are made to comply with the new official doctrine of transparency and accountability.

The expansiveness of the RTI implies that it can be employed in innumerable contexts, meeting myriad ends. Particularly in villages, the RTI is being used as a means to track funding and expenditures of government money intended for rural development. Through a wide range of schemes and programmes targeting poverty, the central and state governments allocate large sums of money for rural development. It is common knowledge, however, that funding for the various schemes is embezzled as it filters down along the bureaucratic line, with only a diluted sum reaching the supposed beneficiaries. With the RTI in force, people are now, in theory, in the position to seek information regarding the provisions provided by the various government schemes to their local area and to track down the related expenditures. The RTI allows the beneficiaries themselves to scrutinize and assess the effective implementation of government development projects administered in their name.

The RTI indisputably has potentially transformative consequences for citizens who, with this act in force, are no longer rendered complacent victims of arcane and abstruse policies. Despite its progressive nature, nonetheless, it has been argued that the RTI is a tool used mainly by the middle classes and that awareness of this law remains largely absent from rural areas. A study by PriceWaterhouseCooper in 2009 shows that only 13% of rural populations, in contrast to 33% of urban populations, knew about the RTI (Bhalla 2010).

### **Anti-corruption public hearings**

Even if, on rare occasions, rural populations are aware of the RTI, they will generally not have access to the resources needed to use this law, such as confidence to speak up against the local officials or technical skills to decipher the official information. An effective method to demystify the well intended but arcane RTI Act is by means of a jan sunwai process. Jan sunwais are public hearing forums in which local communities are the principle actors in uncovering government malpractices. These participatory public hearings typically take place in villages when strong indications point at a scam having taken place in a given government project, usually in the gram panchayat (the local government body at the village level). Scams take myriad forms of expressions, often ‘petty’ in nature yet always severe in their consequences on the poor. Embezzlement typically occurs on government sanctioned anti-poverty schemes and projects so that the failure to implement them correctly has grave implications on the poor. In this regard, claims against corruption in a jan sunwai are not made so much on moral grounds as on direct articulations of threats to livelihood.

A typical *jan sunwai* setup is as follows: prior to the actual public hearing an audit team (comprised of civil society organizations and active members of the given village) obtains all documents and records relating to the development project in question through the filing of RTI applications. Records include muster (pay) rolls, cash books, expenditure vouchers, bills of material bought and project engineer measurement books. These findings are compiled into a legible form and then verified by the audit team by tracking down and interviewing all labourers and witnesses concerned on the accuracy of the documents. It is through this interactive process that villagers become involved in the uncovering of corruption and are animated to participate in the upcoming public hearing.

Once the relevant information has been gathered, the *jan sunwai* event is organised by the audit team under a *pandal* (a traditional, colourful marquee) in a visible location in the village, to which the entire village is invited by means of vibrant music, songs and puppets. With its somewhat 'festive' mood, *jan sunwais* are generally widely attended, not least by the local government officials.

During the *jan sunwai* proceeding a verification process with reference to the findings revealed by the audit team takes place again, yet this time in a public setting. Each labourer of the government work in question gives testimony and reveals publicly the inconsistency between the official documents and their own experiences. One by one the aggrieved villagers and any concerned witnesses are called forward to speak up. Typical cases include forged signatures on payment slips, enlisted workers who have long since died, claims of hiring tractors or camel-carts from villagers who do not own such things, bogus entries of projects that do not exist in reality, exaggerated bills and vouchers of material.

What is noteworthy in all the accounts of corruption raised in a *jan sunwai* is that they refer to very local occurrences of misappropriation of funds that directly affect villagers' livelihoods. With personal experiences of embezzlement as the starting point, villagers begin drawing on broader philosophical debates on corruption. Individual accounts of fraud are redefined in terms of injustice, where the denial of adequate government services is viewed as constituting an infringement into their rights as citizens. The act of publicly articulating a grievance is typically an indication of an awareness of ones entitlements and a consequent dissatisfaction with a denial hereof. Slogans cheered throughout a *jan sunwai* proceeding, such as '*hum janenge, ham jiyenge*' ('we will know, we will live'), or '*hamara paisa, hamare hisab*' ('our money, our accounts') are direct calls for access to information and broader demands for openness and transparency. With these simple slogans, principles of governance are made locally tangible and meaningful. Participants of a *jan sunwai* seem all too aware of the importance of access to information for their struggle for social justice.

