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# The Quest for Gender Equality & Gender Justice in India: Interrogating the Role of the State - from Independence to the Era of Neoliberal Reform

by

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# Abstract

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This research investigates the varying ways in which two different groups of women workers have been impacted by the neoliberal reforms undertaken by successive Indian governments from the 1990s onwards. The point of departure, substantiated by extant research, is that globalization has been structurally disadvantageous to women, specifically the ‘rolling back’ of the state has meant that some of the significant gains achieved by and for women in the post-independence period in India have also been ‘rolled back’ or are being eroded. However, the ways in which women have been impacted by neoliberal globalization in the Indian context varies according to a range of factors including class, occupation, levels of education and specific skills and location (urban or rural). A central contention of the thesis is that the Indian state has played a crucial role in improving the status of Indian women and must continue to make strategic interventions in social and economic relations to ameliorate gender disadvantage and empower women. To that end it also interrogates the role of the Indian state in the quest of gender equality and gender justice in the period from independence up-to the era of neoliberal reforms. The thesis accepts the point that in the context of globalization, the state can no longer be considered a wholly autonomous actor and yet, it remains the major institution charged with the delivery of welfare and social justice to its citizens. As such, the thesis concludes with recommendations for a strategy for empowerment which is both ‘top down’ and ‘bottom-up’; meaning that the delivery of development and social welfare, justice to women specifically necessarily entails negotiating and mediating between ‘global’ forces (specifically international economic organizations and development agencies) and the needs and demands of citizens as they are articulated at regional and local levels.

**To My Mother (Punya Prabha Das)**

In the **Loving Memory** of My Mother, who left us halfway through this work.

Her legacy however, endures - A living embodiment and radiance of which

I see in

**My Elder Sister (Didi) - Nina Singh**



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# Acronyms

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AIR	All India Records
BPO	Business Process Organization
CEDAW	Convention on the Elimination of Discrimination Against Women
COI	Census of India
CSWB	Central Social Welfare Board
CSWI	Committee on the Status of Women
DAWN	Development Alternatives with Women for a New Era
DWCRA	Development of Women and Children in Rural Areas
FDI	Foreign Direct Investment
GAD	Gender and Development and
GDI	Gender-related Development Index
GDP	Gross Domestic Product
GEM	Gender Empowerment Index
GNP	Gross National Product
GOI	Government of India
GPS	Gender Parity Score
IAY	Indira Awas Yojna
IBRD	International Bank for Reconstruction and Development (World Bank)
ICT	Information Communication Technology
IDL	International Division of Labour
IEC	Information, Education and Communication
IFS	Indian Foreign Service
ILO	International Labour Organization
IMF	International Monetary Fund
INR	Indian Rupees
IRDP	Integrated Rural Development Programme
ISI	Import Substitution and Industrialization
IT	Information Technology
IT-BPM	Information Technology-Business Process Management

ITES	Information Technology Enabled Sectors
JRY	Jawahar Rojgar Yojna
LPG	Liberalization Privatization and Globalization
MGNREGA	Mahatama Gandhi National Rural Employment Guarantee Act
NABARD	National Bank of Agriculture and Rural Development
NASSCOM	National Association of Software and Service Companies
NDC	National Development Council
NREGA	National Rural Employment Guarantee Act
OECD	Organization for Economic Co-operation and Development
RBAD	Right Based Approach to Development
RLEGP	Rural Landless Employment Guarantee Programme
SAL/SAC	Structural Adjustment Loan/Credit
SC	Scheduled Caste
SCR	Supreme Court Records
SHG	Self Help Groups
SRS	Simple Random Survey
ST	Scheduled Tribe
STPI	Software Technology Parks of India
TRYSEM	Training of Rural Youth in Self-Employed
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
USA	United States of America
USD	United States Dollars
UT	Union Territory
WPR	Work Participation Rate
WTO	World Trade Organization

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# Chapter 1: Introduction

## 1.1. Overview of the thesis

This thesis interrogates the role of the state in promoting gender equality and gender justice in India. In precise terms my focus is on outlining ways in which the state agency can be used to usher in a social situation in which both men and women are not only socially, legally and politically valued equally but also possess the essential freedom and autonomy to pursue their valued life objectives and interests. I examine the role of the Indian state in the post-independence period specifically, in the post -1990s after India began a process of neoliberal economic reforms. However, I argue that the role of the state cannot be discussed in abstract terms but must be viewed in terms of the specificity of capitalist development in India. The history as well as the social and cultural forces that prevail in different historical periods, as such, assume significance. This belief is central to my position and allows me to explicate the role of the state during different periods, i.e. from post-independence to post-economic reform periods.

Even before, I get into the theoretical and methodical nuances of this thesis, a definitional exercise is worth undertaking here. Since this thesis is about the role of the state, it is pertinent to first have a clear understanding of how I perceive it. In the feminist literature, the state has either been generally referred to in 'too aggregative, too unitary, and too unspecific ways' (Allen 1990: 22) or at times as being synonymous with government, or law (see, MacKinon 1999). Following Wendy Brown, I see the state in more inclusive terms

as ‘an ensemble of power relations’ [an aggregation] of ‘institutions and practices, an ensemble of discourses, rules and practices’ (Brown 1992:12).

I am interested in documenting the various measures-political, legal and in the realm of social welfare-by which the Indian state aimed to promote the status of women in the post-independence period. I also consider how the Indian state has mediated the gender differentiated impacts of neoliberal globalization in India. I do this through two empirical case studies based on primary research, namely field work conducted in India in 2017. The empirical component of my research interrogates the impact of neoliberal reforms on two different groups of women. The first group comprises of female workers employed in the outsourcing business sector, as call center executives in Gurugram – earlier known as Gurugaon<sup>1</sup>. Gurugram is an urban conurbation (city) in the Indian state of Haryana, approximately 20 miles from New Delhi. These women tend to come from the Delhi and its adjoining areas and are modestly skilled and educated. The second group is poor, rural women employed as wage workers, in a national government sponsored initiative called the Mahatama Gandhi National Rural Employment Guarantee Act (MGNREGA) in the Ajmer district of Rajasthan.

## **1.2. Contribution to knowledge**

Through my field work, I aim to generate new knowledge in what is currently an under-researched area of academic research. The empirical work done here is the principle contribution made by my thesis to knowledge in the field of globalization studies, broadly conceived, and gender and globalization specifically.

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<sup>1</sup> The name of the city of Gurugaon was changed to Gurugram in the month of October 2016.

I contend that the neoliberal reforms undertaken in India since the early 1990s are intimately connected to neoliberal globalization, which has entailed the further opening up of the Indian economy to global markets forces and the rolling back of state led initiatives in the area of social welfare. However, I argue that despite the adoption of the neoliberal reforms there still exists a predominant role for the state in the social sector particularly in developing societies like India. The reforms as such, should not be seen in terms of binaries of state/market in the context of the state led attempts to deliver social and economic justice. In fact, I argue that the transition to a largely free market economy under neoliberal propositions plausibly, would be better, more inclusive and effective with a continued social interventionist role of the state. This is particularly so in plural democratic and developing societies like India. As such, while the contribution to knowledge in my thesis lies primarily in the empirical component of my thesis - my field work in Gurugram in Haryana and Ajmer in Rajasthan - I also aim to make a modest contribution to the strands of literature on neoliberal globalization that assesses the impacts of 'global restructuring' in terms of 'winners' and 'losers', trends towards greater social equality or, conversely, growing inequality and disparities between urban centers and rural peripheries. I assess winners/losers, social equality/inequality and urban/rural divides through the lens of gender.

The gendered dimensions of neoliberal reforms are somewhat neglected in the 'mainstream' literature on global political economy and globalization. There is a wealth of literature on gender in development in India in development studies (see for example, Rai 1999, 2002; Doepke and Tertilt 2014; Duflo 2012; Jayachandran 2015). There is also a literature on gender and globalization and gender and global restructuring (see, for example,

Marchand and Runyan, 2011a). However, there have been no substantive empirical studies on how neoliberal reforms in India have affected specific groups of women. As such, I believe my thesis makes a contribution to knowledge in the sub-field of gender and/in globalization studies.

My research is underpinned by a normative commitment to gender equality and gender justice in India. As such, I am interested in what role the Indian state has played, historically, in improving the status of women, whether and how the process of neoliberal reforms since the early 1990s have seen a ‘roll-back’ in the Indian state’s commitment to gender equality and what role can and might it (state) now play in ameliorating the negative impacts of globalization on different groups of women. As such, I necessarily engage selectively with strands of literature on globalization and the state at various points in my thesis. While, I do not aspire to make a central contribution to the burgeoning literature on globalization and the state, in examining the role played by the Indian state, I aspire to make a further modest contribution to literature on the specificity of state forms and capitalism in a globalized world.

### **1.3. Research questions**

My interests, as set out above, translate into three research questions:

- First, what role did the Indian state play in promoting gender equality and gender justice between 1947 and 1991?
- Second, what have been the impacts of globalization and the ‘rolling back of the state’ on different groups of women in India since the early 1990s?

- Third, how can the Indian state now intervene to address the deleterious impacts of globalization on Indian women?

## **1.4. A summary of my approach**

I will elaborate my theoretical position on globalization, globalization and the state and gender and global restructuring at various points in my thesis. Here, I will provide a brief summary. In short, my approach falls between what might be characterized as a liberal position that views the state as an autonomous, neutral entity, capable of exercising agency, though constrained by webs of complex interdependence in a globalized world and a structuralist, or radical, position-associated most closely with Marxism or Marxist-feminism. Contrary to orthodox or ‘determinist’ schools of Marxism, I favour the position taken by many contemporary Marxists theorists which views the state as a relatively autonomous entity (see, for example, Poulantzas 1973).

My understanding of the iniquitous impacts of neoliberal globalization is underpinned by my own faith in the possibility of a redistributive role played by the liberal/social democratic state and hence the state’s capacity to bridge the resultant social and economic inequalities, seemingly endemic to free market (‘neoliberal’) forms of capitalism. After all, despite all the ups and downs, the state as one of the most legitimate collective institution of society has continued to exist over the years, albeit in various scales and forms. Axiomatically, despite the temporary debility of the state in the immediate aftermath of the end of the ideological bipolarity that had characterized much of the Twentieth Century, it seems to be ‘back in’ (Mann 1993), riding high on the twin planks of security and development (Hirst & Thompson 1996; Parashar, Tickner and True: 2018).

The financial bail outs in the Anglo-American world and the introduction of hitherto unknown social benefit schemes like MGNREGA, in developing societies like India, only confirm such conjectures. The contempt against the state arises primarily from its inability to cater to all sectional interests yet, no other public institution or form has been able to either replace or override it (Nandy 2003: 14).

In the Indian context, the state has been both constitutionally and ideologically mandated to carry out socio-economic reforms with the aim of creating an egalitarian social order. Interestingly, such an archetypal role of the state has also been stressed in the literature both in political theory and Indian politics (Skocpol 1979; Nordlinger 1981; Rudolph & Rudolph 1967; Kohli 1987). According to Ashish Nandy, one possible factor accounting for the emergence of the Indian state as the 'most hegemonic actor in the public realm' could plausibly be found in the construct of it being not only an exemplar social arbiter but also 'The' agency of social transformation (Nandy 1989:1-2). It is interesting to note here that despite the divergent characterizations of the nature of Indian state, scholars tend to agree on the existence of congruity between the ideological mandates enshrined in its democratic Constitution and the operative structures and mechanisms of governance established to achieve them.

A synoptic review of the understanding of the character of the Indian state, as such becomes a bit pertinent here in order to underline the vision that may have shaped the working of the system over the years, and the extent to which they themselves may have been shaped by the social economic demands and pressures. In that context it is least controversial to say that Independent India commenced its developmental journey with the aim of creating an inclusive social system outlined most famously in the preamble of its



constitution. According to Ashish Nandy, the state was to be an agency of modernization – the foremost actor supplanting the inherent diversity of the society, and over a period of time creating conditions for working out the ‘universal principles of statecraft [by] persuad[ing], mobiliz[ing] or coerce[ing] the society to adjust to the state’s ideology’ (Nandy: 2000: 67). It is not surprising therefore to find a very minute outlining of the structures, institutions and their respective mandated roles in the Constitution of India. The state as such attempted to carve a niche for itself.

Scholars and academics like Pranav Bardhan (1987) Achin Vanaik (1990) as well as Atul Kohli, (1987) have argued that despite the nudges and pulls emanating from dominant groups, the Indian state, by and large, has been able to demonstrate its remarkably autonomous nature. Adopting a slightly left bias in its strategies (Kohli 1987), or by positioning itself as being relatively distant from the landed aristocracy, the state tried to display its relatively autonomous role, though in essence, it may not have necessarily been totally out of the grips of the landed aristocracy (Kaviraj 1989; Bardhan 1987:38; Vanaik 1990). According to Lloyd and Susan Rudolph (1967:211-12) the interplay between ‘demand polity’ and ‘command polity’ - the massive expectations of the poor and the marginalized electorate and the corresponding regulatory role acquired by the state in order to attempt to meet them, may have led to a very astute role for itself. Possibly, the existence of a plural bourgeoisie and the consequent lack of any sort of monopolistic control of any one of them over the others contributed to the sort of autonomy embraced by the Indian state. However, in name of autonomy the state actually donned a very regulatory role, fancying patronage over its developmental role.

The regulatory role of the state, however, only got further exacerbated by its centralizing tendencies over a period of time. According to Atul Kohli (1990), the control of the parties as well as the institutions by the elites and their failure to channelize the demands into policies puts stress both the functioning of liberal democracy as well as the nature of the democratic practices themselves. Analyzing the social dimensions of the character of the Indian state, Satish Sabharwal (1987) believes that the contradictions between the ideas of modernity that necessitate the setting up of modern institutions, and the sustained existence of traditional loyalties delineated by caste and other social identities actually obscures the aspirations of inclusivity.

According to Partha Chatterjee (1993), the duality between the modernist aspirations and traditional loyalties could possibly be traced to the nationalist campaign itself. Whilst the nationalist campaign accepted the material superiority of the west and hence favoured its replication, it unequivocally underlined the superiority of the Indian spirituality. It is not surprising therefore to find a marvelous assimilation of the western practices along with Indian social thinking in the Indian constitution. The state was to be the agenda setter as well as the executor (Chatterjee: 2000). In his later works however, Chatterjee (2008) appears a bit skeptical of the extent to which the state may have been accomplish its role in view of the rise of corporate capital especially in the period after the adoption of neoliberal reforms. However, he still believes that ‘the passive revolution of capital, under the conditions of a vibrant electoral democracy’, would make it ‘unacceptable and illegitimate for the government to leave these marginalized populations without the means of labor to simply fend (for) themselves’ (Chatterjee 2008: 62). Hence the state launches a battery of development schemes perceived to be pro-poor to reverse the effect of

primitive accumulation albeit their ability to absorb the peasant society in the corporate economy is minimal. I will attempt to present a nuanced analysis of the role of the Indian state from this framework, focusing particularly on the rural poor women in chapter 7 of this thesis, suffice here however, is to say that despite the divergence in approaches on the characterization of the Indian state, there seems to be an overarching consensus on its developmental narratives. The problem with such an approach however, is that it sees vulnerable sections of society as mere recipients of grants and doles from an increasingly powerful bureaucratic state. Whilst believing in the agential role of the state in bringing about structural social and economic reforms that will impact people's life, my thesis emphasizes the capacity building and facilitative role of the state in the post- liberalization period and in the Indian context.

My thesis is concerned with gender inequalities specifically and, as such, is necessarily engaged with feminist theories of the state. Catherine MacKinnon famously argued that feminism has no theory of the state (Mackinnon 1989). However, this is not quite true; feminist theorists have generated competing theories of the state. Again, I take a position that lies somewhere between liberal feminism and Marxist feminism. Since liberals regard the state as a neutral arbiter of competing interests, it follows that liberals reject the idea that the state is inherently 'gender biased.' Liberal feminists acknowledge that historically the modern, capitalist state was founded on a public/private division that relegated women to the private realm, to dependency on men, and denying women status as autonomous citizens. However, liberal feminists hold that this historical bias can be overcome through political struggles that extend political and legal rights to women. Across the world, women's movements have been statist in their approach in the sense that they

tend to look-up to the state as the necessary agency for the advancement and realization of cause of women's empowerment – a process by which women gain power and control over their own lives. Moreover, in the process, women have successfully expanded the concept of rights, and latterly human rights, to address issues previously regarded as private and nonpolitical, such as, for example, domestic violence, reproductive rights and even child care provision.

Historically, Marxist feminists have tended to view the state as inherently patriarchal; that is as an entity that is both founded on and reproduces patriarchal social relations. Contemporary feminist theorists have argued that male privilege has been institutionalized in state structures (Francis et al., :2017). Historically, 'the integration of women into the modern state has often followed a different trajectory to that of men' (Krause 1996: 109). In fact, gender has been central to the construction of the boundaries between the 'public' and 'private' realms, a process that has been central to the exclusion of women, historically, from 'citizenship' (Steans 2013: 52-53). The construction of women as 'dependents' who are identified only in terms of their relationship to men, as wives and mothers, has played a role in limiting the expansion of rights of citizenship in ways that favour women. Nevertheless, the state is an historical construct and, as such, particularly reflects the configuration of social and political forces in any given historical epoch. Therefore, the state is better viewed as a site of struggle; a site in which patriarchal social relations are produced and resisted (Steans 2013: 52-53). That is, lobbying, activism and struggles around issues of gender inequality can and might influence state policies.

It is not surprising therefore in the Indian context, to come across feminist voices, supporting confrontation, negotiation and contestation with the state with the larger

objectives of securing effective rights and meaningful conditions under which women could develop their best selves. According to Bina Aggarwal (1994) though the state can be retrogressive in consolidating gendered biases and norms, yet in its essence it may not just be an essentially monolithic power structure. The state is a site of multiple contestations and struggles and feminist engagement with it may force it to concede more participatory grounds for women at large. According to Urvashi Butalia, 'in addressing the state, women's groups [make] an important assertion that of women's rights as citizens' (Butalia 2002: 219-24). Interestingly some other very prominent feminist scholars and activist across ideological extremes have, however, been a bit skeptical of the state-focused feminist strategies of change, finding them to be authoritative as well as coercive (Kishwar 1999; Menon 2004). I will return to this in the following chapter.

The approach that I prefer instead, and which might be characterized as 'critical', differs from liberalism and liberal feminism in two crucial respects. First, while 'social' liberalism (as opposed to economic liberalism, or neoliberal champions of unfettered market forces) have recognized that child care and domestic labour place an unequal burden on women and thus impede the ability of women to act as full citizens. Feminists, who draw from Marxist and socialist traditions, see social reproduction as fundamental to substantive gender equality. As such, they place much more emphasis on the struggle for economic and social rights for women. This distinction is crucial to my thesis, as elaborated presently. Second, while liberal-feminists tend to see the project to advance the status of women as a linear process, tied-up with the onward march of modernity, critical feminists, who draw from Marxists and socialist traditions, see struggles for women's empowerment as enmeshed in the broader configuration of social forces in specific historical moments and in

different geopolitical contexts. Therefore, advances in one period might be rolled-back in others. Moreover, struggles for political and legal rights might lead to the extension of social and economic rights also, but there is nothing inevitable about this. In chapter 3 and 4 of my thesis, I will attempt to illustrate this through an in-depth discussion of both constitutional and legal rights as well as the legislative measures and reforms undertaken by the Indian state in promoting women's social and economic status specifically.

This theoretical framework leads to my position on the state under conditions of neoliberal globalization. I will discuss neoliberal globalization in India in more detail in the chapter 5. Here, I will sum up my position in four key points. First, I view the state as a relatively autonomous actor which is enmeshed in and reflects the complex mix of social, economic and political forces at play in any given historical period. Second, I argue that the state might, and does, have central roles to play in empowering women and in achieving gender justice; these roles encompass both the realms of political and legal rights and economic and social rights. Third, it does not follow that the trajectory of 'advance' for women follows a linear path of onward, unfaltering progress. Advances in constitutional, legal and political rights might be thwarted or held back by conservative forces and advances in legal and political rights might take place at the same time as roll-back in the realm of economic and social rights and so on. Indeed, I aim to demonstrate that in respect to both legal and political rights and social and economic rights, 'progress' for Indian women has followed something of a checkered path. Fourth, it follows that when I speak of the 'impact' of neoliberal globalization on Indian women's rights, I do not mean to suggest that prior to the 1990s, when India embarked on a programme of neoliberal reforms, there had been an ongoing, unfaltering, linear process of advance for Indian women. On the

contrary, I aim to show that this was not the case. However, I do argue that the neoliberal reform process might have, and indeed has had, a substantial impact on the provision of economic and social rights for Indian women. As above, this has profound implications for women's empowerment and for the realization of gender justice.

In short, contrary to neoliberal champions of globalization, I do not believe that unfettered globalization is inherently beneficial to all social groups, including women (in the long run), nor do I accept that an interventionist state is an impediment to dynamism and growth. On the other hand, and contrary to radical theorists (Marxists, some critical theorists, some feminists) I do not believe that globalization is inherently exploitative and harmful per se or inherently disadvantageous to women. My position is that unfettered globalization can have, and in the Indian case has had, an adverse impact on certain social groups, including women. I aim to subsequently demonstrate this through my empirical research. However, globalization might be made to 'work for women', but if this is to be realized, the state must continue to play an interventionist role.

Here my intention is to showcase that the state and the market are not binaries, but rather supplement each other. In fact, through its regulatory mechanisms and legal frameworks the state has only been an enabler and a sponsorer of the global flow of capital. According to Jan Aart Scholte, throughout the world the state is

'after several decades of accelerated globalization, in most cases larger and more entrenched in social relations than ever. Most states-including those in which neoliberal governments have ostensibly been committed to shrinking the public sector-have in the late twentieth century increased their payroll, budget, and scope of regulation. Contemporary states have staged a general retreat only with respect to owner- ship of means of production. However, shrinkage in terms of privatizations has usually been more than cancelled out by state expansion in other respects. For the moment there is-contrary to the much-publicized pronouncements of some-little indication that trans-border capital

and the state form a contradiction, and every sign that they are complementary (Scholte 1997: 441)

Quite naturally so, I tend to endorse such a view that foresees the state as surviving without any indication of 'dissolving in the face of globalizing capital' (ibid). I see the state as an agency with both legitimacy and the capabilities of laying down the conditions for the social good. The state as such has moral and political responsibilities and despite the advent of neoliberal globalization it has continued relevance in ensuring fairness and order in societies all across. In the context of postcolonial societies, where the civil society is still in formative stages of its development and quite far from acquiring salience and credibility, the state in addition to its developmental role has to carry on major socially emancipatory roles.

It is important to briefly say something here about the relationship between Indian nationalism and women's empowerment. In feminist theory, nationalism is sometimes represented as a 'regressive' force for women since nationalist ideology commonly equates the nation and national body with women and female's bodies. In Steans words:

'It falls to women to become the guardians of national culture, indigenous religion and family traditions and these same traditions and values are used to justify imposing particular constraints on women's activities, thus keeping women within boundaries prescribed by male elites' (Steans 2008: 40)

However, nationalism takes different forms in different times and in different places. In India, nationalism was a mass movement led by elites; elites who-in many cases-had been educated in the West and influenced by Western political thought, both liberal and Marxist. Although radically different in many respects, both liberalism and Marxism embrace modern, enlightened values of progress. In Kumari Jayawardena's terms, the advancement of women can be seen as a 'barometer of progress' (Jayawardena 1986: 12). Thus, in India,



the nationalist struggle for self-determination extended to women both formal citizenship rights (as I elaborate in chapter 3) and economic and social rights (detailed in chapter 4). This bears out Steans' observation that 'nationalist aspirations for popular sovereignty might stimulate an extension of citizenship rights, clearly benefiting women and so the modern state can serve, in this sense, to facilitate progressive gender politics' (Steans 2013: 58). However, nationalist ideology is contradictory in that in drawing on narratives and mythologies from the past it ends up solidifying, reinforcing and legitimizing patriarchal values (Anderson 1983). The projection of women as the 'custodians of the past' during the anti-colonial struggle in India, for example led to women being confined to the familial boundaries (Jayawardena 1986; Steans 2008; also see, Parashar 2016). As such, the 'advancement' of women never fully negates traditions and practices that assign women a particular-and subordinate-role in nation building. Another way to put this is that the nationalist project can be differently constructed and/or appropriated with contradictory implications for women's empowerment and gender justice. This struggle between tradition and modernity, conservatism and liberalism, socialism and progress has played out in India, as I will show in chapters 3 and 4.

## **1.5. Methodology**

The status of women might be measured by both quantitative and qualitative indicators. It has been argued for example, that there is no 'single' feminist research method (Scharff 2010) and that the appropriateness of research method/s is contingent on the basic aims of the research questions as well as the social settings in which the research is being carried out. In line with such an understanding six basic research objective of the extant research were framed as:

1. To understand the ways in which female workers in the rural sector may have been impacted by state led social security initiatives in India.
2. To comprehend the experiences of female workers in terms of the declining levels of state support if any) in the area of social security.
3. To analyse the experiences of women working in the two named sectors in terms of improvement of their status in: a) the workplace; b) home; c) in the community or society generally?
4. To develop an understanding of how women in the workplace or careerist women specifically, look to the phenomenon of globalization and whether or not it has led to a betterment of standards of life.
5. To figure out new forms of discrimination emerging with the emergence of new sectors of the economy.
6. To analyse the need of extensive state action for supporting women in employment and the extent to which extensive state action in developing societies can be reconciled and coexist with the demands of neoliberal globalization.

Comprehending such broad research objectives necessitated the use of mixed methods approach in my thesis. Data had to be collected on a range of variables that are useful in gauging the status of women (and girls) across a range of indicators (health, education, income and so on) and across time. While statistical data has limitations (accuracy and comprehensiveness) and is open to different interpretations and political usages, it is nonetheless useful in charting how the status of women improved during the post-Independence period and up to the 1990s and how this has subsequently changed from the early 1990s to the present time. As such, it was helpful in substantiating some of the central claims of this thesis regarding the changing role of the state, the impact of neoliberal reforms and the opening up of Indian society and the economy to the competitive forces of global markets. However qualitative data was also required to better understand women's

perceptions of 'equality' and 'empowerment' as this is experienced in everyday working practices and day to day life. For example, in one 'site' (call centres), the widely recognized perceptions of sexual harassment in the workplace, as well as the widespread fear of assaults, on female workers when travelling to and from work (particularly on night shifts) needed to be verified. In addition, familial relationships and gender relations within households are also impacted entry into paid work, while the 'double burden' of paid work and the unpaid labour invested in household work, care and social reproduction are also very important factors when attempting to understand what 'equality' and 'empowerment' mean for women in concrete terms. Most importantly, the overriding concern of this research was on understanding not only on how women experiences and understand policy decisions but also on comprehending their impacts on their day to day life.

The qualitative aspect of the study has been based on my own interviews with the stakeholders in the call centers and the functionaries and women working under MGNREGA at the two chosen research sites in the districts Gurugram and Ajmer respectively. A detailed geographical description of both sites chosen for my case studies is provided in chapters 6 and 7 respectively (also see, appendix 3 and 4). I have also relied on additional source material like the mandates, resolutions and the official declarations of various gender-based networks. This also includes documents generated and works undertaken by specialized UN agencies such as UNIFEM and the UN Beijing Conference and Beijing+10. Further, I have utilized research and reports by institutions in India devoted to gender issues specifically.

The collection of qualitative data required extensive field work in which I conducted interviews to obtain primary data. In addition, I visited India on two further occasions to

collect information and data not available in the UK. I must say that whilst I could access some web-based data from my study site in UK, such data did not and could not elucidate how women in various locations experience 'equality' (or inequality) or 'empowerment' (or disempowerment) in their everyday lives.

#### **1.5.1. Research Design, Reflexivity and Positionality**

The initial impetus for this research emanated from a chance meeting with a group of young women employees of a call center, at the University of Delhi. As a lecturer in a Women's College at the University of Delhi, and as an active member of its Women's Development Center – a group of teachers and students mandated to carry out awareness and outreach work as part of gender sensitization campaign, I had an opportunity of interacting with different groups of women in various workshops, and seminars, organized with the objective of enabling students to develop a fair understanding of the gendered dimensions of work and other social experiences. In one such workshop, a few girls working at a call center had been invited and listening to their experiences generated the initial epistemic interest in me to gain a first-hand understanding of the working of what is also known as the night shift economy (Patel 2010). Interestingly, despite the glamour and the glitz associated with the call centers, I found that the members of the invited group, had positive outlook and expectations from the state. Later, I also got an opportunity to meet some of the women workers employed under MGNREGA –referred to as World's largest government led social security initiative (Honorati et al., 2015). The MGNREGA workers appeared to be appreciative but discontented with its operative aspects. I thought that these two-contrasting group of women made an interesting case study as both of them seemed to be looking out for greater state action and intervention in their lives.

To a great extent, both the groups of women I met are intrinsically linked to the process of neoliberal globalization. Whilst the mushrooming of the call centers is cited as one of the most evident consequences of the rapid strides made in IT sector along with opening of economy and trade reforms, in India, the launching of MGNREGA has often been seen as an attempt of the Indian state to ward off the growing distress and discontentment arising out of the extreme inequalities in the post reforms period. Incidentally, women as workers are central to both the developments. The prime objective of the field work as such was to develop a first-hand understanding of the ways in which global forces undermine or strengthen the lives of women in India.

The choice of Ajmer in Rajasthan (for interviewing MGNREGA workers) and Gurugram in Haryana (for meeting call center employees) as research sites were primarily guided by the fact that both these states stand abysmally low in gender empowerment and development index. Additionally, the involvement of women in MGNREGA is highest in Rajasthan whilst Gurugram – a suburban part of Delhi, is not only known as the city of call centers but also presents a strange mix of affluence and misery. Moreover, both these places being geographically, nearer to Delhi, where I live and work provided familiarity and access with region.

Feminist researches involving field work by women researchers have an additional dimension in the sense that they are researches, ‘by with and for’ women. Despite methodological divergences as such, within the broader area of feminist research concerns have been expressed on the necessity of reflexivity not only on the research process but also on the researcher’s role therein (Ackerly and True 2008). Given the fact that women researchers are more educated and generally urbanized/advanced than the participants of

their research, the need of minimizing power equations that may get established between a researcher and the participant is another important factor that needs to be kept in mind. Being analytical and reflexive on the research process, therefore, becomes immensely important for diversified, nuanced and multidimensional grasping of social realities. According to Brooke Ackerly and Jacqui true 'four commitments that undergird a feminist research ethic: attentiveness to the power of epistemology, boundaries, relationships and the situatedness of the researcher (Ackerly and True 2008: 694). I must submit that having lived in Delhi for more than 25 years, I was well aware of the locations of both the research sites. Since initial contacts with participants at both research sites had been established through personal networks, I did not face any problem in accessing or recording the views of the participants.

The fact that I could converse equally well, in English and Hindi, meant that I could record the interviews in direct speech. The women employees at the call centres seemed to be identifying themselves with me as career women, which was of massive help in establishing rapport and recording their views with ease. Moreover, during my preliminary discussions I had made the confidentiality aspects of the interview very clear to the participants assuring them that none of them would be identified in the research or otherwise. At the MGNREGA site, where the participants were rural women, I could see some initial inhibitions but since I could talk to them directly in their language, the inhibitions soon faded away. Moreover, to ensure that the interviewees speak their heart out without any duress, I spoke to them individually, ensuring that none of the local officials were present around while the interviews were being conducted.

Thus, to gain such insights, engaging directly with different groups of women was vital. As such, as part of my fieldwork in Gurugram and Ajmer, I conducted interviews to generate qualitative data through two separate questionnaires. I did this, keeping in mind the social profile and positions of the two different sections (urban-literate and rural-illiterate) that I focus upon in this thesis. The questionnaires were semi-structured and open ended, so as to enable me to analyze and interpret their feedbacks and come to analytically sound conclusions. I interviewed 20 women from each of the two sections mentioned. Since I had already identified the sites of research i.e. the call center in Gurugram and the work sites in Ajmer, I adopted cluster sampling as a method for identifying and categorizing the interviewees (Lavrakas 2008; Jackson 2011).

Following the idea of situated knowledge which is integral to feminist epistemology, I selected the respondents keeping in mind the social and economic realities I was seeking to understand. I took care to ensure that the sample was reflective of them. Whilst the first case study (Gurugram in Haryana) is based on the interviews with young and middle-aged women (married and unmarried) both from higher as well as lower castes, the second case study (Ajmer in Rajasthan) builds on the interviews with women from both higher and lower castes, young and old, married, unmarried and widows.

The data in chapter 6 was collected during my field trip in the months of January and February 2017 to Gurugram –a satellite town within the National Capital Territory of New Delhi where a sizeable number of call centers are situated. In order to gain a broader understanding of the work involved I visited both 'process based/captive types ' and 'client based/third party types' call centers and ascertained the views of women employees through semi-structured, in-depth interviews with twenty-five women employees in the age group of

20-40. I have elaborated on the differences between the process/captive and client/third party call centers in chapter 6. In order to understand the mind-set of higher executives, (in most cases males) I attempted to record their perceptions about women employees as well. The interviews were taped/recorded and fully transcribed (see appendix 1 and 2). Most of the interviewees were unmarried and had been employed for more than a year. Some of them lived with their family members whilst the others (mostly those who did not belong to the Delhi- NCR region) had been living in rented accommodations - all by themselves. In order to understand the changing attitudes and preferences of working women across societal and geographical divides, I attempted to include women from tier II cities and from amongst different social hierarchies (caste and religion) in my sample as well.

In general terms, the focus of my empirical research is to gain an understanding of the various impacts that call center jobs have on female workers. The interviews with women working in the call center were conducted with this end in mind. The idea was to generate data that would in turn, result in a genuine understanding and appreciation of the varied experiences of women involved in what are also called the 'second shift' jobs of the global economy. In so doing, I have attempted to understand the physical, cultural, economic, social and psychological dimensions and impacts of call center employment on women and the ways and extent to which the state as an agency can be utilized to further strengthen and empower them.

The interview questions were primarily framed with the objective of getting the opinion of women employees on the benefits and difficulties they perceived in working in call centers and the kind of things they expected from the state given the fact that neoliberal globalization favours a roll back of state's welfare functions. I present the findings in



chapter 6. The first part entails a general description of the job profile of women and their own perceptions of their work and work roles. It also accounts for their aspirations and expectations. The second part then highlights their views on the role of the state and possibly other international agencies in removing the social stigmas and specific vulnerabilities associated with their jobs.

The data in chapter 7 was collected during my field trip in the months of May and June 2017 to Ajmer—a district in the state of Rajasthan - about 135 km from the state capital Jaipur and 391 km from the national capital New Delhi. For a broader assessment of what the work involved, I visited two tehsils (the bottommost administrative unit of a district) and four villages under its jurisdiction, and interacted with 20 women workers, both married and widowed, in the 25-55 age group employed as daily wagers under MGNREGA. In order to make the sample fairly representative and reflective of the social cultural realities of rural life I included women from both the higher and lower social hierarchies (castes) within it. I also interviewed the local officials and the elected representatives of the Panchayats (village councils) entrusted with supervisory roles. Higher officials at the district level were also interviewed to get statistical and other quantitative details. I also procured additional information from the websites of the coordinating agencies and other governmental departments entrusted with the responsibilities of executing and monitoring the project.

The questions for this study were primarily designed to understand both the nature and extent of empowerment of the rural poor women as well as their own perception of benefits accruing to them from the operation of MGNREGA. The inherent objective of my interaction was to gain a first-hand account of the changed orientations and attitudes of rural women involved in the project as well as the resultant elevation (if any) of their social

status or the ways in which the community looked to them in the changed circumstances. The interview questions were thus framed with the objective of getting the opinion of women on the benefits and difficulties they perceived in working under the project and the kind of things they expected from the state. The interviews were done in Hindi language which being my first language meant that I did not have to rely on interpreters/translators for help.

I tend to agree with the argument that feminist research methods should rather be intersectional, contextual and participatory to allow a genuine assessment of the issues that confront different groups of women in different locations. An understanding of the lived experiences of the global poor is either ways 'necessary for the critical theories of international political economy to develop their normative potentials' (Davies 2006: 220). Given the fact, that gender issues in Postcolonial societies are marred by the intersectionalities - which I take as an analytical construct for understanding and responding to ways in which gender identities intersect with and are reinforced by other social markers such as caste, class ethnicity, religion etc., - a first-hand understanding of the insights and social realities become imperative from the point of view of social action generating research.

## **1.6. The structure of my thesis**

My thesis is organized into four parts. Part one is designed to explain the main aims of the thesis and to contextualize the work within the extant literature on globalization, gender and globalization and globalization and the state. Part one comprises the present chapter and chapter 2. The underlying concern of this thesis is that social and welfare rights that

have benefited women in India are threatened by neoliberal globalization. Therefore, measures are needed to avoid further erosion of rights and to ameliorate, if not wholly rectify, gender inequalities. It is important to stress here that I do not see 'women' as a homogenous group. I will further elaborate and comment on the status of women disaggregated according to class and location (urban or rural) in the main body of the thesis.

A vast amount of literature exists on different dimensions of neoliberal globalization and hence in my literature review in chapter 2, I have been selective, focusing on key themes and texts most relevant to this thesis. After a brief survey of the literature on neoliberal globalization, I hone in on three core strands. First, I review the literature on globalization and the state. Second, I survey the literature on gender and globalization/global restructuring. Third, I review the literature on globalization in the India. This literature review is necessary to contextualize and situate my thesis within a set of debates within the social sciences and International Political Economy and International Relations particularly.

In part two of this thesis, I advance my argument on the interventionist role played by the Indian state in furthering gender equality and realizing gender justice in the period preceding the adoption of neoliberal economic reforms. It is pertinent here to say that the major normative concern driving my thesis is to explicate the role of the Indian state particularly in the context of the operation of neoliberal economic reforms however, I have included two chapters on rights and welfare in the pre-reforms period with two main objectives: (a) to document how important the state has been; (b) to show that the historical, political, cultural factors and issues of state agency matter in advancing gender equality and gender justice. In order to substantiate the claim that the state has played a positive role,

thus it is necessary to document what gains were made by Indian women prior to the period of neoliberal reforms.

I assess advances for women in the realm of citizenship, which I take to encompass both the extension of political and legal rights favourable to women and social policies and welfare measures. Thus, chapters (3 and 4) on ‘citizenship rights and welfare measures’ cover both formal legal rights embedded in the Indian constitutions and further elaborated through judicial processes and judgements. I also look into what are commonly termed social and economic rights, the provision of which might, and often does, fall within the remit of the state, specifically a range of social policy and welfare measures. The Indian state invariably was central to all these measures.

In Part three of this thesis (chapters 5, 6 and 7) I substantiate my claims about the status of women in the post-neoliberal reform period by the help of quantitative and qualitative data. In chapter 5, I interrogate the changing position and status of women from independence up to the introduction of neoliberal reforms in India in the early 1990s through the help of data sourced from governmental ministries and departments. Chapter 5 of this thesis draws on secondary literature and data generated by the Indian government and international development agencies. Since one of my central aims is to demonstrate how neoliberal globalization has impacted specific groups of women in India, it is first necessary to provide a picture of the status of women in India prior and after the 1990s (when the neoliberal reforms were rolled in). I must say that even though this data does not substantiate a causative linkage between the adoption of neoliberal economic reforms and the declining position of women, nonetheless, it is suggestive of similar trends over time.

In chapters 6 and 7, I substantiate my claims with primary data generated in my fieldwork. I chose to do fieldwork in these two locations, with the belief that qualitative research would help me in elucidating the everyday lived experiences of both urban, educated, middle class women and unskilled, poor, rural women in contemporary India. The first case study (chapter 6) focuses on women employed in two major call centers located in Gurugram. This study is pertinent to my argument about globalization, neoliberalism and the role of the state too. Globalization in India has resulted in the creation of a huge service sector contributing around 57% of its GDP. The outsourcing businesses, and call centers specifically, are believed to be a major contributor to the burgeoning service sector in India. What makes them important for the purpose of my study is the fact that, despite a consistent decline in the percentage of women employed in the call center business in the last five years or so, women still account for 40 percent of its workforce (NASSCOM 2010). Additionally, the fact that the call centers (registered under the Software Technology Parks of India (STPI) scheme) get exemptions not only in income tax and custom duty but most significantly, they also lie outside of the purview of many labour laws that regulate the wage structures and employment conditions in India<sup>2</sup>. Therefore, it is interesting to see how global trade practices strengthen or undermine the lives of women.

My second case study (chapter 7) is based in Rajasthan and focuses on poor, rural women employed under the MGNREGA scheme. About 90% of the MGNREGA workers are women, ranging from the age group - 18 to 80. This scheme is operative in all states across India. The MGNREGA scheme is particularly pertinent to my argument about the

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<sup>2</sup> Under the Software Technology Park of India regulations, a Call Centers can register by declaring itself as a hundred percent export oriented company. The regulations are executed by the State (provincial) governments and a company registered under STPI is entitled to benefits in the form of exemptions from labour laws, customs duty, cess, and even income tax. Details of the scheme can be found at: <https://www.stpi.in/11011>

role of the state. It is funded by the government of India and managed and implemented through the grassroots institutions of participatory democracy (Panchayat Institutions). Under the scheme, there is a guarantee of 100 days, supported in law, for each financial year to every adult in all rural household who is willing to work for a statutory minimum wage doing skilled and unskilled work.

Part four is the concluding section of the thesis. In chapter 8, I first pull together the strands of my arguments about the impacts of globalization on Indian women. Second, I further elaborate on the need for an interventionist state in the interests of realizing gender justice. In a sense, this concludes my thesis. However, while it is beyond the scope of my thesis to engage in the wider debates on globalization and the architecture of global governance, I recognize that in a globalized world, the state must be viewed as an important, interventionist actor, mediating between ‘global’ forces and the ‘local’ impacts. Therefore, I take the opportunity afforded in this space to develop some provisional thoughts on how the realization of gender equality and gender justice in India might not only require interventionist policies by the Indian state, but also institutional reforms at the global level.

# **Chapter 2: Neoliberal Globalization and the Gender Dimensions: An Overview of the Literature**

## **2.1. Introduction**

In the previous chapter, I favoured the need of an assertive and regulative role of the state in promoting gender equality and gender justice in India – particularly, in the context of the neoliberal reforms. In this chapter, I will provide a basic review of the relevant literature. This literature review is necessary to contextualize and situate my thesis within a set of debates in social sciences in general, and International Political Economy in particular. As mentioned earlier, this literature is extensive and hence my literature review is necessarily selective, focusing on key themes and texts most relevant to my thesis. My basic concerns here are (1) to have a review of the literature related to the narratives on the nature of the Indian State (2) to detail on the relationship between neoliberal globalization and the state; (3) to discuss the literature on gender and neoliberal globalization/global restructuring.; (4) to review the literature on neoliberal globalization in India and its gendered impacts. This chapter serves two functions. First, it allows me to situate my work within the academic literature and debates on the nature of Indian state and globalization. Second, an engagement with existing research in these fields provides me the space in which to develop my theoretical position on globalization and the state and gender and global restructuring.

To this end, in this chapter, I will first provide a brief narrative on the various characterizations specifically of the Indian state, though the narratives can be applied to the post-colonial states in general. I will then detail the rise of neoliberal globalization in the

Western world and the rapid spread of neoliberal ideology throughout the rest of the world from the mid-1970s to the early 1990s. This narrative also encompasses the growing tide of criticism and protest that has attended the rise and spread of neoliberalism. I then turn to the literature on globalization and the state. Next, I discuss key themes in works on globalization and India. Finally, I survey the literature on gender and globalization. I conclude with a summary of my position on the nature of neoliberal globalization, the implications for the autonomy and agency of the Indian state and, briefly at this stage, the implications for different groups of Indian women.

## **2.2. The Postcolonial State**

As briefly outlined in the introductory chapter, the starting point of this thesis hovers on the understanding of the state as the most legitimate and capable institution for addressing social and economic distresses through its redistributive roles. Whilst such a role of the state has an operative value across societies, it becomes critically important in the context of the adoption and operation of neoliberal economic policies which seem to have exacerbated the already existing social and economic gaps and cleavages, particularly, in the postcolonial states.

At the outset, it also needs to be accepted that there exist some very marked differences in the nature and ways of evolution of States in post-colonial contexts and their European counterparts. The most glaring difference is often expressed through the argument that whereas the states in the European context emerged from the womb of a nation (hence the phrase nation-states) in the context of postcolonial societies, it is the state which have



been mandated to carry out the task of building a nation by various ways and means at their disposal<sup>3</sup>. The task is arduous and by no means complete. I will refrain from delving into the details of these but it would be fair to accept the argument that the stark dissimilarities in themselves lead to divergences of ways in which the nature of postcolonial states have been comprehended from three different theoretical frameworks, namely liberal, Marxist and feminist and consider how these apply, or conversely do not apply, to the Indian case.

Under the liberal framework, the state in postcolonial countries has been seen as an essential vehicle for the modernization project (Migdal 1988:12). The state was to undertake the project of modernization by developing an overarching ideology under which social norms and values could be reconfigured and realigned with the larger objective of economic and social development ('modernization') and nation-building (Rostow, 1960). The state was expected to play a mediatory role between divergent, competing identities and reconcile social cleavages. It was necessary, therefore, that in such situations, the state would develop administrative structures that allowed it to legitimately and regularly intervene not just in the economy but also in other aspects of social and political life.

In the Marxist understanding, the postcolonial states might be seen as something other than a crude instrument of class exploitation and capitalist forces. Indeed, the postcolonial state presented a challenge to the orthodox Marxist understandings of the state as the 'executive committee of the bourgeoisie' (Marx and Engels 1848) because, in many context, it had come into being after a period of anti-colonial struggle, as in the Indian case.

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<sup>3</sup> Alfred Stepan, Juan Linz and Yogendra Yadav have argued that India is a good example of State - Nation in which a nation is forged by state institutions and its policies which result in competing identities sharing power and maintaining its democratic diversity. See Stepan, A., Linz, J. J., & Yadav, Y. (2011). *Crafting state-nations: India and other multinational democracies*. JHU Press.

For this reason, postcolonial states are better understood as mediating between competing interests.

