

Aadhaar's Policy-making Processes: Role of Institutions, Ideas, and Interests

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ABSTRACT

In 2009, India embarked on an ambitious project to identify its billion plus residents using a 12-digit biometric identification number called Aadhaar. In the years that followed, Aadhaar transformed from an idea that was struggling to find its feet to becoming a fundamental truth of daily existence in India. The project unfolded in an environment of contested values, contentious legal processes, and complex implementation realities. It also became central to the emergence of an ecosystem of Digital Public Infrastructures (DPIs), accompanied by new socio-technical imaginaries on the large-scale adoption of digital technologies developed collaboratively between the public and private sectors as the path to India's social and economic transformation.

The topic of Aadhaar has attracted significant research and commentary on issues such as its impact on the citizen-state relationship, privacy and security practices, and integration with various welfare schemes. The literature has also touched on various elements of the policy-making process, but gaps remain in terms of the systematic mapping of relevant policy actors and the interactions among them, and applying frameworks of public policy analysis to the study of Aadhaar. Consequently, the thesis contributes to the existing literature in three ways. First, it *describes the processes* through which the idea of a unique identity project found its place on the Indian policy agenda and the circumstances that propelled its movement through the policy pipeline. Second, it *explains the intersection* between different institutions, actors, ideas, and interests in the evolution of the Aadhaar project. Third, it *interprets the lessons* that emerge from the Aadhaar experience and how that could guide future policy-making endeavours, particularly when involving large-scale deployment of emerging technologies.

The findings indicate that Aadhaar's journey as a policy project was influenced by a number of factors. Some of these were exogenous in nature, such as India's longer history of central planning, its faith in technocratic expertise, availability of IT talent, and the post-liberalisation relevance of the IT industry. Turning to the role of actors and institutions, the thesis map out the key actors that influenced Aadhaar's life cycle through the phases of *germination, scaling and prescription, contestation, and reinforcement* following the Supreme Court's Puttaswamy verdict in 2018. That is followed by an examination of the institutional roles of the Union executive, the Parliament and the Supreme Court in closer detail, critiquing the *executive's aggrandisement strategies* and the Supreme Court's *judicial inactivism* in dealing with Aadhaar.

In terms of policy models and frameworks, the thesis finds that the realities of Aadhaar varied significantly from the textbook approach of the policy stages heuristic, which divides the policy process into neat sequential steps. Therefore, it turns to other frameworks of policy analysis, such as the Multiple Streams Framework, to examine the intersection of the problem, politics, and policy streams that created a window of opportunity for Aadhaar. It also analyses the variety of interests and divergent core beliefs, examined using the lens of the Advocacy Coalition Framework, that shaped the conduct of different actors in the policy ecosystem. I identify two main advocacy coalitions – i) the dominant coalition consisting of members of the UIDAI's founding team, executive actors, and allies such as the Indian Software Products Industry Round Table (iSPIRT) and the World Bank and ii) the challenger coalition consisting mainly of civil society actors that were opposed to the project.

The Aadhaar experience also demonstrates the ways in which society plays a role in the shaping of technology and policy. This is illustrated by the everyday choices made by users to treat Aadhaar as a ‘card’ and not just an ID number, and important changes in the design of the Aadhaar artefact (such as the virtual ID, Aadhaar lock, and offline verification features) that emerged as part of the societal push back on different aspects of the project. In addition, the privacy concerns raised by Aadhaar led to the social construction of public policy on data privacy. It led to the recognition of a fundamental right to privacy, the enactment of a new data protection law, and the positive spillover of privacy considerations to other policy debates.

I submit that many of these issues could have been better resolved, and at lesser cost and inconvenience to society, through an anticipatory approach towards the governance of complex socio-technical projects like Aadhaar. Consequently, I offer some recommendations that are designed to inject better foresight, participation, and accountability into policy-making processes. The first recommendation is to establish frameworks for the participation of a diverse set of knowledge actors, representing multiple disciplines and belief systems, in the ideation, design, and implementation of socio-technical systems. Second, adoption of systematic impact assessment exercises, with public participation as an integral component. Third, additional institutional reforms to embed better accountability and oversight in the functioning of state organs.