It is within the public and collective forum of a *jan sunwai* that the culprit official is held culpable. At the end of the cross-examination, the concerned local official is given the opportunity to explain his (occasionally her) actions, to counter allegations made, or even to admit wrongdoings. A panel of internal and external

experts – journalists, lawyers, academics or government officials – participate in the jan sunwai, assuming the role of the 'jury' or third-party guarantors.

The individual cases of petty-fraud that are articulated in a *jan sunwai* bring to expression the dissatisfaction with a faulty governance. The local officials, such as the *sarpanch*, being held to account for corruption become signifiers of 'the state' writ large. The *sarpanch*, typically a fellow villager embedded in the locality through ties of kinship, cannot evade in an illusive disguise, and thus becomes the direct contact to the *sarkar* ('government'). This personification of the government in the form of the *sarpanch* is the avenue through which people make their demands for accountability. It is at this local most level that notions of governance find expression.

Being informal in nature, the outcomes of a jan sunwai are not legally binding nor do they have direct de jure enforcing powers. However, the mere performance of the public inspection and collective scrutiny of the government works as conducted in a jan sunwai is a form of redress in itself. The public declaration of official wrongdoings, supported with the meticulous evidence presented in a jan sunwai leads, inter alia, to the shaming of the official in question. What makes this method particularly efficacious is that generally the government representative being held to account is the sarpanch (the elected village headman) who is typically from the area and thus cannot evade the public gaze. In other words, the corrupt sarpanch is not a faceless bureaucrat who can hide in an impersonal guise or in a rationalized bureaucratic structure, but is an individual whose reputation needs to be maintained in the eyes of kin, neighbours and peers. In many occasions, the proceedings of a jan sunwai has the consequence of a public apology or even a return of the embezzled funds.

Follow-ups of a jan sunwai also involve the writing of reports to relevant senior government officials with recommendations regarding action and policy considerations to improve delivery of governance. Pressure is enforced either by means of a petition to local officials or by involving the local or even national media. In some cases, the civil society groups involved in the jan sunwai process file a complaint of the frauds uncovered in a jan sunwai in the local courts. Thus, although jan sunwais do not have legal powers, they nevertheless act as a form of sanctioning and punishment forum by putting public pressure on the government to take corrective steps.

### **Good governance and anti-corruption**

Without question, the jan sunwai process represents a unique experiment in combating corruption that reflects the particular demands and needs of rural populations in Rajasthan. However, by expanding the analysis beyond the specificities and idiosyncrasies of a jan sunwai, connections to broader processes come to the surface. An examination of the good governance agendas reveals striking parallels to the village processes occurring in rural Rajasthan. Buzzwords circulating in the international development discourse include transparency, accountability and anti-corruption, and it is no coincidence that jan sunwais are concerned with precisely these concepts, even if not explicitly employing these

terms in the course of the hearings. This case suggests that debates and discourses occurring at the transnational level come to be reflected in some form or the other at the local level.

Good governance is one of the central concerns in the contemporary development discourse. Although no clear definition of good governance exists, it is usually associated with ideals of the rule of law, participation, accountability, transparency, openness, effectiveness and efficiency. The conventional connotations of good governance are the efficient management of a nation's resources and affairs by minimizing corruption and insuring participation of minorities in decision-making processes. To accomplish this, good governance reforms comprise both economic and political principles based on models of liberal democracy that are targeted at the state, the private sector and civil society. If these institutions conform to market driven principles, it is argued by good governance proponents, they contribute to economic growth, and, consequently, to the development of the country. This position sustains the idea that liberal political democracy and a free market are mutually reinforcing (Currie 1996: 790).

The promotion of good governance agendas was buttressed through the collapse of socialism in the early 1990's (Corbridge et al. 2005). In consequence, this failure of the state-controlled economy gave way to the advocacy of a politically unfettered market. With the World Bank at the forefront, the initial stages of the promotion of good governance saw the advancement of a set of structural adjustment programmes that aimed to free the market from the burdensome control of government. The role of the state was redefined as needing to work in the interest of the private sector and the market economy. Official bureaucrats, with their discretionary power, were blamed for being inefficient and motivated by self-interest and thus accountable for corrupt institutions.