There are different ways of understanding these competing interests, however. For example, the state can be seen as mediating between the interests of the landed classes, the metropolitan bourgeoisie and the indigenous bourgeoisie (Alavi 1973). The bureaucracy is large (overdeveloped) in terms of its structure, but its' aim is to; 'preserve the social order in which their (capitalist) interests are embedded, namely, the institution of private property and the capitalist mode as the dominant mode of production' (Alavi 1973: 148). John Saul (1974: 351-353) accepts Alavi's formulation of the overdeveloped state, but adds a third feature. This is the significant ideological function of the postcolonial state in cementing the divides exposed by the exit of the metropolitan bourgeoisie in the wake of decolonization. Another way of understanding the postcolonial state, within Marxist understandings, is through the 'State Capitalism' thesis. This suggests that capitalism is institutionalized in postcolonial societies under the direct aegis of the state. The national bourgeoisie is neither in a position to, nor capable of, meeting the rapid and huge developmental requirement of their respective societies. The existence of centrally planned economic structures, operating under strong bureaucratic command and control-core features of the Indian state- has been often justified by such arguments (Berberoglu 1992: 83).

### **2.2.1. The Postcolonial Indian State**

As is apparent already, there are many different accounts of the nature of the Indian state (see, for example, Yadav 1990). To complicate the discussion further, theories of the Indian state range from: liberal understandings that see it as essentially a democratic and neutral

mediating institution 'standing outside and above society' (Kothari 1988); a 'soft state' (Myrdal 1970) incapable of undertaking and enforcing measures necessary for genuine egalitarianism; a 'weak-strong state' (Rudolphs 1987) mediating opposing tendencies generated by different competing groups; and a Leftist instrumentalist understanding that sees the state as an instrument of the capitalist class designed to augment its control and strengthen its favoured modes of production (Bardhan 1999). In the following discussion, I will negotiate between these competing conceptions of the Indian state. In so doing, I will also develop a narrative on India's post-independence development journey, as I see it.

In the liberal understanding, the Indian state has been lauded for its plurality as well as its mediatory and reconciliatory roles (Palmer 1971; Jones 1964; Kothari 1970). Here, the state has been seen primarily as an agent responsible for ushering in and establishing modernity in Indian society through piecemeal social engineering, and other institutional reforms aimed at achieving an overall socio-economic transformation of Indian society. Such an understanding of the state is obviously in sync with the general liberal perspective on postcolonial societies which view the state as the central agency responsible for promoting economic growth and capitalist development in traditional societies (Edelman & Haugerud 2005).

One variant of Marxism understands the nature of Indian state in terms of its 'relative autonomy', in the sense that the Indian state is seen to mediate between the dominant interests (principally classes) which control it (Kaviraj 1988; Bardhan 1999; Bhambhri 1997:36). The interventionist nature of the Indian state has been ascribed to the discontent that the indigenous bourgeoisie had towards the metropolitan bourgeoisie and its capital (Desai 1984:49). Marxists in India have been critical of the development strategies

adopted by the early elitist leadership in post-independence India, seeing the development of a large and interventionist state as replicating some kind of 'state capitalism' (Berberoglau, 1992:119). The Indian state, according to this Marxist understanding, attempted to gain social legitimacy by performing the role of a mediator maintaining the class balance by giving occasional concessions to the weaker sections of society. However, these concessions were by nature largely symbolic and never really made any significant difference in the lives of the disadvantaged (Patnaik 1976:219). Instead, the state actively strengthened the development of capitalism through its institutions.

From this perspective, the mixed economy adopted by Prime Minister Nehru in the early years after Independence was essentially designed to strengthen the centralized model of development, under which the Public Sector Companies (PSUs) were to be the drivers of efficiency and large scale production, while the private sector, aided by state institutions, undertook medium and small scale projects. The space for the development of private enterprise was, therefore, in sync with the idea of protecting the interests of the indigenous bourgeoisie (Kaviraj, 1994: 122). All this while, the state continued to enjoy legitimacy in the eyes of the masses through the effective use of phrases like 'commanding heights' and 'socialistic patterns of society' (Nayyar 1998: 3124). The masses looked up to the state led development model with egalitarian expectations, but in reality it was designed to augment capitalist interests.

The postcolonial Indian state thus became a 'repository of all the basic tasks of capitalist development such a mobilizing resource, transforming productive relations by establishing conditions for the development of science and technology and by homogenizing the multiple groups under the ideology of capitalism' (Bhambhri, 1997: 4). To this end, the

adoption of policies like 'import substitution' industrialization worked out through a regime of permits, licenses and other kinds of regulatory requirements were undertaken with the objective of strengthening capitalistic operations in a protected market. The landed aristocracy was also brought into this grand strategy by accommodating them in political positions and subverting much needed reforms in the agrarian sectors.

The postcolonial Indian state has also been viewed through variously and differently gendered lenses. Thus, feminists have interrogated the transformative role of the state in terms of how it might establish the necessary conditions for equality between men and women (Mernissi 1991; Kapur and Cossman 1993). Alternatively, attempts have been made to identify and critically analyze practices that have resulted in the superimposition of patriarchal attitudes and practices by and through the institutions of the state (Parashar 1992; Menon 1998, 2004). According to this view, there is no consistency between patriarchy and the interests of the ruling class simply because the patriarchal structures shored up by religion help capitalistic tendencies by providing it with a pool of cheap labour, (largely comprising of women). Simultaneously, however, the need of mobilizing population for rapid industrialization allows the state to loosen the hold of religion and enhance its own control (Parashar 1992). There is yet a third understanding that sees the state as 'broadly constituting a network of power relations existing in cooperation and also in tension' (Rai 1996:5). Notwithstanding these differences and divergences, feminist engagements with the postcolonial state have tended to converge on the idea that the state must be viewed in historical context and in terms of socio-economic and cultural factors. When combined, this helps us to better understand the position and status of women in these societies (Alvarez 1990:273). This view of the postcolonial state also allows the

differentiated needs and identities of specific groups of women to be better understood and analyzed (Rai 1996, Mohanty 2004, Parashar 2016).

My analysis of women's position in the postcolonial Indian state will follow later in chapter 4. At this point however, suffice is to say that there seems to be substantial differences amongst theoreticians on the role state might play in creating a more egalitarian social order. While liberals advocate granting formal political and legal rights to end traditional discriminatory practices and furthering 'modernization', Marxists support struggles for substantive rights (socio-economic). Feminists go further in highlighting the patriarchal character of state institutions. Yet, feminist do not necessarily see the state as *inherently* patriarchal. As noted in my introductory chapter, the state can be a vehicle for advancing differentiated policy measures which will ameliorate male/masculine domination-to some degree at least. In the next section, I will briefly survey the literature on nature of the Indian state before turning to the neoliberal globalization and the myriad ways in which it impacts women both in the developed and developing world.

Thus, both liberals and Marxists have tended to ground their respective theoretical constructs about the nature of the Indian state on practices, both, political and institutional, although they disagree about to what ends and in whose interests the state operated. The liberals cite the resilience and endurance of India's secular-democratic practices and credentials to drive home their arguments, while Marxists highlight the gnawing socio-economic cleavages that characterize India's social order and also point to the highly centralized bureaucratic and interventionist administrative structure of the Indian state to prove their points.

However, in my view, these positions on the state are not be as antagonistic as they appear within competing liberal and Marxist theories. Rather, it is possible to view the highly interventionist Indian state as co-existent with the acceptance of value pluralism and democratic accountability, in a set-up that remained, and remains, marred by socio-economic inequalities, complexities and contradictions. The Indian state managed to interlock its administrative apparatus with the democratic aspirations of the masses. In doing so, the Indian state was able to reconcile seemingly fundamental incompatibilities between the existence of a strong state and the democratic requirements of equality, autonomy and liberty for both individuals and collective groups. As such, I argue that it is plausible to view the state as negotiating contradictions born of India's historical lineage and traditions, What I mean by this is that the historical context that shaped the formation of state in India also emboldened the state to negotiate the complexities of Indian society. I am not arguing that this resulted in the state successfully fulfilling or meeting all the democratic aspirations of the masses in a substantive way, but rather that the historical context, specifically colonialism, shaped the nature of the state in India and laid the foundation for India's democratic resilience and legitimacy.

### **2.3. The rise - and fall? of neoliberal globalization: an overview of the debates**

Globalization has been interpreted in diverse ways by commentators and analysts alike. Similarly, there are different understandings and interpretations of what neoliberal globalization means in different geographical settings and political context (see, for example, Giddens 1999; Sopa 2002; Scholte 2002). However, despite differing interpretations and opinions regarding the merits and demerits of globalization, its ubiquity

is well understood and accepted (Bhagwati 2005; Held and McGrew 2007). Equally well recognised is the idea that the powerful dynamics of globalization cannot be reversed (Bhagwati 2005; Stiglitz 2006). This is not to say that globalization cannot be managed. In fact, scholars like William Tabb (2001) have countered the idea regarding the helplessness of the state in the wake of globalization.

The debate on globalization cuts across social sciences, generating an extensive literature in the fields of political science in general and its subfields such as international relations and political economy, development studies and cultural studies in particular. The proliferation of literature combined with disagreements among commentators on the meaning, effects and impacts of globalization, poses a major intellectual challenge in conceptualizing and theorizing the vast range of changes that have ushered in following the advent and strengthening of the process of globalization. Nevertheless, the impacts of neoliberal globalization specifically, have remained hotly debated, controversial and contested issue in many countries throughout the world (Steger 2003; Strand, Mueller and Mcarthur 2005; Gupta and Sharma 2006). This is particularly so in the context of postcolonial states like India.

It is generally agreed that neoliberal globalization followed the break-down of the so-called 'Keynesian consensus' in the early to mid-1970s. A key moment in the shift to neoliberal globalization was the breakdown of the Bretton Wood System of monetary regulation (Birch and Mykheneko 2010). However, the ideological force of neoliberalism reached its peak in the early 1980s, during the Presidency of Ronald Regan in the USA and the premiership of Margaret Thatcher in the UK. The end of the Cold War and the collapse of the Soviet Union in 1989 only further consolidated the force and the resultant sweep of



neoliberal ideology across the world. The end of communism lent added force to the widely peddled view that there was 'no alternative' to neoliberalism (see Fukuyama 1992). I will revisit these developments in the Indian context later in the thesis.

Whilst neoliberal ideology has its origin in the West, the harshest impacts of neoliberal globalization have been felt in the developing world. The debt crisis in the early 1980s - a crisis that followed from the global recession in the early 1970s, is a significant factor in explaining the expansion of neoliberalism. Ever since then, more and more heavily indebted developing countries have turned to the International Monetary Fund (IMF) for assistance. This 'assistance' however, came with strings attached. The IMF (and the World Bank too) attached conditionalities to loans that impelled developing countries to adopt neoliberal policies. These conditionalities can be best summed up in Susan George's phrase - 'earn more, spend less' (1977).

Post-debt crises, most states in the global South have seen an increased role for IMF and World Bank in managing their economies often compelling them to adopt structural adjustment policies. These policies in turn, force them to open up their economies to foreign direct investment (FDI), markets forces, free and open trade. It has been argued that such compliances have been achieved by varying degrees of 'political pressure, diplomacy, economic pressure and in some cases military might' (Cypher 2014). The advent of neoliberal globalization the global South as such has been seen to be brought about at the behest of political pressure from international organizations or treaty devices such as the WTO. It has been very much a 'top-down' imposition.

During the period of the Washington Consensus (circa 1989-1995) developing states accepted, often reluctantly, the idea that prosperity is best achieved through integration into a

‘deregulated’ free market system (Aguirree 2008). This idea was fostered and reinforced in policies initiated by the IMF and World Bank. Whilst such developments on one hand resulted in the endorsement and acceptance of ideas such as deregulation, privatization and the ‘roll back’ in many of the state’s functions across the developing world. On the other hand, acceptance of globalization also in a way resulted in the widening of the influence area of International Financial Institutions such as the IMF, and World Bank and captivation of state controlled financial institutions under their ambit (see, Khor 2000, Cagatay 2003).

It is not surprising therefore to find critics advancing the argument that neoliberal ideas end up diluting and weakening the social-welfare role of the state. They argue that acceptance of neoliberal prescriptions by the state implies a complete abdication of its conventional social responsibilities in areas like education, health, water, and social services (Bresser-Periera 2009). This is important to the argument I develop in my thesis because it is well accepted fact that women across societies require social security measures of the state and as a logical corollary, any downturn on account of the adoption of neoliberal prescriptions would perceptibly be massively detrimental to their interests (Bergeron 2001; Rao & Kelleher 2005; Steans 2013).

I will elaborate below on the gendered impacts of structural adjustment and state roll-back in the global South. At this stage, suffice is to say that, as the twentieth century winded-up, development models based on the unfettered forces of globalization attracted growing criticism. Unsurprisingly, a growing number of critics of neoliberalism in theory and practice came from developing nations. A prominent example is Venezuela - cited ostensibly as an IMF ‘success story’. Critics have argued that during the regime of Yugo

Chavez in Venezuela (2002-2013) domestic political and economic institutions had been undermined by exposure to the forces of free trade and rapid flows of capital. Detractors have also noted the hypocrisy in the neoliberal agenda promoted by the West dominated International Economic Organizations (IEOs) and their dualistic prescription. These prescriptions for example, demand that the developing states liberalize their markets for manufactured goods, the domestic agricultural markets are sought to be protected with continued subsidies. It is such hypocrisies that ultimately have led to a crisis in legitimacy in IEOs, particularly the WTO (Wallerstein 1989; Bhattacharjea and Marjit 2004; Bagchi 2008; Amin 2014; Hayashi 2010).

The anti-globalization movement, which saw neoliberal globalization as a 'race to the bottom', was at the forefront of protests. However, criticism also came from unexpected quarters. Former World Bank economist Joseph Stiglitz (2002) produced a bestselling book on 'globalization and its discontents' in which he argued that the IMF had forced neoliberalism and Washington consensus policy goals on developing countries at times when it was not appropriate. This had resulted in catastrophic failures. Robert Hunter-Wade's (2004) work mapped the growing levels of poverty and increased inequalities in wealth- and hence power- that attended neoliberal globalization. Throughout the 1990s, the argument that the 'cookie cutter' approach to globalization did not work and created moral hazard, gained ground (Stiglitz 2002; Bigman 2007). I will not rehearse the shift from the Washington Consensus to post-Washington Consensus at length here. Suffice is to say, that from the mid-1990s onwards, the neoliberal orthodoxy came under attack from many and varied quarters and this re-invigorated debates on the role and function of the state.

### **2.3.1. A Note on complex interdependence, new institutionalism and the state**

It is worthwhile here to provide a brief reference to the literature on 'complex interdependence' and 'new institutionalism'. I include this brief discussion here because it is pertinent to my discussion on the place of state, specifically, of the Indian state. Both complex interdependence and new institutionalism acknowledge the role of state in responding to and negotiating the realities of a changed world. It has long been noted that globalization has engendered complex social, political and cultural changes which have combined to usher in a world that is much different from a century ago. This is not a 'borderless' world, but rather one characterized by complex interdependence (see, for example, Held 1999; Dicken 2003). Growing trade in goods and services has deepened relationships between states, but there remain significant differences in terms of the trajectory of economic developments in specific countries. Moreover, globalization is a differentiated process that generates new forms of inequality. Globalization has brought about 'a reconfiguration of power at all levels' and has generated a changed role for the state, as I alluded to above (Bernard 2000: 153). As such, the state-specifically, the national governments, must now *look upwards* to international networks associations, and *downwards* to native civil associations. Additionally, the need is also to look up to the market forces like the transnational and multinational corporations.

Proponents of the new-institutionalists globalization thesis (Garrett 1998; Hall and Soskice 2001; Weiss 2003), accept that globalization is a driving force for change. However, they contend that the ways in which states respond and the outcomes they achieve are different since responses are driven by different cultural and institutional contexts.

According to Weiss ‘domestic institutions, depending on their characteristics, can hinder or enable states to respond to new challenges and accomplish new tasks, thus softening, neutralizing, or exaggerating the potentially constraining effects of global market’ (Weiss 2003: 27-8). It is left to the national governments then to design their institutions and make them work in ways that can help them achieve better results and outcomes for their respective populations.

## **2.4. Neoliberalism, the state and welfare**

At this point, it is helpful to rehearse the general debates regarding the impact of neoliberal globalization on welfare states. First, however, I will undertake a review of some of the different models of welfare states. I do this because by examining more closely the intricacies of welfarism, it becomes apparent and as I argued in the previous chapter, that the specific forms of welfare state cannot properly be understood without reference to the historical, social, political and economic context within which they developed. There exists a huge amount of literature on welfare state and it is a difficult task to pin point a consensual understanding of the term actually means, since forms of welfarism have varied from state to state even in the West. This is to say that while the post-war period was characterized by the adoption of welfare policies in the OECD countries, there were wide variations in the models adopted (see Anderson 1990; Hall and Soskice 2001). This is also true of non-Western states like India. I will detail the India case in the next section. Accordingly, in the following section, I will give a flavour of the variety of welfare state models in the Western world (OECD economies).

Even as the notion that the state should provide for the economic and social welfare of its people widely took hold, in the post – Second World War period, the form that welfarism took varied from place to place, reflecting the specific configuration of social and political forces at work. Not surprisingly therefore, one comes across tweaked versions of the application of welfarism in the Anglo-American world. A reference to Esping-Anderson's three-fold classification of the welfare model is of help here (Anderson 1990). According to Esping-Anderson the first model of welfarism primarily operates with an emphasis on channelizing resources to reach the neediest and most distressed sections of the population. This naturally involves the presence of massive bureaucratic structures and consequently a direct regimentation of the beneficiaries of the state support.

The second case, as operationalized in the Scandinavian countries, operates by first defining and laying certain eligibility criteria and then distributing resources amongst those who fulfill them. Whilst, bureaucratic controls in such cases are relatively more relaxed however, a successful operation of the scheme mandates introduction of high-taxation policies. A third variant of welfarism espousing citizenship claims can be seen operating in the United Kingdom. Also known as the 'Beveridge model' this type of welfare model attempts to provide material resources to citizens more as a matter of right and claims, and is constantly refined to suit the exigencies of times and needs as the case may be.

Building on Anderson's work Martin Schroder (2013) has put forward a threefold typology of welfarism namely – 'liberal market economies with liberal welfare states; coordinated market economies with conservative welfare states; and coordinated market economies with social-democratic welfare state' (Schroder 2013). Countries like the UK, the USA, Ireland, Canada, New Zealand and Australia could be clubbed together in so far as

they exemplify British liberalism, placing high premium on individual liberty. States like Austria, Belgium, France, Germany, Italy, the Netherlands, Portugal and Spain reflect the common concerns of social solidarity and stability and hence could be seen as exemplars of the second type (Schroder 2013). States like Sweden, Finland, Norway and Denmark reflect strong concerns for egalitarianism and social justice and so exemplify the third category (ibid).

To conclude this section, it is pertinent to once again observe that historically, welfare states have been shaped by a complex mix of international and national economic, social and political forces and have, moreover, assumed different forms from place to place. That said, there can be no doubt that the end of the Keynesian consensus and the ascendancy of neoliberal ideas to a position of (near) hegemony in the 1970s and 1980s did have some significant impacts right across the Western world. Initially, this was most pronounced in the USA and UK. From the 1980s onwards, all OECD economies undertook neoliberal reforms, to a greater or lesser extent, and all saw a withdrawal of state provision in the area of welfare in favour of services provided by the market. It must however be noted that the extent of such occurrences differs quite a bit across states and societies.

#### **2.4.1. Welfarism in India**

In the post Second World War period, the welfare state - the phrase and the idea - ran round the liberal world with remarkable speed. In a world tormented by and tossed between the exploitative freedom of laissez faire type capitalism and the regimented justice of communism, the idea of a welfare state as an agent of human welfare appeared as a happy synthesis, or 'third way', between liberalism and collectivism. I must reiterate that in the

Indian context aspirations of establishing an egalitarian social order in the post-Independence period had been a long cherished goal of elite nationalists like Nehru. In the period following the Russian Revolution of 1917, the intensity of such aspirations i.e. the need for both political and economic rights to ensure a dignified and exploitation free life for the millions of marginalized and vulnerable people, not only deepened, but also became loud and explicit. Such aspirations ultimately resulted in a formal resolution passed at the annual session of the Indian National Congress in 1931 - famously known as the '1931 Karachi Resolution on Fundamental Rights and National Economic Programme'. Additionally, the 'negative impacts of the capitalist exploitation during the period of colonial rule made the early leadership distrustful of the principles of capitalism thus augmenting their Socialistic and Fabian leanings in general' (Mitra 2014: 211).

It is useful to briefly set out some of the key features of the post-war Indian welfare state and also to examine in more detail how these measures dovetailed with the overall development strategies of the Indian state. The need to establish an egalitarian democratic social order found its most eloquent expression in part IV of the Indian constitution and was sought to be achieved through a reliance on the principles of democratic socialism and the structures of centralized planning. Post-independence India as such, commenced its developmental trajectory on the wheels of 'mixed economy' where the state was central to the 'commanding heights of the economy' – engaged with building infrastructure and controlling key industries (Mitra 2014:210). The focus was on an inward looking import substitution model, implemented through a system of strict licensing. Even though the private sector was accepted as important, it was the state that was to play a leading and significant role in the management of both the society and economy. It must be clarified



here that the Indian state was not averse to the participation of foreign capital in industrialization, but this 'was to be regulated by the state, with major interests in ownership and control' (Mitra 2014: 223).

Three important interrelated factors have been offered by Stuart Corbridge (2010), could plausibly explain India's decision to adopt an inward looking regulatory and interventionist economic system.

First, in their critique of liberal comparative advantage theory, Hans Signer and Raul Prebisch took issues with the idea that 'latecomer' countries could develop effectively as primary goods producers. There were both theoretical and empirical reasons to suppose that the price of non-primary goods rose faster over time than the prices of the primary commodities. Therefore, developing countries had to build up local (infant) industries as a priority even if this meant erecting tariff barriers to protect the domestic economy. Second, this commitment to import substitution industrialization (ISI) implied in the short term a run of balance of trade deficits. Developing countries first had to import the machine tools and other goods that would help them build local manufacturing capacity. A foreign exchange constraint would become especially compelling in a country like India where ISI privileged the production of capital goods (iron and steel, chemicals, heavy engineering etc.). Flows of foreign direct investment were thin on the ground in the 1950s and 1960s, and probably would not have been very welcome in India. A surplus on the capital account would thus have to be achieved by large and continuing inflows of foreign aid. Third the very scarcity of foreign exchange in the 1950s and 1960s coupled with poorly formed local stock markets and often weak private trading systems (some of which were coded as exploitative and oppressive) inclined the Government of India (GOI) to think of economic development as a project that had to be planned for and delivered by a beneficent state. (Corbridge 2010:307-308).

Centralized planning was a prominent feature of the Indian state's approach to development. Under this system of centralized planning, the state was expected to play a major role in industrialization, monopolizing all big sectors/heavy industries while simultaneously controlling the labour and financial sectors as well (Kelegama, Saman and Parikh: 2000). National Planning was formulated 'under the direct supervision of the

executive' (Mitra 2014:210). As a matter of fact, the composition of the National Development Council, very clearly reflected such concerns. Comprising of the Prime Minister and the cabinet ministers at the federal levels and the chief ministers of the provinces the NDC was tasked with the responsibility of ushering in a system of equitable development by harmonizing economic development with the imperatives of social justice (ibid). In a way it also substantiated the point that ultimately in a democracy, it was the political and not the permanent executive (bureaucrats) who were to be seen as the harbinger of development and change. Prime Minister, Nehru's charismatic personality combined with the legislative majority that the Congress Party commanded both in the Parliament and in the provincial legislatures ensured that these policies were pursued, (almost) consensually (see Kothari 1964:1161-63). The system of democratic albeit centralized planning was also buttressed by additional social reforms brought in through normal legislative measures and at times even constitutional amendments.

#### **2.4.2. Neoliberal globalization in India**

India's experience of neoliberal globalization has much in common with other states in the global South. India's tryst with globalization started in the early years of the 1990s when it had to open its economy in the wake of rising inflation (17%), sinking foreign currency reserves (1 Billion USD), unsustainable fiscal deficit and a looming balance of payment crisis (Khilnani 1999). Following the 'recommendations' of the IMF India adopted highly controversial, structural adjustment programs, also commonly referred to by the acronym of LPG- liberalization, privatization and globalization. A slew of new measures in the industrial, financial and trading fields were adopted and driven by a largely imposed ideology that held that a more open and market oriented economy was the only solution to

India's economic ills. This shift signaled a break from the import substitution policies that had characterized much of its development strategy in the preceding decades.

Almost a quarter of century later the jury is still out on the long-term impacts of neoliberal globalization on India. The early impacts of economic reforms however, were very encouraging at least in macro- economic terms, with the annual growth rate consistently accelerating to 5.3 % in 1992-93, 6.2% in 1993-94 and to almost around 8% in the first decade of the 21st century. This spectacular growth firmly placed India in the saddle of a fast 'emerging' economy. The emergence of a very strong service sector, as the growth driver of the economy and contributing almost 57 percent of GDP, was yet another positive outcome of the reforms.<sup>4</sup> More significantly, the adoption of economic reforms also led to enhanced Foreign Direct Investments in India. According to an annual report of the Reserve Bank of India, FDI in India increased from around US\$100 million in 1990/91 to US\$ 5536 million in 2004-5.<sup>5</sup>

However, this unprecedented growth following the decision to liberalize had a cascading effect on the nature and function of the state. It also had a very harsh and polarizing impact on the social conditions of existence, already enmeshed with caste, class, ethnic and gender identities and disparities. For example, the unleashing of reforms led to massive industrial restructuring and relocation requiring disintegration of existing labour relations and the re-composition of labour around new requirements. Part of the process included wide-scale deskilling and reskilling of labour very often resulting in massive job cuts and de-unionisation. The decline of trade unions is particularly disturbing as it not only facilitates the ability of capital to follow arbitrary contracts of employment, but also results

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<sup>4</sup> Economic Survey of India 2000, 2005

<sup>5</sup> Reserve Bank of India Annual Report 2004-5

in lower wages and neglected working conditions. Interestingly, in this period, the judiciary as well as the legislative wings of the state have come down very heavily on the rights of workers to strike.

A lot of the growth under globalization comes from expansion in the informal sector, but this sector stands outside of the purview of social security legislations. For example, the informal workers are not covered under the Indian Factories Act 1948 - a law that secures and details the general working conditions, health, hygiene, and basic amenities of the working class. Women, as well as the other marginalized sections of the society, constitute the bulk of this work force. However, neither body of literature has engaged with gender issues in any significant way. Hence it is necessary to bring together this literature and feminist works in a dialogue in order to better elucidate the gender impacts of globalization and the policy implications of the same.

## **2.5. Gendering globalization**

In this section of the chapter, I will undertake a selective review literature on gender and globalization or global restructuring. For the most part, this literature is written from a feminist perspective and has been generated in political science, international relation, international political economy and development studies. A gendered analysis of neoliberal globalization is obviously pertinent to my thesis since this casts light on how globalization creates or entrenches vulnerabilities, social hierarchies and inequalities.

Gendered understandings of globalization reject the neoliberal claim that globalization is an inevitable, inexorable process and, moreover, one which ultimately benefits all, albeit not to the same degree (see, for example, Eisenstein 1998; Marchand and

Runyan 2011b; Mohanty 2004). Instead, feminist scholars pay attention to both the material and ideational dimensions of globalization and the differential impacts of globalization on specific social groups, especially women. Feminist scholars have made interventions into this broader literature on globalization and one of the most important of these interjections has been to draw attention to women in the global political economy (Peterson 2005).

In the feminist literature, it is often contended that impacts of globalization have been differentiated and uneven - differing across the divides induced by class, ethnicity and levels of literacy. These become worse in cases where these categories intersect or converge (Sen 1993). Women, as a group most certainly reflect such intersectionalities and convergences and hence it is not surprising to find the impacts of globalization being largely structurally disadvantageous to them - very often confining women to low paid, low status and often part time jobs that reinforces their subordination and perpetuates the de-valuation of their work in most societies (Enloe 1990, Moghadam 1999). I do not intend to say that the impacts have been equally negative on all women and across all sectors or in every context or country. However, women generally, and more specifically women in developing societies, have been largely on the receiving end of the negative fallout from globalization (Ghosh 1999; Chow 2003; Razavi et al 2012).

Evidentially, there is much diversity in the feminist literature on globalization, yet there are also certain common threads that run through and enjoin all of them. First, all converge on the argument that globalization has resulted in states being more exposed to international economic pressures than they ever were during earlier periods commonly characterized as 'transnationalism' or 'internationalism.' Second, the exposure to and pressure of global forces have led to a definite shift in the nature and function of state.

Third, the nature and extent of exposure are not uniform; this differs from state to state. This difference is, to a large extent, on account of the different socio-political, economic and cultural structures that exist in specific states (Marsh, Smith and Hothi 2006). Fourth, the impacts of globalization, across societies that form the focus of particular studies, have been deleterious for specific groups of women. Fifth, in the context of challenges posed by neoliberal globalization, states have been required to redefine and redesign their domestic institutions of governance and in doing so they have also been required to substantially engage with global agencies and institutions. Finally, there is widespread agreement that states also need to devise remedies to the deleterious consequences of globalization in order to realize gender justice.

### **2.5.1. Gendered labour markets and unpaid labour**

The mobility and relocation of capital and labour constitute the core of neoliberal globalization and goes some way to accounting for the unequal impacts of globalization on specific social groups, according to their position in the labour market as skilled or unskilled workers, their location in urban centers and rural communities, levels of education and literacy and so on. Feminists hold that the integration of developing societies into an increasingly free market economy has economic, political and cultural consequences which are often deleterious for women. However, again it should be noted that the position of women particularly in the Indian context varies on accounts of class, ethnicity, domicile, levels of skills and education, among other factors. As such, at the heart of the gendered account of globalization are questions of intersectionality. That is, cross-cutting factors such as class, race, caste, nationality, as well as geographical locations in exacerbating the domination and oppression of women.

On the whole, gendered accounts of neoliberal globalization are normatively opposed to the insubordination of women and appeal to ideals-political and moral- like democracy, human rights and equality, when propounding and developing critiques of neoliberal policies (Okin, 1998; Nussbaum 2001; Jaggar 2002: 433; Cudd and Andreasen 2005). Feminists commonly argue for 'relational understandings of power, collective responsibility, and mutual dependence' in analyzing globalization and in advancing prescriptions to further gender justice (Parekh, Serena and Wilcox, Shelley 2014; also see, Held and McGrew 2007; Hankivsky 2006; Miller 2011; Robinson 2006).

Contemporary advocates of neoliberal globalization share common assumption with early proponents of liberal modernization theories; that is that 'bringing in' women (in developing countries) into the paid workforce will 'empower' women. This kind of thinking tends to assume that the disadvantages suffered by women are rooted in some combination of cultural practices and beliefs and economic dependence. Hence, the increased participation of women in the workforce will result in a degree of economic/financial autonomy and this, in turn, will lead to improvements in their social and political status.

Feminists have generated myriad critiques of this liberal-modernization thesis and, latterly, neoliberal empowerment thesis. These critiques are too extensive to cover at length in a selective literature review of this kind. However, to simplify somewhat, one might identify two distinct positions. The first is what I characterize as a radical critique, which holds that neoliberal globalization is inherently exploitative and harmful to all precariously situated groups. As such, neoliberal globalization cannot be reformed-what is required to realize a just world, and gender justice specifically, is a radical transformation on global economic and social relations, along with the entire architecture of neoliberal global

governance. This position, or some elaboration of it, typifies much of the 'anti-globalization' literature. The second position, which is closer to my position, might be characterized as reformist in so far as it advances the thesis that while unfettered globalization along neoliberal lines, is clearly harmful to specific social groups, including women, globalization can be made to 'work for' such groups. However, if globalization is to 'work for women', a continuing and interventionist role for the state is needed.

Thus, some feminists concede that globalization does provide new economic opportunities to some women and that these opportunities might facilitate the empowerment of some women. However, they unequivocally denounce the exploitative aspects of neoliberal globalization, especially the use of women as a source of 'cheap labour' (Mitter 1986; Beneria and Roldan 1987; Lawson 1995, 1999) or as 'disposable labour' (Wright, 1997). Chambers (2000), for example, argues that despite the increased participation of women in the global labour force, their vulnerabilities continue since they are seen as 'soft' employees readily secured on lower wages and/or directed into new types of 'low paid, temporary part-time, insecure work and without benefits' or in 'feminized jobs' (Standing, 1999). Globalization has also added to the burden of work for women, who are expected to work long hours in the paid labour force and long hours of unpaid labour is social reproduction and care work (see: Mies 1986; Bakker and Gil 2003; Hoskyns and Rai 2007). The changing role of the state and specifically the 'roll-back' of the state is particularly pertinent here, because, as Steans notes: 'Cuts in social services and investment in human capital tend to affect women more than men because women carry the burden of responsibility for the care and well-being of entire families' (2013: 177)



Feminist researchers in the fields of development and more recently globalization studies have pointed towards the myriad ways in which ideational factors, ideologies and cultural norms surrounding 'domesticity, femininity, masculinity, and sexuality play out in defining what counts as labour, what kind of work is appropriate (for women and men) and where, along with appropriate rewards for labour' (Pringle 1989; McDowell and Court 1994; Lawson 1995, 1999; Hanson and Pratt 1995). It has been argued that since familial structures in developing countries are (and remains) patriarchal, women have little or no control over the money they earn. Further, the scattered system of global production leads to the creation of a flexible system of labour in which women more often than not, end up accepting unstable, precarious work as that helps them to undertake paid work while continuing to shoulder familial responsibilities (Balakrishnan: 2002).

So far, my review of the literature has focused on work, labour markets and unpaid labour. However, it is important to note at this juncture, that gender analysis is also required in the area of global trade. According to Cagatay

men and women are affected differently by trade policies and trade flows, owing to their different locations and command over resources within the economy. Gender-based inequalities also impact differently on trade policy outcomes, depending on the type of economy and sectors, with the result that trade liberalization policies may not yield expected results (Cagatay 2001: 5).

Gendered understandings as such, are immensely important for the purposes of drafting and executing trade practices aimed at augmenting the cause of human development in general and women's empowerment in particular. Important, in this context is the works of Krause (1996) and Mittelman (2000: 76) who have analyzed how women, especially in poor states, become in a sense victims of globalization.

Feminist studies of globalization have focused on the ways and means through which the pursuit of neoliberal policies by the state result in routinely and significantly, resetting of values as well as the ways and means of the processes of production, having gendered impacts. For example, by de-regularizing labour laws and creating casual jobs the market state creates a new kind of underpaid strata of citizens and even as it is lauded for creating new opportunities in reality it ends up creating a new underclass of feminized jobs and workers. As a result, it further replaces the family wage system by individual wage workers. Nancy Fraser (1997) in her work 'Justice Interrupts: Critical Reflections on the Post Socialist Condition' in particular has been very critical of the neoliberal practice of replacing the family wage system by individual wage workers. Similarly, in her work 'The Hidden Assembly Line: Gender Dynamics of Subcontracted Work in a Global Economy' Radhika Balakrishnan has argued that as the 'labour market was gendered and racialized; globally, a feminized periphery emerged comprising people of colour, migrants, working class women, illegal workers' (Balakrishnan 2002: 25).

## **2.6. Neoliberal globalization and the gendered state**

Along with the ever gnawing disparities in income and wealth one also comes across accounts of the impacts of the withdrawal of state support, on the working class in general. In the literature, it has been contended that the withdrawal of the provisions of social care, for example, negatively impacts women workers, who apart from earning their wages now also have to undertake those additional responsibilities. Interestingly, in situations where women do receive welfare oriented state support, more often than not, they have to accept and adhere to very stringent conditionalities of work (Kingfisher 1996). Such gendered impacts of the neoliberal globalization have been at the heart of some recent works in the

field (see, for example McDowell et al. 2005; McDowell 2006). According to one account, the operation of the neoliberal policies in fact, result in greater wedges between women workers themselves leading to some sort of intra- class divide (see, McDowell 2006). This is because, whilst the skilled white collar women workers can easily compete with the men of the corresponding class, the same does not hold true for the blue collar women workers (ibid).

Concerns have also been raised on the ways in which operation of neoliberal policies result in altering and reformulating responsibility mechanisms both in the political and personal spaces. In a well-argued essay entitled 'Shifting the Boundaries: Gender and the Politics of Restructuring' Janine Brodie contends that the adoption of neoliberal policies have in a way condensed the public sphere - 'the realm of political negotiation' (Brodie 1994). This she argues, has been because of the readjustments and reconfigurations in the role of the state following the adoption of the neoliberal economic prescriptions. The conventional functions of the state, (social justice, equity and welfare) in such contexts then pass on to the private sector resulting in imposition of patriarchal values in the market, under which, individual as individuals are supposed to be taking care all by themselves (Brodie 2002; Kingfisher 2002).

Neoliberal policies have also been accused of delineating sexual identities by marking individuals either as workers or consumers (Needham 2003). Drawing on the works of feminist scholars like Catherine Kingfisher (2002) and John Clarke (2004), Rachel Simon-Kumar puts forward the argument that

the state, translates its responsibilities to democratic functioning by being a competitive provider of goods that are expected for basic functioning in society. The ideal individual citizen is disembodied (i.e., de-raced and de-

gendered), ahistorical, and outside of social relations and responsibilities, constrained only by the limitations placed on themselves (Simon-Kumar 2011: 452).

Feminist scholars have held the neoliberal state responsible for eclipsing gender as a point of debate too. It has been argued that by focusing on governance and stressing managerialism, the neoliberal state very conveniently evades its social responsibilities. It has been argued for example, that through an overt emphasis on the principles of 'minimalism, cost-effectiveness, transparency and accountability' (ibid), on the one hand and the specificity of goals, cut-throat competition, and corporate loyalties on the other, the neoliberal state, very effectively (though implicitly), reinforces patriarchal norms and values. (also see, Hopton 1999; Clarke 2004). Additionally, the neoliberal state has also been held responsible for promoting contractualism between unequal partners (Pateman 1989). Christa Wichterich (2000) provides a very persuasive account of the negative impact of globalization on women, in her work 'The Globalized Women'. Christa argues that

Globalized woman is burnt up as a natural fuel; she is the piece rate worker in export industries, the worker living abroad who sends back foreign currency, the prostitute or catalogue bride on the international body and marriage markets, and the voluntary worker who helps to absorb the shocks of social cutbacks and structural adjustments' (Wichterich 2000: 167).

Miller and Vivian (2002) have put forth the argument that structural adjustments (liberalization) impact states with an increased size of women workers involved in labour intensive sector. They argue that there is a need to involve women in a system that is geared towards increased productivity, resting on a high wage system that involves cutting edge sophisticated technology. Moghadam (2007) sees globalization as responsible for enhancing the vulnerabilities of women, though on the positive side it can be seen as facilitating

increased activism among women, especially as more and more women get organized and carve out a new constituency for themselves as political and social actors.

It is evident then that 'paid employment is a necessary but not a sufficient condition for gender equality' (Aggarwal: 1994:71). Understandings of the gendered impacts of globalization have also been made by looking into its construct as state policy (neoliberalism). It has long been argued and accepted both by feminist theorists and activists across ideological positions that most state forms—more recently, the neoliberal state—has particular adverse gendered implications (Fraser 1989; Mackinnon 1989; Pateman 1989; Connell 1990; Young 1990; Orloff 1996; Kingfisher 1996, 2002).

In some of the recent writings, attempts have also been made to look into the issues of 'intersectionality' (Fraser 1997; Dietz 2003) sexuality, income, race, and ethnicity and their role in the marginality and oppression of women. Women from lower classes and ethnic minority groups suffer most. I accept that globalization may have yielded some macroeconomic benefits but it is equally true that women's status under globalization has deteriorated during the development process in many societies (Jockes 1987; Kazan 1993). According to Marxist and socialist feminist accounts, women's subordination serves the interests of capitalism as the costs of social reproduction are privatized and women's structural disadvantage enables them to be exploited as a source of cheap and flexible labour when they enter the paid workforce (German 1989: 70-73; Gimenez 1975, 2001, 2005; Bloodworth: 1990). Consequently, it has been argued that intervention to redress disadvantages generated and perpetuated by the neoliberal market would be required for a general improvement in their situation. Securing equitable outcomes thus naturally necessitates not just the need of governance of the market, but also of the international

structures and mechanisms of governance (Wade 2003, 2004; Lovell, Hartmann, & Williams 2008).

## **2.7. Gendered globalization: The Indian context**

The impact of neoliberal globalization in India has been harsh on women in particular. It must be noted that gender as a construct overlaps with class, caste divides which has been an inherent feature of Indian social order. It is well known that traditionally women have been vulnerable. However, it is also true that the systemic structures of discrimination have been widely aggravated by the pursuit of neoliberal policies by the Indian state. According to Kalyani Menon Sen (2004) along with pauperizing whole populations, globalization rigidifies the subordination of women by recreating and strengthening the structures of patriarchal subordination.

The influence of neoliberalization has resulted in the shrinking of the political space for citizenship. With the rolling back of the frontiers of state from the social sector, the domain of social citizenship has suffered large losses. These changes have been particularly harmful to women's citizenship. The rolling back of the state from the arena of social citizenship has resulted in setbacks to women's rights, especially for those who belonged to the marginalized sections. Resources which were earlier spent on women's emancipation particularly in the field of health, education, employment have all been reduced due to governmental policies supportive of global capitalism. According to Jill Steans the neoliberal rhetoric works as a double whammy for women. By casting them as new entrepreneurs it on the one hand devalues their traditional family centric roles, yet on the

other hand by simultaneously endorsing neo-conservative norms and values it projects them as 'selfish' and 'irresponsible' for simply not fulfilling their mothering roles (Steans 2008).

The implementation of neoliberal policies gives rise to the polarization of wealth in society, which in turn has led to high unemployment and growing impoverishment thus having gendered implications. First, women's employment opportunities are affected by cuts in specific sectors, including education, social security and health. Second, because women take on the largest share of household and family responsibilities, they are required to compensate for this additional burden through their own time. Third, the growing number of children and women living in poverty, along with the feminization of labour show that the costs of globalization are unevenly spread.

In part, this reflects a worldwide trend, so that now an increasingly large number of families do not have a male breadwinner (Kabeer 2014). In the search for women's labour, transnational companies go on the hunt for low cost labour, which in practice is often female labour. It is not surprising to find out that the adoption of the neoliberal prescriptions and the consequent easing of trading practices and labour regulations in India since 1980s has given rise to a relatively small pool of technically skilled work force, mostly males and a simultaneous but a massive growth in the numbers of the part time lowly paid vulnerable workers, a huge proportion of which are females (ibid). Whilst such developments confirm the argument that women's work in a liberalized economy mainly comes off as low paid, part-time, outsourced work or what is called 'labour made cheap' (Steans 2013) they also flag out the reason why women have to be constantly juggling between home and work place.

A typical example of such a development can be seen in the call centers where women are preferred as employees as they not only demand less in their pay packet but can easily be manipulated. Younger girls are preferred in the night shifts as it acts as sexual incentives to the male workers (Patel 2010). In India, there has been increase in cases of molestations and even rape involving many of the call centers and-without doubt-there is a great deal of evidence that women are the victims. According to recent data made available by the National Time Use Survey, conducted by the Indian Department of Statistics (GOI: 2016) women in India across classes and caste in both rural and urban areas were found to be working longer hours than men. Further, on average, more than half of the total work performed by women was unpaid, while for men only one third of their work was unpaid. One of the starkest realities of the Indian workforce is that out of the total 397 million workers in India almost 127 million are women and out of which almost 96 percent are engaged in informal sectors which is inherently characterized by under-payments, sub-contracting and the casualization of labour (GOI:2006).

The gendered impacts of neoliberal globalization in the Indian context have been well brought out in some seminal works in the field. The idea that globalization augments gender inequalities by denying equity and access to resources is a recurrent theme in the writings of a host of scholars (Basu 1995; Ghosh 1999, 2005a; Sarkar 2007; Kabeer 2014). Another important observation made by feminist scholars is that in the guise of modernity and egalitarianism, globalization magnifies and strengthens the structures of patriarchal domination (Krishnaraj 1999; Jain 2000; Sen 2004; Ghosh 2005a and b). According to Ritty Lukose (2005a, 2005b) globalization has resulted in creation and expansion of a new middle class in India however, it also poses a constant threat of women's sexual



commodification. It has been argued that neoliberal policies imply a roll back of the state from conventional sectors of social welfare leading to steady marginalization of women in the economy (Banerjee 1999). According to Sumita Sarkar (2007) the benefits of globalization in terms of reach is limited to a small segment of IT skilled population. For a large section of semi or unskilled population of women it results in disproportionate victimization by the way of loss of traditional livelihood and sustainability (Jain 2000), fall in wage earning (Roychowdhury 2004), 'casualization of workforce, leading to sub-contracting, retrenchments, layoffs' (Ghosh 1999).

Naila Kabeer (2012) in her research paper entitled, 'Women's Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development' accepts the argument that gender equality leads to economic development however, she contends that it is not true, the other way round. It is interesting to note that a very thought provoking account of the gendered impacts of the operation of multinational companies, particularly in the Indian context had been highlighted by Maria Mies as early as the 1988. Though the broader contours of the debates on gendered impacts of neoliberal globalization in India, were still in a rudimentary stage, yet Mies very clearly pointed out the social psychological as well as the economic consequences of the multinational companies' prowl for cheaper labour. According to Mies, the female labour in the developing world in particular, is a cheaper labour offering additional benefits of 'docility, flexibility, and low visibility' – ready for the multinational companies to harp upon (Mies 1988: 33). Mies argued vehemently that the 'society in this case is benefiting economically from women's work, yet due to the ideological views of women's roles within society it is not view as work' (ibid).

In a draft paper on 'Globalization and Women in India: Some Macro Considerations' Jayati Ghosh (2005a) has argued that the relationship between economic development and social living conditions particularly of women is a complex one. According to Ghosh,

adoption of the neoliberal economic policies significantly conditions issues and concerns for gender justice and empowerment in India and in many other economies in Asia (notably Bangladesh). An analysis of the economic aspects of women's work and living conditions is therefore not just important but actually a precondition for the comprehensive assessment of issues such as gender justice and empowerment (ibid).

Concerns about women's position also figures in the work of Chandra Talpade Mohanty (2004). In her book 'Feminism without Borders: Decolonizing Theory, Practicing Solidarity' Mohanty presents a 'critique of globalization that presses for an urgent reorientation of transnational feminism around anti-capitalist struggles' (Mohanty 2004: 12). Similarly, concerns have also been expressed on why throughout the economy women tend to hold lower level positions than men even when they have sufficient skills to perform in higher levels jobs (see, Jhabvala and Sinha 2002). Although a vast majority of Indian women contribute to the economy through their work both in explicit and implicit ways, but their actual contribution remains subdued as the official listing of work does not include a host of informal works which largely are undertaken by women. The majority of the women work under inferior working conditions and often in shifts with negative implications on their health. The feminization of work has been proved wrong both by the understanding of female work participation and the practical manifestation of it.

In summation, India is one of the world's most populous countries. It is also now regularly being referred to as a significant 'rising power' and a 'success story' by advocates of neoliberal globalization and free-market development models. Yet, while Indian women

are utilized extensively as a source of labour in neoliberal projects, the differential impacts of neoliberal reforms in India on women specifically is largely neglected in mainstream literature. The structurally disadvantageous impacts of neoliberal globalization on the status of women have been documented, by feminists, however, much of this work has focused on debt and Structural Adjustment Programmes, export-led growth and the opening up of domestic economies to global market forces and concomitant domestic reforms to facilitate this process. In general terms, feminist claims are born out in the Indian case, but again there is a dearth of literature on contemporary developments in India specifically.

Given the fact that the socio- economic and cultural structures of the developing societies are very different from Western countries, it should not come as surprise to find that the impacts of globalizing processes have been differentiated, and in certain cases extreme, on different sections of society in developing states. Many scholars, including feminists, have rejected the universalizing and homogenizing claims of much of the neoliberal literature on globalization, notably the 'hyper-globalization' school of thought, and have further refused claims that globalization is inherently beneficial, noting instead that there are winners and losers. These scholars have, therefore, called for more empirical research on the specificity of impacts on different groups. Additionally, they have also argued that states still have an interventionist role to play in ameliorating these differential impacts in the interests of social (here gender) justice. In my work, I respond to these calls.

## 2.8. Conclusion

To summarize, in this chapter I have engaged with the extensive literature on globalization in a selective way, concentrating on key works and arguments that are most pertinent to my thesis. I have engaged with some strands of the literature on neoliberal globalization and the literature on the welfare state. I have looked at the impacts on women, drawing on case studies from a variety of contexts. Finally, I have delved into the literature on the gendered impacts of neoliberal globalization in India specifically.

By way of a conclusion to this chapter, I will now draw out some of the key themes from what has been a broad and wide-ranging discussion and explain how these themes speak to my own approach to globalization. First, this literature review confirms a central contention in my thesis. Contrary to the proponents of neoliberal globalization, neoliberalism has not proved to be an effective recipe for economic growth and development success for all people. Nor does the literature, taken as a whole, support the view taken by proponents of neo-modernization theory that economic dynamism and growth stimulated by neoliberal development models will necessarily ‘trickle-down’ to all social groups and classes, eventually. In fact, it is evident that there are distinct ‘winners’ and ‘losers’ in the neoliberal globalization game. Moreover, there is accumulating evidence to suggest that neoliberal globalization has led to increasing inequality between social groups. This is true of India, often touted as a ‘success story’, ‘rising power’ and so forth. While it is undoubtedly true that growth levels have been impressive in India since the period of reforms, the fruits of growth have not been spread equally among people. There

remains a substantial and highly significant divide between urban conurbations and rural communities in India, among social classes and gendered people.

Second, contrary to neoliberal logic, a logic that informs much contemporary think at organizations like the World Bank (for example, gender equality as 'Smart Economics') women do not automatically benefit from neoliberal globalization or neoliberal 'modernization.' The literature points to significant differences between different groups of women, according to levels of education, location, class and so on. Again, this is born out in the case of India. It should also be noted here that even where women are identified as 'winners', in so far as globalization has generated new forms of employment, this employment is often on terms that are disadvantageous to women in some respects. In part three of my thesis, I substantiate this claim through my own research on the experiences of two groups of Indian women working in two distinct sectors of the economy.

Third, I engaged in a long discussion of the globalization and the state in this chapter. I take two things from the wide-ranging literature on globalization and the state. First, it is evident that even as women have, in some contexts including India, gain new opportunities in the workplace, however, the withdrawal of state support in key areas of welfare provision, very often at the behest of the IMF, has undoubtedly had detrimental impacts on women. Second, taken as a whole the literature supports the argument that- contra neoliberal orthodoxy- there is nothing inevitable about the rollback of the state. Indeed, the shift away from the neoliberal 'Washington Consensus' to a post-Washington Consensus that envisages some role for the state in welfare provision, evidences this.

It is interesting to note that much of the literature that identifies a 'roll back' in the state also emphasizes the specificity of the state. However, to have a clear understanding of

what 'roll back' actually means it will be of help to have an understanding of the kind of interventionist role the Indian state has played in furthering gender equality and realizing gender justice in the period between independence (1947-9) and the adoption of neoliberal reforms (early 1990s onward). In order to substantiate the claim that the state has played a positive role, it is necessary to document what gains were made by Indian women prior to the period of neoliberal reforms. Thus in the next two chapters I assess advances for women in the realm of citizenship, which I take to encompass both the extension of political and legal rights favourable to women and social policies and welfare measures. Chapters 3 and 4 as such, attempts to discern both formal legal rights embedded in the Indian constitutions and further elaborated through judicial processes and judgments, and also what are commonly termed social and economic rights, the provision of which might, and often does, fall within the remit of the state, specifically a range of social policy and welfare measures. The Indian state was central to all these measures.

# **Chapter 3: Gender Justice in Post-Independence India: Legal and Constitutional Reforms**

## **3.1. Introduction**

My thesis is concerned with assessing the role of the state in promoting gender equality and gender justice in India - specifically, in the context of the impact of neoliberal globalization. I do this by focusing on two specific classes of Indian women and how the Indian state might mediate to mitigate these negative gendered impacts of globalization. However, in order to substantiate these impacts and further show that they are connected to processes of neoliberal globalization and neoliberal reforms, it is first necessary to discuss the position of women in India between the period of India's emergence as an independent, sovereign state (1947) and the early 1990s, when the neoliberal reform process began in earnest.

It is worth reiterating here that my approach is underpinned by a strong normative commitment to gender equality, gender justice and the empowerment of women. The state, I believe, has a crucial role to play in achieving these ends. The legitimacy conferred on the state along with its institutional capacity and normative power make it the most appropriate and capable body that can craft policies for empowerment and to promote the interests of vulnerable groups (Morgan and Orloff 2017). As set out in the introductory chapter, I see the state as the locus for the development and application of rights for women both internally (domestic governance) and externally as an institution that makes concrete and meaningful human rights conventions, agreements and other treaties, pertaining to women's

empowerment, gender equality and gender justice, at the international level (Goss 2013; Htun and Weldon 2017; Orloff 2017). These rights fall into two broad categories; civil/legal and political rights and economic and social rights.

It has long been argued that legal and political rights alone are not enough to realize the objective of citizen's empowerment, and that social and economic rights are also needed to address and mitigate, if not wholly counter, structural inequalities (Alston 1994; Sen 1999). It is very evident that structural inequalities do not disempower women and relegate them to second class status in India alone, rather the same could be said about much of the rest of the world. Moreover, these two categories of rights are interconnected in the sense that the political participation of women, political will and a robust legal framework is necessary to realize advances in the social and economic status of women. Failure to bring into effect measures that address economic and social inequalities can mean that legal and political rights only exist on paper and are not realized in practice. Also, the context in which legal and political rights are made is characterized by profound inequalities in wealth, status and power. Unless, underlying structural inequalities are addressed, therefore, legal and political measures will lack real force. This is not to say, that civil and political rights and legal measures are irrelevant in the struggle for gender equality and gender justice. On the contrary, they are integral to this struggle.

For this reason, it is necessary to interrogate the role played by the Indian state in advancing the status of women, in women's empowerment and in realizing gender justice. One way to track the 'advancement of women' is by the rights they enjoyed during this period. Accordingly, this chapter and the one after this, form the background on which I later build my main arguments about the role of the said in the contemporary period. This



chapter in particular is devoted to legal and constitutional rights in post-independence period that were particularly important to Indian women. In the first section, I provide backdrop information and analysis of the nature of the post-independence Indian state. In the section after that I discuss the constitutional provisions which mandate the Indian state to act in gender affirmative ways. In the final section, I look into certain landmark judicial decisions and pronouncements which paved the way for greater sensitivity for women's issues. In the next chapter, I discuss the role that the Indian state played in promoting socio-economic status of Indian women through welfare measures.

### **3.2. Birth of the Indian State**

The adoption of the constitution of India on 26<sup>th</sup> November 1949 (substantially) and subsequently (fully) on 26<sup>th</sup> January 1950<sup>6</sup> was a momentous occasion in the history of India, not only because this marked the birth of India as an independent state, but also because it inaugurated the largest democracy in the world. Significantly and remarkably, it also laid the foundation for the realization of one of the most radical projects on social equality and change in the world to date. According to Granville Austin, India:

[a] huge land with [the] second largest population in the world, socially and economically retarded, culturally diverse, and, for the first time in 150 years responsible for its own future, with administrative and political unity and an economic and social revolution to attempt to achieve under a democratic constitution (1972:308).

Independence however, also meant that the 'blame game' which had characterized much of India's nationalist movement would no longer operate. Arguably, the mobilization of the masses in the pre-independence days had been done by cursing the colonial administration

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<sup>6</sup> India declared herself as a 'Republic' on this day

for all of India's economic, social and political woes. Whilst this anti-colonial rhetoric certainly helped in fueling nationalism, it simultaneously also led to beholding aspirations of an independent state that would chart out its own developmental path laden with the fundamental values of equality, social cohesion and harmony within the framework of equality and justice. B R Ambedkar - the chairman of the committee that drafted the Indian Constitution - succinctly captured this when he said: '[B]y independence we have lost the excuse of blaming the British for anything going wrong. If hereafter things go wrong, we will have nobody to blame except ourselves' (quoted in Austin 1972: 308). Thus, concerns with and commitment to the values of equality, fairness and justice were very profound in the minds of elites at the time that the Indian constitution was born.

These concerns are interspersed throughout the constitution, but the most eloquent articulation is contained in the preamble (preface)<sup>7</sup>. The preamble embodies the philosophy and fundamental values of the constitution and details the ideals that the framers of the constitution wanted to be realized in independent India. As such, the constitution not only declares India to be a sovereign, socialist, secular, democratic Republic<sup>8</sup> it also details the laudable objectives of providing to its citizenry: (i) socio-economic and political justice; (ii) freedom of thought, belief, expression, speech, conscience, religion and worship; (iii) equality of opportunity; (iv) the rule of law; and (v) fraternity, thus safeguarding dignity of

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<sup>7</sup> The importance of the preamble as a key for formulation understanding and interpreting governmental policies and actions have been endorsed many a times by the Honorable Supreme Court of India vide its judgments in cases such as - Re: Beruberi Union (I), (1960) 3 SCR 250), Golak Nath v. State of Punjab, (AIR 1967 SC 1643), but most significantly in a land mark decision in the case of Keshvanand Bharti vs State of Kerala (1973) 4 SCC 225), the Supreme Court of India in its ruling declared the Preamble as an integral part of the Constitution of India.

<sup>8</sup> The words Socialist and Secular were not mentioned in the original preamble but were later inserted through an Amendment Act known as the 42nd Amendment Act, 1976.

the citizens, while keeping and maintaining the unity and integrity of the state. According to Austin together they constitute:

a seamless web...each mutually dependent and inextricably intertwined. Social revolution could not be sought or gained at the expense of democracy. Nor could India be truly democratic unless the social revolution had established a just society. Without national unity, democracy would be endangered and there could be little progress towards social and economic reform. And without democracy and reform the nation would not hold together (Austin 1999:6).

The extent to which the laudable objectives expressed so well in the Indian constitution have been realized remains largely elusive. In fact, this elusiveness in itself has given way to an unending and sharply polarized debate on the nature of democratic processes and values in India (see Mitra 1990; Kohli 1990; Rothermund 1991; Sorensen 1993; Austin 1999; Manor 1996; Kothari 1989, 1995; Jayal 1999; Dréze and Sen 2002). Without going into the details of that debate, suffice is to say for the purpose of my argument that framers of the Indian constitution were both concerned and cautious on this issue and hence committed themselves to crafting and building institutions on the bedrock of genuine and substantive socio-economic equality (Singh and Saxena 2008, 2011).

By declaring India, a sovereign republic and embedding in the constitution the core value of universal adult suffrage, the framers sought to achieve the long cherished ideals of political equality. Similarly, through a set of negatively worded individual rights (akin to the Bill of Rights in the United States of America) they sought to champion individual liberties that would ultimately save the state from becoming a behemoth. The expressed concerns with socio- economic equality and welfare, alluded to above, were brought in through a comprehensive set of positively worded rights which were to be delivered through laws after

due deliberations in the legislature. These were to act as the light towers guiding legislative deliveries.

Interestingly, the Indian constitution was drafted in the shadows of adoption of the Universal Declaration of Human Rights (1948). As such, it comes as no surprise that it attempted to 'encapsulate both first and second generation human rights in the form of Fundamental Rights and the Directive Principles of State Policy respectively' (Singh 2013: 230). Welfarism - which I discuss at greater length in the following chapter was the most sought after objective and dominant idea of those times and it was only natural that it became the most cherished objective of governance in India's case as well. In fact, in the Indian context, the imminent desire for welfarism was not just reflective of the larger aspirations of the nationalist movement (the cause of an equitable, liberal and plural democratic order) but also the future desire of an egalitarian social order free from caste, class, creed, sex, religion and other divides.

It is beyond the scope of this chapter to undertake an in-depth assessment of the extent to which the provisions, set out in constitution of India, and the laws enacted in the post-independence period have achieved their purposes and objectives. Instead, this chapter is concerned with the more limited and discrete objective of describing how the narratives of gender justice and empowerment inscribed in the national project shaped developments in the post-Independence period. With this concern in mind, my objective in this chapter is to outline the measures undertaken by the state to empower women and achieve gender justice within the larger framework of welfarism.

I will first attempt to map out those provisions of the constitution primarily concerned with the equality of sexes and which direct the state to enact laws for the

emancipation and welfare of women in particular. I then turn to judicial interpretations, by the way of pronouncements and interventions that led to the adoption of policies beneficial in empowering women. It is pertinent to mention here that judicial interpretations and pronouncements are significant because the constitution itself contains provisions for a system of judicial review. This system of review is limited only to the section on Fundamental Rights. However, in subsequent years, through its continued proactivity, the judiciary has acquired the right to review the provisions of the entire constitution<sup>9</sup>. Further, Article 129 of the Indian Constitution, declares the Supreme Court as a court of record which means that the pronouncements of the Supreme Court, are binding on the government which means that they are almost equivalent to enacted laws. It should also be born in mind that the judiciary is seen as the protector and guardian of the constitution. This means that its pronouncements on gender empowerment over the years, has had some very profound impacts on the narratives on gender justice in India. These narrative, in turn, have set the stage for further reforms, reforms that were to be attempted in a complex patriarchal society. I will discuss the extent to which these pronouncements have shaped the broader contours of a well-defined gender discourse in India, but before I do so, it will be pertinent to have an understanding of the constitutional provisions regarding the equality of the sexes.

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<sup>9</sup> See, for example, *Keshvanand Bharti vs State of Kerala* (1973) 4 SCC 225. The Supreme Court in its judgement in this case decalred that there were some basic structures of the Constitution which could never be amended by the Legislature. Following that the Judiciary reserved for itself the power of declaring all such laws, statutes ordinances, etc. as null and void which run contrary to the basic structures. Interestingly, the declaration of what constitutes the basic structure is in itself dependent on Judicial pronouncements.

### 3.3. Constitutional Provisions

In tune with the values of equality, liberty and justice, as espoused in the preamble of the Indian constitution, the Fundamental Rights mentioned in Part III provided the base on which a liberal, democratic, secular, egalitarian social order was to be created. In general, they aimed at eliminating the age old, rigid social practices and inequalities that characterize India's social system. These rights are akin to the Bill of Rights in the United States in that they guarantee the essential civil liberties that are required to make peaceful and harmonious social life possible. Available to all citizens irrespective of caste, creed, colour, class, race, region, religion, ethnicity or sex, these rights are justiciable; in effect they are enforceable through a court of law.<sup>10</sup> They include broad categories such as the right to equality, liberty, life, and religion. Some of the Fundamental Rights aim at abolishing discriminatory practices such as 'untouchability' (in the caste system) and outlawing human trafficking and forced labour. Others are designed to protect the cultural and educational rights of ethnic and religious minorities.

Since this thesis is concerned with gender, I will focus only on rights as they pertain to gender equality and consequently paved the way for gender justice. In this context, Articles 14-18 are particularly worth mentioning. Article 14 ensures equality before law and equal protection of law. These provisions were the foundation on which all other rights and liberties would to be built. Under Article 14, men and women have equal entitlements of rights. In other words, gender cannot be a category of denial of justice. Within the sub-clauses of Article 15 and 16, the state has the right to make discriminatory laws and

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<sup>10</sup> Article 32 empowers the Supreme Court and Article 226 confers on High Courts the power of issuing writs for the abridgement of fundamental rights. Violations of these rights result in punishments as prescribed in the Indian Penal Code, subject to discretion of the judiciary.

provisions provided they are aimed at achieving the betterment of certain categories of people, including women.

The framers of the constitution were aware of the fact that the mere granting of formal equality would not suffice, as the social order and day to day social practices in India were highly patriarchal. A mere right to equality would not result in an egalitarian order unless the root causes of women's disadvantage were addressed. With that in mind, the constitution contains special provisions that allowed the state to enact laws for women. For example, under sub-clause 3 of Article 15 the state has the right to make protective laws that may otherwise be discriminatory, but for the purposes of legal scrutiny they are permissible only to the extent they espouse the cause of women, enhancing their dignity and empowering them<sup>11</sup>. These special provisions are indeed laudable for they take into account circumstances and social contexts in which the principle of formal equality is applied. Similarly, Article 16 guarantees women the right of equal opportunity in employment under the state, but within sub-clause (4) of this very article the state reserves the right to make discriminatory provisions that promote women's participation in the workforce.

The next categories of rights are civil liberties guaranteed within the provisions of Article 19-24, of the Indian Constitution. Broadly, and with reasonable restrictions under the law, these rights are essential for leading a decent and dignified life. Article 19 provides: freedom of expression, thought and speech; the right to peaceful assembly, though without arms, to constitute groups, unions and associations; to travel and domicile in almost all parts of the country; and the freedom to adopt any profession, trade and occupation. These

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<sup>11</sup> It is these provisions that have enabled the state to take up many empowering measures such as providing reservations of seats for them at the electoral systems at the grassroots levels (73<sup>rd</sup> and 74<sup>th</sup> Amendment Act). The current demand for reservation of seats for women at the central and regional legislature is in consonance of this.

rights are important for all sections of society, but given the highly patriarchal nature of the Indian society, they are particularly significant for women in general. These rights not only uphold the idea that women and men are equal in terms of the liberties and rights they enjoy, but most significantly they also are the foundations on which some very specific interests of women might be achieved; for example, ensuring their protection against sexual harassments and against domestic violence.

Equally important is the provision contained in Article 21 of the constitution which is known as the bedrock of all rights. It entails protection of life and personal liberty of all sections of society irrespective of citizenship status. It has enabled the judiciary to make liberal judicial interpretations and pronouncements establishing many inferred rights that are not only essential for a dignified life, but more significantly, the absence of which would ensure that gender equality would remain an elusive dream. In fact, in one of the land mark judgments delivered in the year 1984, the Supreme Court of India pronounced that the right to life implied the right to live with dignity<sup>12</sup>. The judiciary in particular has, over a period of time, used this interpretation to establish many rights that have gone a long way towards establishing and facilitating measures essential for the effective realization of gender equality and justice (more on this follows in the next section). The provisions of Article 23 too are of immense importance for women because they forbid human trafficking and forced labour. This has huge implications, given the fact that being part of the vulnerable section of society, women are not only forced into acts like prostitution but also remain susceptible to trafficking and forced/unpaid labour. These are complex issues and problems, but patriarchy is at the root of all of them.

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<sup>12</sup> Bandhua Mukti Morcha v Union of India 1991 SCR (3) 524



Concerns for women's empowerment and security can be found in some other provisions of the constitution as well. In particular, the Directive Principles of State Policy and the Fundamental Duties enumerated in part IV and IVA of the constitution, are significant in this regard. The directives are like policy directions to the state. Even though these directives are non-justiciable and hence legally nonbinding on the state, yet important in the sense that they are politically binding as in a competitive democratic system, governments could ignore them only at their own peril (Ambedkar, quoted in Pandey 2008: 386). I will detail the significance of these rights and their relationship vis-à-vis the justiciable fundamental (individual) rights in the next section however it is pertinent to mention here that from the perspective of the need of establishing a just and egalitarian social order four Articles namely - 38, 39, 42 and 46 are immensely important.

The overall focus of Article 38 is that the state should strive to achieve realistic equality; in effect, the state should embark on policy measures that result in the elimination of all kinds of inequalities, resulting in equality of opportunities and access to facilities. In a similar vein, Article 39 urges the state to adopt measures and policies that result in securing an adequate means of livelihood whilst simultaneously ensuring that: men and women get equal remuneration for equal work; that the health of workers does not suffer; and that no citizen is forced by economic circumstances or other compulsions to take up a job which is unsuited to his/her age and strength. Under Article 42, the state is supposed to ensure just and humane conditions of work for both the sexes, but in particular it stipulates that women be provided benefits by the way of maternity relief. Espousing the larger objective of creating a just social order, Article 46, expects the state to promote the educative and economic interests of weaker sections of society; women are covered under such concerns.

The concern for gender equality and justice is also reflected in the fundamental duties enumerated in Part IVA (Article 51A[e]) of the constitution. This requires that all citizens, as part of their duty towards the state and society, should shun anything and everything that worked against the honour and status of women. It must be mentioned here that even though these duties are non-compulsory and non-binding in nature in the sense that citizens cannot be forced to abide by them, this does not diminish their significance because the judiciary may take them into cognizance when pronouncing a decision. Thus, the state has to take account of them while enacting a piece of legislation or executing a policy.

The aim of realising special protective and promotive measures for advancing gender justice, especially at the grass roots levels, led to the constitution being amended in 1992. The 73<sup>rd</sup> and the 74<sup>th</sup> amendment act, added two new parts viz. IX and IX A, to the constitution. Though the basic objective of these amendments was to strengthen the institutions of participatory democracy at the grassroots level, concerns for the political empowerment of women also lay at the heart of these efforts. Further insertions (Article 243 D (3)) provided that at least one third of all the seats filled by direct elections in a panchayat, including those reserved for women from the scheduled caste and scheduled tribes' community. Similarly, under (Article 243 D (4)) at least one third of the positions of chairpersons, at all levels of a panchayat, were to be reserved for women. This included the reservation of seats for women from the SC and ST community. Similar provisions for women were made at the municipal levels under article (Article 243 T (3) and (Article 243 T (4)) respectively.

In sum, the Indian constitution contains significant provisions emphasizing formal equality between the sexes and the duty of protecting and promoting their interests at large.

Whilst the provisions of rights may be seen as a way of the state's affirmative action for safeguarding women's interests in general. It is also true that the mere possession of rights may not be able to remedy centuries of discriminatory patriarchal practices that have resulted in male domination and subordination of women. It may require the state to undertake a lot of promotive and protective policies, in the form of enabling conditions that could (potentially) result in women being able to access the rights given to them. Whilst the realization of this cherished mandate is dependent on the legislature-executive combined (i.e. Parliament) in terms of the types of policies that are made and implemented, the ways in which the judiciary functions as the protector, adjudicator and guarantor of rights and policies emanating thereof, are equally important.

### **3.4. Judicial pronouncements**

The narratives of gender equality, justice and empowerment by the way of judicial pronouncements in India have had a very chequered history though, in an overall evolutionary trajectory. To a large extent, these narratives have been affected mainly by two factors namely - (1) judicial vacillations in terms of prioritising formal over substantive equality or otherwise, and; (2) the misperceptions in terms of looking to women not as individuals having independent existence and equal citizenry claims but as beings whose identity and existence is understood through a labyrinth of mediatory institutions such as family and other social and religious groups.

These vacillations can be seen as emanating from the nature of the anticolonial struggle as well as the ideological orientations of the early leadership, which had an indelible imprint on the framing of the constitution itself. Arguably, it could also be ascribed

to the dominant patriarchal mind-set which is so deep and pervasive in India that it even envelops and affects institutional processes and outcomes. This is not to suggest that nothing has been done or can be done on that account. However, an understanding is needed of the ways in which the patriarchal mind sets may have inhibited institutional attempts towards gender justice and empowerment. This would greatly help in understanding and assessing the role of the Indian judiciary in building greater gender sensitivity and justice.

Many of India's early leaders had received their education in England and had unflinching faith in the cardinal values of individual liberty and autonomy. However, they were also considerably convinced by the philosophical insights of Harold Laski that 'political equality... is never real unless it is accompanied by virtual economic equality' (quoted from Austin 1999: 72). Such an understanding impelled them towards an unequivocal desire for and support for social transformation and revolution in the post-independence period. The Constituent Assembly tried to assimilate both these values by the way of drafting the Fundamental Rights (negatively worded akin to Bill of Rights in The American Constitution) and the Directive Principles of State policy (positively worded and sourced from the Irish Constitution), and some other provisions aimed at ameliorating the conditions of the depressed and the disadvantaged sections of the society. 'The rights expressed not only prohibitions-what governments must not do-but also conditions...that government should strive to bring about' (Austin 1999: 74).

With that in mind the Constitution declares that the individual rights, mentioned as Fundamental Rights under part III of the constitution are justiciable under Article 13 of the constitution which implies that the judiciary can be approached for their restoration in case

of violation by the state. The wording of article 13 is of immense importance as it very clearly empowers the judiciary to declare all such pre-constitutional laws as well as those made by the competent legislature in the post-independence period as null and void to the extent they are found to be inconsistent with the fundamental rights. The scope of the law under Article 13(3) is wide enough and includes ordinances, orders, bye laws, rules, regulations, notifications, customs or usages as well. The idea is to include all possibilities of violations and to limit the powers and scope of any or all arbitrary government actions that could possibly result in impinging of individual's liberty. The Supreme Court and High Courts in India under the provisions of Article 32 and 226 respectively are empowered to issue writs for restoration of these rights.

Described famously by Sir Ivor Jennings as 'Pious Aspirations' (quoted in Basu 2001: 143) the Directive Principles of State Policy enumerated under part IV of the constitution represent the aspirational dimensions as well as the explicit commitment of the Indian Constitution to achieving the ideals of social, political and economic justice. Even though the rights enumerated under these provisions are non-justiciable in nature and require enabling legislation for effective implementation, nonetheless their importance emanates from the fact that as the principles of social control and social justice, they necessitate extensive state action and, over the years, have become established as the fundamental principles in the governance of the country.

The description of rights, enumerated under the two heads mentioned above, are pioneering and fascinating features of the Indian constitution. Thus, Granville Austin, the noted historian on the Indian Constitution, referred to them as 'the conscience of the Indian Constitution' (Austin 1972: 50). Yet, the description also underlines the inherent tensions

and conflicts that arise between the Constitutional commitments to liberal individual rights and the legislations and execution of policies aimed at achieving social egalitarian objectives. In a way, the conflicts mirror the tensions and compulsions that often pave the path in attempts to prioritize substantive equality over procedural or formal equality. Because of the mandates ordained for the judiciary in the constitution, it ends up playing the role of the spoilsport<sup>13</sup>. For the purpose of my discussion here, it is pertinent to argue that the narratives of gender equality and justice in India have to a large extent evolved by negotiating these contradictions and tensions. To that extent it echoes these concerns as well.

In regards to the second group of factors, i.e. the misperceptions in terms of viewing women through mediating institutions and not as agential subjects, it is worth mentioning here, that even though independent India began its journey towards establishing a liberal democratic egalitarian social order through the objectives and principles expressed in its constitution, to be worked out and delivered through its democratic practices, processes and institutions, it is equally true that the early moorings of this journey were set out in the dreams and aspirations of its nationalists leaders during the struggle for Independence. In a way, independence simply meant that powers were now to be exercised and executed by its own leaders in place of the British administrators. However, the institutions and practices through which they were to be executed and exercised remained the same; that is rooted in

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<sup>13</sup> In the early years of the working of the Constitution the Directives and the Fundamental rights were seen as confronting each other especially because the Judiciary took a formal interpretation of the constitution. The Judiciary has under the provision of Article 13 of the constitution the duty to declare all such laws as null and void that in any way infringes on the Fundamental rights as enshrined in the Constitution. The Directives for their implementation require legislation and since the main focus of these principles is welfarism any law as such made would invariably infringe upon a Fundamental right (being individualistic in nature) and the court would declare such laws as null and void.

the long history of its colonial rule and social traditions. The point is significant and has an important bearing on India's post-independence politics in intricate ways. According to Paul Brass:

Among the legacies were the long experience of British rule itself, which extended back for more than two centuries, and of the various institutions, ideas and practices introduced by the British. Of particular importance at independence was the Government of India Act of 1935 which was the most recent framework of rule which the country was governed and which included a considerable measure of responsible government for Indians in the provinces. A second legacy was that provided by the shared experiences of those Indians who participated in or identified with the nationalist movement and its great leaders. A third was the existing social order, the social structure and the social conflicts which surrounded and influenced political movements, ideas, and practices. Finally, there was the great body of traditions and cultural practices which preceded British Rule in the civilization of great depth, complexities and diversities' (Brass 1994: 1).

The judiciary got a new incarnation under the new Constitution, and was quick in picking up the practices of its American counterpart, in terms of interpreting equality as treating the likes alike and unlike unlike. However, these practices had devastating consequences for attempts to further gender equality, justice and empowerment, given the fact that the new constitution, also under the provisions of Article 372, had allowed the continuation of pre-constitutional laws. This implied that judiciary could rely on a huge amount of historical jurisprudence that was based on uncodified personal laws and common law. It meant that women were not seen as individual citizens with their own distinct citizenry claims on the state but as citizens whose identity was to be construed through a labyrinth of mediatory institutions such as family or religious groups to which she belongs (Singh 2013: 231). A close scrutiny of judicial decisions on matters related to sexual differentiation and discrimination succinctly reveal that 'both fact and law intermesh with notional elements

that are embedded in a patriarchal system, which puts in place an ideological apparatus for the juridical understanding of sex-based discrimination’ (Kannabiran 2009: 89).

The existence of conflicting provisions in constitution in the form of justiciable and binding individual rights along with those of the social egalitarian directives at the one hand meant that the judiciary at least in the early years was forced to prefer and prioritize the former over the later. The continuation of the uncodified personal laws on the other meant that it looked to women not as citizens with independent and autonomous existence but as subordinate and dependent agents. According to Ratna Kapur and Brenda Cossman (Kapur and Cossman 1996) ‘the perspective that guides the dominant judicial discourse is embedded in familial ideology... the ideology that allots a specific role to women within the family and accepts sexual division of labour as an inevitable natural and universal fact’ (quoted from Priyam, Menon and Banerjee 2009: 156).

Mapping of some of the judicial pronouncements (below) will help in driving home the point that the factors mentioned above have worked in unison. As such, the judiciary, at least in the initial years of the inception of the constitution, was unable to articulate and establish a ‘jurisprudential framework within which the demand for equality by the woman as an individual can be constructed’ (Singh 2013: 231). However, some of the later pronouncements also show that things have moved in a positive direction as well. In fact, in the post 1970s, the judiciary became the springboard for establishing Human Rights centered discourse in India, intertwining the narratives of gender justice and human rights became to a considerable extent.



### 3.4.1. Judicial decisions in the early years

Notwithstanding the existence of several protective provisions for the disadvantaged and vulnerable sections of society in the constitution of India, in the initial years of the inception of the constitution, the judiciary adopted a very formal approach when dealing with issues of social justice and change, often prioritizing individual rights over group rights. The most striking example of this approach was evident in the *Champakam Dorairajan vs State of Madras*<sup>14</sup> case in which the Supreme Court very clearly declared that the principles of social justice and egalitarianism, as mentioned in the Directive Principles of State Policy, were subsidiary to the Fundamental Rights. The issue in question in the extant case was in regards to the validity of an act under which reservations were provided in the distribution of seats in medical and engineering colleges. The policy envisioned a system of seat reservations in a way that for every fourteen seats, six were to for the non-Brahmin Hindus, two for Brahmins, two for the Harijans (Scheduled Castes and Tribes) and one each for the Anglo Indians Christians and the Muslims. Champakam Dorairajan, a Brahmin girl, challenged the validity of the government order on grounds that it violated the rights granted to her as individual citizen under articles 15(2) and 29(2) of the Indian constitution<sup>15</sup>.

In this case, the Supreme Court struck down the government order finding it discriminatory on grounds of religion and caste rather than on the basis of gender. However,

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<sup>14</sup> *State of Madras v Champakam Dorairajan* AIR 1951 SC 226

<sup>15</sup> Article 15 prohibits discrimination on grounds only of religion, race, caste, sex or place of birth or any of them. Under sub clause (2) it has been mentioned that no citizen shall, on the grounds only of religion, race, caste, sex or place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of state funds or dedicated to the use of general public. Article 29(2) states that no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of the state funds on grounds only of religion, race, caste, language or any of them.

my point here is that in doing so the Court adopted a particular interpretation of the constitution, under the provisions of Article 13. By refusing to look into the mandate that the Directive Principles of State Policy give to the state, particularly through the provisions of Article 46, wherein the latter is expected to promote the educative and economic sections of the weaker sections of the society. The court in this case did not see any relation between the formal and substantive aspects of equality and preferred the former over the latter. The state responded by way of a constitutional amendment inserting sub clause (4) to Article 15 stating that nothing would prevent it from making provisions for the socially and educationally backward sections of society. Yet the judgment in itself is indicative of the approach that the judiciary adopted towards the issue of social justice and change in the early years of the inception of the constitution. Later in the case of *Jaswant Kaur v. State of Bombay*, the Bombay High Court reiterated its opinion that 'any article conferring fundamental rights cannot be whittled down or qualified by anything that is contained in part IV of the Constitution'<sup>16</sup>.

The second most important judgment in this period also supports my argument regarding the formal approach adopted by the judiciary. This was the *State of Bombay vs Narasu Appa Mali*.<sup>17</sup> In this case, the Bombay High Court refused to include the personal laws as 'laws in force' under the scope of Article 13 of the constitution. It is worth reiterating here the provisions of Article 13 under which any law that is inconsistent with or abridges any fundamental rights can be declared void by the judiciary (Supreme Courts and the High Courts) to the extent of their inconsistencies. In this case, the petitioner had challenged the provisions of the Bombay Prevention of Hindu Bigamous Marriage Act 1946

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<sup>16</sup> *Jaswant Kaur v. State of Bombay* AIR 1952 Bomb. 461

<sup>17</sup> *State of Bombay v Narasu Appa Mali* AIR 1952 Bomb 84

on the grounds that it was discriminatory to Hindus on religious grounds, since it prevented the practice of Polygamy by Hindus but not among Muslims. The court upheld the validity of the Bombay Prevention of Hindu Bigamous Marriage Act. To a certain extent, this benefited women, but the judiciary's refusal to bring in personal laws within the ambit of 'laws in force' also meant that women would continue to suffer under the parochial practices of the personal laws. Women were thereby excluded from benefitting from constitutional laws and claims of equality. Most significantly the judgment upheld discriminatory plural legal systems, thus deepening the public/private divide while reinforcing identity politics. This; 'had an impact on the lives of women for years to come' (Singh 2013: 235).

The case of *Air India vs Nargesh Mirza*<sup>18</sup> provides yet another instance in which the indecisiveness of the judiciary in terms of according priority to substantive over formal equality was displayed. The court struck down regulations 46 and 47 that governed the terms and conditions of employment of Air Hostesses in Air India and Indian Airlines, finding them to be in violation of the provisions of equality provided under Article 14. According to rule 46 an air hostess employed in the services of Air India and its sister concern - Indian Airlines, would retire under two conditions – (1) on attaining age of 35 or (2) on getting married within the first four years from the date of joining the services as an air hostess in the company or becoming pregnant, whichever occurred first. Under regulation 47, the managing director of the company however, could provide an extension of one year at a time, to an air hostess on the condition that the said employee was medically fit. The Supreme Court opined that the regulations were 'callous and cruel and an

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<sup>18</sup> *Air India v Nargesh Mirza* AIR 1981 SC 1829.

open insult to Indian womanhood'. Accordingly, the Court declared them unconstitutional and in violation of Article 14. Interestingly, however, in the same case the Court refused to grant the Air Hostesses parity of pay and equality in promotional opportunities with their male counterparts, on ground that their recruitment was on a different qualification. The court opined that Air Hostesses constituted a separate class despite their job being similar to the flight pursers. This dealt a serious blow to the idea of equal pay for work of equal value.

### **3.4.2. Different decisions: mindsets?**

The second phase of judicial pronouncements, vis-à-vis gender justice must be understood against the backdrop of momentous changes that took place in the 1970s and the resurgent second wave of feminism that was sweeping across continental divides with great alacrity and vigor. Subsequently, the spread of human rights across the world would also impact positively on gender justice in India. During the draconian years of 1975-77<sup>19</sup>, large scale violations of basic rights occurred in India. It is plausible to argue that persistent social inequities, political instability, relative deprivation of the masses after quarter of a century of independence brought opportunity for redemption in that the judiciary began to see itself as a promoter and enforcer of a just social order.

It is, therefore, not surprising that this period saw a marked change in the way the judiciary viewed the relationship between Fundamental Rights and the Directive Principles of State Policy. The latter were now interpreted under the Theory of Harmonious Construction.<sup>20</sup> The advent of the Public Interest litigations (PILs) in this period bridged the

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<sup>19</sup> Referred to as the Emergency Years in Indian Politics the basic rights available to citizens were suspended during this period.

<sup>20</sup> Kerala Education Bill, 1957 [1959] SCR 995. In this case there was a change in the outlook of the judiciary vis-à-vis the Directive Principles and it accepted them as important based on the thinking that whatever was

gap between the FRs and the DPSPs. The PILs are not supposed to heed to the principles of *locus standi*, the judiciary could now appreciate not just individual rights, but also group rights. In subsequent years this enabled the judiciary to expand the ambit of Article 21 to include the idea of the right to live with dignity.<sup>21</sup> In so doing, the judiciary interpreted many directives as inferred fundamental rights. All this meant that substantive equality was not understood as an exception, but a facet of formal equality.

The judicial pronouncements regarding gender justice could not have remained unaffected by these developments. As a matter of fact, concerns for women's issues and gender justice intensified during this period. The publication of the Report of the Status of Women Committee, a committee appointed by the Government of India in 1971, can plausibly be considered another factor. The Report revealed shocking facts about women and their conditions of existence. The declaration of 1975 as the United Nations (UN) International Year of Women, and 1975-85 as the UN International Decade of Women provided an additional fillip to progress on gender equality.

During this period, there was something of a change in mind set among the judiciary. The first example of the changed mind-set found its expression in the case of Miss

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important for the individual was equally fundamental for the good of the society. This is also known as the Theory of Harmonious Construction. The court opined that none of the two is subservient to other and that both are important for the individual and the social good and as such one must be read in the light of the other. Also see *Chandra Bhawan Boarding and Lodging Bangalore v State of Mysore* [1969] 3 SCC 84. In this case the Court asserted that the Directive Principles were equally important and supplementary to fundamental rights vis-à-vis the governance of the country.

<sup>21</sup> *Bandhua Mukti Morcha v Union of India* 1991 SCR (3) 524. In its judgement delivered in this case, the Supreme Court was of the opinion that the Right to Life – a Fundamental Right, actually obtained its sanctions from the Directive Principles of State Policy enumerated in part IV of the Constitution. In the recent years the judiciary has even used the directives to uphold the constitutional validity of statutes that imposes restrictions on the Fundamental Rights. For example, Article 43 dealing with the living wages has been relied upon to sustain the Minimum Wages Act. The Directives now have become the basis of aiding and interpreting the constitution but more specifically to provide the basis scope and contents of the Fundamental rights.

C.B Muthamma (IFS).<sup>22</sup> She had challenged the validity of certain service rules of the Indian Foreign Service under which women were not only denied career promotions on sexually discriminatory grounds but also, in most brazen ways, were required to obtain written permission from the government before getting married. Under the same rules they were expected to tender their resignation from the foreign services if at any point government considered that family and other domestic commitments were hindering the due and efficient performance of the responsibilities of a women officer of the Indian Foreign Service. In fact, one of the most biased service rules, that prohibit the entry of married women into this job, was also challenged in this case. The Supreme Court found the service rules were contrary to and in violation of the right to equality as mentioned under Articles 14, 15 and 16 of the Constitution of India. Delivering the judgement, Justice V R Krishna Aiyar pronounced the service rules to be 'misogynist' and impressed 'upon the government the need to overhaul all service rules to remove the stain of gender discrimination, without waiting for ad-hoc inspiration from writ petitions or gender charity.'<sup>23</sup> The idea that men and women were equal in terms of rights and treatment were reiterated in the case of Maya Devi.<sup>24</sup> Here, in very clear terms, the judiciary denounced the requirement that a married woman should obtain the prior consent of her husband before making an application for a job under the state, calling this requirement an anachronistic obstacle to women's equality and contrary to the principles enshrined in the constitution. Later, in the case of Mackinnon Mackenzie and Co.<sup>25</sup> the Supreme Court ruled that the

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<sup>22</sup> C.B Muthamma vs Union of India AIR 1979 SC 1858: (1979) 4 SCC 260

<sup>23</sup> *ibid*

<sup>24</sup> Maya Devi vs State of Maharashtra (1986) 1 SCR 743

<sup>25</sup> Mackinnon Mackenzie & Co. Ltd. Vs. Audrey D'Costa (1987) 2 SCC 469

practice of non-payment of equal remuneration for equal work on the grounds of sexual differentiation was discriminatory and unconstitutional.

To a certain extent, in the later years, the changed focus of the judiciary led it to adopt a protective as well as promotive mould. In the cases of *Yeshaswinee Merchant*<sup>26</sup>, and *Vijay Lakshmi*<sup>27</sup> it held that even though the provisions under Article 15 and 16 prohibited discriminations, preferential treatment should be given to women and declared this to be the values and principles of the constitution. Going a step further, in the case of *Municipal Corporations of Delhi*<sup>28</sup>, in a very proactive manner, the judiciary took recourse in the positive rights enumerated under the section on the Directive Principles of State Policy and more specifically to Article 42 of the Indian constitution. As mentioned earlier, while remaining non justiciable, this mandates the state to provide just and humane conditions of work and maternity relief to women. Displaying its proactive concerns, the Delhi High Court pronounced that the leave mechanisms enshrined in the maternity benefit Act 1961 covered all women employees irrespective of the nature of their employment i.e. permanent, casual or daily wage based. In a similar vein, the executive and legislative decisions regarding reservation of seats for women in local bodies have been upheld by the judiciary.<sup>29</sup> In fact, commenting on the validity of a law that enhanced the percentage of reservation of seats for women in the local bodies in the state of Madhya Pradesh, the High Court there observed that:

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<sup>26</sup> (2003) 6 SCC 277

<sup>27</sup> AIR 2003 SC 3331

<sup>28</sup> *MCD vs Female Workers* AIR 2000 SC 1274

<sup>29</sup> The judiciary has effectively relied on the provisions enumerated under Article 15(3) of the Constitution which provides that special provisions could be made for women for their economic empowerment and education. Similar views have been expressed in many cases. See for example: *T Sudhakar Reddy* 1993 Supp. (4) SCC 439; *P.B. Vijaya Kumar* AIR 1995 SC 1648; *Rakesh Kumar Gupta* AIR 2005 SC 2540;

The legislation, in our considered opinion, is a real deep inroad into encouraging the participation of women in the decision making process at the ground level of democracy. Women in India are required to participate more in a democratic set-up especially in the ground democratic polity. Not for nothing, it has been said "educate a man and you educate an individual; educate a woman and you educate a family". The colossal complaint made by the learned counsel for the petitioners that if women come into the arena of the decision making process, it will be anathema to the administrative set-up as the bureaucrats shall take over the administration in view of the inadequacies of women, in our considered opinion, is a premature thinking based on a priori notions and beyond the scope of constitutional tolerance. Democracy is a basic feature of our Constitution and it has to develop from the ground reality level. The participation of socially and educationally backward classes and women could really nurture and foster democracy in the country. Be it noted, though the issue of gender justice has been gaining ground in many nations and in many area for some centuries and the traditional view of gender injustice has been given quite a quietus and treated as an event of bygone days, yet the malady still remains and deserved to be remedied<sup>30</sup>.

Perhaps the most effective intervention of the judiciary has been in terms of pronouncements related to sexual violence, both domestic and in the public place. It is true that many of the early pronouncements were fuelled by outrage in the women's movement in response to judgements delivered by the Supreme Court. The infamous Mathura Rape Case<sup>31</sup> (Kaufman 2006: 609) of 1972 involved the custodial rape of a minor tribal girl by two policemen inside a police station. The lower courts in this case declared the accused not guilty on the pretext that the girl was 'habituated to sex' and the evidence found corroborated sexual intercourse but not rape as it was deemed that she consented. On appeal, the High Court reversed the acquittal on the ground that a perceived passive submission could not be taken to be consent or willingness to engage in sexual intercourse.

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<sup>30</sup> Ashoka Kumar Malpani 2009 (IV) MPJR 179 = AIR 2010 MP 64

<sup>31</sup> Tuka Ram v. Maharashtra, (1979) 1 S.C.R. 810.



The case was then finally heard by the Supreme Court which, in its final judgement, reversed the verdict of the High Court.

The Supreme Court set the accused free on the ground that the girl was lying, evidenced by the lack of visible scars and concluded that the sexual intercourse was a result of wilful consent (Kaufman 2006: 610). Most shocking was the remark by the Supreme Court Judge who in his judgement said that ‘because she was used to sex, she might have incited the cops (they were drunk on duty) to have intercourse with her’<sup>32</sup>. The judgement led to a massive outrage and protests from public intellectuals and civil society organisations alike. Under massive pressure the government of India relented. This led to amendments to the rape laws.<sup>33</sup> A provision was inserted in the Evidence Act under which the statement of a rape victim was to be taken, *prima facie*, in a rebuttable presumption (*praesumptio iuris tantum*). Later in 1995 the Supreme Court pronounced that substantiations and corroborations were not an essential requirement in cases involving rape<sup>34</sup>. Again displaying its proactive concerns, in the same year the Supreme Court instructed the National Commission for Women to help in the development of systems and mechanisms that could provide rehabilitations and compensations to the victims of rape. Legal representation, anonymity and compensation for the victims of rape have been additionally mandated by the Supreme Court.

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<sup>32</sup> Remember Mathura? <http://www.hindustantimes.com/sujataanandan/remember-mathura/article1-981083.aspx>. Retrieved 9 February 2015.