Within the new orientation towards market-based governance, a thriving civil society, made up of active individual citizens, was conceived as a means of replacing inefficient politicians. The credo was that an active civil society could press for governmental accountability and thus raise efficiency and effectivity. Concurrently to the strengthening of a civil society whose intrinsic value-aspirations were market-oriented, an incentive for decentralization follows suit in the agenda of good governance, with the similar intention of loosening centrally held government control.

India's liberalization of its market in the early 1990's marked a heightened point in the promotion of good governance agendas. Facing an economic crisis, various stabilization and structural adjustment plans were implemented to enliven the market. In 1991, the World Bank supported India's economic policy reforms through a 'structural adjustment operation' (SAL) worth \$500 million<sup>96</sup>. A range of conditions, in line with the Bank's agenda, accompanied the SAL, including the

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<sup>96</sup> From the World Bank's website:  
<http://lnweb90.worldbank.org/oed/oeddoelib.nsf/DocUNIDViewForJavaSearch/0586c45a28a2749852567f5005d8c89?OpenDocument&Click=>

liberalization of trade by promoting export, abolishing import licensing and introducing cuts in subsidies. Beyond the Bank's conditions-tied loans, the government of India introduced its own economic reforms with the incentive of 'slimming down' the state and its welfare institutions by emphasising managerial forms of economic rationality and cost-benefit. Following the neoliberal model, it was held that allowing more autonomy to the private sector would reduce opportunities of corruption to state officials (Currie 1996: 798). This led subsequently to the proliferation of civil society and non-governmental organizations that were increasingly vested with responsibility and conceived of as 'partners' of the state.

Good governance, so it has been criticized, is promoted by global organizations such as the World Bank as a means of addressing the institutional contexts within which economic adjustment policies are to be implemented (see Kiely 1998). In other words, implementation of good governance principles provides the institutional shifts required for neoliberal pro-market intervention. Thus viewed, good governance and market liberalization go hand-in-hand. Neoliberalism as a doctrine has become so entrenched in contemporary life, that its purview extends well beyond the paradigms of the market and comes to be experienced in social and political spheres. Ong's (2006) study of 'neoliberalism as exception' is particularly instructive in providing an expansion of the notion of neoliberalism. She focuses on the function of neoliberalism as a new "technology of governing" (2006: 4), and argues that the logic of the market penetrates into the political sphere, thus resulting in "a new mode of political optimization" (ibid: 3). Within this order, individuals are expected to regulate and discipline themselves according to standards of efficiency and competitiveness as demanded by the market and thereby come to replace some of the functions of the state. Neoliberalism, in other words, relies on self-reliant and self-managing individuals that constitute an efficient and effective citizenry. Ong concludes that neoliberalism constitutes a mode of governmentality whereby everyday conduct is managed and regulated so as to best serve the market.

Thus viewed, neoliberal governance advances by institutionalising social situations according to standards of effectiveness and efficiency. An example of such technological instruments designed for the implementation of transparency and accountability are audits. The practice of audits has become so widespread and ubiquitous in the current neoliberal order, that reference has been made to the 'audit explosion' (Power 1999) or to 'audit cultures' (Strathern 2000). Audits are being increasingly institutionalized in various spheres of life, whereby individuals are made to undergo formalized and technological standards of accountability. This results in ever-standardized forms of measuring performance and efficiency. Power (1999) explains this to be a result of a broader agenda of social organization and control that culminates in an "extreme case of checking gone wild" (1999: 14). Ultimately, institutionalized forms of audits conform to the neoliberal demands of managerial efficiency and effectivity.

### **Good governance and jan sunwais**

Having thus far outlined the central aspects of good governance and its correlation to neoliberal ideals, the question arises as to its applicability to the jan



sunwai context. Characteristics of agendas of good governance appear to be conspicuously present in the jan sunwai. Demands for transparency and accountability are the guiding objective and ambition of a jan sunwai process, whereby the proceedings are carried out by holding government officials to account. The state is portrayed as and attacked for being constituted by ineffective and corrupt bureaucrats who signify a failure in the state apparatus. It is through the jan sunwai model, in the form of social audits, that citizens take it upon themselves to correct state malpractices and to enforce ethical standards of governance. Citizens become principle actors in seeking appropriate enforcement of development projects that affect their lives, and, thus conceived, engage in models of participatory development. Citizens who engage in such processes must be responsible, managerial and effective in order to make demands of government officials. In sum, what we have here is an assemblage of all buzzwords of the agenda of good governance converging in the processes of a jan sunwai: transparency, accountability, participation, decentralization, responsible citizens and the practice of auditing.