<sup>33</sup> Criminal Law (Second Amendment Act 1983 No 46. The amendment introduced some new laws. For example, new sub-sections (a) (b) (c) were added to the existing Section 376 under which punishments for heinous crimes like rape were pronounced. The new insertions included custodial rape in its ambit. Additionally, rape trials were now to be held in camera and the responsibility of establishing not guilty was now set on the accused.

<sup>34</sup> Singh v. Madhya Pradesh, A.I.R. 1995 S.C. 2472. Also see the judgements in the case of Gurmeet Singh (1996) 2 SCC 384; N.K AIR 2000 SC 1812; Padam Lal Pradhan (2000) 10 SCC 112.

One of the most significant judgements related to the right of women to have safe and secure working conditions. This was pronounced in the Vishakha case<sup>35</sup>; a case that, once again, brought to the forefront the issue of sexual harassment at work places - thanks to the efforts of civil society organisations. The case was filed in the form of a Public Interest Litigation by a women's group on the collective platform of Vishakha, which in turn was an outcome of the outrage emanating out of the brutal gang rape of Bhanwari Devi a young social worker (Sathin). She had been resisting prevailing practices of child marriage.

In this case, the court reiterated the need for rules to combat sexual harassment based on the understanding that this was a matter of fundamental rights expressed in the constitution, along with international directives, in particular the Convention on the Elimination of all of Discrimination against Women (CEDAW). The court not only defined the broad contours of what constituted sexual harassment in the workplace, but also pronounced that 'gender equality' included the right to be protected from sexual harassment and the right to work with dignity within the scope of Articles 14, 15 19(1) (g) and 21 of the Indian Constitution. Displaying its proactive stance, the court attempted to outline a draft code to prevent such harassments while simultaneously calling upon the employers, in both the private and public sectors, to adopt mechanisms and procedures for the redressal of grievances brought by female employees. The judgement led to the enactment of the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act 2013 commonly referred to as the Sexual Harassment Act. This came into force w.e.f. April 23, 2013. It is pertinent to note here that prior to this judgement there was no mechanism or formal guidelines in India to deal with such issues. Women suffering from sexual

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<sup>35</sup> Vishaka and others v. State of Rajasthan and others (1997) 6 SCC 241, AIR 1997 SC 3011.

harassment could only appeal to section 354 and 509 respectively file complaints and seek justice for such offences. However, the final says, in terms of establishing the nature and extent of the outraged modesty lay entirely with the investigating officer.

The judgment was to become the basis of another Supreme Court judgment reversing the order passed by the Delhi High Court in the case of A K Chopra.<sup>36</sup> In this case, the accused (of molestation) had been set free on the grounds that he had only attempted molestation and that this did not mandate a dismissal of the accused from his job. The Supreme Court in its judgment found the formal understanding of molestation unacceptable and thus restored the dismissal of the accused. Citing the Vishakha judgment, the Supreme Court put on record that acts of sexual harassment had a wider ambit and included not just actual physical molestation but also verbal overtones as well as hostile sexual gestures and advances. This was declared an infringement of the fundamental right to gender equality and the right to liberty. Similar judgements have been pronounced. For example in the case of Ramdev Singh<sup>37</sup> the pronouncement was that sexual harassment constitutes a dehumanising act, a violation of basic human rights and an illegitimate intrusion on the privacy rights of women and that cases should be dealt with all severity and sternness. In Rupen Deo Bajaj,<sup>38</sup> the pronouncement was that outraging the modesty of women is a grave offence under section 354 of the Indian Penal Code. In the case of Ganula Satya Murthy<sup>39</sup> the Court said that the decisions in rape cases should be delivered after taking evidence of the entire case in totality and not just on some isolated proofs. It was further pronounced that women should not be seen as sexual objects.

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<sup>36</sup> Apparel Export Promotion Council v. Chopra AIR 1999 SC 625

<sup>37</sup> (2004) 1 SCC 421; 2004 SCC (Cri) 307. Also see S. Samuthiram (2013) 1 SCC 598

<sup>38</sup> (1995) 6 SCC 194

<sup>39</sup> AIR 1997 SC 1588

It must be said here that in recent years the Judiciary has been emphatic in displaying increasing sensitivity when pronouncing judgments on cases related to sexual violence, so much so that it does not even discriminate between individual citizens and foreign nationals<sup>40</sup>. In a recent case involving the rape of a German tourist in the state of Rajasthan, the High Court at Jaipur took a *suo moto*<sup>41</sup> account of the incident describing it as ‘sordid and obnoxious.’<sup>42</sup> Well aware of the slackness that characterizes the trial and the criminal justice processes in India, the High Court directed the state police not just to fast track the investigations, which resulted in the completion of the trial and sentencing of the perpetrators within an unprecedented time of twenty days. The Court also directed the state government to provide for an amount of INR 300, 000 as compensation to the victim. Most significantly, displaying amazing proactivity and sensitivity, and using the incident as a triggering-off event, it directed the state government to set-up special cells for a speedy and fair trial in all similar cases. In a more recent judgment in the case of Jugendra Singh<sup>43</sup> the Court observed that:

Rape or attempted rape is a crime not against an individual but a crime which destroys the basic equilibrium of the social atmosphere. The consequential death is more horrendous. It is to be kept in mind that an offence against the body of a woman lowers her dignity and mars her reputation. It is said that one’s physical frame is his or her temple. No one has any right of encroachment<sup>44</sup>

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<sup>40</sup> Railway Borad vs Das A.I.R. 2000 S.C. 988.

<sup>41</sup> *Suo Moto vs State of Rajasthan* RLW 2005 (2) Raj 1385, 2005 (4) WLC 163

<sup>42</sup> *Ibid*

<sup>43</sup> *Jugendra Singh v. State of U.P.*, (2012) 6 SCC 297; (2012) 3 SCC (Cri) 129

<sup>44</sup> *ibid.*, 311, para 49

Very recently, in a matter concerning domestic violence in the case of Gurnaib Singh<sup>45</sup>, the court held that ill treatment or physical or mental torture of brides by in-laws, for dowry or otherwise, is an issue of shame and serious worry. This is an example of emotional insensitivity in the society. The courts have also taken a very serious view of the practices of female foeticide and female infanticide. In the case of Voluntary Health Association of Punjab,<sup>46</sup> the Supreme Court observed that the greatness of a civilization is known by the extent to which it respects its women. Therefore, it is essential that the present generation is made aware and conscious of its duty and obligation of respecting women, which is also a prerequisite for the essential survival and continuation of humanism. The court came down heavily on the state executive for its slackness in effectively implementing the provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition on Sex Selection) Act, 1994 and issued a detailed guideline to that end.

### **3.5. Conclusion**

As outlined in the introductory section, my concern in this chapter has primarily been on outlining key constitutional provisions and rights through which women in post-independence India were accorded equal political and legal status. I also highlighted some of the landmark judicial pronouncements that have had profound empowering impacts on different classes of women in India. A general overview of the constitutional provisions and judicial pronouncements concerning women's equality and empowerment in post-independence India however, very clearly highlights the formalistic and protectionist approach with which they (issues) have been addressed. The formalistic approach is clearly

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<sup>45</sup> Gurnaib Singh vs. State of Punjab, (2013) 7 SCC 108

<sup>46</sup> Voluntary Health Association of Punjab v. Union of India, 2013 (3) SCALE 195

established by the presence of a large number of constitutional provisions and the ever growing number of legislative and executive decisions aimed at treating women at par with men by granting them both equal rights and equal legal status. The protectionist approach is manifested through some of the judicial pronouncements inherently based on the idea that since women are weak, they require protection. Whilst such understandings find immediate resonance with the larger societal values and may result in some progressive gains, in the longer run they have constraining impacts on empowerment discourses - both normative and structural.

This is not to say that the constitutional provisions and judicial pronouncements have had no impact in the strictest sense of the term. In fact, in the recent years both the legislature and the judiciary in India have shown heightened sensitivity and unequivocal support for the human rights of women. In many of the new judgements the judiciary in particular has attempted to transcribe many of the provisions on substantive rights (livelihood, food, education, health, environment) as equally important as the justiciable fundamental of rights are (Baxi 2001). Similarly, the Indian state has been progressively enacting provisions of welfare for the vast majority of poor and vulnerable sections under the rubric of a 'planned economy'. In the following chapter, I will examine the role of the Indian state in promoting the economic and social welfare particularly of women. In chapter 5 then, I will substantiate my basic argument that some of these empowering provisions and rights stand to be undermined under neoliberal globalization in contemporary India.

# Chapter 4: Women and Welfare in India

## 4.1. Introduction

In the previous chapter, I detailed the constitutional provisions, judicial interpretations as well as judicial pronouncements specific to women's empowerment in the post-independence period in India. It is evident however, that some of these provisions and pronouncements did not achieve their objective, given the fact, that they were brought by institutions (Parliament Judiciary etc.) with a conservative, protectionist and consequently patriarchal mindsets. Additionally, as stated earlier, the mere granting of political and legal rights in and of themselves are not enough for women's empowerment. However, from the 1970s onwards particularly, the growing influence of the second wave of feminism across the world did provide a fillip to policy measures sensitive to gender justice and empowerment. Second wave of feminism was also important in the sense that it provided significant analytic tools for breaking the 'pervasive liberal conceptions in which the problem of gender inequality was based only in explicit discrimination, and in calling for political efforts aimed at changing relations heretofore thought of as private' (Orloff 2017:133).

This chapter complements the previous chapter in the sense that it lays out the policy frameworks through which the Indian state attempted to address issues of gender justice and empowerment during this same period. This is not to say that the constitutional provisions, discussed in the previous chapter, were not important from the perspective of gender equality, but as stated, in the absence of effective measures to promote the economic and social status of women they remained somewhat ineffective. Arguably, the reasons behind

such ineffectiveness in regard to gender equality could be best ascribed to the nature of the postcolonial Indian state itself.

Accordingly, in this chapter I will first outline the context as well as the reasons that made both welfarism and a planned economy a powerful creed in post-independence India. I will further outline some of the policy measures adopted by the Indian state within the framework of planning and welfare, to promote gender equality and gender justice. I will conclude by arguing that even though the attempts made by the Indian state to further women's empowerment may not have been entirely satisfactorily, yet they did provide some initial momentum towards gender parity and hence a degree of gender justice. As such, this chapter sets the stage for chapter 5 in which I will show how the adoption of neoliberal reforms threatens the gains that were made during this period.

#### **4.1.1. Preliminaries**

Before I proceed, it is pertinent however, to highlight three important points by the way of preliminaries. First, in my understanding, citizenship for women necessarily encompasses both political and legal as well as social and economic rights. In classical liberal political theory, the concept of citizenship has been inextricably linked with rights discourse, under which the possession of civil and political rights is understood as being sufficient for the equality of status between individuals and groups (see, for example, Mill 1998; Berlin 1969; Nozick 1974). However, since the market is deemed an effective means of securing individual freedom and ensuring just outcomes for people on the basis of merit, the state should not intervene in this domain. In the classical liberal mindset, equality of formal rights is a defining feature of Western modernity. However, this narrowly conceived



concept of rights overlooks important issues around how rights might be realized and exercised in concrete terms. In other words, any analysis of equality that is entirely preoccupied with the mere possession or entitlement of formal rights and does not take into account the ability of a person or group to exercise their rights, is deficient. It is for this reason that feminist scholars like Ruth Lister have persuasively highlighted the need for an inclusive conception of social citizenship that takes into account the differentiated needs of women and which balances both their private and public concerns (2003:116).

Second, it should be noted here that, the welfare feminist understanding of the state is somewhat contradictory in so far as it regards the state as a body that embeds patriarchal social relationships (Hartman 1976; Abramovitz 1988) and is also a potential vehicle for positive change (Piven 1990). It has been observed that the welfare state plays significant and pivotal role in opening new economic avenues and shielding them from insecurities and instabilities of the market. However, in so doing it also simultaneously promotes practices that embolden and perpetuate misogynist norms and values limiting women's free participation in the economy, plummeting them to a position of social inferiority, relative to men (Nagar 2016). Furthermore, while welfare feminist approaches have made important contributions to the literature on women and development, this body of work is also somewhat deficient in elucidating the historical and cultural contexts in which states operate. Feminists have also struggled in highlighting the substantive divergences in outcomes (Orloff 1996). As Nagar argues;

This ambivalent effect of the state raises, for feminist theorists and activists, dilemmas on the trade-off between protection and emancipation. Beyond a simplistic view of the state as either friend or foe, feminist theorists today hold a view of state as a complex system with multiple operating mechanisms and dimensions of influence. Furthermore, the balance between states, markets,

families, and other communal forces (religious communities, non-profit institutions) varies across states, opening different venues for action in every context. (2016: 1-9).

To a large extent my own basically - reformist concerns have been motivated by the need to understand the socio-cultural and historical contexts in which welfare policies and plans have been undertaken and pursued by the Indian state from the point of view of gender equality and empowerment. To that end, in this thesis I attempt to: (1) highlight the 'protector'-welfare role played by the Indian state in supporting women in existing gender determined lifestyles, and the reasons for its relative failure in significantly advancing equality/gender justice; (2) the need for an empirical assessment of the differentiated needs of different social groups of women and (3) the need to determine how the kind of empowering role that the state can play through its social interventions. In chapter 6 and 7 of this thesis I will illustrate this by detailing the cases of two specific groups of women.

To reiterate, I recognize that Indian women are not a homogenous group which means that specific policies might not be equally advantageous for all women. As a matter of fact, in some cases policies might effectively result in a paradoxical situation where the state, despite acting with the intent of furthering development and, through interventions in the development process to realize empowerment for women, might actually end up promoting patriarchal practices that perpetuate the oppression of women (Menon 1999:18). As such, an assessment of progress made towards women's empowerment in the realm of socio-economic rights promoted by the Indian welfare state is necessary.

I will briefly highlight three points to support my argument. First, by its very nature, colonial rule required intervention - controlling and regulating all aspects of social and political life to ensure the compliance of the masses. Since the administrative apparatus in

post-Independence India was rolled over from the colonial period, it is not surprising that it retained the administrative apparatuses of its predecessor albeit with diametrically opposed justifications. According to Sudipta Kaviraj, the logic of state intervention in the post-independence era was defined in terms of the 'introduction of new categories which would govern public discourse, the assertion of the principle that the state had authority to interfere in the social order, and the promotion and justification of new identities' (quoted from Palshikar 2008: 144-45). Second, the formation of the state in India was impacted by the nationalist legacy in the sense that it was to be the main agency through which the long cherished dreams of development and modernity were to be realized. The state was to be the flagbearer of a radical socio-economic transformation of the society. Additionally, like the colonial rulers, the early leadership had an abiding belief in the idea that the state was an effective agency for securing capitalist accumulation and capital production. It was this understanding that gave the Indian state a major and commanding role in realizing a modern, egalitarian, democratic, secular society. The Indian state was to be an agent of development, welfare and distribution, while prioritizing certain sectional claims over others.

Third, the poor economic conditions along with the presence of centrifugal (disruptive) tendencies operating on account of the fissiparous identities of caste and religion that characterized the social and political domains, also may have contributed in favour of an interventionist state. It was assumed that the newly formed nation –state would be effective in terminating the unending patterns of exploitation based on gender, caste and religion, thereby realizing desired changes in the deeply hierarchical and unequal social structure, so that people could live with dignity and have access to equal rights. The

economic disparities and the imbalances between different regions as well as ethnic diversities was an important second aspect of a highly fragmented Indian social order. The communal disharmony which had been embedded into India's social structures, by the alien British rule (which only got exacerbated during the two decades preceding India's independence resulting in a massive blood bath at the time of independence) also provided fillip to the idea of a secular developmental (interventionist) state.

Thus, it is very clear that colonial rule and its legacy were prime factors that shaped the administrative structure of the post-independence Indian state and its governance agenda. As mentioned earlier, India's journey to independence began with the adoption of state capitalism aimed at achieving modernization through state controlled industrialization. A centralized institution called the 'Planning Commission' was created as the bulwark of India's developmental strategy - state-led industrialization and import-substitution (Chakravarty 1987).

India's first post-Independence Prime Minister, Jawahar Lal Nehru, attempted to achieve this through his famous aphorism of a 'Mixed Economy' under which the development of large and critically important sectors of the economy, also known as the 'commanding heights of the economy', were to be under the control of the state. This is not to suggest that there was no space for private enterprise. Private enterprise predominated in less strategically important sectors of the economy. However, even in the private sector, the state exercised regulatory powers, in effect allocating resources, credits and in investments<sup>47</sup> (Sandesara 1992). Thus the Indian state was able to intervene in the economy and micromanage economic activities through the various means at its disposal. Since the

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<sup>47</sup> By issuing licenses and permits the state retained control in private sector as well. This has been pejoratively described as Licence and Permit *Raj* (rule)

private sector was seen as complementing industrial needs, it was natural that the right to private property was retained. In any case, the presence of an influential section of the indigenous bourgeoisie that had developed during British rule and a powerful landed class, would have not allowed the Indian state to discard the institution of private property entirely. Therefore, the Indian state tried to create a balance or accommodation that allowed democratic institutions and practices to grow and flourish. In this endeavor, the huge bureaucratic structure left by the colonial masters was useful as a mechanism through which to implement an agenda of development and redistribution. Reporting to the elected representatives, and bound by something like a Weberian chain of hierarchy, the bureaucratic structure in post-independence India thus became all encompassing - performing both specialist and generalist roles.

Over the years, and in distinct ways, the Indian state has retained its focus on achieving developmental goals through democratic norms and means. The extent to which it has been able to achieve its preferred objectives is a matter of debate. One plausible argument that supports a linear progression of its developmental agenda can be found embedded in India's constitution which clearly remains committed to the goal of welfare. The idea of welfare - as some kind of national enterprise- was deeply ingrained in the Indian constitution. It was based on the thinking that the economy, as well as the administrative system, could be regulated and modified by the state to achieve desired outcomes such as equitable growth, the equitable distribution of a range of services and national minimum standards of living. It promoted the thinking that politics matters as far as social policy is concerned and that democratic choices could make a positive difference. Mention must be made of the The Directive Principles of State Policy in this context, which exhort the

state(s) in India to aim at creating and operating an economy 'wherein the ownership and control of the material resources of the community are so distributed as best to serve the common good' (CoI: Articles 36-51A). The Directive Principles are also meant to ensure that the system works in a way that 'does not result in the concentration of wealth and means of production to the common detriment' (Article 39 (b) and (c)). The state(s) (central and devolved) is/are also directed to 'strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political shall inform all the institutions of the national life'(ibid). To this directive is added another responsibility that is laid on the Indian state(s); to reduce inequalities of income, status, facilities and opportunities among individuals and groups residing in different regions and different vocations (Article 38, Clause 1 and 2).

Granville Austin appropriately regards the Indian Constitution, first and foremost, as a political document for a 'social revolution'. For Austin, the Constitution and its working over the years reveal a 'seamless web' by assimilating three basic principles, namely, individual dignity and national unity, democracy, and social revolution. To put it in his words; 'The political system has faced grave and difficult challenges since its inception, but the constitution has survived and at least so far the "seamless web" continues to be its sheet anchor' (Austin 1999: 20).

## **4.2. Post-Independence narratives on gender and welfare**

The Indian constitution reflects the confluence of a variety of ideological streams and norms and values. These features are the product of Indian philosophical thought, its cultural and historical experience and its post-war predicaments and challenges (Singh and Saxena

2011). The pain, and agony caused by partition of India played heavily on the minds of the early leadership. Partition wreaked massive sufferings on women in particular, and as such it was only natural that the Constituent Assembly of India expressed deep concern for women's issues. Its members were keen to rid Indian women of their traditional oppression and to end discrimination against them.

The framers of the constitution thought that the constitution should not merely provide for the organization and power of various branches of government at different levels and the political relationship between the state and its citizens, but should also address the problems faced by women. As such, the constitution should embed and consolidate the achievements of earlier social reform movements and give direction to the state in accomplishing an unfinished task. The members of the Constituent Assembly wanted to bring to an end all social customs that robbed women of their honour and dignity, i.e. practices like female infanticide, child marriage, widow harassment, prostitution and dowry. They were keen to bestow on women legal, social, economic and spiritual equality and accord them equal rights with men. It is pertinent to know how a particular vision of women's status and advancement was written into the nationalist narrative and subsequently embed in the constitution. Symbolically, this is of great importance. However, written commitments do not automatically translate into concrete actions. Moreover, granting of formal rights just by themselves do not result in gender justice or else, the marginalization of women in India, would be difficult to comprehend, given the fact that the Indian constitution right from its inception bestowed exactly similar rights on both men and women. It is thus safe to argue that merely, the grant of formal rights to women was not enough to achieve substantive gender justice. These formal citizenship rights did not

translate into substantive rights. Thus a brief description of attempts made towards the realization of the coveted ideals of gender equality and justice through the welfare regime in India is worth mentioning here.

#### **4.2.1. Welfare through planning**

After the adoption of the constitution, the challenging task facing policy makers was the introduction of policies oriented towards realizing the ideals of an egalitarian social order. Interestingly, concerns for the empowerment of women also found space in such grand narratives. In the prelude to a policy document on 'social welfare' (issued by the Planning Commission) Jawaharlal Nehru- India's first Prime Minister in the post-independence period, very emphatically underlined his concerns on the need of women's empowerment. Nehru stressed:

We talk about a Welfare State and direct our energies towards its realization. That welfare must be the common property of everyone in India, and not the monopoly of the privileged groups as it is today. If I may be allowed to lay greater stress on some, they would be the welfare of children, the status of women and the welfare of the tribal and hilly people in our country. Women in India have a background of history and tradition behind them, which is inspiring. It is true, however, that they have suffered much from various kinds of suppression and all these have to go so that they can play their full part in the life of the nation' (quoted from Desai and Thakkar 2011: 147).

In order to realize the goal of a welfare state, India chose the path of planned economic development. Planning was critical for attaining the twin objectives of economic development and modernization. It was also important for ameliorating a massive section of the population from hunger and deprivation (women being one of them). The state was to be the key agency towards the fulfillment of these endeavours. An additional task in hand was to mainstream the marginalized sections that had been suffering on accounts of social



and cultural rigidities and hierarchies. A cursory look at the objectives of the Planning Commission – an agency for the realization of the above stated goals very clearly substantiates these arguments. As stated, the overarching concern of the planning commission was to be on education, health and general socio-economic welfare.

Even though, the emphasis of the First Five Year Plan (1951-56) was primarily on resurrecting the economy, issues related to women's empowerment also found expression within it in very precise and specific terms. To a certain extent, Caroline Moser's (1993) famous distinction between women's strategic and practical needs is helpful here, as the mainstay of the first plan so to speak was more on promoting welfare of women within their gendered determined lifestyles. Accordingly, the concern areas 'included family planning, maternity and child health care centers, schools, feeding schemes for children and expansion of facilities for women's education' (Desai and Thakkar 2001:148)

With the aim of mainstreaming the marginalized social groups, which also included women, a centralized body aptly named as the Central Social Welfare Board (CSWB) was set up in 1953. The board was not mandated to exclusively cater to women's issues and yet, it attempted to do so by adopting a three pronged strategy of initiating policies, chalking out programmes and overseeing implementations. Over a period of time similar boards were established in the provinces as well (ibid). Women's welfare continued to be one of the highest priority concerns under the Second Five Year Plan (1956-61) as well. The CSWB meanwhile came out with plans to improve the health standards of women however, more than anything the focus of these programmes were primarily centered on family planning. It was only later, (under the third, fourth plans -1961-74) that women's education and other

issues related to women's health viz. nutritional aspects of expecting/lactating mothers, were also included as focus areas.

Once again, it should be noted here that women were viewed in the context of gendered social roles and responsibilities. They were looked upon as the dormant recipients of schemes and policies run by the government institutions and non-governmental organizations and not as bearers of economic and social rights per se. In this context, Nirmala Banerjee has eloquently observed that:

In spite of presiding in the 1930s over a committee on women's status, Nehru and the Planning Commission under his leadership in the post-independent India proceeded to discard the radical economic measures the committee had recommended to establish parity between men and women. Instead, the unproblematic tradition of regarding women as targets for household and motherhood-oriented welfare services was given recognition in official policy documents (Banerjee 1998: 2).

It is not surprising therefore to note that despite the eloquent assertions made in the plans and programmes for realizing the ideals of equality and empowerment (for women), not much could be accomplished in reality. In fact, the living conditions of average women continued to depict quite a contrary picture than what had been outlined in official policies plans and programmes. For a considerable time, the planning process tended to take a rather narrow view of gender justice by conflating welfare with issues related to health and family planning. Here again it is pertinent to quote Nirmala Banerjee; 'the main reason for this officially promoted forgetfulness was the fact that then, as now, challenging the patriarchal ethos of our society had never been on the agenda of the Indian state' (ibid).

An assessment of the various measures adopted for women's welfare in the initial two and a half decades or so in the post-independent India, presents a rather disconsolate

account. Although, many factors could be ascribed to for the dismal performance of the policy measures undertaken towards the realization of that endeavor, however, the one factor that figures very prominently in the literature has been about the denial of the agency role to women. I will come back to this specific aspect later in chapters 6 and 7 but it is important to note here that not only in India, but even elsewhere, attempts towards women's empowerment have significantly been marred by what I call 'attitudinal rigidities' by which I mean the orientations of policy makers to see women as beneficiaries and not as agents of change and development. In other words, the focus of the measures has largely been on making them 'better wives, sisters, or mothers' and not on enabling them to be capable of being the change by themselves. I am not suggesting that the focus on addressing the direct and forms of women's oppression is in any sense undesirable. Rather, what I am arguing is the in doing so more often than not policy makers do tend to become very oblivious of some of the very basic needs, concerns as well as indirect and subtle issues that affect women's day-to-day existence and are equally important factors (for example, social and cultural settings) contributing to gender inequality and injustice (Lerner 1986; Moser 1993; Buch 1998).

#### **4.2.2. The 1970s and developments during the UN Decade for Women**

If developments during the first two decades of Independence were disappointing from the perspective of achieving greater equality for women, the decade of 1970s was rather remarkable as it witnessed an emergent consciousness on issues pertaining to women, this time explicitly in the context of development. Undoubtedly, this has much to do with developments at the international level, specifically the United Nations (UN). With the objective of shortening and gaping the gulf between Nehru's dreams for a modern, just

India, and the reality of women's continuing subordination, a committee to analyze the condition of women and report on particular measures specific to their empowerment was set-up by the Government of India, in 1971. The overarching mandate of this committee was to present a review of the status of Indian women and the impacts of operation of all the policy measures put in place for their empowerment till then. The Committee was also assigned the task of identifying new problems creating impediments in the advancement of women, and suggesting appropriate measures through which women could extend their support whole heartedly in the process of nation building.

In 1974, the Report of the CSWI appeared as a major landmark in creating awareness about the deep rooted disadvantages faced by women in all walks of life. This succinctly drafted, historic Report, entitled 'Towards Equality' provided significant fillip to sensibilities both to the government and civil society associations working in the field. In its report the committee noted:

An examination of the Five Year Plans reveals that in spite of the policy emphasis on welfare or investment in human resources, the share of investment in the social services in terms of the actual allocation has been steadily declining in successive plans. The objectives emphasized in the various plans, as well as the share of allocations, indicate that among programmes specifically designed for women's development, the order of priorities up to the Fourth Plan has been education, then health, and lastly other aspects of welfare because it was generally assumed that all other programmes will benefit women indirectly, if not directly (GOI 1974: 308).

The report was an eye opener of sorts, in pointing out the imbalances and discrepancies of the plans, schemes and policies taken up for women's empowerment and in underlining the fact that large sections of women had been adversely affected in the process and consequently relegated to the background. It also suggested that women's inequality was inextricably linked with the larger issue emanating from the unfair structures of the social

order and must therefore be understood in that context. Therefore, unless structural social inequalities, institutional decays and disorders were comprehensively addressed, the issue of women's empowerment and advancement of their interest could never be attained. This would not only allow the benefits to trickle down well, but would also yield more inclusive results.

The suggestions and recommendations of the committee were deliberated upon in the Parliament. After much discussions, the members of the Parliament recommended the launching of a host of legislative and executive actions targeting the eradication of social and economic inequalities in general and empowering women in particular. The Prime Minister was authorized to lead the campaign up-front. After parliamentary deliberations on the report, the Government outlined a National Plan of Action for women. The NPAW principally drew from the recommendations of the Reports of CSWI as well as on the prescriptions of the UN's World Plan of Action - an outcome of the 1975 World Conference on Women in Mexico. The NPAW was later set up as a National Committee, with the Prime Minister as its chairperson.

Subsequently, a separate department (WDBW-Welfare and Development Bureau for Women) was inaugurated within the Social Welfare Ministry. The WDBW was to be the nodal agency for identifying the most vulnerable sections from amongst women and launching developmental policies aimed at securing their overall welfare. Since the status of agrarian women as well as those employed as daily wage workers was significantly low, special cells in the Ministries of Rural Development and Labour were set-up to initiate measures for their empowerment and development.

During this period, therefore, a change in policy is quite discernable in the sense that women no longer were understood simply as beneficiaries of affirmative policies of government. Instead an acknowledgement of their importance as a potent group in the development of India was very evident. Consequently, the focus areas to be covered under the Fifth Five Year Plan (1974-78) was considerably widened to include a host of issues concerning not just women's familial but also their social roles. Home economy was linked to national economy, prioritizing household duties including child care, nutrition, health care, and other related domestic activities as contributory enterprises to overall economic activities (Pandey 2008: 72).

Arguably, the Sixth Five Year Plan (1980-85) proved to be significant for women in the sense that for the first time ever, it comprised of a separate chapter on women in development. Plausibly, the wider acceptance of gender as a problematique at the international levels and the UN declaration of 1976-85 as the International Women's Decade could have been the reasons behind such a development. Additionally, by now campaigns run by both local and international women's groups had also intensified and so it was natural that women's concerns made their way on to the agenda of governance in a major way. The sixth Plan in a way marked a shift in the way women's empowerment was to be achieved. Women's health, education as well as their economic independence were to be the major areas for action. In order to execute the objectives envisaged and outlined in the Sixth Plan, a separate committee to suggest means for improving the current and generating additional employment opportunities was constituted by the Planning Commission. The policies and programmes put up by the said working group were to be supervised by the Ministries of Agriculture and Rural Development. Similarly, the Industry

Ministry also formed another group with the purpose of exploring and developing options and strategies for enabling and encouraging women to take up opportunities of self-employment. With the larger objectives of creating conditions for the spread of education amongst women, an entirely new curriculum was launched within the ambit of the already running Adult Education programmes. All these efforts and strategies were to be pursued in collaboration with researchers and civil society groups, particular those working for gender equality and justice. It looked like, the entire India, was united in its' efforts to emancipate women.

Developments both at national and international levels in the 1980s provided additional momentum to attempts being made for the advancement of women's interests and improvement of their position and status in society. women's empowerment. Plausibly, the publication of a report entitled, 'UN's Forward Looking Strategies for the Advancement of Women' (UN 1985), may have contributed towards the new found vigour and energy for the campaign for gender justice and equality. In order to implement it in a more coherent and effective way a separate department – the Department of Women and Child Development was established under the aegis of the Human Development Resource Ministry and entrusted with the task of tackling issues and concerns of women and children. With the objective of enhancing women's, participation in the empowerment initiatives of the government, a National Perspective Plan for Women (1988) was drawn-up to tackle some of the most significant issues hindering gender justice and gender equality. Whilst women's well-being, education as well as economic independence, remained the main focus areas, under the National Perspective Plan as well, issue areas such as rural development, political empowerment, etc. also got a mention under it. In the same year (1988),

publication of 'Shramshakti' - a report on the condition of women employed as daily wage workers in the informal sectors both the urban and rural settings, added to the existing momentum for gender justice and equality (Mies 1994). Prepared by the National Commission for Self-Employed Women and Women in the Informal Sector, (headed by Ela Bhatt), 'Shramshakti' was a novel and in fact, first formal attempt towards according formal recognition to the work done by women in the informal sectors. Most significantly, the report tried to stress the idea that household work done by women was akin to formal work and so must be duly recognized. Additionally, it recommended the setting up of banks and other kinds of credit institutions to push self-employability amongst women and bridging the skill gaps through customized training programmes.

To complete this summary, I will now enlist other important official initiatives undertaken during the closing years of the 1980s and the early years of the 1990s with the objective of realizing the cherished goal of women's empowerment. Some of the important steps were:

A chapter on Education for Equality within the National Policy on Education (1986); the Report of the National Expert Committee on Women Prisoners(1986); 27 women specific, beneficiary oriented schemes monitored by the Prime Minister's Office; provisions of reserved seats for women in elected bodies at local level by 73rd and 74th Constitutional Amendments (1993); Poverty Eradication Programmes and Self-Help Groups under the National Bank of Agriculture and Rural Development (NABARD); Support to Training and Employment Programmes for upgrading the skills of poor women and for providing them employment under the Integrated Rural Development Programme (IRDP); the Training of Rural Youth in Self-Employed (TRYSEM); Jawahar Rojgar Yojna (JRY); Indira Awas Yojna (IAY); Development of Women and Children In Rural Areas (DWCRA); a network of support services for women and children belonging to the weaker sections of society. (Desai and Thakkar 2001:153).



Additionally, policy initiatives for ushering in greater sensitivity and sensibilities towards the cause of gender justice were conjoined with other supportive measures like legal literacy and know your rights campaign. Establishment of working women's hostels and provision of crèche facilities in work place were part of these initiatives. These measures were followed by the Hindu Widows Remarriage (Repeal) Act, 1983; establishing equality before law through reforms in the Hindu family laws, combined with economic and educational changes. To a certain extent, these steps, certainly augmented women's share in the public domain, giving them a better standing in social and family life and a greater self-dependence in personal life. However, in terms of attainment of the larger objective of gender equality, they were miles away.

The Seventh five-year plan (1985-90) also operationalized the resolutions of the International Decade of Women, specifying the ideas of inclusive development equity and gender empowerment. It projected the task of mainstreaming women into the larger processes and goals of development. It underlined the need of 'accepting women as a crucial resource [and] their contribution to critical inputs and productive resources' (Pandey 2008:74). With that objective in mind, it provided for 'bank credit, small scale capital, marketing, training and skills, management and technology that stated to be made available to them. More particularly development measures were to be worked out as a beneficiary oriented programme specifically focused on women' (ibid). The concerns for gender empowerment were overarching leading to the setting-up of the national commission for women and the enactment of an act by the parliament in 1992 to realize this end.

It is pertinent to include here the eighth five-year plan (1992-1997) that was brought in the shadows of India's tryst with neoliberal globalization. This will be discussed in more

depth later in my thesis, but for completeness I will summarize key points at this juncture. This plan reiterated concerns for the social welfare for women. However, keeping in mind the larger objective of the neoliberal reform process, namely streamlining the state responsibilities and opening up the private enterprises, the plan put special emphasis on the need to monitor the benefit flow emerging from the general development programmes particularly for women. I will detail the ways in which neoliberal globalization spread its wing in India and the consequent impacts on women later (in chapter 5). However, for the purpose of this chapter it is pertinent to note that just as the debates on women's rights and development were being framed through the prism of equality empowerment and justice, the adoption of neoliberal reforms drastically altered the discourse on state's orientation and obligations to its own citizens (Byres 1998). Evidentially, the neoliberal emphasis on the parallels between the market and individuals through the construct of the latter as a rational, self-oriented, production driven self, had implications for the state, reducing it to a largely non-interventionist, and rather facilitative role. In this respect, the Indian case is no exception to the general neoliberal philosophical imperative. This meant two things (1) a greater focus on integration with the world market and (2) a diminishing concerns with welfare resulting in an ever reducing 'menu of subsidized services and a standardizing quality' (Jayal 1994:23).

However, it is also pertinent to note here that, the rise of the subaltern identity politics in India around the same time of the adoption of the neoliberal reforms meant that the Indian state could not completely abdicate its welfare responsibilities. Instead, it had to readjust its responsibilities by giving welfarism a competitive dimension and adopting a redistributive frame under which identity based awards were to be largely in proportion to

its contribution to the developmental imperatives of the state. In terms of women's empowerment, this implied a major shift in their identity vis-a-vis the state, effectively marking their identity as an economic actor. It is this representation that I will examine later through my case studies. in chapter 6 and 7.

### **4.3. Gender justice and identity politics**

Having reviewed the constructive progress made for realizing gender justice and empowerment in India, both on account of domestic needs and international pressures and compulsions; I now turn my attention albeit briefly, to some other developments in the late 1980s and 1990s that had a significant impact on how gender issues were perceived in India. One important development for example, was the way in which gender issues got inextricably mixed up with communal flares arising out of the judgement delivered by the Supreme Court in the Shah Bano Case allowing Muslim women the right to alimony and the subsequent amendments made in the Constitution to annul that. Similarly, the reemergence of some of the ghastliest customary practices like Sati (a practice wherein a woman is supposed to immolate herself on the pyre of her dead husband) as highlighted in the case of Roop Kunwar in 1987, significantly altered the gender discourse in India. These developments have continued resonance even today.

These incidences certainly polarized the debates on gender equality and justice but in so doing they also in a way highlighted the inherent complications in undertaking legal reforms in an evidently ethnically diverse social set-up. This totally shattered any last false perceptions of 'Indian women' as a homogenous entity, which is how the category 'women' had hitherto often been employed in official discourse. It needs to be noted that whilst the

diversity of women's status had been taken into policy considerations earlier as well. This was based on the understanding that attempts towards women empowerment necessitated an understanding and recognition of religious, community, class and caste dimensions, but in general these nuances had been only given a passing reference. On the whole, women all across were seen as representing a mega class in being the sufferers of Patriarchal practices.

Acceptance and incorporation of the idea that difference and varied identities were important factors that needed to be given adequate focus was an important shift in the discourse on gender equality and justice. However, it also meant that henceforth there would no 'notion of a 'women's voice', by which I mean the understanding that women could stand in and speak for each other. It is interesting however, to note that the question of identities is much more complicated and perplexing than it appears to be, particularly in the Indian context. This is because whilst religious and caste based social identities have been constitutionally and legally taken as a major marker for the initiation of affirmative action campaigns and policies, very often these identities in themselves end up strengthening patriarchal outlooks and practices.

It is to be noted that social identities are embedded in cultural cloaks and do not operate merely as abstractions. Instead, encompassing the 'historical narratives, religious rituals and traditions' they at times provide social legitimacy to 'specific practices and beliefs that treat women as second class citizens, subject women's bodies to patriarchal control and normalize violence against women' (Parashar 2014: 56). Interestingly, the backlashes against globalization - often construed as a Western import and the consequent thrust on reviving indigenous cultural traditions and practices only end up further consolidating

patriarchal norms and values. I will return to the advent of neoliberal economic reforms and its impact on women's position in India, in the next chapter.

## **4.4. Conclusion**

In this chapter, I turned my attention to socio-economic rights; specifically, and the role played by the Indian state in promoting the status of women in the post-independence period through its welfare provisions and policies. As I will elaborate in chapter 5, it is these rights particularly that have been most threatened by neoliberal reforms in India.

In this chapter, I have also developed an understanding of the nature of postcolonial Indian state as an entity profoundly shaped by the historical context in which it emerged and by the specific challenges that it faced; namely state and nation building in the context of economic need and social complexity. I have also suggested that ideological factors, specifically a narrative of nationalism linked to social progress and egalitarianism, profoundly shaped the nature of the Indian state. I have shown how the objective of ameliorating the problems faced by Indian women was a core part of India's trajectory towards 'modernization', and was to be realized through a variety of welfare measures. However, instead of being driven by the objective of realizing substantive gender equality, these measures could only address certain peripheral concerns. Despite the limited impact of welfare policies on gender equality, they were nonetheless vital in providing concrete support for women (and girls) in areas like health, education and social welfare. I have further suggested that international developments from the mid-1970s onwards were highly significant in providing a fillip to gender mainstreaming and the realization of substantive gender equality. As such, this chapter has set the scene for chapter five in which I will

examine in more detail how neoliberal reforms in India, under the pressures of globalization, threaten many of these gains. Finally, I ended this chapter by identifying the rise of identity politics in India from the mid-1980s. From the perspective of gender equality, this is a significant event, since the rise of identity politics has served to call into question the notion that 'women' as a whole have distinct interests' vis-a-vis their shared experiences of subordination in a patriarchal society.

A general analysis of the actions and steps taken by the Indian state for heralding gender justice and equality in the post-independence period very clearly highlights the point that they have largely been premised on the theoretical planks of 'welfare, development, equity, efficiency and empowerment' (GOI, Country Report 1995: 32). To some certain extent women can be said to have marched forward especially in educative and participatory rights, but even there the gains by no means can be said to be substantial. In chapter 5 of this thesis I will present some statistical accounts of the gains made and hence desist from further elaboration here. However, for the purpose of the present chapter it also needs to be accepted that in the Indian context, the idea of empowerment itself has been understood in different terms. So for example, for an average middle class woman empowerment may mean having opportunities for career mobility and the access to political and economic rights, for women belonging to the lower rungs of society it may simply imply the absence of direct forms of patriarchal domination as manifest in domestic violence and denial of basic rights. I am not suggesting that there is no overlap of issues between different women's group. In fact, through my field work, I will later in chapter 6 and 7 aim to show that even though there has been an perceptible increase in the numbers both of the middle class working women, as well as the rural poor women on account of the social welfare

schemes run by the state, yet there are convergences of issues requiring a continued and more active interventions by the state mainly for capacity-building.

The Indians constitution commits India on a democratic and secular road on the wheels of two very significantly important rights – equality and liberty. However, it is also a truism that a proclamation of rights by no means is a guarantee of its application unless buttressed by adequate social and legal provisions and realistic strategies for effective implementations. This is specifically true in the case of gender equality and justice (Dreze and Sen 2002; Nussbaum 2003). As I will go on to argue in chapter 5, the Indian state will have to undertake a thorough assessment of its own track record in policy formulation and implementations for the realization of ideological commitments as expressed in the constitution. Such a need also becomes pertinent in the wake of the pervasiveness of neoliberal ideas which have been consistently advocating for the need of withdrawal of the distributive role of the state action in both social and economic sectors. Under such a scenario if the state rolls back its tentacles on the pretext of economic reforms (as initiated in India in the decades of 1990s) it will become even more difficult for women to assert their rights effectively and, in turn, make actions geared towards gender equality more problematic. I will further develop this theme in chapter 5.

# Chapter 5: The Impact of Neoliberal Globalization on Women in India

*'The worker must have bread, but she must have roses, too'* (Eisenstein 1983: 32)

## 5.1. Introduction

In chapters 3 and 4, I identified some of the constitutional provisions, judicial interpretations and interventions and socio-economic policies related to women's empowerment, that were pursued over the four and a half decades before India's engaged on a process of neoliberal reforms in the 1990s. I argued that the constitutional framework and administrative mechanisms put in place in post-independence India, were designed to achieve an inclusive, egalitarian social order. I have suggested that the achievements of the Indian state, with regard to women specifically, were mixed.

In chapter 2, I provided an overview of the literature and rehearsed key debates on neoliberal globalization, the state and the gendered dimensions of neoliberal globalization. I also provided a brief discussion of some of the key literature on neoliberal globalization in India and the (sparse) literature on the gendered impacts in India. This chapter charts in more detail developments in the aftermath of India's decision to adopt neoliberal globalization, focusing more closely on the subsequent impact on the position of women in particular.

It is pertinent to note here that India's decision to adopt neoliberal globalization was not solely a response to the exogenous and uncontrollable forces of the global economy



(Natraj 2002: 96). It is important to my argument to recognize the agency of the Indian state. The state exercised some degree of autonomy in the adoption and execution of policies and guidelines that facilitated the spread and consolidation of neoliberal globalization (Jenkins 1999; Kohli 2012: 554). In this respect, the Indian state evidenced relative autonomy vis-à-vis global forces and acted in ways that (further) facilitated neoliberal globalization. In this chapter I will show how, the undertaking of reforms has resulted in the rolling back of certain affirmative measures advanced for gender equality and gender justice in the preceding years. In other words, the adoption of reforms, I argue, has had a cascading effect on women in general, arresting some of the significant gains made by and for them in the pre reform period. In the following chapters, I will examine in detail the impact on two specific groups of women in different locations.

In this chapter, I aim to do three things. First, I will situate the advent of neoliberal globalization in India in the context of the socio-economic upheavals in the decade of 1990s. Second, through a brief review of literature, I will outline how neoliberal globalization resulted in arresting some of the citizenship gains made by women in post-independence India. In the third section, drawing on the secondary data sourced from governmental agencies and international institutions, I will provide a microeconomic analysis, looking into variables such as sex ratio and life expectancy, literacy, workforce participation and access to and control of high political offices and positions. I do this to highlight a comparative assessment of the position of women in the pre and post-reforms period. However, I wish to be clear at this juncture that I am not trying to claim or prove that there is a simple and straight-forward relationship between neoliberal reforms and the declining status of women in India.

The picture is more complicated than this. First, in some areas a roll back in welfare provision is directly related to neoliberal globalization and this has disproportionately affected women, as the wealth of feminist scholarship affirms (see chapter 2). In other cases, for example life expectancy rates of girl children vis-a-vis boys, it is more difficult to establish a direct relationship, although statistics are suggestive of a relationship. However, my thesis is not designed to establish such a relationship definitively. Instead, I am arguing that there is a continued need for state intervention to address gender inequalities and gender disempowerment and neoliberal reforms work against this. Further, I acknowledge differences and intersectionalities among women. I also acknowledge that, by some measures, certain categories of women, for example, the better educated in urban centers, have benefited from increased employment opportunities. Yet, the state still has a role to play in addressing disadvantageous working conditions and exposure to risks like sexual harassment in the workplace. Again, this re-affirms a positive role for the state that runs counter to the prevailing 'laissez-faire' ideology of neoliberalism.

I make two arguments. First, women have received better attention in some sectors, health and education, for example. However, in general terms, the impact of neoliberal globalization on women has been negative. Second, the gains made in specific sectors are not solely due to neoliberal policies since the achievement of this outcome has relied upon sustained state interventions in the socio-economic and political realms of life in India.

## 5.2. Neoliberal globalization and the Indian State

I set out my approach to globalization earlier in this thesis (chapter 2), but I will recap briefly here. My understanding of neoliberal globalization is that neoliberalism is an *ideology* that presents globalization as an exogenous force that leaves states little choice, or even ‘no alternative’, in the domain of policy. The prescription of the downsizing of the state is one such major compulsion that states have to follow. In ideological terms, neoliberal globalization is associated with the liberal principles of freedom, market individualism and small government. This is based on the conviction and understanding that human advancements can be best achieved under conditions of free markets and free trade. This undermines and restricts the state’s welfare functions, supplanting them by the market. Neoliberalism endorses practices such as:

Deregulation, privatization, economic liberalization, labour flexibilization and diminished state-supported social provisions. Deregulation reduces the state regulation of the economy or restrictions on the mobility of capital and labour flexibilization to create an abundant supply of cheap, controllable and disposable labour force, and so create appropriate conditions that facilitate global capital expansion. Economic liberalization – that dismantles restrictions on the flow of goods, services and foreign investments- promotes transnational capital expansion worldwide. Privatization-that puts public productive and service enterprises into the private sector, reducing state subsidized social services and reducing public sector corporations – further opens up new spheres for transnational capital to control local economies especially in the third world (Lindio-McGovern & Wallimann 2009: 2).

This shift in the state’s size and functions, and the consequent ‘roping in’ of the private sector, so to speak, is primarily done to outsource functions previously within the domain of the former to the later (Handler 1996; Harvey 2007). It is not surprising that many commentators criticize neoliberal globalization for impelling cuts in public goods and

services, for reducing the material standard of living of working people and for promoting corporate crises through insufficient governance. I included a review of the literature on neoliberal globalization in chapter 2 of my thesis. In the section below, I provide a brief reiteration of the context in which the shift to neoliberal globalization in India occurred. That is, how a global ideational shift to neoliberalism shaped the policy initiatives, called New Economic Policy, in India in the 1990s.

### **5.2.1. The Backdrop to neoliberal globalization in India**

As noted in chapter 3, as a nascent nation state, India commenced its developmental journey at a time when Keynesianism had already become the most embraced developmental ideology in the World. The idea that states need to actively intervene and regulate their respective economies to stimulate demand, fuel production and investment, control inflation, distribute public goods, and provide well-being, had gained wide ascendancy in the Post World War II period (Pressman 2006:113; Skidelsky 2010). Keynesianism, certainly influenced India's development and welfare strategy in the immediate years of post-independence period. The Keynesian stress on an integral and positive role of the state in macroeconomic performances for mitigating poverty and improving overall economic performance (Pressman 2006:115) was enticing to the early leadership in Independent India. As I argued in chapter 4, given the widespread socio-economic challenges and vulnerabilities facing many people across all the sectors of social and political life, it was only natural that the framers of the Indian constitution embraced the principles of welfarism (Mitra 2014). Adherence to welfarism might be said to have been central to (nationalist) conceptions of the identity of the newly independent Indian state as well (Austin 1999:11).

Combined with this Keynesian influence, many ideas associated with dependency theory, such as import substitution industrialization, were also important. The key thing is that for many decades following independence, the Indian state played an essential role in generating economic growth and aiming for more egalitarian social outcomes. As noted in the previous chapter, affirmative policies were put in place to ameliorate the disadvantage suffered by Indian women. I will revisit these policies briefly presently.

In the initial years of Indian independence, the growth rate was not phenomenal. Interestingly, whilst the East Asian and South-East Asian economies at this time were growing at almost 6-10 percent, India's growth rates were not stagnant either, as in the case of many African and Latin American states. Instead, India grew at a steady rate of three and a half percent (Panangriya 2004:1). According to Arvind Panangriya-

the credit for steady growth without prolonged stagnation or decline goes to the macroeconomic stability and policy credibility that the government provided, the blame for the relatively low rate of growth, especially during 1950-80, must be assigned to the myriad microeconomic distortions and heavy state intervention that straitjacketed the entrepreneurs... Through strict investment licensing, the government effectively stamped out domestic competition and through strict import licensing, it eliminated foreign competition (ibid).

In this view, the consequences of pursuing such inward looking policies meant giving up any possible benefits that could accrue in being part of an integrated world market system. Instead, the Indian state attempted to develop socially by consistently undertaking affirmative action oriented social policies, whilst simultaneously relying on technological innovations like using high yield seeds and improving irrigation facilities on the other (the 'Green Revolution'). The results of such pragmatic mixes were not spectacularly transformative, but the strategy enabled the Indian state to reduce its reliance on food

imports at least. This resulted in raising the standards of living, albeit slightly, but most significantly it raised the hope of the masses. This was critical in augmenting the legitimacy of the political processes and institutions in the post-Independence period.

The adoption of a developmental strategy of 'planned development based on a mixed economy where the commanding heights of the economy were dominated by the public sector did achieve a certain amount of welfare' (Mitra 2014: 212). This strategy accelerated economic growth (relative to the stagnation witnessed during the period of colonial rule) and created social and industrial infrastructure, paving way for future growth (Kelkar 2001: 37). However, it is equally fair to say that whilst, on the one hand, the pursuance of such policies allowed India to manage inflationary tendencies and focus on removing social cleavages to a certain extent, on the other hand, these policies simultaneously generated some very adverse results especially on the economy as a whole. Most significant of these was the prevalence of a system of strict licensing also known colloquially as the 'Quota Permit Raj' 'generating corruption and inefficiency, all but blowing out the spirit of enterprise' (ibid).

By the 1980s, economic growth was significantly stifled. The government of the day responded by deregulating its import policies and enhancing external borrowing. However, these attempts proved to be too little too late. By the end of 1980s, India's debt to GDP ratio went up by 100 per cent. Whilst India's current account deficit was approximately \$10 billion, its financial credibility was severely dented on account of its dwindling foreign exchange reserve which had got down to just two weeks of imports, and an ever rising inflation which stood at an annual all-time high of 13 percent (Mitra 2014: 238). India thus

introduced structural reforms of the economy. This subsequently came to be known as liberalization (Mitra 2014: 212-213).

Devesh Kapur has summarized the factors that brought about liberalization as; ‘the manifest inimical effects of earlier policies, political and ideational changes in the outside world, and external pressure from international financial institutions and domestic political interests’ (Kapur 2004: 364). I will now discuss what I consider the most important factors that contributed to the initiation of a slew of policy measures in the 1990s under the genre of New Economic Reforms. Together, these factors combined to end the consensus (alluded to above) on welfarism as the accepted strategy of development.

First, the Indian governmental elites signed up to the ‘Washington Consensus’, which had become the dominant developmental discourse as the twentieth century ended. Like many other developing countries, India experienced a severe balance of payment crisis, which in the Indian case was particularly acute by 1991. India also experiences dramatic political upheavals. Great changes and upheavals were also occurring in international politics during this time. There are myriad debates about whether or not there really were ‘no alternatives’ to neoliberalism, which will not be rehearsed here, suffice to say that Indian government fell in with the global trend and declared that it could no longer pursue a developmental strategy exclusively committed to welfarism. In the face of sinking foreign currency reserves (1 Billion USD), unsustainable fiscal deficit, rising inflation (17%), and a looming balance of payment crisis, India opened up its economy to the forces of global markets (Khilnani 1999).

Undoubtedly, external factors and pressures played an important role here. The loss of international confidence in India’s economy significantly jeopardized its prospects of

borrowing on the international money market. This also contributed to a substantial withdrawal of deposits kept by the non-resident Indians (NRIs) from banks within India (see, for example, Corbridge, Harriss and Jeffrey 2014: chap 2). These developments pushed India the position of possible defaulter, as the country was struggling to pay its external payments liabilities. In the face of this, external borrowing from IMF, mortgaging gold to the Bank of England and other emergency measures restricting imports, were the limited options available to India. In stepped - the IMF.

The need for microeconomic stabilization demanded adherence to policies supporting structural adjustments under the guidance of the IMF and the World Bank. In a letter written on November 12, 1991 to the executive directors of the World Bank by Lewis Thomson Preston, then President of World Bank, he explained the reasons for sanctioning loans to India. This letter succinctly establishes the linkages between adoption of neoliberal reforms in India and decisions taken by international financial institutions. Preston wrote:

The proposed Structural Adjustment Loan/Credit (SAL/SAC) would support the initial phase of the Government's program of macroeconomic stabilization and structural reform. In addition to a major fiscal adjustment effort, the main areas covered by the program are: i) deregulation of domestic industry and promotion of foreign direct investment; ii) liberalization of the trade regime; iii) reform of domestic interest rates coupled with measures to strengthen capital markets and institutions; and iv) initiation of public enterprise reform. The adjustment policies being supported by the SAL/SAC in conjunction with an IMF stand-by arrangement will restore macroeconomic balance and strengthen external credit worthiness. (quoted from Goyal 1996: 5)

The impulse towards liberalization also came, in part, from the disintegration of the erstwhile Soviet Union at the end of the Cold War. The consequence of this was the (near) collapse of the centrally planned model of development across the world. This had some influence in India. The mantra of political, economic and business elites, who collectively



made up the neoliberal globalizers (in India as elsewhere), was there is no alternative to a neoliberal strategy of liberalization. According to Sudipta Kaviraj amongst other things, the end of Cold War had a major psychological impact on postcolonial societies (Kaviraj 2010: 157-158). It relieved them from the constant fear that they could lose their hard fought sovereignty to either of the blocs. However, the collapse of Soviet Union had an additional message; a socialistic pattern of development was no longer tenable. In a radically changed context, it would be better if developmental priorities were worked out through open economic collaborations and integration into the global economy (ibid). In this context, the gains made by South East Asian economies (particularly Singapore and Malaysia) through open trade and export-led growth became a new model to be emulated by other developing countries.

However, while these external factors cannot be discounted, internal factors must also be brought to bear in understanding developments in India. The breakdown of the hegemony of the Indian Congress Party and the emergence of a kind of a polarized multi-party system was also a factor in ending the consensus on welfarism in India's development strategy (Singh and Saxena 2011). According to Kaviraj, the mistrust against the state was on account of its failure in achieving its pledged social goals, even after almost four and a half decades of independence, along with rising corruption and a desire to get rid of bureaucratic nepotism and red tape (Kaviraj 2010:258). All these factors provided the momentum for change. Additionally, the rise of new socially powerful agrarian classes (also known as the other backward classes) who now gained important stakes in power structures because of politically affirmative policies, added impetus to the reforms.

It is pertinent to argue that the execution of caste based reservation policies meant that the traditional (high caste) elites who had earlier benefitted under the initial phase of state led industrialism (the license permit era), and had become highly professional and skilled, had to abdicate power in the favor of the latter (Kohli 2012). This rising new class desired access to the international market and economy, to establish its hegemony and gain the early advantages of integrating with the world economy.

In summary, where once there had been a consensus around state leadership or intervention to achieve welfare outcomes, during the 1990s there was an ideational shift which propelled a seeming new consensus, which manifested as an overwhelming desire to reduce state intervention and bring in an overall character of economic life for all social groups (Mukherji 2009). Together, these factors provided the fillip to the opening of the Indian economy to global competitive forces.

As argued previously, India's tryst with neoliberal globalization started in the early years of the 1990s. The early impacts were actually very encouraging, at least in economic terms, with the annual growth rate consistently accelerating to 5.3 % in 1992-93, 6.2% in 1993-94 and to almost around 8% in the first decade of the 21st century. This spectacular growth firmly placed India in the saddle as a fast 'emerging economy.' The emergence of a very strong service sector as the growth driver of the economy, contributing almost 57 percent of GDP was lauded by some sectors of Indian society as another positive outcome of the reforms. Most significantly, the adoption of economic reforms also led to an enhanced Foreign Direct Investments (FDI) in India. According to an annual report of the Reserve Bank of India, FDI in India increased from around US\$100 million in 1990/91 to US\$ 5536 million in 2004-5. It must be said here that although trade openness and FDI rates

in India did not achieve rates experienced by its neighbor China, it now had ‘a significantly reduced debt burden (as a share of GDP) and ample foreign reserves, something which served it well during the Great Recession of 2008-9’ (Corbridge, Harriss and Jeffrey 2014:37).

As such, it seems reasonable to argue that structural reforms in the economy was premised on the understanding that restructuring would result in a greater integration with the world market, which in turn could push –up both the volume and basket of trade. Additionally, the idea that a deeper integration with the global market could lead to a better and regular flow of capital and finance - something immensely critical for revitalizing and expanding productivity, raising employment opportunities, material betterment weighed heavily in the minds of the political class. This, it was thought, would eventually result in benefits to all people in general social and economic ways – the so-called ‘trickle down’ thesis in neoliberal ideology.

### **5.3. Women in India: developments from the 1990s onwards**

It is undoubtedly true that some sections of Indian society have benefitted from neoliberal reforms. Indians have become more visible as ‘global players.’ At the aspirational level too, there have been changes in Indian society. I do not deny that some initial gains were also made by some categories of women under neoliberal globalization in India. However, two things need to be reiterated here; first, these gains have not been evenly spread; second, these gains have been made only through state interventions and, as a corollary, women would stand to lose these gains if the state was to withdraw from pro-women actions.

I will briefly list here some pro-women initiatives undertaken by the Indian government in the 1990s. In 1992, by an Act of Parliament, the National Commission for Women was created. This is a statutory body of the government of India. It provides a voice for aggrieved women and monitors all cases where a violation of any constitutional, legal or even civil rights may be reported. In 1993, a credit fund named - Rashtriya Mahila Kosha, (The National Credit Fund for Women) was established with the objective of providing financial support to women at a very modest rate of interest. The financing through the fund is done via civil society associations working in the rural areas. In the same year (1993), yet another attempt to provide economic assistance to rural women was made by the way of launching of Mahila Samridhhi Yojana (Women's Prosperity Scheme). The purpose of this scheme was to enable poor women to encourage saving tendencies amongst women wage workers both in rural and urban areas so as to enable them to have a better say in the management of their household resources. Similar schemes to ameliorate poverty and inequality among Indian women launched in the 1990s were the Indira Mahila Yojana (1995); the DWCRA Plan (1997); and Balika Samridhhi Yojana (1997). In July 2001, Swayam Siddha Yojna, was implemented by amalgamating Mahila Samridhhi yojna and Indira Mahila Yojna. In spite of their trivial exposure as related to women's varied requirements, these schemes exemplify policy initiatives in this area.

The Eighth Five Year Plan, (1992-97) marked a definitive shift in the approach towards gender justice and equality by making 'empowerment' and not development as its mainstay. The idea inherent in such a shift was the realization that empowering women was a better and effective mechanism for making them benefit from the growth and development taking place in the other formal sectors of the economy. It is significant to mention here that

there has been a constant increase in the plan outlays to meet the needs of women and children. So whilst 'in the First Five Year Plan (1951-56), the outlay was of Rs 4 crores which rose to Rs.2, 000 crores in the Eight Five Year Plan (1992-97)' (GOI, Country Report, 1995: 25).

The Ninth Five Year Plan (1998-2003) was broadly an extension of the Eight Five Year Plan. In the preparation for the Ninth Five Year Plan an approach paper was developed by the Planning Commission and accepted by the National Development Council (NDC). In the planning process, empowerment broadly denotes choices for women and the availability of opportunities to concretize these choices. It was observed that the home, school, government and workplace should provide the supportive environment to women at all stages.

In the Tenth Five Year Plan (2002-7) women were acknowledged as agents of social change and attempts were made to empower them through the execution of a threefold strategy; social empowerment, economic empowerment and gender justice. The 11<sup>th</sup> Five Year Plan (2007-12) recognized women and children not as a homogenous group but as diverse groups segregated by caste and class, yet at the same time marginalized as a whole. The plan was mainly directed to ending discriminations and exclusions faced by women and children in Indian society and catering for the differential needs of these groups.

These interventions by the state notwithstanding, below I will show how the status of women and girls in India has declined since the 1990s. It is interesting to note here that, notwithstanding the difference in their characterization of globalization as desirable or otherwise, many studies done in both developing and developed societies tend to be critical of it for enhancing women's vulnerabilities in particular (Agnihotri and Mazumdar 2010:

xi). It has been argued for instance, that globalization's advance has fueled new forms of violence, insecurities and greater pressure in the sphere of work, increased compulsion towards migration, greater vulnerability to economic and social exploitation and generally harsher conditions for the poor, unskilled and uneducated (see, for example, Munck 2008; True 2010).

The marginalization of women under neoliberal globalization has been a recurring theme in feminist literature in India as well. Along with this, there is also a growing realization that with the roll back of the state under neoliberal globalization, the inclusionary policy initiatives for the empowerment of women undertaken by the Indian state in the years after independence could well be reversed (Banerjee 1998; Ghosh 1999). It has been argued for example that, the implementation of neoliberal policies in India has given rise to polarization of wealth, high unemployment, growing impoverishment which have massive gendered implications.

Three reasons can be offered up-straight; First, women's employment opportunities are affected by cutbacks in state services like, education, health and social security. Second, women everywhere are overwhelmingly responsible for family and household maintenance, and must compensate through their own time and labour –often inadequate. Third, the costs of globalization are not spread evenly across different sections of society. The feminization of poverty, much documented in the feminist literature, has highlighted the growing proportion, as well as absolute numbers, of women and their children living in poverty. According to Kalyani Menon Sen (2004) along with pauperizing whole populations, globalization rigidifies the subordination of women by recreating and strengthening the structures of patriarchal subordination.

There is a substantial literature that claims-and empirically validates- how the withdrawal of the state from social sectors in India, has given rise to fast rising inequality along with skewed patterns of economic growth. It has been argued that the pursuit of neoliberal policies brings a roll back of the state from conventional sectors of social welfare leading to steady marginalization of women in the economy (Banerjee 1998). Similarly, Sumita Sarkar (2007) argues that the benefits of globalization in terms of reach, is limited to a small segment of the IT skilled population. For a large section of the population of women who are semi-skilled or unskilled, globalization results in disproportionate victimization by the way of loss of traditional livelihood and sustainability (Jain 2000), a fall in wage earning (Roy-chowdhury 2004) and the casualization of workforce, which leads to sub-contracting, retrenchments and layoffs (Ghosh 1999). It has also been argued for example, that the 'adoption of neoliberal policy regime in India has created uneven patterns of economic growth and accelerated inequalities' (Sahoo 2014: 6). To substantiate his arguments Sahoo cites microeconomic indicators from the researches done by Deaton and Dreze to claim that

this rise in inequalities is a new development in the Indian economy. Until 1993–1994, the all India Gini coefficients of per capita expenditure in rural and urban areas were stable. However, since then there has been a significant increase. In the recent Gini Index, India is ranked as 66 with a value of 33.6 (2013). Data suggest that, while the top 10% of India's population enjoys 31.1% of the country's income, the lowest 10% suffers with merely a 3.6% share (quoted from Sahoo 2014: 6-7; also see, Deaton and Daeton and Dreze 2002: 3740).

It is an undeniable fact that despite the much-exaggerated economic growth, almost a quarter of India's demography is below poverty line. In such a backdrop, then the pull-out of the state from its responsibilities of welfare has had alarming implications for women's rights, especially for those belonging to the marginalized sections of society. This is because

resources, previously spent on women's empowerment, especially in the fields of health, education and employment, have all been reduced due to governmental policies supportive of global capitalist development. One of the starkest realities of the Indian workforce is that 'out of the total 397 million workers in India almost 127 million are women and out of which almost 96 percent are engaged in informal sectors' (GOI 2006) - inherently characterized by under-payments, sub-contracting and the casualization of labour.

Whilst these developments imply a severely limited purchasing power for women, the adoption of neoliberal prescriptions on privatization of key social sectors like health and education only add up to the growing levels of household poverty in India (Iyer et al., 2008). According to a study done by Williams and Maruthappa (2013) almost 60 percent of the rural and 40 percent of the urban families in India have had to borrow, loan or sell their family assets to pay for their health expenses. A Government of India data released by the National Sample Survey Organization, (NSSO 2014: 71<sup>st</sup> Round), further substantiates such assertions. According to the NSSO data, 'out of pocket expenditure on health' in India has consistently been rising in the last two decades and can be said to be one of the foremost causes of enhanced poverty in India. Given the patriarchal beliefs reinforcing men's superiority as breadwinners, the rising costs of medical treatment in India naturally implies that men's, health care needs trump women's access to such facilities. At best, the access to health care for women is only limited for reproductive purposes.

On the whole, such developments lead to a negative impact on the conditions of life of ordinary women. A similar situation exists in labour sector as well. It is true that the entry of multinational companies has resulted in increased employment opportunities for women, but it is also axiomatic that they often go on a global prowl for cheap labour - most



often women's labour. From the late 1980s particularly, growing trade competition and deregulations in India have gone side by side with the rise of a largely marginalized female work force and a core of skilled and professional workers – mostly male. Women at the most get relegated to low wage work, mostly in the nature of either part time or outsourced work. In a way such accounts also plausibly explain why a vast majority of women have to be compulsorily and simultaneously undertaking both household and professional work.

A typical example is the call centers, which I examine in depth later in my thesis. Here, women are preferred as employees as they not only demand less in their pay packet, but also can be easily manipulated. As noted in chapter 2, younger girls are preferred in the night shifts as this acts as sexual incentives to the male workers. In India, there has been increase in cases of molestations and even rape involving many of the call centers and- without doubt-there is a great deal of evidence that women are the victims.

Thus, it is very clear that the unprecedented growth following the decision to liberalize had a cascading effect on the nature and function of the state and consequently a very harsh and polarizing impact on the social conditions of existence in India, already enmeshed with caste, class, ethnic and gender disparities. As noted in chapter 2, as Indian moved towards the adoption of neoliberal globalization, the Indian state withdrew from the major sectors of social services. In very basic terms, economic reforms were wheeled in India through neoliberal formulations emphasizing on (1) marketization and privatization (2) globalization (3) modernization and (4) concentration of productive efficiency and GNP growth rate. This was to be realized through policies supporting deregulation, Foreign Direct Investments, market friendly fiscal policies, cut backs in public expenditure, with the

aim to reducing fiscal deficits, use of up-to-date technologies, export-oriented policies in industry and withdrawal of subsidies of all kinds (Krishnasawmy 1993: 36).

Successive governments irrespective of their ideological commitments and values have followed such prescriptions. Over the past ten years, Indian there has been a consistent fall in public expenditure for social development. For example, almost ten years after the perusal of neoliberal reforms in India the governmental expenditure on social security sector 'went down by almost 6 billion Indian Rupees (approximately 127.6 Million USD)' (Samuel 2002: 113). Similarly, the reductions in the sectors of rural development and agriculture respectively amounted to '10 billion Indian Rupees (approximately 212.7 million USD) and 6.8 billion Indian Rupees (approximately 144.6 million USD)' (ibid). Further, it has also been shown that even in the area of public investment, governmental expenditure has been steadfastly decreasing say from an average 60 percent share in all earlier plan periods to around 22 percent in the post Eleventh Five-Year Plan period (See, Dev 2012).

#### **5.4. Official government data and the status of women in India**

In the next two chapters, using primary research data collected during my fieldwork, I will further substantiate my argument with respect to two specific groups of women - (1) middle class, educated, urban, and (2) less educated, rural women. My immediate purpose in the section that follows hereunder is to interrogate the status of women and girls using key variables such as life expectancy, literacy, workforce participation and access to and control of high political offices and positions, using data sourced from governmental agencies and some credible international agencies.

It is beyond the scope of my research to develop a comprehensive analysis of all segments of society that make up 'Indian women'. Moreover, since women do not form a homogeneous group in India the task of mapping the differentiated impacts of neoliberal globalization on different women groups is equally arduous. Given that, in this section, I will look in more detail at four key areas. These key areas are:

- (1) The basic right to life – understood through the data on demographic profile, focusing on life expectancy at birth and sex ratios over time.
- (2) Access to educational opportunities- analyzed through data available on women access to educational institutions.
- (3) The extent and nature of workforce participation, patterns (formal and informal) kinds of opportunities available (paid, underpaid, unpaid) and access and control over resources and own labour power analyzed by the help of data on women's labour force participation and employment.
- (4) Autonomy and freedom in decision making at familial societal as well as political sites- explained through representation in parliament.

#### **5.4.1. Demographic profile**

##### **(a) Life Expectancy at Birth (in years)**

	<b>1970-75</b>	<b>1981-85</b>	<b>1992-96</b>	<b>2001-05</b>	<b>2011-14</b>
Male	50.5	55.4	60.1	62.3	67.3
Female	49.0	55.7	61.4	63.9	69.6

Source: registrar general of India, compendium of India's fertility and mortality indicators, 1971-2014, New Delhi, 2014 (based on SRS)

**(b) Sex Ratios over time (Number of females per 1000 males per Census)**

<b>Census Years</b> <span style="float: right;">—————→</span>		<b>1991</b>	<b>2001</b>	<b>2011</b>
Number of females per 1000 males- All India, Figures in Aggregate		927	933	943
Number of females per 1000 males in 0-6 Years age specific group.		945	927	919
<b>Rank*</b>	<b>Name of State/UT</b>			
1	Delhi	827	821	868
	Delhi : Population aged 0-6 years	915	868	871
2.	Goa	967	961	973
	Goa: Population aged 0-6 years	964	938	942
3.	Sikkim	878	875	890
	Sikkim: Population aged 0-6 years	965	963	957
4.	Chandigarh	790	777	818
	Chandigarh- Population aged 0-6 years	899	845	880
5.	Haryana	861	861	879
	Haryana- Population aged 0-6 Years	879	819	834
7.	Maharashtra	934	922	929
	Maharashtra- Population aged 0-6 Years	946	913	894
10.	Gujrat	934	920	919
	Gujrat- Population aged 0-6 Years	928	883	890

Sources: Compilations based on Census of India 1991, 2001, and 2011, Registrar General of India.

\*Rank in terms of GDP per capita

It is clear from table (a) above that the life expectancy of women in India, relative to men, is much better and on an upward trajectory. However, in terms of the life expectancy differential between women and men, this still needs to catch up to be at par with those in the developed world. Similarly, as per table (b) the sex ratio which in aggregate terms was consistently declining in the post-independence period i.e. 946:1000 in 1951 to 934:1000 per 1981 Census, has improved marginally in the aftermath of the adoption of economic reforms under neoliberal globalization, though it still needs to catch up with standards in developed world.

Most perturbing, however, is the data on 0-6 age specific group, which is consistently on a lower trajectory, implying that girl children are still not being treated at par with male children. Although many factors can be attributed to this, it is clear that neoliberal globalization has not been able to usher in a social order in which women can claim to have an equal and respectable role for themselves. Hence, this statistic contradicts the notion that neoliberal reforms will (eventually) take care of these kinds of gender disparities.

It is equally baffling to know that some of the most prosperous provinces in India perform very low on sex ratio counts. Statistical data for example shows that despite being the most prosperous and urbanized state, reflecting highest per capita income in the country - Delhi, in comparison to all other states and Union Territories ranks abysmally low on sex ratio indicators - cumulatively and specifically (in the 0-6 age group). It is also pertinent to note that the girls to boys ratio in the 0-6 years specific group is appallingly low in some of the most prosperous pockets of Delhi. It is equally worrying to note that child-sex ratio in the 0-6 specific age group has been steadily declining in the post reforms period. For example, the ratio went down from 945 to 927 females for every 1000 males in the first ten years of the reforms i.e. between 1991-2001 to a further low of 919 in the next decade i.e. 2001-2011. The trends very clearly highlight the complexities of economic development and women's empowerment. In fact, some of the poorer states in India perform well on those accounts. Although many factors can be attributed to such developments but it is plausibly a that the spread of information and the resultant development of perceptions combined with access to technologies could be a major one. Let me explain this further.

It is understood that social perceptions of individuals and communities are defined and shaped by their formal and informal interactions with the external world. On the one

hand, such interactions help in breaking down social hierarchies, orthodoxies and rigidities. On the other hand; they may end up buttressing some very brutal social practices. For example, the desire for better living conditions fuels the need for smaller families, but it can also accentuate practices like female feticide, particularly in societies where the status of the girl child is low. In such situations, it would be naïve to lay the blame on specific technologies, or even on the agential role of women for exercising such choices. It is dependent more on existing norms and values attached to the girl child –something that needs to be out rightly challenged and changed. In other words, even though neoliberal globalization cannot be directly blamed for such inhuman practices, the point that I am trying to make here is that state action is needed to raise public attention and encourage social mobilization to change perceptions. As above, this runs counter to the laissez-faire approach in neoliberalism.

#### **5.4.2. Access to educational opportunities**

The intrinsic linkage between education and empowerment is a universally accepted and undisputable fact of our social existence. Education is perceived to be an indispensable agent of social change and a harbinger of empowerment. The Constitution of India very pragmatically mandates the Indian state to undertake special measures for the promotion of education in general and for the females in particular. It is interesting to note that the Indian Constitution maintains a threefold distribution of subjects under which Education has been placed in the Concurrent List, thereby enabling both the central and the provincial governments to enact and execute laws and policies for the optimum development of educational opportunities and standards. Yet a cursory look at the data shows that access to education remains an unfulfilled goal. Since this chapter is primarily focused on bringing

out the gendered disparities in educational opportunities in India, I will limit myself here to those aspects only.

### Female Literacy Rate in Percentage of Population

Census Year	Person	Males	Females	Gendered Gaps
1951	18.33	27.16	8.86	18.30
1961	28.30	40.40	15.35	25.05
1971	24.35	45.96	21.97	23.98
1981	43.57	56.38	29.76	26.62
1991	52.21	64.13	39.29	24.84
2001	65.38	75.85	54.16	21.70
2011	74.04	82.14	65.46	16.68

Source: Census of India 2011<sup>48</sup>

The ever-rising gaps in male and female literacy rates in India are quite evident from the data sourced from the government agencies (as above). India commenced its developmental journey with a gap of 18.30 percent and it is surprising to note that despite the welfarist orientations of successive political regimes, the gaps have consistently been maintaining an upward swing. While it is apparent that the gendered gaps have reduced in the aftermath of the initiation of economic reforms in 1991, however, the rate at which they have been reducing is depressing to say the least. Equally interesting is to note is the way in which literacy has been officially defined in India. The Indian State defines effective literacy in the most basic of manners as the ability of any person in the age group of seven and above to read and write in any language as literate (COI 2011:98). Even by those standards, female literacy rates have consistently been lagging behind that of the males by almost 20 percentage points in the period between 1991-2001 and by almost 16 percentage points in the following decade i.e. 2001-2011.

<sup>48</sup> Available online [http://censusindia.gov.in/2011-prov-results/data\\_files/india/Final\\_PPT\\_2011\\_chapter6.pdf](http://censusindia.gov.in/2011-prov-results/data_files/india/Final_PPT_2011_chapter6.pdf)

Accessed on May 22, 2017

I have already argued in the introductory part of this chapter that the initiation of economic reforms in India certainly resulted in some palpable gains for women as citizens. This is very evident in the rise of female literacy rates. For instance, in the period between 1990-2001 and 2001-2011 there is a marked jump of almost 15 percent, in women's literacy rate (almost double the average of 8 percent in the two-three decades preceding the initiation of reforms. Per the Census Report 2011 (COI 2011: 100) of the 217,700,941 additional people who became literates in the period between 2001-2011, the number of females (110, 069, and 001) outnumbered the males (107, 631, and 940). The decadal increase in the number of literate males was 31.98 percent whilst the corresponding increase in the females was 49.10 percentages - a clear example of the decreasing gender gap in the post reforms period (ibid).

### **School Enrolment and Literacy Percentage in Gendered Terms**

Year	Primary (I-V)		Middle/Upper Primary (VI-VIII)		Higher/Secondary (IX-XII)	
	Boys	Girls	Boys	Girls	Boys	Girls
1970/71	35.7	21.3	9.4	3.9	5.7	1.9
1980/81	45.3	28.5	13.9	6.8	7.6	3.4
1990/91	57.0	40.4	21.5	12.5	12.8	6.3
1991-92	58.06	42.3	22.0	13.6	13.5	6.9
1992-93	57.9	41.7	21.02	12.9	13.6	6.9
1993-94	55.1	41.9	20.6	13.5	13.2	7.5
1994-95	60.1	45.1	22.1	14.5	14.2	7.9
1995-96	60.6	46.2	22.7	14.8	14.6	8.3
1996-97	62.5	47.9	24.7	16.3	17.2	9.8
1997-98	61.2	47.5	27.7	15.8	17.1	10.2
1999-2000	64.1	49.5	25.1	17.0	17.2	11.0
2000/2001	64.0	49.8	25.3	22.0	16.9	10.7
2007/2008	71.5	64.8	30.7	26.1	15.9	12.3
2014/2015	67.6	62.8	34.5	32.6	12.4	11.6

Source: Selected Educational Statistics (2008, 2011 and 2016), Ministry of Human Resource Development, Government of India and Department of Education, Planning, Monitoring and statistics Division, Government of India



Some initiatives by the Government like the declaration of the right to education of children in the age group 06-14 as a fundamental right under the 86<sup>th</sup> Constitutional Amendment Act and the Sarva Shiksha Abhiyan – a scheme targeted towards providing free and compulsory elementary education to all, especially to the girl child in disadvantaged rural areas - may have contributed to the improved data on the female literacy. Yet an interpretation of the data itself very clearly brings to the fore the point that the gains have neither been rapid nor have kept pace with the ever increasing population. For example, a comparative assessment of intra levels of enrollment (between primary and secondary levels) shows a significant drop in terms of the initial enrollments at the primary levels and secondary/higher secondary levels. Whilst such a drop in terms of percentage point averaged around 6 to 7 percent in the 1970s and 1980s, it is surprising to note that despite claims of increased enrollment at the primary levels, the drop at the secondary/higher secondary levels have been widening. Let me explain this further.

Whilst in the pre-economic reforms period say in the 1970s the percentage female enrollment at the primary levels and secondary/higher secondary levels stood at 23.3 and 1.9 respectively implying a drop of 21.4 percentage points. In the 1980s, it stood at 28.5 and 3.4 accounting for a drop of 25.1 percent. In the post-liberalization i.e. in the post 1991 period even though the primary and higher secondary enrollment rates went up to 62.8 and 11.6 in the year 2014-15, the rise has not been matched by a proportionate increase in the enrollment percentage at secondary/higher secondary levels. On the contrary, the drop rates have gone-up by a whopping 51.2 percent. Whilst an average Indian female is said to receive only 1.2 years of schooling, an average Indian male receives almost 3.5 years of school education (Kaushik 2007:14).

A range of factors can be thought about as plausible factors for the sordid state of female literacy in India. These include: widespread regional disparities; excessive and unyielding curriculum; lack of basic infrastructural facilities in educational institutions; lack of true and genuine teachers/mentors; and the disconnect between education and existing patriarchal social norms and values – that is, a fear that education might result in non-conformism to traditional norms. Additionally, the widespread employment of women as child labour (especially from the weaker and marginalized sections) has been a massive factor.

### **5.4.3. Female employment**

As mentioned earlier, the initiation of economic reforms in India was premised on an ideology that held that opening up the economy would generate jobs for the people across economic sectors. Engaging wide sections of its population in meaningful and productive employment was seen as the key to reducing gnawing levels of poverty and establishing an equitable social order. Almost two and a half decades on from these reforms however, a contrasting picture has emerged especially in the context of women's work force participation and consequently their share in the economy.

According to World Development Indicators Data (World Bank: 2016), the female labour work force participation rate on global scales, between 1990 and 2016, dipped by approximately half percent, i.e. from 39.5 to 39.4 percent. In the Indian case, the corresponding decline was much steeper i.e. from 27.6 to 24.3 or 3 percent –a substantial size in absolute numbers given the size of India's huge population. According to the Census 2011 report of the Government of India, women constitute nearly half of its population, (48.5). However, their participation in the work force – both organized and unorganized

sectors- is a meagre 25 percent. According to the data published by the World Economic Forum (2014) India ranks quite low (114 amongst 142 countries) in terms of the Gender Gap Index.

Some very influential arguments concerning the rise/stagnation/decline in opportunities of work and employment for women have been advanced in the literature. I have covered some of these in the introductory chapter of this thesis and will revisit and analyze them further in the following two chapters (6 and 7). My main objective here is to underline the major trajectories of female employment in certain sectors and their impacts in post-economic reforms period in India. However, before I set forth on this task, it will be of help to mention that the Government of India defines work 'as participation in any economically productive activity with or without compensation, wages or profit' (GOI 2011). Such participation may be physical and/or mental in nature. Work involves not only the physical work but also includes supervision and direction given to other workers' (Bhagat et al., 2008: 4) and work participation rate (WPR) is defined as 'the percentage of total workers to the total population' (GOI 2011)<sup>49</sup>.

Following the Census of 1981, workers have been classified as main and marginal based on the engagement of the worker in economically productive work respectively for more or less than 183 days in the preceding year. Whilst such a classification may be of help in strengthening official narratives, nonetheless, even by these accounts the position of women cannot be said to have substantively improved in the decades after the initiation of economic reforms.

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<sup>49</sup> [http://censusindia.gov.in/data\\_products/library/post\\_enumeration\\_link/eci6\\_page3.html](http://censusindia.gov.in/data_products/library/post_enumeration_link/eci6_page3.html) Accessed May 24, 2017

**Work participation rates (WPR) of Male and Females by rural/urban residence**

	Census 1981		Census 1991		Census 2001		Census 2011	
	Male	Female	Male	Female	Male	Female	Male	Female
India	52.62	19.67	51.6	22.3	51.9	25.7	53.26	25.51
Rural	53.77	23.06	52.5	26.7	52.4	31.00	53.00	30.00
Urban	49.06	8.31	48.9	9.2	50.9	11.6	53.76	15.4

Source Census of India Report, Registrar General of India (COI 2011: chap 4)<sup>50</sup>

The table above, is a good indicator of the fact that whilst workforce participation for males is largely approximate in both urban and rural settings, substantial gaps exist for female workers in similar settings. Additionally, a comparative assessment of Women Participation Rates as reported under the Census of 2001 and 2011 shows a relative decline of .44 per cent. In other words, whilst the WPR under 2001 census was 25.63 percent, it slipped down by a further .44 percent as reported in Census report of 2011. This points to what is known as ‘jobless growth’, indicating an inverse relation between economic development and women’s empowerment.

There is a settled understanding within the feminist literature that the issues related to women’s jobs/work are substantively different from their male counterparts as they have the additional obligation to undertake, namely household work as well (Beneria & Sen 1981). It is easy to infer from the data above that the unleashing of economic reforms under the larger framework of neoliberal globalization has resulted in a rise in the female work force by creating new opportunities and avenues. However, a lot of issues related to both the nature of work opportunities and social security nets needs to be addressed. The situation becomes more perplexing in the light of the fact that whilst the Indian economy in the post reforms period has grown at a steady rate of 6 to 7 percent of GDP, the gaps

<sup>50</sup> Available on [http://www.mospi.gov.in/sites/default/files/reports\\_and\\_publication/statistical\\_publication/social\\_statistics/Chapter\\_4.pdf](http://www.mospi.gov.in/sites/default/files/reports_and_publication/statistical_publication/social_statistics/Chapter_4.pdf) Accessed May 24, 2017

between the minority rich and the majority poor have been widening at a more rapid pace. According to the 'Global Wage Report' brought out by the International Labour Organization in 2015 (ILO 2015:50-52) India is confronted with massive gender pay disparities both in terms of employment representation and wage differentiations. In other words, whilst Indian women undertake almost 60 percent of the lowest wage paying jobs, and constitute only 15 percent of high wages earning jobs, there is a significant gap of almost 30 percent in wages of men involved in same levels of jobs.

These differentiations clearly show the employment situation of Women in India. According to the McKinsey Global Institute, on a score of 0 to 1 where 1 stands for an extremely high levels of gender equality, in comparison to Western European and North American counterpart's score of 0.71 and 0.74 respectively, standing at 0.48, India's Gender Parity Score (GPS) is abysmally low. This indicates their work and employment related plights (Mishra 2015). According to the report, India could increase its GDP by about 70 per cent by simply improving the female labour force participation rate by 10 percentage points, from 31 per cent now to 41 per cent in 2025 by providing jobs for 68 million women over the next 10 years (ibid). The ramifications of such developments are being hugely felt in terms of the empowerment of women as well as on the iniquitous growth that it yields. This also flags some serious questions both on the nature of the reforms and on substantive outcomes of reforms.

I will expand and build upon my analysis of this data in the subsequent chapters of this thesis (chapters 6 and 7), where, I will draw from, my own findings from the two case studies undertaken in both urban and rural India. Here, I will conclude this section by observing that it is fair to say that women's ability to work and opportunities to obtain

employment are hugely hindered by a multiplicity of factors. These include such factors as context (location), insecurities arising out of poverty, lack of access to human and natural resources as well as the absence of adequate security mechanisms. Addressing these hindrances and obstacles, requires some massive efforts both by state agencies, and in addition, groups beyond the realms of the state. Ensuring that more and more women get into policy making and execution would be a further plausible way to confront obstacles to empowerment and equality.

#### **5.4.4. Political representation and participation**

Whilst the representation of women in the popular (lower) chamber of India's parliament (Lok Sabha) stands today at an all-time high of almost 12 percent, in terms of absolute number it amounts to a meagre 66 of the 543 members who compose it. Compared to the first general elections held in 1952, wherein women's representation accounted for 4.4 percent or (22 members) in the Lok Sabha, today, there is a three-fold rise in women's representation. Statistically, this may look satisfying. However, the continuing gross under-representation of women in the twenty-first century attests to the nature of the social arrangements in India and the democratic processes that spring from this. It is also true that India can take pride in being one of the very few countries to have had a woman Prime Minister, even before the surges of the second wave of feminism. Additionally, India is amongst very few countries to have had a woman as the head of its republican system of governance. There have been some very important and powerful women chief ministers in some of the provinces too. However, beyond these examples of particular successes there is not much to celebrate. It remains a fact that women in India lack effective representation

and their access to politics and power is still 'mediated by their relationship to male kin, and is often indirect and symbolic' (Basu 2010:169).

It is interesting to note that India's tryst with economic reforms coincided with its resolve to empower women at the grassroots. This it sought to do by widening the base of democratic participation by the way of providing 33 percent reservation of seats for women at the bottommost levels of its political structure - the panchayat and the urban municipal councils under the 73<sup>rd</sup> and 74<sup>th</sup> amendments of the Indian constitution respectively. The mandatory constitutional provisions have in the last two decades certainly succeeded in ensuring participation of an estimated 'five million women in local politics directly or indirectly' (Basu 2010: 175).

Interestingly, a few of the provisions of the panchayat acts have themselves proved a bit feeble in ensuring effective political empowerment. For instance, the amendments brought through the 73<sup>rd</sup> amendment act provide for a rotatory system of reservations, whereby seats reserved for women in a particular election could become open for all candidates in subsequent elections. Studies done in the past increasingly have pointed towards the fact that less than 30 percent of women candidates recontest from the same constituency which had been reserved for them but was de-reserved later (Basu 2010: 176). It was not surprising therefore that after almost two decades of the functioning of the system yet another amendment was brought in 2009 raising the percentage of reservations to 50 percent however, since the leeway of implementing this has been left with the provinces, not many states have been prompt in strictly adhering to it. Consequently, even today the effective percentage of women's representation at panchayat levels wavers around 46 percent.

**Women's Representation in the Lower/Popular House of the Indian Parliament**

Election Year	Voter Turnout (Men)	Voter Turnout (Women)	Total No of seats in the Lower House.	Total No of Seats held by Women	% of seats held by Women
1984	68.4	59.2	544	44	8.1
1989	66.1	57.3	529	28	5.3
1991	61.6	51.4	509	36	7.0
1996	62.1	53.4	529	40	7.4
1998	66.0	58.0	545	44	8.0
1999	64.0	55.7	543	48	8.8
2004	61.7	53.3	543	45	8.1
2009	60.2	55.8	543	59	10.9
2014	67.1	65.6	543	61	11.2

Source: Election Commission of India, New Delhi<sup>51</sup>.

The table above indicates well that in comparison to their male counterparts, women in India have lagged behind both in terms of electoral participation and representation. It is interesting to note that women's participation in general elections as inferred through their voter turnout has been sliding down in comparison to the two general elections held in the pre-reform period. In that sense the elections of 2014 were significant as after a gap of almost three decades' women's turnout improved significantly though it still fell short albeit narrowly in comparison to men's turnout, after the formal adoption of economic reforms in India. Disheartening however, is to know that despite the granting of equal rights and a rich democratic heritage women's share in the democratic exercise of power and responsibility remains abysmally low. India ranks at 149 out of 193 countries in terms of women participation and representation<sup>52</sup>. This repudiates any posited correlation between economic growth and popular participation.

<sup>51</sup> [http://eci.nic.in/eci\\_main1/misc-stats.aspx](http://eci.nic.in/eci_main1/misc-stats.aspx)

<sup>52</sup> See <http://archive.ipu.org/wmn-e/classif.htm> [Accessed], December 26, 2017



## 5.5. Conclusion

As outlined in the opening section of this thesis I have sought to focus on two key areas. First, how in the pre-reform period, the Indian state consistently tried to pursue socially and politically affirmative policies for the betterment of its vast majority of marginalised and poverty ridden citizenry. I argued that the adoption of a welfare oriented economic policy was both a compulsion and a choice. In the later part of this chapter, I attempted to provide the backdrop information on the advent of neoliberal globalization in India. I argued that the tryst with neoliberal globalization in India was not entirely on accounts of exogenous factors. Instead there were internal factors that also pushed the Indian state to undertake these reforms and as such the Indian state did enjoy some autonomy in adopting the neoliberal economic prescriptions.

Through a brief review of literature, along with secondary data sourced from governmental agencies and international institutions, I presented an economic analysis, looking into variables such as sex ratio and life expectancy, literacy, workforce participation and access to and control of high political offices and positions to highlight the negative impacts and consequences of the neoliberal reforms particularly on women, as made in the literature. I argued that the pursuit of neoliberal economic policies has resulted in arresting some of the citizenship gains made by women in post-independence period. I cannot definitively establish connections and impacts, but the statistics are suggestive and my analysis tries to explain what these relationships might be. My main purpose, however, is to demonstrate that a continuing role for the state is needed to address these issues. The problem with the neoliberal ideology of non-intervention is that it works against state

intervention that I have sought to demonstrate as required if women (and girls) are to be truly empowered.

In the next two chapters of this thesis, I develop my argument through two case studies conducted in two different locations and amongst two different groups of women. The first case study endeavours to substantiate the correlation between economic growth and employment through the creation of new avenues of work for women. This will focus on the experiences of young and educated women involved in business processing units, which are the most visible markers of globalization in India. My second case study will deal with the experiences of illiterate rural women in a rural location. I will use my case studies to substantiate my claim that in contrast to the general understanding that neoliberal globalization demands the withdrawal of state, in the context of developing societies it demands if anything a greater role for the state. In the conclusion, I will develop the argument further by introducing a global dimension to this, suggesting that supranational institutions have role to play too in making globalization more inclusive and humane for the marginalized and the vulnerable sections, including women.