In spite of these striking parallels between jan sunwais and agendas of good governance, it is questionable whether these anti-corruption public hearings in rural Rajasthan form part of a wider framework of neoliberalism. The characteristics drawn upon in the local contexts may bear resemblance to agendas as proclaimed by the World Bank and other major transnational organizations, but does this imply that they are guided by neoliberal ideals? What is it about transparency and accountability per se that is neoliberal? Surely the World Bank and other neoliberal institutions do not have supremacy over the definition of concepts such as transparency, accountability and participation so that these terms may have entirely different meanings and effects in the jan sunwai case. Or do processes of translation and dissemination take place, implying a continuum in meaning? If so, in which spaces does this translation occur and who are the actors involved? Some of these questions can be answered by examining, what I refer to here as the processes of vernacularization.

### **Vernacularization of anti-corruption**

In order to examine the link between neoliberalism and jan sunwais, I draw on Tsing's (2004) tour de force ethnography on global connections. Tsing's study provides a useful framework from which to identify the nexus of convergence between global and local phenomena and thus lends towards an explanation of how macro concepts are manifested and experienced at the micro level. Her work on environmental movements in Indonesia indicates that the global is always enmeshed in the particular, with both ends of the spectrum mutually constituting one another. Universal aspirations are not imposed as standardised abstractions, but rather, the universal comes to be "charged and enacted in the sticky materiality of practical encounters" (2004: 1). In other words, the proliferation of universal aspirations does not result in general global homogenization, but instead, through its encounters with the particular, it is transformed and reformulated in specific situations. Moreover, universals themselves come into being and are given substance precisely in the interactions with the culturally specific, resulting in always hybrid, transient and dialogical aspirations. These global connections bring about 'emergent cultural

forms' produced through processes of 'friction' that describe "the awkward, unequal, unstable and creative qualities of interconnection across difference" (2004: 4). This approach urges for a conceptualization of the universal as an "aspiration, an always unfinished achievement, rather than the confirmation of a pre-formed law" (2004: 7).

Following on from Tsing, I suggest that jan sunwais can be read as a manifestation of a space of 'friction'. They represent the global connections that emerge out of the encounter between the transnational promotion of neoliberal agendas of good governance and the specificities of needs and demands in rural Rajasthan. Neoliberalism as a concept does not exist in isolation from the practical encounters, whilst the local contexts, no matter how particular or idiosyncratic, are infused to some degree with neoliberal concepts. This indicates the workings of multiple and intersecting structures of power and meaning.

What this reading allows for is an examination of the processes of translation of global ideas and concepts as used in particular contexts, without reducing them to mere rhetoric or as products of top-down intervention. Instead, the creative interpretation and unique adaptation of the local experiences comes to the forefront. Although jan sunwais indicate apparent parallels to the contemporary global promotion of good governance, the notion of friction warns against a monolithic analysis hereof. Dialogues between the local, national and transnational spheres shape the experienced realities of good governance. It is through cultural dialogue in the spaces of friction that meaning arises. The culturally specific registers through which claims for good governance are being articulated against corrupt local officials in Rajasthan are an indication of the cultural dialogue through which universal aspirations are negotiated.

It is this cultural dialogue between universal aspirations and local articulations that I refer to as a process of vernacularization. Vernacularization, as applied here, implies the transformation, appropriation or adaptation of normative ideals into locally meaningful contexts. It involves the translation and dissemination of transnational ideas and concepts into local social settings. Paley (2002) characterizes this process of vernacularization as one in which local actors "strategically and selectively appropriate and transform transnationally circulating discourses, sometimes filling foreign words with their own meaning" (2002: 485). This indicates that exogenous terms are not enforced institutionally, but undergo processes of internalization and adaptation. For example, the vernacularization of democracy, as shown by Michelutti (2007), implies that ideas and practices of democracy come to be embedded in popular consciousness until they are "gradually moulded by folk understandings of 'the political'" (2007: 642).

The events that unfold in a jan sunwai appear to be a result of processes of vernacularization. Notions of transparency, accountability and anti-corruption that prevail in the transnational discourses are found replicated in the jan sunwai process, yet as unique and distinct manifestations. Macro concepts are given a tangible and visible face, whereby local actors are actively involved in translating, appropriating and negotiating universal aspirations to suit the local contexts. In this way, anti-corruption agendas are vernacularized as they materialise in specific locations.

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