# Chapter 6: Case Study 1 – Women in Call Centers

No single measure is enough. Policies to stimulate growth must be accompanied by measures to change norms that block women's progress. (UNDP 2009:27)

## 6.1. Introduction

The underlying aim of this thesis is on discerning the role that the Indian State has played in promoting gender equality and empowering women and the role that it must continue to play, in the aftermath of the adoption of neoliberal globalization. As I have argued in previous chapters, current literature suggests that neoliberal globalization has substantive negative impacts on women. While it is difficult to definitively establish or prove the link between neoliberal reforms and the continuing-in some instances worsening-lowly status of women and girls in India, the statistics and statistical analysis undertaken in chapter 5 is suggestive of this link. In any case, what is clear is that more needs to be done to ameliorate the disadvantages women experience and promote gender justice. What is also clear is that neoliberal ideology works against an interventionist role for states in the realm of welfare provision and in regard to interventionist policies in the workplace.

In this section of my thesis, I aim to further substantiate my arguments by way of two case studies undertaken on two different groups of women: (1) urban educated women working in the Business Processing Organizations (call centers) which I take as an important marker of the neoliberal globalization; and (2) the rural uneducated women employed under Mahatama Gandhi National Rural Employment Guarantee Act – which is

World's largest social security programme run by any State. I will cover the first case study in this chapter and turn to the second one in the next chapter (chapter 7).

Accordingly, this chapter is divided in five sections. In the first section, I provide some facts and figures to highlight the phenomenal growth in the outsourcing business in India. In the second section, I provide brief and general background information on the Business Process Outsourcing with particular emphasis on call centers which are its most important constituents in India. The third section revisits methodology with some further methodological details of the studies I have undertaken. I also provide an account of the existing literature on their impacts on women's lives in the Indian context in particular. In the fourth section, I provide a detailed account of the experiences of women working in this sector based on my interviews with them. In the final section, I draw inferences and conclusions based on my interactions with the women employees. I also assess my findings against the extant literature. I argue, that whilst some of the accounts expressed in the literature have continued validity, a successful resolution of the issues raised, especially from the vantage point of women in developing societies like India, requires that the state and market are not seen as binary or incompatible forces, but instead be viewed as forces that can work together to improve the position of Indian women.

### **6.1.1. Preliminaries**

In the year 2000 - almost a decade after India started the process of neoliberal economic reforms, in an interview given to *Time* Magazine, the late Pramod Mahajan, (India's Information Technology Minister then), albeit half-jokingly, attributed governmental noninterference/non-intervention as the reason behind the remarkable growth of two

sectors namely - 'Information technology (IT) and Beauty' (Mahajan 2000). Though Mahajan was only highlighting the significance of a deregulated market economy in the Indian context, his remarks stands testimony to the fact that of all the sectoral areas of growth, Informational Technology and its affiliates have indeed been the front runners of India's phenomenal economic rise in the 20<sup>th</sup> Century. The remarkable upward surges of the IT and IT enabled sectors (ITES hereafter) have even led scholars to characterize it as the propeller of India's economy (Kapur 2002:91; Singh 2016).

According to estimates provided by the National Association of Software and Service Companies – a lobby of the information technology and business processing sector in India (hereafter NASSCOM), in the last decade and a half alone, there has been a tenfold rise in the contributions of the ITES to India's GDP, from just 1.2 percent in the financial year 1998 to approximately 9.5 percent in the financial year 2015 (NASSCOM 2016). According to figures made available by the Government of India under its flagship campaign 'Make in India' which aims to transform India into a manufacturing hub, the IT-BPM sectors together are responsible for almost 3.7 million employment opportunities, directly and indirectly constituting 9.3 percent of India's economy. Accounting for almost 56 percent of the total outsourcing market, they also constitute the largest chunk, some 45 percent of the services export from India, and are expected to be a 300 billion USD worth sector by 2020 ("IT and BPM - Make In India")<sup>53</sup>. Per available figures, the exports from the IT-BPM industry stands at USD 107.8 billion for Financial Year 2015-16 of which the IT services, the BPM industry and Software product development along with research and

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<sup>53</sup> "IT AND BPM - Make in India". *Makeinindia.com*. Online available at <http://www.makeinindia.com/sector/it-and-bpm> Accessed, June 16, 2017

design account for USD 61.0 billion, USD 24.4 billion and USD 22.4 billion respectively (ibid).

The figures speak for themselves. Many factors ranging from the lack of state intervention, to the easy availability of low cost-high skill human resources, relatively less dependence of the sector on large infrastructural requirement, and the intangibility i.e. knowledge based nature of the product itself, have been cited as prime contributors to the phenomenal growth of the sector (Heeks 1996; Kapur 2002:94; Kumar and Joseph 2005; Budhwar et al 2006;). Interestingly, the Indian context provides a case where all these factors, and plausibly some additional ones too, have worked in tandem in making it the 'back office of the world' (Economist 2001).

It has been argued that the economic reforms undertaken in the closing decades of the 20<sup>th</sup> Century aimed primarily at easing state's monopolistic and regulative control along with relaxations and incentives like STPI (detailed in the introductory chapter of this thesis). This was to attract investment and business from overseas. The argument continues that these measures were the prime drivers behind the growth of this sector (Singh and Pandey 2005: 684). Similarly, the massive inroads made in research and development, particularly in the field of information communication technology, leading to the establishment of improved networks of communication, have also been cited as additional factors facilitating the growth of the sector (Aneesh 2012:515).

Two further, developments, almost coinciding with each other, were: (1) tightening of visa regimes particularly the H1B visas in the United States restricting immigration in 1999-2000; and (2) launching of Voice over Internet telephony in India in 1999. Both factors added to the phenomenal growth of the BPOs particularly the data handling units in India.

In other words, the restructuring of visa rules in the United States presented India with unique opportunities. It meant that if services couldn't move into US it was still advantageous for the American Companies to move the work to offshore places. With a time lag of almost 12 hours, but more importantly, having abundant supply of English speaking skilled workforce, especially in the urban landscape, India was as an ideal destination. It is not surprising to find that 'within a decade the combined value of India's information technology and BPO industry reached US\$70 billion in 2009, accounting for 5.8% of India's GDP. The BPO sector grew by 14% to reach US\$14.1 billion in 2011' (Aneesh 2012: 515-16). Primarily in the form of international call centers, by the closing years of the first decade of the 20<sup>th</sup> Century the BPOs had made their mark, employing almost 300,000 people (NASSCOM 2011).

I must make it clear here that I have mentioned the aforesaid factors only as preliminaries. My focus in this chapter is not on elaboration of the factors behind the phenomenal success of the IT-BPO sector in India. Instead, taking that as my point of departure, my aim is to assess the social, and also psychological empowering (or otherwise) impacts of the burgeoning of the BPOs in India, particularly on women employed therein. It is pertinent to mention here that my focus on the BPOs is primarily driven by the fact that whilst the overall share of women in India's work force participation is estimated at 27 percent (World Bank: 2017) their share in the IT-BPO sector is significantly higher at 34 percent of which almost 50 percent are employed in the BPO sector alone (Raghuram et al 2017).

## **6.2. Business processing outsourcing - The Call Centers**

Business process outsourcing can be described as mechanisms by which commercial and business enterprises pass-on their customer services and data handling work to offshore and at times even onshore organizations for economically viable and profit oriented motives (Kakabadse and Kakabadse: 2005). The mainstay of the outsourcing business is on increasing efficiency by improving upon competence as well as responsiveness to the needs of the customers in the most cost effective ways. The rapid advances made in information communication technology coupled with its relative cost-effectiveness especially in countries like India and the Philippines are often seen as enablers facilitating internationalization of business processes and services (Mahnke et al., 2005). Depending on their functional expertise and the multiple types of works they do, BPOs can be described as discrete, comprehensive, and multi-domain BPOs (Stone: 2004). Whilst the Discrete BPOs undertake a single job on behalf of the client, the comprehensive ones perform many tasks within a single domain such as pay roll accounting et cetera. Likewise, Multi Domain BPOs perform a range of functions cutting across domains. In effect, they undertake a range of works whose domains range from providing simple customer care services to data handling and back-office jobs like handling accounts and finance.

One of the most significant and widely prevalent sub-categories of the BPO sector is what we know as call-centers. In fact, that in itself is a very important reason why I choose a few of them as part of my empirical investigation. I will detail my own experiences a bit later in the next two sections, of this chapter, but it will be of help to put in a general description of what constitutes a call center. Most of the call centers are situated in urban landscapes in India and even though the nature of the job might be strenuous, almost all of



them come across as congenial and comfortable work places, initially at least. As the name call center suggests, it is a place which makes and receives calls from clients based in different geographical locations across the world. These calls are mostly made and received through Voice over Internet Phone (VoIP). Incoming calls are normally customer support calls where a customer in a different geographical location places a service or a query request. Outgoing calls are generally marketing and sales oriented in search of prospective end user clients down the chain, on behalf of the original client company for which the call center operates.

In the Indian context and in general terms call centers have been classified as 'process based/captive types ' and 'client based/third party types'. The process based call centers are off-shore in-service unit set-up by large multinationals companies and exclusively cater to the needs of their own parent company. The client based call centers on the other hand, are independent units more often than not serving as back up offices and offering customer support to many clients simultaneously. From an employee's perspective, the process based call centers offer long term job stability in the sense that they have a lesser chance of shutting down. The employees working in the call centers are broadly classified as front operators and back-stage technicians, with the former undertaking client-support oriented calls and the technicians assisting the former in their endeavors. Calls have to be made and picked-up under strictly set-up procedures and are recorded and monitored by team leaders. Work is carried out in shifts. Each shift is worked out on the basis of the time lag or advance as the case may be of the geographical location of the client company. Employees normally have a five day/night work schedule and adequate standards of hygiene, health, rest and

leisure are maintained particularly in high-end call centers i.e. those catering to large multinational clients.

Work in almost all the international (off-shore) call centers in India, is carried out during night hours. My own experiences are largely in conformation with the existing literature that suggests that a large part of the employees - mostly women - belong to the age group 20-25 and are unmarried (Singh and Pandey 2005; McMillin 2006; Mattingly 2012). The employees are well exposed to the work styles and practices of the Anglo-American world even though their wage structures are not on at par with jobs of similar rank and profile in Western countries (Ng and Mitter 2005). However, the packages are offered and glamourized in ways that are irresistible and compelling enough to attract a reasonable number of young graduates to the sector. Many a times the labelling of jobs is done in ways that the nomenclature of the position in itself reflects a certain amount of dignity and sophistication (Ramesh 2004).

### **6.3. Existing literature**

The existing literature detailing women's experiences as call center employees is characterized by two very dominant though contradictory accounts. In other words, whilst a remarkable volume of literature can be found dealing with the social and economic impacts of call centers on women in India, it is interesting to note that not much has been found on the agency role of the state in empowering women especially under a neoliberal economy. Not much has been written on the ways in which the gendered dimensions of globalization could benefit from the development of a framework in which the state is viewed as a (potentially) important, interventionist actor, mediating between the global (Call Centers

through pro women employee policies) and local bodies, in empowering women and furthering gender justice. I will come back to this later when I describe the viewpoints of women employees at two different call centers, whom I interviewed for this doctoral research project. As a starting point, I will first very briefly highlight empowering accounts of women's employment in call centers in the extant literature.

Researchers have pointed to the empowering role of the call centers in skilling women and making them reshape and live their lives as autonomous agents and even gaining 'feminine respectability' (Singh and Pandey 2005; Kelkar et.al 2002; Radhakrishnanan 2009). It has been argued, for instance, that the acquisition of new skills enhances the technical competence and consequently the employability of women making them more confident and assertive for future roles (Ng and Mitter 2005). Others have similarly seen the call centers as liberating and empowering centers which, in providing women with new avenues of higher earnings, also contribute to their attitudinal transformations and changes in their value preferences (Pradhan and Abraham 2005; Patel 2010). Within the existing literature one also comes across descriptions of call center employment as stepping stone structures from where women can take further bigger and giant leaps in their own future careers (Clark and Shekhar: 2007). In very specific positive terms, it has been argued that employment opportunities in the call centers positively impact the lives of women employed therein in three important ways: (1) in making them financially independent; (2) in breaking the stereotypes of gender and age related hierarchies as the workplace relations do not reinforce them; and (3) in enhancing the young women's sexual reputation, with the potential for male family members to gain status from her employment (Mattingly 2012:157).

On the flip side, however, researchers have repeatedly pointed to the ‘feminization of labour’ - a reference to the exploitative practices involving women’s labour -to demonstrate the negative impacts of such employment on women (Ghosh 2005b). Scholars have repeatedly underlined the dehumanizing aspects of women’s employment in call centers pointing in particular to the ways in which women as ‘cyber coolies’ and ‘off-shore proletariat’ are forced to undertake jobs that are both ‘mind-numbing and deskilling’ (Gaerlan 2004; Gurumurthy 2004). The transient nature of such jobs and the resultant vulnerabilities arising on account of the ever changing nature of the technology, as well as the growing protectionism in the developed countries against offshoring practices, have also been highlighted (Ng and Mitter 2005). Women’s employment in call centers has also been looked into from the perspective of the traditional belief systems that perpetuate gender inequalities. Accordingly, the call centers have been seen as creating avenues for women by allowing them access to ‘night spaces’ –traditionally seen as men’s domain- but in so doing they have also been held responsible for degrading the status of women employed therein (Kapur 2002; Patel 2010). Recent researches have also focused on the interplay between the constraining role of traditional cultural values and those that favour financial independence as ways forward to women’s empowerment in developing societies.

## **6.4. Methodology**

As outlined earlier in the introductory chapter of this thesis, in conducting my research, I have drawn on both quantitative and qualitative research methods. In this empirical study, I used qualitative methods in order to try to get an understanding of the everyday lived experiences of women working in call centers. Statistical data is valuable in constructing a picture of general trends pertinent to questions on the status of women, empowerment and

gender justice. For example, statistics allow us to see if education levels, life expectancy and so on are improving or deteriorating across a range of indicators. However, they cannot tell us whether women's work in call centers has led to more respect or influence in the home setting, or among male relative, or whether this employment is changing cultural norms detrimental to women in any significant way. Nor can quantitative data reveal experiences like sexual harassment, unless this is logged and subsequently compiled in a published report. Statistical data has other limitations as well. For example, it cannot tell us about the psychological and emotional effects on women of this kind of work. It is here that qualitative research methods are of help. It is precisely to overcome these limitations that I relied on mixed methods.

In general, the reliance on mixed methods helped me to have a modest understanding of not just the nature of work that call center employees were doing but more significantly it allowed me to record their experiences and perceptions of the job they were involved in. It certainly helped me to correlate and synchronise the authenticity of quantitative data with the narration of the experiences of young women at work in the call centers. To a certain extent this thesis also builds on grounded research method (Corbin and Strauss 2015). I kept myself open to newer outcomes emanating from the simultaneous interplay between the process of collating and analyzing quantitative information. Overall, the mixed methods helped me to substantiate and support the normative agenda that drives my thesis in effect promoting prescriptions and strategies for women's empowerment in India particularly in the context of neoliberal globalization.

### 6.4.1. Research site

Data for this chapter was obtained during my field trip to Gurugram, –a satellite town within the National Capital Territory of New Delhi in the months of January and February 2017 (see, appendix 3). I personally met with 20 women employees in two call centers and solicited their views and opinions on a range of issues. I preferred to choose call centers in Gurugram over the ones operating from other IT hubs in Mumbai or Bangalore for two reasons: (1) my familiarity with the landscape and ease of access; (2) the evident class contradictions that the satellite town exhibits. Given the fact that call centers are very strict about their employees' interactions with social activists and researchers, I had to rely on my own personal networks built over 25 years of my living in Delhi to gain entry and access to women workers in two of the call centers for data collection. Additionally, exhibiting strong contradictions of affluence and misery, Gurugram, presented the perfect social setting to carry out this research.

Whilst the satellite city of Gurugram offices some of the major 'Fortune 500 multinational companies' it simultaneously exhibits growing discontentment and insularity especially amongst the younger generations which could plausibly be ascribed to the juxtapositions between modernity and parochial traditions. A report published in Times of India – a leading national newspaper in India - succinctly describes these contradictions:

Gurugram, the city of ambition and affluence, the dream of corporate job seekers, is also a tinderbox of social and economic discontent where the threat of violence is never too far. Millennium City, as it's popularly called, is a place riddled with juxtapositions (Kohli 2016).

Situated at a distance of just about 20 kilometres from the national capital – New Delhi, and adjacent the massive international airport Gurugram is one of the major IT hubs of India.

Additionally, some of the most prestigious English medium schools, colleges and universities in India are located in the Delhi region which act as a perennial source of supply of young and skilled human resources to the MNCs as well as the call centers. Gurugram is a rapidly expanding cosmopolitan sub city which means that it can offer attractive reality spaces at much lower prices relative to Delhi. It is not surprising therefore, to see back offices of Microsoft, Amex, Standard Chartered, Convergys, Hewlett and Packard, Dell etc. in the city. According to a workers blogging site (libcom.org) by a rough estimate, Gurugram has approximately 150,000 call center employees – the vast majority of them being women<sup>54</sup>.

As described above I used my personal networks to gain entry to the two call centers. For the purposes of maintaining anonymity I have desisted from naming the call centers as well as the employees. I refer to the call centers that I visited as Call Center 1 and Call Center 2 (CC1 and CC2 hereafter). For authenticating my claims however, I have recorded (on tapes) the interviews of those who consented for it. For others, who did not agree to record their views on tapes, I wrote their responses by hand. Later, I transcribed both the recorded and hand written responses. The transcribed responses have been collated and added as appendix 1. In both the call centers I visited, I was allowed to freely talk with the employees. I was taken around the call center and given a live demonstration of the work involved, but I wasn't allowed to take snaps or pictures of the employees and the work settings. I also had the freedom to interview them individually. The interviews took place in a small cubicle in CC1, whilst in CC2 the space was a bit larger – resembling a small lounge.

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<sup>54</sup> <https://libcom.org/library/Gurugram-call-center-hub>

In order to gain a broader understanding of work involved I visited both 'process based/captive types ' and 'client based'/third party types call centers. Whilst CC1 was a process based call center, CC2 represented the client based type. I ascertained the views of 10 women employees in the age group 20-40 in each of them through semi-structured in-depth interviews. In order to understand the mind-set of higher executives, (in most cases males) I attempted to record their perceptions about women employees as well. I interviewed the women employees, with the aim of understanding their perceptions not just about their respective job profiles and the accompanying socio-economic effects as well as the adjustments if any, they have had to make in their personal and professional roles post-employment. The questions were designed to bring forth the changes in attitudes and orientations (if any) of their respective families and communities. In order to have a fairly illustrative sample, I interviewed both single and married women. Since the age group of the women I interviewed varied between 20 and 40, their respective job profile ranged from early career employees to mid-level managers in the organizational hierarchy.

Most of the women I interviewed were unmarried though a few of them especially in the age group 30-40 were married as well. With the larger objective of generating meaningful and insightful data, I interviewed only those women who had put-in a year or more in the call center. Similarly, to make the sample more inclusive, I included original residents (women living with their families in the city i.e. Gurugram), as well as those who came from other parts of the country (urban, semi urban and rural) and had been living in rented accommodations. In order to have an understanding of changing attitudes and perceptions of working women across societal and geographical divides, I attempted to include women from tier II cities and from amongst different social hierarchies (caste and



religion) in my sample. I took due care to include women with technical (engineering) and non-technical (simple graduates) educational backgrounds in the sample.

In general terms, the interviews with women working in the two call centers were conducted with an insight of gaining an understanding of the various impacts that such jobs have on female workers. The idea behind this was to generate original/primary data that would in turn, lead to a sound understanding of the varied experiences of women involved in what is also called the 'second shift' jobs of the global economy. In so doing, I am trying to understand the physical, cultural, economic, social and psychological dimensions of the impacts of BPO employment on women and the ways and extent to which the state as an agency can be engaged in an interventionist role to further strengthen and empower them. The interview questions were primarily framed with the objective of getting the opinion of women employees on the benefits (if any) as well as difficulties (if any) associated in carrying out their professional and familial duties and obligations. I must reiterate that my main objective in soliciting responses was generally guided by my understanding of the inequalities and discriminatory practices that women are subjected to both in the private as well as public spheres. The role of the state in ameliorating such differential and discriminatory practices becomes important, even immanent, in the wake of the understanding that neoliberal globalization favours a roll back of state's welfare functions. I will present the findings in the two sections below. The first part entails a general description of the job profile of women and their own perceptions of it. It also recounts their aspirations and expectations. The second part then highlights their views on the role of the state and possibly other international agencies in removing social stigmas and vulnerabilities associated with their jobs.

The questions were drafted primarily with the aim of drawing data from two key areas<sup>55</sup>. The first set of questions aimed to get an understanding of key issues. These were: (1) the educational backgrounds and social-economic identities of the women employed in the call centers I visited; (2) their own understanding of the correlation between globalization and the burgeoning of the IT sector, particularly in India; (3) their perceptions about the nature of their own jobs, the levels of job satisfaction, future career prospects and the extent to which they viewed it as socially and economically rewarding or otherwise; (4) the plausible reasons behind the preferences for women employees in call centers; (5) the psycho-social impacts of such jobs on them seen in terms of the levels of stress and the resulting work-life imbalances; (6) the plausible instances of sexual harassment, cultural taboos, even fear emanating from undertaking such jobs and the kind of worksite facilities as well as mechanisms for its redressal available to these employees; (8) the extent to which the jobs have resulted in their own empowerment seen in terms of their enhanced role or otherwise in household management; (9) the possible differentiations in wages in comparison with their male colleagues and; (10) the possible health implications of undertaking long shift jobs.

The second set of questions were designed to have an understanding of: (1) the role of women's network beyond the state and their possible lobbying and pressurizing impacts on firms and in improving or empowering women in general; (2) the role of state agency and labour laws in regulating their work conditions, as well as trade unions, in strengthening their position as individual workers; (3) the possible impact of international institutions for example, the International Labour Organization (ILO) in regulating

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<sup>55</sup> A detailed description of the questions is provided as Appendix 1 in this thesis.

conditions of work and the expectations of women employees from international institutions that regulate the conduct of transnational businesses like the ones in which they were employed; and (4) the expectations and views on interventions by the state or parallel international institutions in strengthening their positions at the work place.

## **6.5. Women's experiences**

The 20 women employees whom I interviewed were in the age group of 20-40. Whilst 11 of them were simple graduates, 4 were postgraduates and 4 possessed a bachelor's degree in Technology. Interestingly, one of the employees was a simple school pass-out i.e. having a higher secondary school degree. Of the 11 graduate employees, 5 came from urban settings (cosmopolitan cities), 3 belonged to rural areas (villages) 2 were from semi-urban (small towns) and 1 from semi-rural settlements (villages with a minimum of municipal facilities). Of the 4 post-graduate women employees, 3 belonged to cosmopolitan cities and 1 came from a rural area. Of the 4 employees having a degree in technology, two were from urban areas whilst the other two came from semi-rural pockets. The only employee who was simply a school pass-out belonged to a semi-rural area. 7 of the employees I interviewed were married, of whom 4 belonged to the 30-40 age group, whilst three were in the age group of 25-30.

The interviewees displayed a modestly good understanding of their organizational set-up and of the ways in which globalization factored in facilitating the mushrooming of call centers, especially in India. Two of the interviewees expressed their ignorance on the issue, but most others saw Business Processing as outsourcing, subletting or sub-contracting of specific business tasks - mostly in the service sector - to third party providers, undertaken

primarily with the objective of cost-cutting along with enhancing the efficiency and productivity of the parent company- mostly head-quartered in the developed countries.

However, there were some other interesting voices as well. For example,

**[Respondent 3]** BPOs means an organization working for another organization (subletting?) which mostly depends on outsourcing to increase the productivity of an organization

**[Respondent 5]** Business Processing Outsourcing basically acts as middle man in client service basis.

On the issue of the correlation between globalization and the burgeoning of the IT sector in India, the opinion of the interviewees ranged from relating it to the rapid growth in the service sector in India, and to the bulk availability of English-speaking graduates ready to be hired at one fourth of the wages that an average employee doing the same job would get in developed economies.

**[Respondent 4]-** Indian BPO companies have an edge in terms of providing efficient business solutions. Reason for it is a huge availability of talent pool and cheaper cost of labour. Globalization is the catalyst of growth for Indian BPO market.

All the interviewees however, displayed a very positive outlook towards globalization describing it as a catalyst of growth, for it generated new job opportunities by which not only men but women also benefitted immensely. The respondents could link globalization with the marketization/opening of the economy. One of the respondents looked to globalization as a process that facilitated massive social interactions and cross-cultural communication.

**[Respondent 11]** BPOs offer job opportunities and do away with the boundaries. It is both i.e. economically and socially rewarding. Economically it empowers us and socially it enhances boundaries and give

me an opportunity to interact and communicate with different types of people

The respondents thought that this had an empowering impact on women especially employed in the call centers for two different but interrelated factors. Namely: (1) it was relatively easier for women to find jobs in call centers – I have documented the reasons for the same a bit later in this section; and (2) as part of international business chains, working in call centers made women more aware and better informed of their own agency whilst simultaneously exposing them to other kinds of lifestyles. Two of the respondents appreciated globalization for diminishing boundaries and bringing in good money which they thought allowed them to live and enjoy their life better than earlier. This they thought also led to an enhanced passion of young women to work in call centers and the resultant rise in the number of women employed therein.

**[Respondent 2]-** With BPOs enormous opportunities have emerged for women. My job is based on study of available/collected documents and then compiling them and files it, so for me it is both economically and socially rewarding.

**[Respondent No 9]** BPO is a center where calls are made for the purpose of publicity, selling company's product, policies, recruitment for company. BPO is an organization where women get job easily.

The responses of the interviewees were mixed on the question of their perceptions about the nature of their own jobs, the levels of job satisfaction, future career prospects thereof and the extent to which they viewed it as socially and economically rewarding or otherwise. Whilst all the interviewees described their employment as full-time work – something they saw as economically rewarding, they held significantly different views regarding the levels of job satisfaction and the extent to which it could be taken as socially rewarding. Some of the interviewees looked to their employment in call centers as stepping stones with the potential

for future career prospects in terms of moving-on in the job hierarchy. They also found their employment to be socially rewarding as self-dependence not just enhanced their social status and position in the community, but it also was a way of proving their own worth and competence amongst family especially in comparison to the male members. Most of the interviewees were of the opinion that their jobs had empowering effect in their respective families as it helped them acquire effective and assertive participatory rights in household management. One interviewee looked to social empowerment in terms of both skilling and enhanced opportunities of interaction and communication that their job presented to them vis-à-vis the different types of people they came across.

**[Respondent 2]** It helps one in setting up their own existence and it gives immense pleasure and sense of pride that we are economically not dependent on anybody.

**[Respondent 3]** It is indeed satisfying as it is considered as an additional income of the family so I can invest that money for the purpose of social security.

On the flip side, however, some of them also pointed to the possible health hazards emanating from long night shifts and continuous stress arising out of demanding and target oriented schedules and lack of holidays. The small vertical social ladder system, i.e. the limited vertical career growth opportunities primarily on account of their limited qualifications and skill levels were other externalities that they pointed to.

**[Respondent 5]** It hardly gives a sense of satisfaction as there are chances of stagnation with the job. In this kind of jobs there are few incentives with multiple challenges.

**[Respondent 6]** In the beginning work structure appears to be good and satisfying but subsequently chances of monotony are bigger as there is lack of personal growth and progress since the upper crust is dominated by the men.

**[Respondent 7]** It is not satisfying as women are not the part of decision-making process so their interest is not well served in the BPO's.

At least three of the interviewees thought of their jobs as degrading and attracting social disapproval. This they thought was because the cultural norms and the prevailing patriarchal mindsets were too narrow to allow any appreciation for the efforts of women in the Indian context. It must be said here that venturing out of home at night is still a taboo both for men and women, though in the case of women the social stigmas attached to venturing out at night is worse. As a matter of fact, many a time women themselves are seen as being responsible for incidences of rape and molestation under the narrative of 'they went out in night and hence deserve it'. For these respondents, since the social mindset is generally averse to night shifts for women in general, women employees do at times see their jobs as both stressful and inferior to other conventional types of employment. Most of the interviewees shared concerns about the demeaning ways in which night jobs for women in India has been conventionally looked upon as undignified jobs.

When prodded a bit further on their own assessment of the plausible reasons behind women's preference for call center jobs, the interviewees came up with different sets of arguments. Whilst some of the respondents ascribed the phenomenon to the flexibility of work hours, a few of them linked it to easy ways of earning money and improving themselves as the jobs in call centers not only gave women enhanced exposure to the outside world, it also helped them in establishing their individual identity through excellence. These respondents offered two interrelated reasons for women's preference for jobs in the call centers. First, the jobs on offer did not require candidates to be formal graduates and even a higher secondary school education sufficed. Further, the existence of

patriarchal values and poverty in society meant that higher education for girls was neither desirable nor feasible. Against such a backdrop, the call centers came as a boon for women primarily because of its capacity to absorb them despite not possessing formal degrees. All that the jobs required was some basic communication skills. Thus, for women the opportunities of employment in call centers were primarily governed by the consideration and understanding that ‘something is better than nothing.’ Second, the IT boom and the consequent mushrooming of the BPOs resulted in enhanced job opportunities in the sector, which in turn made hiring process relatively less stringent.

**Respondent 2-** Working in a BPO sector offers flexibility in terms of timing and opportunity to work from home options also.

**Respondent 3-** Working in BPO is the only way to earn money and improve yourself. It is easier to get a job here on a normal pay scale after completing higher secondary.

**Respondent 4-** There is no particular reason for women to work in BPO sector. They work in this sector just to earn money as here in India it is easy to get a job in BPO sector after graduation or by just completing higher secondary.

One of the interviewees argued that the growing number of women in the call centers could be because of: (1) the changed outlook of women in the BPO industry, as the sector was no longer looked upon as a male preserve and; (2) the growing sensitivity of the employers towards the women staff resulting in provision of new and better facilities such as pick up and drop facilities, crèche facilities for working women and flexible hours of work for mothers who return to work after taking maternity leave. They also pointed to work site facilities as provision of coffee and other beverages vending machines, meal coupons, and provision of regular health check-up as additional attractions.



Some of the interviewees however, felt that the nature of jobs in call centers in itself was a factor accounting for their increased numbers in the sector. This was because the outsourcing of services was a massively demanding process and required a lot of patience, soft behavioral skills, care and tolerance. Since women are supposed to possess and display these virtues more explicitly and frequently the jobs in call centers were in sync with their 'nature.' The stereotypes of women's description of their emotional labour that sees them as caring and capable of dousing tempers have actually been relied upon to recruit more and more women in the call centers where the need more often is to soothe aggressive and demanding consumers/customers. In other words, the characteristics and values that women are supposed to embody, was in itself a major factor for their increased numbers in the sector. Additionally, some of the interviewees sought to highlight the natural linkages between women's love for the glamour and show-business to carry home the point that the call center jobs came as natural to women.

**[Respondent 10]** Yes, Women prefers working in this sector because of flexible hours and proximity to their home. Because girls have many qualities which make them different and preferred in this sector. For example, managing (things) quality, seriousness to work, soft behavior and tolerance power.

**[Respondent 12]** Girls treat customer in good manner and handle works with care and tenderness (softly). Along with it, women can easily handle phone calls, even cold calls.

**[Respondent 17]** I think due to good behavior women get preference

A few of the interviewee however, saw no specific reason for the enhanced employment of women in the sector. In their views the nature of jobs in the BPO industry were no different from jobs in other sectors and qualifications of the candidate did play a major role in career growth and decision making in employment in call centers as well.

They thought of employment in a call center in terms of a continuous learning process that was akin to some kind of a mind game. It was highly competitive but open to all who possessed the capabilities.

Interestingly, two of the employees conformed to the widely held view in the literature under which women's employment in call centers sees them as an easy and cheap source of labour. Added to this, they thought that recruiting more women was advantageous to the recruiters as well. This was because women's work is mostly perceived in terms of a secondary (additional) income which makes them take up jobs even at low and unattractive salary packages relative to men.

**[Respondent 4]** Never thought on these issues as I consider it as part-time job. My main job is to take care of the family and kids. So for me it is a place to earn some money by devoting some flexible hours as my convenience.

**[Respondent 15]** India is still a developing country due to which most family could provide higher education to their children and especially women and if they are graduate then also it is difficult for them to get a job apart from BPO sector. So at last, best option is to get into BPO sector and earn something rather earning nothing.

Confirming and echoing similar opinions some of the interviewees admitted that marriage was indeed an impeding factor for jobs in the sector as married women often had to juggle between their household responsibilities and professional work resulting in psychological stress which in turn adversely impacted their interpersonal social relations, and lifestyles. As noted in previous chapters, these views are in line with much of the feminist scholarship on globalizations and the gendered nature of employment and work.

**[Respondent 11]** Remuneration paid to us for our services are not in proportion to hours spent in these sectors as in India minimum wage scheme is not implemented. As the result, there is tendency to exploit the talent of the young women employees. The potentiality of stagnation is quite high as

demands of the women employers' decreases once they are married. If they get married while working in the BPOs, the management is often worried with the fact that if they get pregnant then the management will have to bear the cost of maternity leave (which is now 6 months). The management now a days are quite choosy in employing young females in their organizations and prefer males instead of females as their employees.

When asked to compare their jobs with jobs in other sectors and their own preferences for the latter, responses were mixed in the sense that whilst some of the respondents thought their present jobs as of relatively lowly status, primarily on account of the stereotypes under which the jobs in call centers are underrated and frowned upon as a 'not so respectable' jobs. These interviewees as such described their jobs at call centers as some kind of alternative arrangement undertaken to bridge financial constraints till the time they got their act together, and were ready to shift to other sectors. Many other respondents however, felt proud of their jobs and wished to continue working in the sector.

**[Respondent 12]** It is not satisfying at all because there is trust deficit by the male employers on the part of female employees. Management prefers male officers in lieu of female officers as men are considered multi-tasking by them.

**[Respondent 13]** it is not satisfying as the pressure of work is more disturbing than the endowments received for the works done.

**[Respondent 14]** Not satisfying because the incentives and salary are just like peanuts.

**[Respondent 20]** It gives mixed feeling. It is satisfying if I have achieved my target within the stipulated time frame. Otherwise it is not satisfying

When asked to comment on the issue of security both at the work place and on the way to work, the interviewees were unanimous in their view that travelling to the work place at or during the night was indeed challenging. They were equally apprehensive of

chances of sexual harassment at the work place though most of them had not experienced it in any form thus far.

**[Respondent 10]** In India there is a tendency that if women work in the night they must be of loose character. So sometime I hear lewd comments from people in locality but with it I have developed my tolerance level too.

**[Respondent 11]** There no social stigma attached with call center's job as long as I am earning and contributing economically in the family things are alright with me.

**[Respondent 12]** I don't want to work in night shift. Being a girl, I don't feel this is safe for women.

Some of the interviewees, however, did confirm that they had heard of instances of sexual harassment that others have had to suffer – which made them a bit insecure at times, but they were happy with the slew of measures that both the employers were being forced to take, on account of the regulatory efforts of the state, which was, in turn, being pushed by active citizenry and an assertive judiciary.

**[Respondent 1]** It is problem in commuting particularly in night hours. Even though the pickup and drop facilities are there but still they think that it is not sufficient to ensure safety for them.

**[Respondent 7]** Though there are external issues involved with commuting and travelling late in the night. But with technological revolution adequate mechanism has been ensured by the organization to deal with such difficult situation. There is grievance redressal mechanism and facilities of counselors. Along with it there is provision of security guards and bell (linked directly with the local police station) to monitor the movements of the cabs. All cabs are monitored through GPS also. Within the organization, we feel quite secure and management takes adequate steps to provide us harassment free atmosphere.

**[Respondent 9]** There are external issues involved in the form of travelling late in the night or early in the morning depending upon the work shift. Since I am from eastern part of India which is conservative in terms of preservation of culture so initially it was a kind of cultural shock for me but very soon I get adjusted to the system with the support of my cohorts.

Interestingly, the interviewees did not complain of wages differentials when asked to compare with male cohorts of similar ranking or hierarchy. There were no complaints in terms of regularity and on-time payment of wages as well. A few of the respondents did highlight the variations in performance related bonuses and increments and a few others did speak of the stunted chances of career growth and opportunities of vertical promotions relative to their male colleagues but overall, they were satisfied in terms of their remunerations and other job related on-site related facilities. A few interviewees, however, desired to have better security mechanisms and stressed the need for technology-based assistance for the same.

Whilst on issue of remunerations the interviewees seemed to be less complaining, most of them did accept that the serious health impacts that they thought was intrinsic to the job itself. Of the twenty women I interviewed for this part of the thesis, all except three complained of musculoskeletal disorders and the related pain in their elbows, cervix, neck, lower back and shoulders.

**[Respondent 1]** My job is demanding as the result it often creates stress in my mind. Along with it I have to take care of my elderly parents and unmarried sisters at home. Sometimes, I face sleep disorders and anxiety due to pressure at work place.

**[Respondent 8]** It is often work-related stress which results in migraine problem and other health issues. Whenever I feel stressed I confide and discuss my problems with my mother.

**[Respondent 20]** Sometimes there are health issues such as musculoskeletal disorders, obesity problem because of constantly sitting on chair and working on computer. I heard about one of my friends developed psychosocial issues and it led to disruption in their family life. One of my friend got so disturbed that she started taking tobacco and alcohol.

All the employees I met with were in the younger age group of 20-40 and exhibited strong capacity to bear and often override health issues, and yet they were very

apprehensive of the possible health hazards of their jobs – enhanced fatigue, tiredness, sleep disorders, digestive malfunctions, obesity and even reduced reproductive capabilities. Five of the respondents experienced backaches, five of them had both backaches and headache, and seven of them faced digestive disorders on account of late-night eating. Though most of the respondents were aware of the possible consequences of weight gain, yet they thought of it as something that they couldn't do away with.

### **6.5.1. Correlation with existing literature**

In chapter 2 of this thesis (sections 2.5, 2.6 and 2.7), I have already detailed in the narratives of the impacts of neoliberal globalization particularly on women. I will desist from being repetitive here but for the sake of reinforcing my hypothesis regarding the continued role of the state in furthering attempts for gender justice and empowerment it is pertinent to reiterate some of the major arguments made in the existing literature. Doing this also allows me to reflect on my own findings and insights gained from interactions with women working in the call centers and, in so doing, also make a modest contribution to the feminist literature on globalization and work.

It is very evident from the literature review (see chapter 2 of this thesis) that the feminist literature on neoliberal globalization is broadly polarized along skeptical and optimistic lines in accounting the impacts of neoliberal globalization on women. Skeptics tend to support the feminization of poverty theory arguing that globalization more often than not results in devaluation of women's work, compelling them to undertake low paid, low status and often part time jobs (Enloe 1990, Moghadam 1999; Mitter, 1986; Beneria and Roldan, 1987; Lawson 1995, 1999). The accounts from developing countries have been

worse as institutions of domestic governance there, have had to do a large scale readjustment in their structures and functioning particularly in the light of the neoliberal prescriptions pressing for a roll back in their welfare mandates (Ghosh 1999; Chow 2003; Razavi et al 2012). Feminists have for long thus been arguing that the integration of developing societies into an increasingly free market economy has economic, political and cultural consequences which are often deleterious for women (Standing 1999; Chambers 2000). In the context of women employed in call centers in particular, studies have brought forth the role of social and cultural taboos associated with women's working in 'night shifts' as a major factor inhibiting their choices and willingness to work (Patel 2010; also see, Balakrishnan 2002).

The optimists, however, argue that particularly in the context of developing societies, 'bringing in' women into the paid workforce would actually empower them. Such an endorsement is based on the understanding that increased participation of women in the workforce results in a degree of economic/financial autonomy which, in turn, could lead to improvements in their social and political status. Thus, some feminists concede that globalization does provide new economic opportunities to some women and that these opportunities might facilitate their overall empowerment. This is particularly true in the case of call centers which provide good early career opportunities to women.

I accept the argument that the mushrooming of call centers in India has been both a result of and response to the opening of the domestic economy and the decision to integrate with the world economy. I also accept that the participation of women in call centers to a large extent vindicates the 'feminization of poverty' theory but axiomatically, the job opportunities offered through call centers have also led to significant mobility and gains for

women employed therein. Based on my own interactions with the women employees in the two call centers I visited, I argue that the issues that the call center employees - particularly women employees in India- face are not just economic or socio-cultural as identified in the existing literature. In fact, I contend that the problems and other issues faced by women working in the call centers are more 'political' in nature, demanding political solutions. Such an understanding is in confirmation with my 'middle-ground, reformist' position, that neoliberal globalization is not bad per se, but does need to be managed from the perspective of these middle class, relatively educated women at least.

This is specially so because the women employees I interviewed apparently were by and large satisfied with the new opportunities that came their way. I found the employees to be fairly aware of their job profiles and the reasons behind the mushrooming of the sector. They were in particular favourably disposed to the trends of neoliberal globalization as per their perceptions it not only opened new job avenues but also provided the needed exposures to lead their lives (at least in the early ages) with autonomy, freedom and on their own terms. The employees were pretty satisfied with the remunerations offered and did not complain of any differential treatment or entitlements in relation to their male colleagues. In fact, most of the women employees I interviewed seemed to be happy from their jobs and saw it as economically rewarding as well as socially empowering. What was more surprising is that despite having a modest understanding of the 'feminization of poverty' arguments, none seemed to be bothered about it so long as it did not create any apparent differences with their male colleagues in the same sector. One of the employees informed me that a call center job was more of a blessing given the fact that it did not demand specialized or high education degrees. She went on to argue that in a social set-up where the girl child was



normally seen with distrust and as unwanted, the call centers came as a blessing by offering them jobs which meant that they could not only lead their independent lives but could also offer sustenance related assistance to their respective families. It also helped them to tide over the mindsets prohibiting education and career opportunities for women.

Equally pertinent here is to highlight the fact that to a large extent the jobs offered by call centers have also been able to break social taboos associated with caste and ethnicity. As is evident from the social background of my research sample, the interviewees, I interacted with came from all kinds of backgrounds with varying levels of education and skills. The desire for increased influence apparently apply across rural and urban based women which means that the social barriers which once prohibited the participation of high caste rural women from relatively low wage jobs (beneath dignity) are increasingly fading, giving way to a more inclusive work setting.

I do not intend to argue that the respondents did not flag any concerns or that the call centers work in exemplary perfect settings. My findings are, in fact, consistent with earlier studies done in the field that underline the idea that women's financial independence is often met with strong culturally-embedded reactions in society (Ganguly-Scrase 2003; Singh and Pandey 2005; Kapur 2010; Patel 2010). It is not surprising therefore to see demeaning characterizations hurled on women employed in the call centers – the stigmatizing effects of which can be seen as taking the form of an increasing postponement/cancellation of matrimonial proposals involving young women employed in call centers by bridegrooms and their families (ibid). I came across a number of issues of concern, addressing which requires sustained efforts from the state. I will deal with them in the next section, but it is pertinent to say that my own findings do not in any ways support

the ‘either’ ‘or’ understanding of neoliberal globalization and supports a mid-way approach in which the state as an agency is expected to play some very important regulative and facilitative roles and functions, particularly from the point of view of women’s welfare.

## **6.6. Engaging the state**

As outlined earlier, the overarching objectives of this thesis is on understanding the nature and the possible role of the state against the backdrop of the advent of neoliberal globalization in India. Towards fulfillment of that objective, I designed a second set of questions to collate opinion and insights of the interviewees vis-à-vis the Indian state and their expectations from it in further improving or empowering their overall conditions of existence and work. As an additional point I also tried to understand their views on existing women’s networks both at the national and international levels and their possible roles, if any, in making their life better and easier.

On the issue of the possibilities of state intervention and regulation of the call centers, all the interviewees except one were of the view that state institutions have, over the years, played important role in strengthening their positions at the work place. However, they thought that still more needed to be done. They thought that the BPO culture could be made more women friendly by: (a) specific legislative efforts designed at providing care and security for women employees at work place; and (b) undertaking awareness campaign to mitigate the psycho-cultural and social disapproval that the sector has become increasingly associated with. The interviewees were appreciative of the recent regulations. However, they were also unequivocal in highlighting the point that in the absence of any perceptible

changes in the patriarchal outlook, many a times the empowering efforts of the state could actually be counter effective.

**Respondent 15-** Greater political intervention is required to make private sector consistent and uniform in its functions. However, the state must ensure that the regulations are complied by the private sectors and does not lead into a situation where women themselves are not preferred by employers.

To substantiate their point, a few of the interviewees pointed to the Maternity Benefit Amendment Bill (2017) (now an Act) which makes mandatory on the employers with more than 50 employees to allow paid maternity leave to women from the current 12 weeks to 26 weeks for the first two children to underline the apprehension of a decline in women's recruitment by prospective employers. Similarly, a few of the interviewees were aware of the role of the national Commission of Women as well as the guidelines mandated on the employers by the state which they were required to follow in dealing with complaints of sexual harassment. Though a few of the younger interviewees were not aware of the role of the state, still they were of the opinion that the regulatory and protective role of the state was indeed a necessity.

On the issue of the role of women's network beyond the state and its potential in improving or empowering women in general, the respondents had mixed opinions. While a few of them were not aware of the tangibility of the outcome, a few others thought that since the issues that impact women across states, societies and cultures are by and large similar, showing solidarity by uniting and standing by each other may be of help. They believed that women's solidarity was a plausible way of resolving issues that deeply impacted them and that more numbers could generate more impact. Surprisingly, despite

working in multinational companies, the interviewees did not exhibit any understanding of the possible roles of international institutions like the International Labour Organization (ILO) in regulating their work conditions.

**[Respondent 16]** Yes. It is very positive and constructive ideas on the part of the state and international organization to intervene and regulate the affairs of BPOs.

**[Respondent 19]** It is indeed a good idea to ensure efficiency to the system.

**[Respondent 20]** If by doing so human touch is provided to the system and our organization I would be happy with it.

The interviewees had almost similar and positive views on the efficacy of advocacy groups in general and trade unions in particular. They seemed to be aware of the fact that night shifts in BPO sector did not come under labour regulations and felt that the existence of trade unions in particular would help women in reinforcing and strengthening their position as individual women. This is where they thought that the state could play a facilitative role in amending provisions and enabling them to have their own associations and pressure groups.

One thing that stood out very clearly in my interactions with the women employees whom I interviewed for this thesis was the fact that they were all severely overworked and stressed. The severity of stress differed depending on the age, background, familial status. For example, the new entrants seem to be okay with stress, the not so new recruits not only realized it, but also faced its possible consequences in both their professional and personal lives. One thing that united a majority of the interviewees was the fact that they all looked forward to the positive regulatory function of the state as a plausible and effective way out. This they thought could be done by a series of sensitive steps that the state could take, beginning first by developing an understanding of: (a) the peculiarities and specificities of

the hazards that characterize the BPOs/Call Center; (b) identification of the hazard; (c) assessment of the risks involved; (d) regulative attempts for controlling, elimination or reduction of the risk; and (e) review and evaluation of the available control strategies. In terms of tangibility the interviewees were of the view that the state must ensure stricter compliances for the companies to: (a) conduct Stress Management Training workshops at the right time to the representatives; (b) ensure that the current levels of answering 45-50 plus calls be brought down to an average of 18 -25 calls per shift; (c) ensuring that the employees are exposed to good training programmes to enable them to maintain consistency in their performance without any problem throughout their schedule; and (d) the necessity of maintaining a healthy, and friendly working atmosphere. In my interactions with women working in the sector, I came across certain intrinsically paradoxical traits that characterize their life styles and modes of thinking. This is because employment opportunities in call centers on the one hand exposes women employed therein to new cultural and social values, which in turn enables them to question the prevailing myths and taboos. However, that in itself puts them at the risk of social backlashes given the fact that the social norms and values exhibit densely patriarchal tendencies.

## **6.7. Conclusion**

It is an undeniable fact that the burgeoning of the call centers in India has had some kind of redemptive effects on the lives of the majority of women employed in it. While the large scale absorption and recruitment of women, in the BPO sector and the financial independence arising thereof may have contributed to this, yet, the social taboos and stigmas associated with call centers jobs have also simultaneously continued to survive impeding the realization of an agential role for women working in it-that is their ability to

use this employment as a springboard for wider change, including changes in prevalent gender norms and stereotypes. The dominant gendered outlook and operating values under which the roles of men and women are constructed, defined, allocated and regulated is one of the major challenges that both the industry and the state needs to confront and address.

It is axiomatic that the advent of neoliberal globalization has resulted in easing of some of the constraints that have arrested women's lives for long. As a palpable representative of the globalizing tendencies, the call centers have indeed opened new spaces in economic, professional and social spheres for women. Most importantly, the sector stands as a symbol of hope primarily from the point of women's empowerment. However, given the fact that the jobs in the sector have neither been defined nor are subject to political and social regulatory framework of state and its institutions, generate constant psychological insecurities and fear amongst the employees often exposing them to vulnerabilities. For the employees it is a situation of fix arising on account of 'having a job and yet not having'. It is in this context that the role of the state, along with international institutions, becomes vital.

I will detail in my own understandings further in the concluding chapter of this thesis but it is pertinent to say here that while the advent of neoliberal globalization in India has opened new vistas for women's self-dependence and empowerment, it also presents certain new challenges that need thrashing out by the state. In the context of the women employed in outsourcing industry, a need for re-framing of policies with regard to both access and quality of employment opportunities looks imperative. Strategies for capacity enhancement as well as of empowerment that enable women to be able to ward-off the deleterious psycho-cultural and social impacts are a must.

# Chapter 7: Case Study 2 – Women in MGNREGA

## 7.1. Introduction

In the previous chapter, I attempted to outline the impact of neoliberal globalization on urban/semi-urban women in India. I did this with the help of semi structured interviews with 20 women employees of two call centers in Gurugram – a satellite town adjoining New Delhi. Based on my interactions with the interviewees, I argued that women, both skilled and semi-skilled have evidently benefitted from the mushrooming of call centers. However, in order to consolidate the early gains made towards the cause of women's empowerment, the state as an agency is required to intervene both in the social and economic sectors. This could be done by the way of reframing of certain policies that regulate structures and conditions of work in the BPO sector, in particular. In a way, the idea of state interventions appears paradoxical, that too at a time when the neoliberal principles have been receiving overarching endorsement and acceptance for facilitative governance, deregulation and flexibility in labour market (Larner 2000; Hay 2004). Yet, I argued that the quest for gender equality and gender justice in India precisely requires this.

In this chapter, my aim is on understanding the experiences of rural women employed under the Mahatma Gandhi National Rural Employment Guarantee Act (hereafter MGNREGA) – a state sponsored social security scheme mandated to enhance livelihoods and security by providing 100 days of assured wage employment to the rural

populace who are willing to take up unskilled manual work. I will provide details on MGNREGA a bit later in this chapter.

It is pertinent to say here that I look to MGNREGA as an exemplar of state intervention undertaken primarily with the objective of improving the life conditions of the marginalized and vulnerable people and communities - a vast majority of whom dwell in India's villages. An understanding of state support, I believe, would allow me to effectively demonstrate and substantiate my larger claim about the need for state action, within the larger framework of the operation of a neoliberal economy. Accordingly, this chapter is divided in four sections. In the first section, I provide background information on MGNREGA – commended by the World Bank as the 'world's largest social security programme' (Honorati et al., 2015). In the second section, I provide a review of literature detailing the impacts of MGNREGA especially on women's lives. In the third section, I set out the voices, opinion and experiences of the women employed under MGNREGA, in a cluster of villages in Ajmer district in the Indian province of Rajasthan.

The narratives on the lived conditions and experiences of these women are based on the interviews I conducted with them as part of my field work for this thesis. In the final section, I draw inferences and conclusions based on my own understandings and assessments from the field to substantiate my claim about the significance of state intervention for empowering the subaltern, vulnerable and marginalized sections of society - of which women constitute a large part.



## **7.2. The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)**

MGNREGA – conceived and implemented earlier as the National Rural Employment Guarantee Act (NREGA)<sup>56</sup> is a distinctive social security programme of the Indian state. Launched in the year 2005, the distinctiveness of the programme does not exclusively emanate from its consistency with the constitutional responsibilities and obligations entrusted upon to the Indian state, by the Constitution of India. Rather, its significance emanates most specifically from the backdrop and the prevailing socio-economic circumstances in which it was enacted and operationalized. I will return to this a bit later in this chapter. Here, I start with a very brief reiteration of the constitutional obligations of the Indian state.

As detailed in chapters 3 and 4 of this thesis, the Constitution of India mandates the Indian state to welfarism. Arguably, adoption of welfare driven developmental strategies in post-independence India was both a compulsion as well as a conscious decision. The *raison d'être* of which lay in the urgent need of poverty eradication, as well as mainstreaming of the vast majority of the poor into the democratic project (Varshney 2000). According to Uday Mehta '[Given] the depressing extant conditions of near ubiquitous social despair, illiteracy and many other forms of social destitution, the concerns with such matters [welfare] could hardly have been anything other than anxious and urgent' (Mehta 2010: 16). The debates of the Constituent Assembly- the body which framed India's Constitution- evidence such predispositions (see, Austin 1972). In fact, the preamble of the Constitution

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<sup>56</sup> As a policy measure for generating and securing guaranteed employment to rural population living below poverty line NREGA was renamed as MGNREGA on 2 October, 2009. See The Gazette of India Extraordinary Notification dated 2nd October 2009, No. 53.

itself sets the ball rolling through an emphatic articulation of amongst other things, the exigent need of accomplishing the principles of social and economic justice. Securing social justice meant that the state undertook massive efforts towards achieving civic equality – restoring dignity on the socially depressed and outcaste. Realizing economic justice had redistributive implication requiring the state to, as far as possible, narrow down, the gnawing gaps between the rich and the poor by micromanaging the economy.

The Fundamental Rights, and the Directive Principles of State Policy elaborated in Part III and IV of the Indian Constitution respectively, provide the grounding for state actions for achieving an ideal civil society and economy (Singh & Saxena 2008:25). The overarching objectives of these principles is the ‘establishment and operation of economy wherein the control and ownership of the material resources of the community are so distributed as best to sub-serve the common good and work the system in a way that does not result in a concentration of wealth and means of production to the common determinant’<sup>57</sup> (ibid). Similarly, Articles 38 (i) and (ii) confers on the state the responsibility of reducing inequalities of income, status, facilities and opportunities among individuals and communities residing in different regions and different vocations.

In terms of sheer numbers and statistics, the success of the Indian state in realizing the goals mandated to it by the Constitution can at best be described as ‘modest’ (Kapur 2010: 449). Per available data, India is still home to almost 270 million poor people - 80 percent of which live in rural areas (World Bank 2016)<sup>58</sup>. I will return to this in the following section. It is pertinent to say here that in the backdrop of gnawing poverty, most specifically in rural India, where people survive somehow on resources which cannot even be described

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<sup>57</sup> See in particular Article 39 (b) and (c) of the Constitution of India.

<sup>58</sup> <http://www.worldbank.org/en/news/infographic/2016/05/27/india-s-poverty-profile>

as meagre; wage based rural employment generation schemes and policies carry formidable value and significance. It is not surprising therefore that ‘addressing the needs of the vulnerable and marginalized groups in the society has preoccupied the energies of the intellectuals and policymakers (ibid). Launching of the Community Development Programme in 1952, a host of similar programmes in the subsequent years, as well as the enactment of NREGA in 2005 and its continued operation, despite perceptible differences in ideological orientation of the incumbent government from its predecessor which launched it, stand testimony to this. In chapter 3 and 4 of this thesis, I have provided a detailed account of the ways in which the Indian State in the post-independence period sought to achieve these goals. Here I will concentrate on providing general background details of MGNREGA.

As outlined above, the enactment of MGNREGA is consonant with the constitutional provisions enshrined under Part III (Fundamental Rights) and Part IV (Directive Principles of State Policy) on Indian Constitution. It is a mechanism through which efforts have been made to achieve the objectives set under Article 41 of the constitution which very specifically mandates that ‘The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want’. Additionally, MGNREGA is also consistent with the action required to be undertaken by the State for fulfillment of its responsibilities related to enhancement of the dignity of the people (Article 21), provision of equal opportunities to all (Article 16), promotion of the interests of weaker sections and protecting them from discrimination and exploitation (Article 46). The Act in general seeks

to achieve the following objectives - 1. Enhance livelihood security of the rural poor by generating wage employment opportunities in works that develop the infrastructure base of that particular locality; 2. Rejuvenate natural base of the area concerned; 3. Create a productive rural asset base; 4. Stimulate local economy for providing wage employment; 5. Ensure women's empowerment (GOI-MoRD 2012:6).

Additionally, the Act seeks to 'create durable assets and strengthen the livelihood resource base of the rural poor' (GOI 2012). As far as the 'choice of works suggested in the Act address the causes of chronic poverty like drought, deforestation, soil erosion, so that the process of employment generation is on a sustainable basis' (ibid). Under other provisions of the scheme, employment is to be provided within 5 km of an applicant's residence and minimum wages are to be paid without any discrimination on any ground. In situations where work cannot be not provided within 15 days of registration, for whatever reason, applicants are entitled to unemployment allowance. Significantly, the Act directs the state to ensure that at least one-third of the participant work force is of women. It is not surprising therefore that the act has provisions that effectively minimize the obstacles to women's involvement in work. For example, the Act provides that crèche facilities be provided at worksites so as to ensure that childcare does not become an impediment to women's work. Similarly, in order to ensure that the intermediaries do not eat-up the remunerations or are not encroached upon by their husbands or other male heads, the Act directs local officials to ensure a direct transfer of wages into respective bank accounts of the wage earners. The enforcing agency for MGNREGA is the local village councils (Gram Panchayats). 100% of the total labour cost as well as 75% of the cost of the material involved is to be carried by the Federal Government.

Arguably, MGNREGA is a tangible demonstration of the ways in which the Indian state has sought to accomplish its fundamental developmental and welfarist responsibilities (Williams et al., 2003). Launched, as a poverty alleviation and social security programme, the sweep of MGNREGA is both inclusive and encompassing. Whilst MGNREGA's inclusiveness comes from the provision of 100 days of guaranteed wage-based work opportunities for the unskilled poor and destitute, its encompassing character is confirmed from the fact that in providing guaranteed work, it aims to simultaneously fulfill two things: (1) securing the right to work; and (2) generating additional resources as well. The idea behind the provision of the minimum guaranteed wage is to ensure stability and protection in the rural poor households, mainly in distressing situations of natural calamities and lean agricultural seasons. In so doing the scheme also augments the resources of the rural poor, a vast majority of whom thrive on their manual labour power alone. Similarly, by generating additional work in areas like rain water harvesting, soil conservation afforestation etc. and engaging the unemployed rural poor in it, the scheme also attempts to implement the idea of sustainable development at the local levels. Since the wages are set-up at a minimum level only the neediest and genuinely unemployed turn up for it. Doing this allows the state to reduce the information and agency cost (Sjoblom & Farrington: 2008).

Though only 200 districts were initially covered in the ambit of MGNREGA, over a period of two years the provisions of the Act were extended to all the districts in India. Presently, MGNREGA is operational in 632 districts, 6554 blocks and 262678 gram panchayats (local village councils) located in 29 States, (except Jammu and Kashmir) and 7 Union Territories, of India (GOI-MoRD:2017). The task of ensuring effective implementation of the programme rests with the Ministry of Rural Development at the

federal levels of the Government. The Ministry of Rural Development in its work is helped by a vast network of civil society organizations and the institutional mechanisms of participatory democracy (Panchayats) operating at the lowest administrative levels. According to latest available data, 3967329 workers, working at 691879 worksites under MGNREGA have already generated person days of work equivalent to INR 2432.81 crores (approximately 365 million USD) at an expenditure of INR 421840.56 crores (approximately 63915 million USD)<sup>59</sup>.

MGNREGA has three very innovative domains that not only make it gender sensitive but also plausibly make it appear very distinct from all preceding social welfarist attempts of the Indian state.

First, the Act prescribes that at least one third of all workers must be women. Second, the Act also provides for equal wages for men and women. This is especially significant in a context where women often receive a lower wage than men do, even for similar tasks. Third, since the entitlement to work is of 100 days at the household level, the allocation of the work within the household is left to the household members allowing space for the participation of women (Khera and Nayak 2009).

Further, realization of the ideals of participatory democracy is perhaps the most important objective underlining the enactment of MNREGA. The fact that the projects under MNREGA are to be conceived, planned and monitored by the local Panchayats (democratic decision making structures at local rural levels) clearly substantiate such observations. Most significantly, committed to the objective of the fulfillment of the fundamental right to life with dignity.

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<sup>59</sup> As on October 10, 2017. See [http://MGNREGAweb4.nic.in/netnrega/all\\_lvl\\_details\\_dashboard\\_new.aspx](http://MGNREGAweb4.nic.in/netnrega/all_lvl_details_dashboard_new.aspx)

### **7.2.1 The contextual landscape**

If MGNREGA is indeed an innovative and transformative social security scheme as the literature above suggests, then why did it take the Indian state so long, (almost six decades' after independence, from the colonial rule) to launch it? Two possible explanations can be offered straightway. First, given the welfarist orientation of the constitution of India, schemes of poverty alleviation have always figured-in priority lists of the public policies of the Indian state, and the historical path of development in post-independence India is replete with strategies and designs aimed at benefitting the rural poor. In fact, many have argued that the genesis of MGNREGA could actually be traced to the dissatisfaction with the inefficient, fudged and highly circumscribed programmes like the Jawahar Rozgar Yozna (JRY) - an employment generation programme named after India's first Prime Minister Jawahar Lal Nehru-and the many other preceding schemes such as, Integrated Rural Development Programme (IRDP) Rural Landless Employment Guarantee Programme (RLGEP) (Gaiha 2005; Sharma 2013). A second set of opinions looks to the limited resource capability of the Indian state as a possible reason for non-initiation of massively ambitious programmes like MGNREGA (Pankaj 2012). In other words, the overall strengthening of the financial position of the Indian state in the preceding six decades is a plausible factor for rolling out of MGNREGA at a late stage.

Whilst both these explanations certainly contain element of veracity, my own understanding of the reasons are slightly unconventional in comparisons with those given in the literature. Instead, I see the launching of MGNREGA embedded in the discursive socio-economic backdrop - drawing linkages between a series of crises that hit the agricultural sector and the ensuing rural-urban migrations, in the wake of India's decisions to adopt

neoliberal prescriptions. While my own understanding can be viewed as a departure from the conventional argument offered in the literature, it significantly validates my hypothesis about the need for a state driven bottom-up approach to social empowerment. The context in which MGNREGA was launched is significant and requires further highlighting given the prevalence of massive skepticism regarding the interventionist role of the state in the literature on neoliberal globalization (Kotz 2000:64; Thorsen 2010:198)

As highlighted in chapter 5 of this thesis, India's economy witnessed an upswing in terms of the rise in GDP in the aftermath of the introduction of neoliberal economic reforms. However, the rise in GDP was neither inclusive nor spatially balanced, demonstrating disconnectedness between growth and employment on one hand and between income and distribution on the other, which in turn accentuated both sectoral and regional disparities (Sarkar & Mehta 2010:45). For example, in the decades between 1993-94 and 2004-5, while GDP per capita grew at a higher rate, the rural-urban inequalities in income increased considerably (Gustafsson et al 2008; Bhaduri 2008). The rise in GDP came largely via the secondary and tertiary sectors. However, even there, the increased rates of growth did not result in a commensurate generation of employment resulting in overstretching of the already overstressed primary sector. Further, it has been argued that the reduced public investments 'opened up opportunities for economically more developed states [regions] to chart out their own strategies of development in collaboration with the private sector, but backward states [regions] were put to disadvantage on account of lack of their own resources and declining public investments on the part of the Federal Government' (Singh and Saxena 2008: 146).



It is interesting to note that in the decade preceding the launching of the neoliberal economic reforms i.e. between 1983-84 and 1993-94, the inequalities in income were present but considerably stable (Bhaduri 2008). However, in the immediate decade after the reforms i.e. 1993-94 and 2004-05, in particular, the rural-urban inequalities actually worsened (Sarkar and Mehta 2010; Bhaduri 2008). Microeconomic indicators well substantiate such an argument. For example, the Gini coefficient (indicating levels of inequalities, with a score of zero indicating perfect equality) of income inequality in 1983-84 was 0.33 (overall), 0.31 (rural) and 0.36 (urban), it increased slightly to 0.34 overall but came down to 0.29 and 0.35 in the rural and urban sectors respectively. Surprisingly, the figures indicating income inequalities went up significantly in the post reform period to 0.34, 0.29 and 0.35 in 1993-94 and to 0.37, 0.32 and 0.38 in 2004-05 (Sarkar and Mehta 2010: 47). The situation by and large remained the same even towards the end of the first decade of the present century (Ahluwalia 2011).

The spread in inequalities at individual levels, in the aftermath of the neoliberal economic reforms can also be explained from the viewpoint of the rising wage inequalities. For instance, in the decade preceding the reforms i.e. between 1983-84 and 1993-94, wage inequalities for all kinds of workers except the full time urban ones declined, it actually went up in the post reform period, i.e. between 1993-94 and 2004-05. Similarly, the wage differences between the skilled and the unskilled workers, were significantly higher in the post reform period (Sarkar and Mehta 2010). It has thus been argued that the neoliberal reforms in India have widened both intra and inter class inequalities (Vakulabharanam 2010).

A look at the sectoral areas of growth further confirms the hypothesis about the linkages between the neoliberal reforms and the ever increasing levels of inequality. Whilst the tertiary and secondary sectors can be seen as the propellers of growth in the post-reform period, the agricultural sector continued to languish in the meshes of poverty and unemployment. For example, in the period between 1993-94 and 1999-2004, the average rate of growth in GDP terms was 2.8 and 2.6 percent respectively, the figures for the non-agricultural sector (mainly construction) was 8.11 and 7.22 percent, widening further more in later years (Kundu 2010).

It is also interesting to note that the GDP contribution of the agriculture sector has consistently been declining in the aftermath of the initiation of neoliberal reforms in India. Whilst such a conclusion is consistent with the understanding that growth in the urban sectors has been consistently high in India in the post reforms period (Datt and Ravallion 2011), it is also a fact that notwithstanding the differentials cited here, on the whole, India has been able to make reasonable success in poverty eradication programmes. For example, the rate at which poverty declined in the post reforms period is relatively higher in the period after 2004-05 than compared to years before it. Per available estimates, whilst poverty declined by 0.74 percentage points per annum during 1993-94 to 2004-05, it went further down by 2.2 percentage points per annum during 2004-05 to 2011-12 (see, Rangarajan Committee Report).

Two major points specific to this thesis can be drawn from the data cited in the literature. First, over a period of time inequality in India has been on a consistent high. Second, poverty in the post reform period has declined relative to its magnitude in the pre-reform period. Though many factors could explain this phenomenon, in the context of this

thesis, and more specifically to buttress my earlier argument about the need for strong security and social protection programmes - MGNREGA stands upfront. Both space constraints and the scope of this thesis requires me to limit my analysis to the study of the impact of MGNREGA in empowering the marginalized - rural women in India but the larger point that I wish to draw from the data analysis above is that the launching of MGNREGA was a historical compulsion shaped by the distressing micro and macro indicators as evident in one and a half decade following the initiation of neoliberal reforms in India. I have already provided the major objectives of the MGNREGA in preceding section, hence in the section below, I will first lay forth a review of existing literature detailing the linkages and impact of MGNREGA on the life conditions of rural women.

### **7.3. Rural women and MGNREGA: existing literature**

As a demand driven right-based approach to development and social empowerment the essence of MGNREGA emanates from its focus on uplifting the status of the rural unskilled population entrapped in the mesh of poverty, socio-economic-cultural vagaries and bondages. It is pertinent to mention here that one of the major goals of MGNREGA has been to target the weaker sections (SC/ST and Women) whom, following Gramsci, I refer to as the 'subalterns' or the 'disempowered self' (Spivak 1988). As part of the oppressed, exploited and violence prone community whose rights are perpetually violated and who are unequally secluded and enslaved, women in general, but in a more specific sense the unskilled illiterate dwelling in the rural areas in India, constitute an integral part of the encompassing phrase – the subaltern.

It is interesting to note that as a social security measure, MGNREGA has not been exclusively mandated to empower women as such. However, the Act does contain certain key regulatory provisions which in effective terms have had empowering effects on women. For example, the Act mandates that of the total work force employed as daily wagers, one-third must be women and that both men and women must be paid equal wages (Pankaj and Tankha 2010: 45). Similarly, in order to ensure that women do not miss out on account of their conventional domestic responsibilities, the Act requires that work sites run facilities like crèches for their children. Additionally, the Act mandates that so far as possible, women living in the radius of five kilometers from the work site are employed on priority. Further, the provision giving workers flexibility in deciding on and choosing the time and number of days of work (within the stipulated 100 days) does not have any gender specific bias and yet given the dynamics of the rural life, have turned out to be beneficial for rural women (ibid).

It is not surprising therefore to note that most of the accounts in the existing literature on impacts of MGNREGA on women's empowerment in the rural context, have been appreciative of the efforts. A study conducted by the United Nations for example, applauds MGNREGA, for providing an important safety nets for women as well as for creating a strategy to achieve inclusive growth in any society (UN Women 2013). The report as such recommends that the strategy could further be augmented by adopting penetrative mechanisms to effectively ensure that the benefits attained could reach to the largest section of the society. A similar study by the Institute of Applied Manpower Research (IAMR 2009) found MGNREGA to be of help in improving the income level and consequently, the living standards of the rural people - particularly the vulnerable section of the society such as women, SCs, STs, BPL (below poverty level) and minorities.

The empowering effects of MGNREGA on rural women have been reported by a number of empirical investigations and field studies (see Khera and Nayak 2009; Arora et al. 2013; Sharma 2013). Most of these studies have focused on the ways in which the operation of the scheme has helped women in their fight against poverty and starvation and to that extent in making them relatively secure. Accordingly, one of the most positive outcomes of the scheme has been the drastic reduction in the patterns of seasonal migration as work opportunities are: (1) available close to the native place of the workers; and (2) the flow of income is steady and reliable (ibid). Researches have also highlighted the ways in which MGNREGA augments the agential role of women especially in decision making vis-à-vis the local village councils (statutory bodies) (Raja 2007; Pankaj and Tankha 2010; Pankaj 2012). It is worth mentioning here that under the provisions of the Constitution of India one third of the positions of decision making are reserved for women. Such linkages are important given the fact that as part of the constitutional design of democratic decentralization, the legal and political responsibilities ranging from selection of work sites, to operation and management of projects and wage payments under MGNREGA fall on the village councils. The quantitative rise in the number of women workers and the resulting gender parity has been the recurrent theme of some other researches (see Azam 2011; Chandrasekhar and Ghose 2011). Similarly, the issue of income rise, dignity, social empowerment and capability building, efficiency and resource related subjects in context of the effective implementation of the policy of MGNREGA have also been looked into (Dreze, 2008; Kelkar 2011).

On the flip side, however, the disconnect between household income and women's empowerment shaped by deeply patriarchal social arrangements has also been highlighted

as a possible factor hindering the realization of the objectives of the Act (Rao 2006). It is not surprising therefore to find widows and spinsters not being included in job allocations at many places. Further, the nature of work (mostly labour intensive) included within the scheme has also been underlined as a cause of concern (Krishnaraj et al. 2004). A number of systemic factors that possibly hinder the realization of objectives of the Act, particularly from the standpoint of rural women have been highlighted in the literature (Khera and Nayak 2009). These range from: (1) prevalent patriarchal values that do not permit women to work; (2) the presence of strong intermediaries and contractors who more often come from the dominant and powerful local cliques; (3) and the absence of gender sensitive grievance redressal mechanisms against them. The piecemeal wage earnings coupled with delayed payment systems often enmeshed in local bureaucratic nepotism and red-tape as well as the lack of effective voice could be other plausible factors (Krishnaraj et al. 2004; Sainath 2007).

Whilst all the studies and reports are important contributions to the literature in their own respective ways, it is axiomatic that most of them have looked to MGNREGA from an instrumentalist or resources perspective wherein the availability of means of wellbeing trumps the considerations that individuals may exercise in leading a life of their own choosing (Sen 1999; also see, Nussbaum 2011). The resource based approach may result in providing a bit of instant support but the extent to which it could achieve its objective of poverty reduction remains doubtful to say the least. The underlying aim of my field study therefore has been on understanding the qualitative ways that MGNREGA might have been able to nurture capabilities and create assets amongst the targeted sections of the populace - particularly the rural women. As outlined earlier, the basic objective of this thesis is on

understanding the impact of state driven interventions for social security and welfare particularly on women in India in the context of neoliberal globalization. I must reiterate that the starting point of this thesis is based on the understanding that women in India, despite not constituting a homogeneous group or class, can still be described as vulnerable in many respects. From the feasibility perspective, I have limited this study to only two sets of women – the newly empowered (call center employees) and the traditionally left overs (rural poverty stricken women or the subaltern). Based on my own field study, in the previous chapter I attempted to lay down the experiences of the women employed in the call centers. In the section below I lay down the experiences of women employed as daily wagers under MGNREGA in a remote rural region of the Indian state of Rajasthan.

It is pertinent to say here that the analysis in this section draws from two distinct albeit overlapping, frameworks on women's empowerment - namely Gender and Development (GAD) and Right Based Approach to Development (RBAD). GAD was an outcome of the efforts of the Development Alternatives with Women for a New Era (DAWN), - a network of feminist scholars from different parts of developing societies concerned with situating Women's position in the backdrop of the social economic cultural and political realities of the context (see, Sen and Grown 1987; Rathgeber 1990). GAD was recognized as an important method of assessment and study in the UN Conference on Women in Nairobi (1985) which attempted to highlight the hindrances in the path of women's empowerment especially in developing societies by assessing the achievements and failures of attempts towards their realization in the past. As a framework GAD focuses on narrating women's experiences in developing societies under neoliberal globalization to bring out the nature and extent of their marginalization. The mainstay of the approach is

on: (1) identifying the practical needs; and (2) changing the power hierarchies that are embedded in social structures so as to ensure that the benefits of development do not have gendered outcomes (Molyneux 1985). The objectives of MGNREGA to a large extent reflect both these concerns.

The right based approach to development (RBAD) comes off as a refreshingly novel approach and largely reflects Amartya Sen's capability approach (Sen 1999; Nussbaum 2000). The novelty of RBAD lies in its focus on shifting the discourse on women's empowerment from 'charity to entitlement' and elevating developmental goals to 'recognized standards and principles' (Nelson and Dorsey 2003). The idea inherent in the approach is on enhancing the capacity of the agents by entitling them to guaranteed rights. The possession of rights by the holder confers enabling responsibilities on the state to eradicate social and economic disparities that give rise to exclusionary tendencies in society. To achieve transformative objectives as such, developmental strategies must be both enabling and participatory in their orientations.

Social exclusion and structural inequalities are aggravated with the social-political-cultural environmental and regional variations across the states. Social Protection policies can still play a limited role in addressing these structural inequalities within their design, to effectively target and reach out to the vulnerable sections. Social protection policies have to be more than just preventive measures; they should also promote participation of the vulnerable sections in social and political life, contributing to growth and development" (Kabeer & Cook quoted in Vij:2011).

In understanding the application of GAD and RBAD in aiding and enhancing capabilities of rural poor women respectively, I visited two MGNREGA work sites in the Indian State of Rajasthan. The choice of Rajasthan has primarily been on account of its relatively low scores, both on the Gender-related Development Index (GDI) and Gender Empowerment



Index (GEM)<sup>60</sup>. Per UNDP estimates Rajasthan scores quite low on both these accounts. Its GDI for 2006-07 was 0.526 relative to figures for the whole country was 0.590. Similarly, it was ranked 24<sup>th</sup> in terms of GEM out of 35 states and Union territories in India (UNDP 2011). Geographically contiguous with India's western borders, Rajasthan, is India's largest state in terms of area (342.24 thousand sq.km) and ranks eight in terms of population. The population density of the state is one of the lowest-compared to 325 per persons per sq. km in India as a whole, it has only 165 persons per sq.km. Moreover, it has a large number of very small settlements that are home to 77 per cent of the total population; that is, more than a quarter of the state's rural population. Also, about 70 percent of the population is dependent on agriculture, that too in a situation of extreme scarcity of water. The sex ratio in the state, at 926 females to 1000 males is lower than the national average of 943 females to 1000 males. Although many factors can be held responsible for the lopsided sex ratio, but female feticide has been cited as the most important factor (Islam 2014:58). Rajasthan also lags behind many other states on literacy rates which per census of 2011 67.06%. Interestingly, the segregated percentile literacy in Rajasthan has been recorded as 80.51% for men and 52.66% for female. 59 percent of Rajasthan's total work force is engaged in the primary sector and almost 40 percent are engaged in the secondary and tertiary sectors. Productivity and correspondingly access to food are much lower for workers engaged in agriculture than in manufacturing or services. Among the poor households, agriculture is the major source of employment followed by other activities. Approximately, one-third of them are dependent on wage employment in other sectors. Under such dismal circumstances, getting employment for 100 days in a year is a boon for rural people.

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<sup>60</sup> Available at [http://www.in.undp.org/content/dam/india/docs/rajasthan\\_factsheet.pdf](http://www.in.undp.org/content/dam/india/docs/rajasthan_factsheet.pdf) accessed October 29, 2017.

Rajasthan has a total number of 33 districts, 295 Blocks and 9894 Gram Panchayats of which the work sites chosen for this study is part of the Ajmer district which is located at a distance of 135 km from the state capital Jaipur and 391 km from the national capital New Delhi. Ajmer is also a major pilgrimage center for both the Hindu and Muslim religious communities from across the world. The district is further divided into four subdivisions, Ajmer, Beawar, Kekri and Kishangarh, which are further subdivided into nine tehsils namely - Ajmer, Beawar, Bhinai, Sarwar, Pisangan, Tantoti, Nasirabad, Masuda, Kekri, and Kishangarh. 20 kilometers west of the Ajmer district headquarters, and in close vicinity to the temple town of Pushker lies the Tehsil of Pisangan under which falls the dusty village of Kadel, where I carried the empirical research for this thesis. Kadel presents a very contrasting picture of development. At one part, it is easy to see the impacts of globalization in the form of luxury resorts, at least 20 of them, built on massive areas of lands mostly hosting the corporate world or the prosperous middle class coming in to unwind themselves from the hectic city life. Most other parts of the area however, suffer from acute shortage of water. Interestingly, the area once was lush green but the unscientific and unplanned spree of building massive resorts resulted in depletion of both the naturally available ground water as well as the forest cover.

In Kekri tehsil I visited Lasadia, Chhabberia and Junia villages to make an assessment of the conditions of women workers at MGNREGA sites. In contrast to Kadel, Kekri is another remote village of Ajmer has been declared as the site of facilitator for the pilot project of self-help groups (SHGs) which is kind of an exemplar of the right based model of development. The intervention of the SHGs has resulted in benefitting not only individual women and women's groups but also families and communities as a whole. The

SHGs have a common perception of need and impulse towards collective actions. SHG raises effective women's participation, control and authority over their affairs. It promotes saving habits and development of indigenous banking system, and thus is responsible for the elimination of poverty.

## **7.4. Methodology**

As detailed in the introductory chapter of this thesis (section 1.5) I have largely subscribed to the mixed research methods approach drawing upon secondary data as well as building on the lived experiences gained from field visits. In the remote villages (Kadel, Pisangan and Kekdi in Ajmer district), I had the chance to interact with the manual women workers of MGNREGA. During my interactions with them I attempted to understand their lived experiences by engaging them through a semi structured interviews/questionnaire. The sample size for this study consisted of 20 women, both married and widows in the 25-55 age group. In order to make the sample fairly representative and reflective of the social cultural realities of rural life I included women from both the higher and lower social hierarchies (caste) within it. I also interviewed the local officials and the elected representatives of the Panchayats (village councils) entrusted with supervisory roles. Higher officials at the district level were also interviewed to get statistical and other quantitative details. I also procured additional information from the websites of the coordinating agencies and other governmental departments involved in implementation and monitoring of the project.





My interaction with MNREGA workers at Kadel (Pisangan, Ajmer)

Picture source: My own



Explaining the purpose of this research to the Women workers at Kadel (Pisangan, Ajmer)

Picture source: My own



The questions for this study were primarily designed to understand both nature and extent of empowerment of the rural poor women as well as their own perception of benefits accruing to them from the operation of MGNREGA. The objective of my interaction was to gain a first-hand account of the changed orientations and attitudes of rural women involved in the project as well as the resultant elevation (if any) of their social status or the ways in which the community looked to them in the changed circumstances. The interview questions were thus framed with the objective of getting the opinion of women on the benefits and difficulties they perceived in working under the project and the kind of things they expected from the state.



Interviewing MGNREGA women workers at Junia Village in (Kekri, Ajmer)

Picture source: My own

Variables on the basis of which I attempted to source information from the interviewees were: (1) the awareness levels of the workers about the scheme and the regularity of wage payment; (2) the kind of job security that the operation of the scheme might have induced in them; (3) the changed societal attitude (if any) and their own perception of having a say in their household management resulting from their newly empowered status or the lack thereof; (4) the availability of facilities on the worksite; (5) the presence or absence of gendered wage differentials; (6) issues related to corruption and sexual or any other type of harassment by intermediaries; (7) kind of new initiatives that may be required to further improve and strengthen the scheme; (8) the linkages between provision of guaranteed work and capability building; (9) the other possible hindrances; and (10) a general understanding of perceptions of women workers overall of the scheme.

For the purposes of maintaining anonymity, I have desisted from naming the workers, though for authenticating my claims I have recorded the interviews and fully transcribed them (see Appendix 2). The women I interviewed were illiterates, but could converse in the Hindi language, which meant that I could interact with them directly. Most of the interviewees, I interacted with, had been working under the project for some years though, a few of them were first time recruits as well. I will present the findings in the two sections below. As in the previous chapter the first part entails a general description of women's perceptions of the project, and their aspirations and expectations. The second part then highlights their views on the role of the state in removing social stigmas and vulnerabilities.

## 7.5. Women's Experiences

In my field study at both the work sites i.e. Kadel and Kekri (see, appendix 4) and personal interactions with women workers therein, I found them to possess a modest understanding of MGNREGA. All the respondents had the knowledge about the provision of 100 days of guaranteed work. However, there seemed to be a considerable incoherence of views regarding their awareness on wage entitlements. Half of the respondents knew about the provision of rupees 183 per day for eight hours of work whilst the others feigned ignorance.

**[Respondent 1]** There is no difference in wages paid to male and female. Since work is assigned in group and in a group of 5 there is a provision of keeping one male (if available) so the male worker as well as the elderly people in the group do lesser hours of work but yet get similar wages as the wages is equally distributed in the group.

**[Respondent 4]** No difference in wages but male workers are at upper age as they prefer to relax at site as the works are carried well by women workers in group.

**[Respondent 7]** As men are most of the time semi-skilled so they get different types of work assignment and since women are unskilled in general so they accept unskilled manual jobs. So discrimination is there but for doing same types of jobs there is no such discrimination on the issue of wages.

The respondents seemed to agree about its nonexistence of wage differences between male and females. Two of the respondents however had complaints primarily based on the nuances involved in working out the actual wages. They seemed to suggest that stipulated eight hours of work actually meant eight hours for preset work i.e. for completion of a task set before. I found that the workers are normally supposed to be achieving a quantified set of task – say, a pre-set quantity of digging. The wages are then paid in proportion to the work done within the stipulated eight hours. The issue becomes a bit intricate as the work is allocated not to individual workers but to a group of five with mixed membership i.e. four

women and a man both young and old. Since the old member do not possess the same labour capacity as the young, more often than not the group fails in achieving the target implying a pro-rata payment for the individual members which works out to be less than the stipulated minimum wage of Rupees 183.

Similarly, on the issue of the regularity of payments 80 percent of the workers interviewed opined in affirmation (generally every fortnight) whilst the remaining 20 percent reported to have received delayed payments or partial payments without any measure of compensation for the delay or partial payments. The officials interviewed however, rejected such claims arguing that since the payments were now being made by the way of cash transfer in which the wages are directly sent to their respective bank accounts, such anomalies could not simply be present.

**Respondent 2-** Atleast we get job for 100 days in a year.

**Respondent 3-** There is no job security under MGNREGA. We have applied for job as daily wage workers but it is not provided to us on regular basis.

On the question of job security as embedded under MGNREGA twelve women out of twenty were of the opinion that there is no assured job security as: (1) the obtainability of work was much dependent on the availability of works at different places which in turn was largely decided by public officials; and (2) since the availability of work force outnumbered the requirement thereof many a times workers would not get jobs despite having their name registered with the officials. Interestingly, five of the respondents were of the opinion that despite the irregularity of work availability, and existence of differential and partial payments MGNREGA was still beneficial particularly from the standpoint of their familial health as the increased earning of the family could now be utilized for nutritional food.



**Respondent 7-** There is no assured job security on daily basis.

**Respondent 8-** There is no job security.

**Respondent 20-** This is a means of earning some money. it has resulted in providing financial security as many female workers have purchased ornaments and land by the earned money from MGNREGA. Consequently, it helps them in becoming an independent person.

To substantiate their points these respondents said that whilst earlier they were eating *roti* (flat bread) with locally grown and readily available red chili, post MGNREGA they could now afford to have dal (lentils) and sometimes green vegetables too. Three of the women workers thought that MGNREGA provided them with extra income in the backdrop of the fact that in traditional rural social set-up it is men who are supposed to work and any extra income generated by women on any account actually raised the overall levels of familial prosperity. Arguably, for families with skilled man power, MGNREGA was an additional help as it presented an opportunity to the unskilled women of the families to gain some employment and consequently some wages.

On the issue of worksite facilities, the respondents appeared positive and contented. It is pertinent to state here that MGNREGA mandates the supervisory authorities to arrange facilities for drinking water for workers. It also requires that first-aid medical kits be provided at worksites to meet exigencies /accidents at the work sites. Whilst the respondents were satisfied with these requirements, many were not happy with the arrangements put in place for sun-shades where they are supposed to take rest for an hour or so. Whilst five of the interviewees were happy to share the sun-shades (shanties) with their male cohorts (normally belonging to their own extended family or community) nine respondents showed their discomfort in sharing the shade with their male cohorts and six of them found it to be a trivial issue.

As stated earlier, MGNREGA mandates the provision of shishu-paalana (crèche) at work sites so as to enable women to balance their conventional responsibilities of child rearing. However, in my interactions with the women workers, I found that most of the respondents preferred to keep their small kids (below the age of five) under the care of the elder siblings at home or any elder members of the family. This in a way could plausibly be understood as their disdain for the structures provided by the state or it could also be understood arising out of the joint familial structures which is so common in rural life across India. Further, such a disdain for state provisions could also be seen emanating from the point of view of convenience as carrying small babies over a long distance (since they have to travel up to 5 kilometers for work) as well as from the protective point of view as not using such facilities would also protect the young kids from the exposure of sun and heat.

On the issue of the extent to which economic opportunities under MGNREGA may have led to betterment of their situation, respondents were unanimous in accounting a general improvement in their familial living conditions. They even thought that these new opportunities did result in protecting their dignity both in their respective families and communities.

**[Respondent 6]** Yes as now my husband is no longer violent towards me because he knows that I am also earning and I have my own identity in my village.

**[Respondent 7]** Yes because through earned income I can buy green vegetables and serve it to my family members with roti (flat bread). Earlier we were eating Roti (flat bread) with green chilly only as I had no money to buy lentils or vegetables from the market.

**[Respondent 8]** Yes as it has enhanced my dignity in the family. Now everybody takes my opinion before taking any big (financial) decisions related to the sale and purchase of land or ornament.

Interestingly, five of the respondents shared that they invested this money in purchasing small tracts of lands, that too in their own names, whilst four respondents shared that they bought ornaments/jewelry more in the form of future insurance. Almost all the respondents affirmed that their new found economic independence certainly paved the way to social independence as they had a greater say in their respective household matters.

Overall there was an overarching agreement amongst the respondents that employment opportunities for women under MGNREGA resulted in: (1) a general improvement in your familial living conditions; (2) an improvement in their dignity and the social treatment; (3) a greater say in household decision making; (4) an enhanced financial security and independence.



Work in progress under MGNREGA at Lasadia (Kekri, Ajmer). Majority of the workers are females belonging to lower castes.

Picture source: My own

Interestingly, women workers from the scheduled castes and scheduled tribes (the conventional vulnerable) seemed to be having no issues in terms of identifying the possible

barriers to the participation of women in MGNREGA. The women from amongst the general category, however, did point to the taboos and disgrace associated with participating in menial work outside familial bounds as factors impeding their participation. It must be said here that in terms of the rural social structures in Indian villages, the upper caste women are not supposed to be working or participating in public work - a possible reason for their hesitant attitude towards MGNREGA (Pankaj and Tankha: 2010). Whilst 10 of the respondents complained about the long distance that they had to travel to reach the work-site as specific barriers, most of them pointed to the work-family imbalance that working outside familial bounds led to, as potential hindering factors.



With the officials supervising work under MGNREGA at Pisangan (Ajmer)  
Picture source : My own



Interviewing a MGNREGA worker at Kadel (Pisangan, Ajmer)  
Picture source : My own

The respondents were unanimous in their opinion on the conduciveness of the work environment and could not identify any instance of exploitation. Three women, however, did say that they had heard about sporadic incidents of sexual exploitation, but had never encountered one. They were also conscious about the redressal mechanism and knew whom to approach if such type of incidents were to happen. They seemed to be pretty happy with the vigilance and grievance redressal mechanisms put in place by the local village councils.

The elderly women, in particular of the view that the women knew how to teach lessons to culprits, though they also had an understanding of the mechanisms of reporting such matters to the nearest police stations. The absence of direct intervention of local contractors was another factor according to the respondents facilitating the conduciveness of work. Group-solidarity was another factor which the respondents pointed to for ensuring their safety. As pointed out earlier the work allocation under MGNREGA is to groups of four or five.

**[Respondent 4]** I have heard about one incident of sexual exploitation of the native of adjoining village by the local contractor but I have not experienced any such incident till date.

**[Respondent 9]** I know a woman in my village who had faced some problem similar to it but frankly speaking I have not experienced any such incident till date.

**[Respondent 11]** I have neither notice any incident of corruption or exploitation of women workers. Hours are fixed and everybody is expected to work in the same way.

**[Respondent 12]** Quite not possible at worksite.

Overall, the respondents appeared to be happy and satisfied with the working of the scheme. However, they had suggestions to offer for its further improvement and it was not surprising that they wanted the scheme to be extended to all days in the year. The scheme in particular was favoured by the elderly and the widows for whom it was the only source of earning. When I asked them about possible remedial measures that the state could possibly undertake to make the scheme better, the respondents came up with a string of suggestions. Even the state officials whom I interviewed later echoed similar views. I will detail them in the section below.





Taking Leave at Kadel (Pisangan, Ajmer)

Picture source: My own

## 7.6. Analysis

Through my case study on MGNREGA, I have tried to demonstrate that arguments advanced in the literature on rolling back the frontiers of the state and letting individuals realize their capacities and creativities, does not hold true in the Indian context. Based on my own interactions with women workers under MGNREGA, I can certainly say that even though the scheme has not been theoretically and legally mandated to serve the cause of women's empowerment in specific terms, yet its operation has benefitted women in having an equitable and accessible work opportunities whilst simultaneously enabling them to have a say in community management at local levels.

Arguably, in the area of economic empowerment, MGNREGA has been very successful in enhancing the living standards, (in relative terms) of the poor household. By ensuring employment to the rural poor families, it has significantly, altered social

hierarchies in the countryside. It is interesting to note that before the enactment of MNREGA rural poor women had very limited choice in either committing themselves fully to household chores or at the most being engaged in informal sector. However, the implementation of MGNREGA has been a watershed in the lives of rural poor women in the sense that

[A]bout 80 per cent of women working under MGNREGA and consequently having their own bank account, and have direct control over their earning and moreover, have started to move freely in society and make decisions on their own lives. The survey data suggests that women workers are more confident about their roles as contribution to family expenditure and their work decision; they are also becoming more assertive about their space in the public sphere (Sharma 2012).

The most outstanding impact of MGNREGA emanates from the inherent provision that mandates the state to generate employment opportunities in the community. Whilst availability of work in the community allows women to earn without worrying much about their other familiar obligations and responsibilities and come out of the complex web of hunger and poverty, it also to a large extent has been able to quell rural-urban migratory tendencies (Khera and Nayak 2009). Some of the respondents were using MGNREGA wages to buy medicines to cure their ailments on a monthly basis. One other benefit of MGNREGA has been in making the rural poor women more confident and assertive. Whilst the civil society associations can be also credited for such a feat, it is certainly true that the betterment of the living standards could be seen as conferring agency on women as they no longer have inhibitions be it in depositing or withdrawing their money from banks or interacting with local officials. As a matter of fact, there has been increased levels of interactions between officials have made them self-confident, conscious of their rights, and more assertive than ever. Additionally, the development of saving tendencies amongst rural

poor women is yet another innovative impact of MNREGA. According to Richard Mahapatra (2010) '[MGNREGA] is a magnet for women'...contributing to enhanced awareness and increased participation of women'.

It is very evident that MGNREGA has led to marked improvements in the life patterns of rural women. However, in terms of the overall realization of its objectives, the scheme is far away from its goals. Based on my own observations and interactions with women employed under MGNREGA, I contend that the scheme would certainly become more realistic and effective by focusing on: (1) skill development and capacity building; (2) self-help groups for training arrangements; (3) building networks of capacity building institutions, trainees, their trainers and suggested training modules, Information, Education and Communication (IEC); (4) having provision for women mates and ensuring their accountability; (5) regular survey and social auditing; (6) enhancing the number of days initially until the worker can take off; and (7) provision of differential payments for different nature of jobs. It goes without saying that doing so not only requires the state to perform its agency role in most effective ways, more importantly it requires that the state does so not from a protectionist approach but in ways that are largely oriented towards capacity building and enhancement.

## **7.7. Conclusion**

My interaction with the women workers at MGNREGA sites reveals that in spite of all the grey areas in the implementation of MGNREGA, a silent revolution is taking place in rural India with respect to women. MGNREGA is one of the most progressive legislation enacted since independence, with the primary objective of augmenting wage employment. In fact, it



is the first ever law enacted anywhere in the world, that guarantees wage employment at such an unprecedented scale. By providing employment to the marginalized rural poor MGNREGA has not only contributed to a general enhancement in living conditions of the rural poor (in relative terms), most significantly, it has become the precursor for realization of other basic human rights of the most vulnerable and marginalized sections of society.

Additionally, the point becomes very significant given the fact that India is now being perceived as a 'Rising Power' in the comity of nations (Sinha and Droschener 2010; Ganguly and Pardesi 2009). These declarations are primarily made on account of the rapid rise of its economy which now is the 4th largest economy in the world in terms of GDP and at this pace has been predicted to surpass all other excelling economy in the world very soon (World Bank: 2017). However, it is also equally true that despite a very high and spectacularly accelerated GDP growth at the consistent pace of 5% and above since the unleashing of Economic Reforms (Ahluwalia 2002; Goldar 2002; Panagariya 2004; Nagaraj 2008), India still presents a striking contrast of expansion and scarcity. My own understanding is that whilst much of this growth has been on account of globalization, I do agree with the assertions made in the literature (chapter 2) that the impacts of globalization have neither been inclusive nor emancipatory for all and the social set up continues to reflect hierarchical as well as patriarchal tendencies.

I have already highlighted some of the major arguments made in this regards as part of literature review in chapter 2 of this thesis, however, a reiteration of some of the widely prevailing arguments may be of help here, in making my claims persuasive. For example, it has been argued that the implementation of the neoliberal economic reforms has a conjugative impact in terms of rising inflation on one hand and reduced levels of social

security on the other (John 2005; Pai 2013). Whilst the impacts can be seen on the populace as a whole, it is severe on the poorer sections and perpetually worse on the vulnerable and marginalized of which women constituting an integral part. In a patriarchal social set-up, then it is women who have to bear the brunt of reduced household incomes. Evidentially, neoliberal globalization has also led to a substantially reduced space for women's employment in organized sectors but an expansion in the wage dependent agricultural sector (Banerjee 2005; Shah et al. 1999). I have already highlighted earlier that women do not form a homogeneous group and that the impacts of globalization are different on different groups of women. Recall that in the previous chapter I have accepted the articulation that certain sections of women have benefitted from the new avenues and opportunities brought about by the integration of the domestic with the international economy. However, even there I argued for the need of continued state interventions particularly for the creation of safety nets for women. In the rural set-up the intersectionalities of caste and its intricate hierarchies make the differentiations appear quite vivid. It is in this context that the role of the state as an agent in bringing qualitative changes in the life chances of women becomes significant.

# Chapter 8: Conclusion

## 8.1. Introduction

This thesis has argued in favour of a predominant role for the state in social sectors, and specifically, for women's empowerment in the context of neoliberal globalization in India. Delving on the day to day experiences of two specific groups of women in India, it highlights the differentiated impacts of neoliberal globalization on them and argues that the adoption of neoliberal economic reforms in no way, implies a roll back of the social functions of the state - as suggested in the neoliberal literature on globalization. Instead, I argue that the state and the market should not be seen as binaries – particularly, in the developing democratic societies like India. I see the state instead, as the most legitimate and capable institution to bring in the required changes in social and economic realms.

The state is generally important for feminist engagements, but in the context of the developing world, it is of paramount concern. Even though, the track record of the state in the developing world may not be very bolstering from gendered lenses, yet, as the only accomplished institution for the realization of such cherished goals, it remains utmost important. As far as the Indian state is concerned, it can be unequivocally asserted that despite being characteristically patriarchal, it has on many occasions, advertently or inadvertently, demonstrated its progressive concerns and resolve to create better conditions of living for women. In chapters 3 and 4, of this thesis, I tried to underline the sensitivity of the Indian state towards the question of gender equality and justice by looking into committee reports, legislative enactments as well as judicial pronouncements made over the years. Whilst these efforts may appear to be peripherally contradictory, nonetheless they

simultaneously highlight fundamental inconsistencies that may creep in to the functioning of any postcolonial state which in remaining open to demands of divergent social groups (for garnering their support) attempts to work out a fairly robust democratic system of governance.

Through the two case studies conducted on two separate groups of women in two diametrically different locations, I tried to highlight their perceptions, feelings and expectations with the Indian state. It is pertinent here to once again reiterate that the state is neither an abstraction nor does it function in vacuum. The institutional mechanism of the state is firmly rooted in its unique social, economic, cultural and historical subsystems. The veracities of the ways in which we live and derive our experiences, our expectations, apprehensions as well as predicaments all emerge and take shape within the frame of the state. Naturally so, the question of gender equality and justice have to be located within this inescapable problematic.

I concede that many feminist scholars and activists may not share theoretical postulates that accord a primary role to the state and that is understandable. The feminist understandings either ways have been very pluralistic in terms of the existence of divergent theoretical postulates, insights, and affirmations. But, the divergence of opinions in themselves rather than establishing any hiatus between gender justice and the state, only point out towards the need of alternative theoretical and political strategies. In no ways do they imply the need of any sort of disengagement with the state.

It will be appropriate to clarify here that throughout the thesis my focus has been on the postcolonial Indian state though I may have at times drifted towards offering generalized theoretical insights on gender and the state. It is indeed true that the

intersectionalities that inherently characterize gender in the postcolonial states may not be present in the same forms in their Western counterparts. Equally true is the argument that given the highly developed nature of civil society in the developed states, direct political interventions may not be the best strategy for gender equality and justice. As such the findings of my thesis have larger applicability in the Indian context. This is because and as I have argued, with the kind of the social cultural economic ethnic and religious diversity that India exhibits, the state comes across as the only commonly unifying agency that can offer hope to many women who can access rights as autonomous citizens, rather than constrained by patriarchal norms of their societies. At most, my findings may find some traction in other postcolonial democratic set-ups. However, I believe that the findings of my thesis do point out to some of the most basic aspirations that people generally have from the state in all modern democracies. To that end, this research has relevance beyond the immediate context of the region.

I presented a macro account of ways in which the post-independence Indian state confronted the issue of women's empowerment and gender justice. I also attempted to disaggregate the constitutional, judicial and the governmental efforts made to that end. My contention is that the interventions made for gender equality and justice by the state institutions in the period preceding the initiation of neoliberal reforms in India were well intended but by no means optimal. Plausibly, the fact that these measures were undertaken with a protectionist approach could well be a reason behind the partial success/failure of the state led attempts for realizing the ideals of gender equality and justice. Additionally, such an approach also reproduced many characteristics of conventional gender relations in India. I also argued that since the adoption of neoliberal reforms has had differentiated impacts on

different groups of women and addressing them, necessitates two things: (1) policies and actions aimed at gender empowerment must effectively take into account intersections of caste (upper/lower), region (urban/rural) as well as the economic and educational indicators; and (2) the state should move away from its protectionist framework of operation towards the adoption of an emancipatory approach, aimed at providing autonomy to women through capability enhancement. It is in this context that this thesis advocates the need of initiating practices and policy measures that encapsulate the day to day experiences of different groups of women in their ambit. To elaborate and substantiate such a hypothesis, I tried to gain an understanding of a cross-section of two diametrically different groups of women – the educated women workers employed in the call centers, (whom I take as exemplar of globalization) and the rural poor women employed as daily wagers under MGNREGA (whom I take as beneficiaries of the state sponsored poverty alleviation programme guaranteeing 100 days of employment to the rural poor).

In this concluding chapter, I will first reiterate why we need to build-up policy prescriptions based on the day to day experiences of different groups of women. I will then outline a synopsis of my own arguments in the preceding chapters of this thesis. In the final section, I will then outline my own prescriptions for gender equality and justice, particularly in the context of neoliberal economic reforms in India – outlining possible issues for future research.

## **8.2. Taking note of differentiated impacts and experiences**

Concerns on gender equality and justice have been increasingly attracting attention and focus both in academic discourses and policy perspectives on development for quite some

time now. In chapter 3 and 4 of this thesis I outlined some of the major policy initiatives undertaken by the Indian state in this direction. Two things are axiomatic. First, in all the policies and discourses on gender justice in India, women have evidently been seen as a unified and homogeneous entity. Second, since the positions of power and authority have predominantly been with men, policies aimed at gender justice have often been bereft of sensibilities needed for comprehending endogenous and exogenous factors impeding women's empowerment and development. Attempts to deal with women's issues at a collective and structural level - so to speak, as such, have thus either failed or have had a very restricted outcome in redressing patriarchal mind-sets both in private and public spaces. The need of identifying intersections that perpetuate women's subjection by exploring their lived experiences as such, become significant.

It is in this context that the advantages of qualitative research methodology, endorsing an experience based enquiry focusing on the congruities and strains between policies and requirements becomes strikingly relevant. Interestingly, a growing number of political theorists and social scientists have been adopting qualitative research methods to obtain their data drawing from the day to day experiences of the subjects of study to back their normative claims (Cabrera 2009; Nussbaum 2008). My own attempts of understanding and assessing the commonalities and divergences of issues afflicting the two different groups of women I visited as part of my field work for this thesis have largely been inspired by such developments. Based on my own experiences, I contend that 'being women' is the lowest possible denominator conjoining different groups of women into socially construed subordinate positions relative to men. Beyond that, there are social, economic and cultural factors spread in layers - enabling in some cases and constraining in some others- which

need to be identified and addressed. Actualizing real empowerment goals defined in terms of conferring ‘agency’ on women as such, demands a genuine appreciation for, and embedding of, their lived experiences into development policy discourses. In other words, policy discourses on gender equality and justice must be informed by the lived experiences of different groups of women.

However, it is important to note that the quest for gender equality and gender justice is not a linear process and requires following a multi-pronged strategy involving many agents and institutions. Whilst the interventions made at institutional levels by the way of legal and political reforms are of help, given the fact, that their effective realizations are much dependent on the carriers (institutions and officials with patriarchal mindsets), in itself they are not enough. In fact, external interventions can help only when the pervasive patriarchal values and misogynist cultural orientations have been obliterated. This is a massive task, but minimally two things are required to give impetus to the project: (1) an effective and affirmative role of the state; and (2) continued attempts at the grassroots levels for bringing in attitudinal and value changes. I will return to specific strategies – which I call ‘Top-down and Bottom-up’- later in the concluding section of this chapter. It is pertinent here to first summarize my arguments, made in preceding chapters

### **8.3. Summary of Arguments**

In the introductory chapter of this thesis I set out the main objective of this research i.e. to examine the role of the Indian state in promoting gender equality and gender justice in post-independence India, in general and during the operation of neoliberal economic reforms, in particular. The chapter highlighted the need to understand the role of the state in the quest



of achieving standards of gender equality and gender justice (over a long period of time). It is also necessary to understand the historical specificity of postcolonial states. It is evident that the Indian state inherited a fairly large bureaucratic structure from its colonial predecessor and has been maintaining it over a period of time albeit some minor changes. Following the 'historical specificity of the state argument', as such one can argue that the decision of holding on to a disproportionately large administrative structure in India could plausibly have been because of the mediatory role that it is expected to play between contending social groups and classes. Additionally, following the mandates of a constitutional democracy, the Indian state has had to commit itself to both the ideological and developmental task of creating an egalitarian social order and the large bureaucratic structure is of help here.

Significantly, the chapter touched upon the possible role of the Indian state in mediating the gender differentiated impacts of neoliberal globalization in India. I argued that despite the adoption of the neoliberal reforms in India there still exists a predominant role for the state in the social sector. The neoliberal economic reforms as such should not be seen as binaries to the state led attempts to deliver social and economic justice. In fact, I argued that the transition to free market economy under neoliberalism, would be better, inclusive and effective with a continued social interventionist role of the state. And to that objective I outlined how my case studies (later elaborated in chapter 6 and 7 of this thesis) would substantiate my argument that greater social equality or, conversely, growing inequality and disparities between urban centers and rural peripheries can be best bridged through a continuing redistributive role for the Indian state. This chapter also outlined structural factors to be addressed and also set out the methodological framework for my

empirical research. I identified my position as reformist and, as such, somewhere between the liberal (or neoliberal) and left/socialist/marxist dichotomy that characterizes the normative positions adopted in literature on globalization.

In chapter 2 of this thesis, I situated my work within the academic literature and debates on globalization. I did this with the basic objective of highlighting the space in which this thesis is grounded. Further, an engagement with existing research allowed me to develop my own theoretical position on globalization and the state and gender and global restructuring. To this end, I provided a broad overview of the major approaches to globalization, and neoliberal globalization. I followed it with a brief narrative on the rise of neoliberal globalization in the Western world and the rapid spread of neoliberal ideology throughout the rest of the world from the mid-1970s to the early 1990s. I then provided a brief review of the literature on neoliberal globalization in India as well as that on the gender dimensions of neoliberal globalization. Within this narrative, I tried to embed the growing tide of criticism and protest associated with the rise and spread of neoliberalism. In the later section of the chapter, I sought to dovetail the gendered understanding on neoliberal globalization with the concerns expressed in the literature on neoliberal globalization in India.

In sum, chapter 2 demonstrated three things: (1) the fallacy associated with unfettered neoliberalism as a prescription for economic growth and development; (2) the widening disparities of income and social positions both - within social groups in states and between the developed and developing states; (3) the fact that contrary to the neoliberal claims of overall prosperity of all social groups, the ever worsening situation of the

traditionally marginalized and vulnerable sections of society of which women constitute a major part in developing societies like India.

In chapters 3 and 4, I provided background information on the general conditions of women and attempts made by the Indian state to improve their conditions in the four decades after independence. In chapter 3 particularly, I tried to show that the lack of gender equality and justice in India hasn't necessarily been only because of neoliberal globalization. With that in mind, I provided a glimpse of the position of women in India between the period of India's emergence as an independent, sovereign state (1947) and the early 1990s, when the neoliberal reform process began in its earnest.

My overarching concern in chapter 3 was on highlighting the affirmative role of the Indian constitution as well as of the two major political institutions namely the Parliament and the Judiciary. Following the arguments made in the introductory chapter of this thesis on 'historical specificity' I showed that the parliament and the judiciary in India have certainly displayed a certain amount of normative commitment towards providing civil, political and legal rights to women. To substantiate such a claim, I tried to underline some of the important constitutional provisions as well as some of the landmark verdicts pronounced by the Indian Judiciary. However, citing evidence in the literature, I argued that the mere granting of these rights was not enough and that the issue in hand was about addressing social and economic as well as structural inequalities.

In the later part of chapter 3, I argued that an assessment of the provisions of the Constitution as well as the judicial pronouncements very succinctly brings forth the protectionist approach adopted by the Indian state and the underlying position of elites within state institutions on the issue of gender equality and justice. Whilst the adoption of

such an approach may have resulted in women being granted some rights and facilities, they certainly failed in enhancing their capabilities and bestowing agency on women.

In chapter 4, I worked to identify the socio-economic rights that were granted to Indian women through welfare provisions and policies of the Indian state. Having outlined some of the empowering constitutional provisions as well as the judicial pronouncements, I argued in chapter 4 that one reason for their ineffectiveness in regard to achieving the standards of gender equality could plausibly lie in the nature of the postcolonial Indian state itself. With that in mind, I tried to provide a brief analysis of the nature of the Indian state exploring the relevant literature on the Indian state written from liberal, marxist and feminist perspectives respectively.

I argued that given the nationalistic aspirations of the postcolonial Indian state (which remains a bit preoccupied even in the post-independence period) and the resultant desire of establishing an egalitarian social order through economic development and social programmes, none of these perspective could clearly and fully encapsulate the functioning of the Indian state. The unique social conditions of individual postcolonial societies points to the need for context specific approaches that will elucidate complex social realities.

In the particular context of gender equality and justice in India, I demonstrated how the objective of ameliorating the problems faced by Indian women was a core part of India's trajectory towards 'modernization,' This was to be realized through a variety of welfare measures. The problem, however, remained as the efforts were focused around gender determined lifestyles, rather than being driven by the objective of realizing substantive gender equality. Nevertheless, despite the limited impact of welfare policies on advancing

gender equality, I worked to show that they were nonetheless, vital in providing concrete support for women (and girls) in areas like health, education and social welfare.

After detailing the efforts made by the Indian state under the broad rubric of democratic planning (welfare) in chapter 5, I then, tried to explain the reasons behind India's decision to introduce neoliberal reforms in the early years of the decade of 1990s. I attempted to outline the theoretical postulates on why and how neoliberal globalization posed the threat of arresting some of the citizenship gains made by women in post-independence India. With the help of quantitative analysis based on data sourced from governmental departments and ministries, I tried to show that even though it is a bit early to establish a direct linkage between the operation of neoliberal economic reforms and the declining social position of women, yet there seems to be a suggestive trend indicating that this is the case. I also argued that since women in India (as elsewhere) cannot be seen as a homogeneous group, the impacts of neoliberal reforms have been differentiated on the different sections of women in India.

To that end I factored in the role of the intersections that exists and argued that whilst certain categories of women, for example, the better educated in urban centers, may have benefited from increased employment opportunities, certain others, particularly the rural, poor, illiterate and the low caste women have actually had to suffer some very deleterious impacts. It was in this context that I emphasized on the need of the state action in addressing disadvantageous working conditions and exposure to risks like sexual harassment in the workplace. Again, this re-affirms a positive role for the state that runs counter to the prevailing 'laissez-faire' ideology of neoliberalism.

In chapter 5, I made two essential claims. First, women have received better attention in some sectors, health and education, for example. However, in general terms, the impact of neoliberal globalization on women seems to have been negative. Second, the gains made in specific sectors are not solely due to neoliberal policies since the achievement of this outcome has relied upon sustained state interventions in the socio-economic and political realms in India.

Following my larger claim, supported by extant literature, that the impacts of neoliberal globalization have been differentiated on different social groups, I tried to substantiate this empirically by the help of two case studies conducted on two very different groups of women in two different social settings. In so far as claims made in the globalization literature often lack strong empirical substantiation and, further, there is still a relatively small literature on Indian women, chapters 6 and 7 thus constitute the core of my own contribution to the literature on gender and development in general and feminist political economy in particular. In chapter 6, I tried to showcase the mushrooming of business processing units and call centers as straightway exemplars of a globalized economy. I also tried to detail general background information as well as the factors behind the phenomenal growth in the outsourcing business in India. Since the chapter builds on my own encounters with the women employees of the two call centers I visited as part of my field work, in these chapters I provided further methodological details of the empirical studies undertaken. I argued that since the impacts of neoliberal globalization are differentiated on different sections of women, policies formulated to empower women will benefit from insights gleaned from qualitative research methods.

I then narrated the experiences of these women based on my interviews with them. In the most basic sense, in chapter 6, I tried to argue three key points, First, women employed in the call centers have benefitted from the new opportunities brought about the boom in the ICT sector in India and even though they may not have been in position of attaining agency, yet they have certainly moved up, relative to their situation previously, Second, in general some linkages can be established between accounts of the exploitative nature of neoliberal globalization expressed in the extant literature. To some degree, my experiences of women employees in call centers, and my own understandings of the issues therein, support this. However, and third, a successful resolution of issues especially from the vantage point of women requires that the state and market are not seen as binaries or incompatible forces, but must instead be viewed as forces that can work together to improve the position of women.

In chapter 7, I elaborated the experiences of rural women employed under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) – a state sponsored social security scheme mandated to enhance livelihood and security by providing 100 days of assured wage employment to the rural populace who are willing to take up unskilled manual work. I described MGNREGA as an exemplar of state intervention undertaken primarily with the objective of improving the life conditions of the marginalized and vulnerable people and communities - a vast majority of whom dwell in India's villages.

Based on my interviews with the rural women employed under MGNREGA, I argued that in respect to the position of women in rural India, MGNREGA stands as an exemplar of a kind of 'silent revolution'. It is true that India aspires to be a knowledge economy but till the time such grandeur visions are actualized manual unskilled labour

would continue to be a substantial source for running and keeping the economy on track. The fact that MGNREGA taps on that source and in so doing offers to a vast majority of people the right to work and through it other basic rights such as food health and education makes it stand out amongst the best social security measures available in the world.

Based on my own interactions with women workers under MGNREGA, I argued that even though the scheme has not been theoretically and legally mandated by the Indian state to exclusively serve the cause of women's empowerment per se, yet its operation has benefitted women in having an equitable and accessible work opportunities and conditions, equal payment of wages and representation on decision making bodies.

#### **8.4. Policy prescriptions and future research**

My basic aim in this thesis has been on underlining the multidimensional aspects of the quest for gender equality and justice in India. By help of the two case studies detailed in chapter 6 and chapter 7 respectively, I tried to work my way out to substantiate and support the normative agenda that drives my thesis i.e. promoting the idea about the need of state-led strategies and actions for women's empowerment in India - particularly, in the context of neoliberal globalization. I must say that women's issues are neither uniform nor static and that the state interventions do contain the risk of complicating them further, given the encompassing approach which often characterizes state-led initiatives for gender equality and justice. Given the fact, that the impacts of state policies are differentiated on different groups of women (I say this based on my own experiences with the two groups of women I met and interacted with as part of my field work for this thesis) the need comes down to identifying and understanding the specific issues that confront different groups of women in



different contexts. A qualitative approach to gender justice thus is of help or else policies aimed at empowering women may simply have a partial effect i.e. empowering some whilst disempowering the other.

The state, I believe, has a very crucial role in making and executing policies for women's empowerment both at the global and local levels. Whist at the local level, it must focus on removing structural hurdles and enhancing capabilities, at the global level, it must promote measures that strengthen solidarities and linkages between civil society organizations working for institutional reforms in trade practices that affect women in particular. The key issue here is of creating balances between global institutional pressures and local specificities and needs. This is because unjust and insensitive practices at the global levels tend to have significant impacts on developmental processes and citizenship rights at local levels - more often than not deepening insecurities of the marginalised and vulnerable. The challenge as such, is to look to women's issues with due regards to specificities of their situation.

In the course of this research I came across a remarkable volume of literature dealing with the social and economic impacts of call centers on women in India. However, I could not find much on the affirmative prescriptions through which the state could create social securities for women working in them. For example, policies and schemes like the Software Technology Park of India (STPI) led to mushrooming of the call centers in metropolitan cities and generation of new job opportunities from which young women have apparently gained. However, the mere fact that the policy almost gives a free hand to the call centers in dealing with their employees both in terms of hiring and firing has meant that the insecurities of women continue. In fact, the relatively lesser requirements of

formal/technical qualifications at the entry levels has meant that whilst younger women find it easy to gain employment but that in itself, becomes a hurdle in their vertical mobility and further career aspirations. These women as such have no other option but to continue to stagnate in the industry. My own understanding is that such gendered dimensions of globalization could benefit from the development of a framework in which it is viewed as a (potentially) important, interventionist actor, mediating between the global and local in empowering women and furthering gender justice. Similarly, I could find a lot of eulogizing narratives on the role of the state in providing 100 days of guaranteed wage based employment under MGNREGA. However, I did not come across narratives on the ways in which the wage earners could be skilled for social and economic mobility.

India is one of the world's most populous countries. India is also now regularly referred to as a significant 'rising power.' India is also celebrated as a 'success story' by advocates of neoliberal globalization<sup>61</sup> and free-market development models. Yet, while Indian women are utilized extensively as a source of labour in neoliberal projects, the differential impacts of neoliberal reforms in India on women specifically is largely neglected in mainstream, and specifically, neoliberal globalization literature. The disadvantageous impacts of neoliberal globalization on the status of women have been documented, by feminists, however. Much of this work has focused on debt and Structural Adjustment Programmes, export-led growth and the opening up of domestic economies to global market forces and concomitant domestic reforms to facilitate this process. In general terms, feminist claims are born out in the Indian case, but again there is a dearth of literature on contemporary developments in India specifically.

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<sup>61</sup> See for example *The Economist*, 2010. Available at: <http://www.economist.com/node/17147648> (accessed December, 2017)

Given the fact that the socio- economic and cultural structures of the developing societies are very different from Western countries, it should not come as surprise to find that the impacts of globalizing processes have been differentiated, and in certain cases extreme, on different sections of society in developing states. Many scholars, including feminists, have rejected the universalizing and homogenizing claims of much of the neoliberal literature on globalization, notably the ‘hyper-globalization’ school of thought, and have further refused claims that globalization is inherently beneficial, noting instead that there are winners and losers. These scholars have, therefore, called for more empirical research on the specificity of impacts on different groups and also argued that state still have an interventionist role to play in ameliorating these differential impacts in the interests of social (here gender) justice. My work, can be seen as a response to these calls.

### **8.5. A Top Down, Bottom-Up Response?**

I conclude my thesis by sketching out a provision future research agenda that would enable me to take forward my research in this thesis and further develop my argument on the need for what I term a ‘top down’ and ‘bottom up’ approach to globalization. To this end, I recall here what I consider to be important literature that links globalization to new institutionalism and global governance (see chapter 2). The ‘top down’ approach is linked with the kinds of reforms that would be required in the architecture of global governance, the ‘bottom up’ approach is concerned with undertaking policy measures at the state level for the realization of the ideals of gender justice and gender equality. Together they demand a stronger, wider and effective, interventionist role of the Indian state in an era in which India has taken the neoliberal development path.

To paraphrase a well-worn slogan from the global environmental movement, this approach requires that we think and act globally and locally. In calling for a ‘top down’ and ‘bottom up’ approach, however, I insist that the (Indian) state has an active, *interventionist* role to play in empowering women; interventionist in regard to the formulation and implementation of policy in the domestic social sector and in engaging with global institutions and global civil society networks to address the gendered and negative impacts of globalization and to realize just outcomes for women.

My ‘hypothesis’ for future research is that, a ‘top down’ approach requires that the Indian state intervenes in and coordinates with existing global institutions charged with addressing gender issues in development and latterly globalization, and with global civil society networks and grass root local institutions, in a coordinated effort to empower women. An ‘intervention’ might take the form of persuading international agencies to work with the Indian state to aid domestic efforts to empower women. Accepting the changed realities of a globalized world, I argue that the Indian state might also fruitfully engage with international civil society networks to better comprehend and better respond to issues of gender justice. The evident corollary to this top down approach, is that such domestic efforts take the form of state interventions in the domestic social sectors by the way of framing, implementing and monitoring empowering laws, which are based on and respond to experiences and needs at the local level. In short, I contend the state has a key role to play in addressing and responding to the deleterious impacts of globalization on Indian women, differentiation according to class, location and so on, and in promoting gender justice. In short, I argue that the realization of gender equality in India requires a fundamental rethink of the ‘one size fits all’ model of development that characterized the *Washington Consensus*

era particularly and which I contend-continues to dominate mainstream development theory and practice in the current period, with only limited modifications.

The case study focused on the call center business, a clear outcome of globalization and initiative promoted through the institutions of global governance, is particularly helpful in demonstrating the utility of the 'top down' approach (chapter 6). The study of MGNREGA best exemplifies the need for a 'bottom up' approach (chapter 7). That said, both cases evidence the need for global and local coordination, mediated by the Indian state.

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## Appendix 1- Interview with women employees at the Call Centers in Gurugram (Transcribed).

**Q. 1.** What is your perception (as an 'average' women employee in the Business Processing Organization) of this work? That is, is your work taken to be or seen as either economically or socially rewarding or both economically and socially rewarding?

**Respondent 1-** BPOs refer to outsourcing back office operations to different centers in developing countries. Reason for this outsourcing is availability of skilled work force at cheaper cost. It is both economically and socially rewarding.

**Respondent 2-** BPOs are a service provider and it is responsible for performing a process of another business organization. With BPOs enormous opportunities have emerged for women. My job is based on study of available/collected documents and then compiling them and files it. So for me it is both economically and socially rewarding.

**Respondent 3-** BPOs means an organization working for another organization (subletting?) which mostly depends on outsourcing to increase the productivity of an organization. Yes, it helps in Globalization to some extent as it gives more exposures to women in society. It is economically rewarding only.

**Respondent 4-** Indian BPO companies have an edge in terms of providing efficient business solutions. Reason for it is a huge availability of talent pool and cheaper cost of labour. Globalization is the catalyst of growth for Indian BPO market. Found it economically rewarding

**Respondent 5-** Business Processing Outsourcing basically acts as middle man in client service basis. India has emerged as a largest manpower and subsequently becoming the center of attraction for the whole world. Most countries outsource their work to India and thus provide ample jobs in the BPO sector. G8-Business Processing Outsourcing is a contract of a specific business task to a third party provider. It affects mainly in the service sector. The rapid growth of business sector boosted phenomenal growth in the BPO industry. Yes, it is both.

**Respondent 6-** BPOs provide job opportunities to larger mass, betterment of women. Most BPOs are part of international business. I am currently working in an insurance sector as analytics and I see my work/job as both economically and socially rewarding.

**Respondent 7-** BPOs are for getting information, which in turn helps in making us aware about things in any field. Yes, it is associated with globalization. I don't do call center work. I am in operation (analytics) wing and for that I think it is both economically and socially rewarding.

**Respondent 8-** My background is management so clearly I don't have any experience of BPOs. But I can say that in globalization BPOs make a positive impact for job seekers. We

could say that these are related. Nature of my job is to assist the underwriters. Yes. My work is both economically and socially rewarding as it gives financial and social benefits to both the sides.

**Respondent 9-** In my view BPO is a center where calls are made for the purpose of publicity, selling company's product, policies, recruitment for company. BPO is an organization where women get job easily. Socially rewarding and it is directly in proportion to economic rewards. Enhances the status of individual in society.

**Respondent 10-** BPOs are root cause for bringing changes in society and globalization has affected the life style. My job is both economically and socially rewarding for me but for some time I need to prove myself in front of family and society that I am doing good job in private sector and private sector can be better place for girl as compared to government sector.

**Respondent 11-** BPOs offer job opportunities and do away with the boundaries. It is both i.e. economically and socially rewarding. Economically it empowers us and socially it enhances boundaries and give me an opportunity to interact and communicate with different types of people.

**Respondent 12-** As per my understanding BPOS are the process of outsourcing in which the things are coordinated properly. This process is done for the outsourcing of services. There are two types of BPOs. One is front office in which direct deal is done with the customers and the other is back office. BPOs are the means of generating easy and good money in the era of globalization. I am doing job to earn money and become independent and also to support my family. So for me it is economically rewarding.

**Respondent 13-** BPOs are the offshoot of the process of globalization and it provide several opportunities of jobs to both men and women in different sectors. It is both economically and socially rewarding.

**Respondent 14-** BPOs are Service provider companies and they have opened the world to massive social interaction and cross cultural communication. This is beneficial for globalization. It is both socially as well as economically rewarding and helpful in enhancing my position in family as well as society.

**Respondent 15-** Business Process Outsourcing (BPO) is the process of specific business negotiations. This is more likely to be involved in a process-based business process, and it discusses and solves the issues related to client. It is both ways valid which means socially rewarding and economically empowering.

**Respondent 16-** Business Process Outsourcing is about outsourcing the operations and responsibilities of business functions/processes to a service provider. It is both economically and socially rewarding.

**Respondent 17-** BPOs are generally outsourcing the services and plans to the third party. It has back and front office which deals, with finance, Human resource as well as customer service respectively. With Globalization its work and area of occupancy have scattered. Passion of working in BPO has increased in percentage than before in India specially. It is both economically and socially rewarding.



**Respondent 18-** I am happy with the nature of job I am indulged in and I am sure that my job will help me in enhancing my status and prestige in society.

**Respondent 19-** It is economically rewarding and socially frowned upon in Indian culture.

**Respondent 20-** I find this job as a challenging one. It is partially rewarding in economic and social terms.

**Q.2.** What levels of job satisfaction do you get from your work in BPOs?

**Respondent 1-** Not fully satisfied with the job, if I got an opportunity to work in an NGO.

**Respondent 2-** It helps one in setting up their own existence and it gives immense pleasure and sense of pride that we are economically not dependent on anybody.

**Respondent 3-** It is indeed satisfying as it is considered as an additional income of the family so I can invest that money for the purpose of social security.

**Respondent 4-** With increase in designation a job is satisfactory. Yes, I would love to work in educational institutions.

**Respondent 5-** It hardly gives a sense of satisfaction as there are chances of stagnation with the job. In this kind of jobs there are few incentives with multiple challenges.

**Respondent 6-** In the beginning work structure appears to be good and satisfying but subsequently chances of monotony are bigger as there is lack of personal growth and progress since the upper crust is dominated by the men.

**Respondent 7-** It is not satisfying as women are not the part of decision making process so their interest is not well served in the BPO's.

**Respondent 8-** This sector is demand based sector as there is lot of pressure to achieve targets. So sometimes it gives satisfaction but on many occasions the work pressure robs the enjoyment of target achieved.

**Respondent 9-** Not at all satisfying because of the patriarchal nature of the structure, no involvement of women in decision making and lack of flexibility in work timing.

**Respondent 10-** It is very satisfying as it gives several opportunities to learn skills and enhance career prospects.

**Respondent 11-** My job helps me in restoring my dignity in society which is otherwise would have not been possible.

**Respondent 12-** It is not satisfying at all because there is trust deficit by the male employers on the part of female employees. Management prefers male officers in lieu of female officers as men are considered multi-tasking by them.

**Respondent 13-** it is not satisfying as the pressure of work is more disturbing than the endowments received for the works done.

**Respondent 14-** Not satisfying because the incentives and salary are just like peanuts.

**Respondent 15-** Yes- it is satisfying as it gives one the scope for career enhancements.

**Respondent 16-** My job is very much demanding and does not reward you in the same manner.

**Respondent 17-** In this sector, female employees are constantly monitored by their bosses as the result there is tremendous work pressure. For me it is not much satisfying and I would love to switch over to a job which is more permanent in nature.

**Respondent 18-** For me, the level of satisfaction is not proportionate to the work and energy put in order to achieve targets.

**Respondent 19-** This sector is primarily male dominated with little scope for growth. The level of job satisfaction is very less in this sector.

**Respondent 20-** It gives mixed feeling. It is satisfying if I have achieved my target within the stipulated time frame. Otherwise it is not satisfying.

**Q.3** What is your perception of women's preference for this work, or otherwise, in the BPO sector?

**Respondent 1-** Women prefer to work in this sector because of the flexibility of hours and work from home options.

**Respondent 2-** Working in a BPO sector offers flexibility in terms of timing and opportunity to work from home options also.

**Respondent 3-** Working in BPO is the only way to earn money and improve yourself. It is easier to get a job here on a normal pay scale after completing higher secondary.

**Respondent 4-** There is no particular reason for women to work in BPO sector. They work in this sector just to earn money as here in India it is easy to get a job in BPO sector after graduation or by just completing higher secondary.

**Respondent 5-** The outlook of women for BPO industry is gradually changing. This was perceived as a man's world a decade back but women are increasing in this BPO workforce now. Reasons for it is that company is trying to promote gender diversity by initiating various policies for women i.e. pick up and drop system/facilities, flexible hours for new moms who are back to work after maternity leave.

**Respondent 6-** Easy hiring with minimum eligibility criterion and experienced/inexperienced candidates are welcomed. As women (mostly) work for secondary income so they accept unattractive salary packages.

**Respondent 7-** There is no such thing in BPO industry. It is altogether the game of the mind. Everything is decided on the basis of qualification and as per my understanding it is a game of mind and continuous learning, whosoever is capable can come and work.

**Respondent 8-** This industry has given vast exposure to women and it facilitates them to excel and establish their identity.

**Respondent 9-** It is source of extra income in the family and by availing it we can lead a better life in society. Jobs in this sector infuse new aspirations and provide new opportunities.

**Respondent 10-** It is related to the education and pursuing jobs in your own comfort zones. BPOs, altogether, provides several opportunities to the women.

**Respondent 11-** Human Resources and administration are quite a good profile for women. This sector is broadly preferred by women as they find themselves comfortably located here as well as they are capable of solving the complex issues with utmost patience and initiatives.

**Respondent 12-** My perception of women's preference for this work in the BPO sector is to give equality to women alongside women. Calls are pick up by women and the involvement level of women are high.

**Respondent 13-** My perception about this type of job is good and I believe that there is no discrimination till one is married and the problem starts after marriage only?

**Respondent 14-** There is no such thing as women are more preferable in this sector for job. Both are equally capable to do this job. Sometimes women are generally preferred over men due to melodious voice.

**Respondent 15-** Night shifts are socially condemned especially for females. This has to do with difficult work schedule as well as normative approach. The circadian rhythm is affected from health point of view.

**Respondent 16-** for females it's much easier and comfortable to work in BPO before marriage but being into family after marriage bounds their limits of time and environment.

**Respondent 17-** It is absolutely perfect for women to work in BPO. Make you independent as all other sector does. It provides lots of opportunity to the women, especially for the voice process women get preference.

**Respondent 18-** Women have the tendency to give her 100% in whatever works she takes up. By working in BPO sector women feel themselves economically independent as well as empowered too.

**Respondent 19-** Women prefer to work in this sector due to the good perception about this industry.

**Respondent 20-** Women prefer to work in this sector because of the flexibility of hours and earning extra money for household expenditures.

**Q. 4** In your view, why do you think women (seemingly) prefer working in this sector? Do you think it is a 'preference' or are there other reasons why this sector is female dominated?

**Respondent 1-** It is preferred by women because of the facilities available like pick up and drop facility, feasibility to work from home, flexible hours available in preferred shifts and the crèche facilities for working women.

**Respondent 2-** Working in BPOs give options such as work from home, flexibility to choose timings of work and transport facilities.

**Respondent 3-** Women prefer this sector as there is flexibility of hours and they get opportunities to generate additional money.

**Respondent 4-** India is still a developing country due to which most family could provide higher education to their children and especially women and if they are graduate then also it is difficult for them to get a job apart from BPO sector. So at last, best option is to get into BPO sector and earn something rather earning nothing.

**Respondent 5-** As mentioned above, women are now preferring to work due to various initiatives by the companies. Also the skill requirements and availability of jobs in the market could also be a reason.

**Respondent 6-** You can enter in BPO with basic skill of communication rather than technical and specialized certification. Thus easily hired and get domain training. Also BPO provides ample job offers than other government/non-government institutions.

**Respondent 7-** It is in equal ratio and both-men and women are equally involved in this sector. However, I feel that the preference for women in this sector is because of the flexible hours of work.

**Respondent 8-** Women prefer due to safe environment and flexible work hours.

**Respondent 9-** Not higher eligibility criterion is needed and also it is easy to find jobs in BPOs and find opportunities and also the availability of flexible timings.

**Respondent 10-** Yes, Women prefers working in this sector because of flexible hours and proximity to their home. Because girls have many qualities which make them different and preferred in this sector. For example, managing (things) quality, seriousness to work, soft behavior and tolerance power.

**Respondent 11-** Women working for the administration/HR sector. This is a good sector for women.

**Respondent 12-** Girls treat customer in good manner and handle works with care and tenderness (softly). Along with it, women can easily handle phone calls, even cold calls.

**Respondent 13-** I don't think so. It is preferred by men also in the equal manners.

**Respondent 14-** I don't think that women prefer to work in BPOs. This is an individual choice and it varies from person to person. Based on their interest and circumstances, they choose their jobs.

**Respondent 15-** Women are good natured, soft spoken then men. Women speaks softly and handle situation perfectly.

**Respondent 16-** Women speaks softly, manages every situation well and do her work smartly.

**Respondent 17-** I think due to good behavior women get preference.

**Respondent 18-** Women prefer this sector because they can make easy money and enjoy corporate lifestyle.

**Respondent 19-** In my view, I think women don't take much pressure on them. In this sector, we do work properly and freely.

**Respondent 20-** Women are preferred because of their objective value in this sector. It is comparatively safer than field job.

**Q.5** Again, in your view, what challenges and opportunities do women in general have in Call Center work? For example, are there challenges in terms of the monotony of the work and/or the long and arduous working hours?

**Respondent 1-** It is problem in commuting particularly in night hours. Even though the pickup and drop facilities are there but still they think that it is not sufficient to ensure safety for them.

**Respondent 2-** I enjoy my work in office and have not faced any impeding challenges till date.

**Respondent 3-** Opportunities are less as this sector has male predominance. Challenges are multiple for example-commuting long distance, sitting for longer hours in front of computer which creates muscular disorder problem along with developing vision problem.

**Respondent 4-** Never thought on these issues as I consider it as part-time job. My main job is to take care of the family and kids. So for me it is a place to earn some money by devoting some flexible hours as my convenience.

**Respondent 5-** There are security issues and health issues involved with such type of jobs, however if one deals with these situations tactfully and focus on the entrusted work, there is opportunities available for them to move high in career.

**Respondent 6-** It is challenging as we have to maintain balance between work and home. After finishing work in the morning when I reach home, being woman, I have to ensure that things have been managed well by the domestic helps in my absence. But the same challenges are not applicable for the men who work in night shifts in the call centers.

**Respondent 7-** It is not only about the challenges involved rather many opportunities are also available to the employees as every profession has its own pros and cons. Over and above, I am happy with my job as through it I am earning my dues.

**Respondent 8-** My job gives me satisfaction but at the same time it is so much taxing and demanding as I have to balance the pressure at home and office.

**Respondent 9-** Opportunities are less and challenges are multiple. Some of the most potent challenges are-commuting in night, concentrating on computer screen for the longer periods, taking at least 30-40 calls (on average) in 8 hours. So over all it is strenuous job and does not contribute in enhancing our status in society. As people still have poor opinion about BPOs jobs.

**Respondent 10-** In my office, I am getting opportunities to gain experience which in turn would help me getting avenues in other sectors. Yes, there are many impediments but it is applicable in all offices so BPOs/Call Centers are no exception.

**Respondent 11-** Remuneration paid to us for our services are not in proportion to hours spent in these sectors as in India minimum wage scheme is not implemented. As the result, there is tendency to exploit the talent of the young women employees. The potentiality of stagnation is quite high as demands of the women employers' decreases once they are married. If they get married while working in the BPOs, the management is often worried with the fact that if they get pregnant then the management will have to bear the cost of maternity leave (which is now 6 months). The management now a days are quite choosy in employing young females in their organizations and prefer males instead of females as their employees.

**Respondent 12-** Not aware of any such challenges however, works in call center has given me an opportunity to interact with different types of people which in turn would help me in enhancing my personality.

**Respondent 13-** There is problem in commuting as I have to travel early in the morning to reach to the office on time. So I start from home at 5am and changes local transport thrice to reach to the office. Initially people in the neighborhoods were looking at me with bad intentions but now I am able to convince them that working in this sector are not bad as every sector has its own good and bad prospects.

**Respondent 14-** Challenges are multiple but once I reach to my work place things become easier and different as the work atmosphere are very conducive and friendly. There are opportunities available for employers with technical and professional degrees. Since I am simple graduate so for me the chances of promotion are less and it is all experience based.

**Respondent 15-** For me it is simple cake walk to get a job in the closer vicinity to my house after finishing 12<sup>th</sup> Standard. Though I am pursuing higher studies through distance education but at this stage getting this job has addressed many of our problems at home and made life a bit comfortable.

**Respondent 16-** All jobs have its own advantages and disadvantages. For me commuting is a big problem but at the same time getting job easily in closer vicinity is a boon. I am graduate and my father is not keeping well. So through working in this sector I can contribute to the family and also carry on my education.

**Respondent 17-** It is very challenging for me to sit continuously on computer screen for longer period. I have developed eye sight problem along with muscles problems in back. There is no provision for medical leave though employers are sympathetic but still there is insecurity that if we continued to go on longer leave for medical reasons there is no security of job.

**Respondent 18-** Initially there were problems in commuting but now we commute in groups. As such we do not face any specific problems.

**Respondent 19-** Constant pressure is there to finish the task and reach to the target. Sometimes it is enjoyable when other members in the team are cooperative but often it

happens that the member's particularly male members in the team instead of cooperating start dominating the female colleagues.

**Respondent 20-** Challenges are to meeting your targets as the work is target oriented. So generally work in this sector is stressful. Opportunities are available but the need is to constantly be on your toes to reach to the higher ladder.

**Q.6** What kind of stress do you experience?

**Respondent 1-** Yes. Mental stress mostly due to stringent deadlines. Physical stress at times due to night shifts and long working hours.

**Respondent 2-** It is often work related stress. Maintaining balance between family and job. Achieving the target in prescribed time limit.

**Respondent 3-** No stress at all as we work in team and we have very good coordination with team mates and through team work we overcome it.

**Respondent 4-** As a team leader it is my responsibility to coordinate with team mates and motivate them to achieve target on time. I feel Stressed if the work is not complete on time. If the quality of work is not good. If the client is not satisfied and complaining and if people under you are leaving the company.

**Respondent 5-** Since I live in a nuclear family so it becomes difficult for me to take care of my kids at home. It has psychological impact on me and I often fear whether my kids are taken good care by the domestic helps or not. So I fail to concentrate on my work and consequently there is delay in achieving target within the specific period which has negative impacts on my performance.

**Respondent 6-** No stress at all and I enjoy and accept job related challenges. For me stress is nothing but a time limit for completing my work and my goal is to meet the dead lines.

**Respondent 7-** I live in a joint family so my kids are well taken care of and I in a position to focus well in my work. As such I do not feel any stress.

**Respondent 8-** It is often work related stress which results in migraine problem and other health issues. Whenever I feel stressed I confide and discuss my problems with my mother.

**Respondent 9-** No stress and I enjoy my work as it gives me an opportunities to learn new skills.

**Respondent 10-** It is stressful to maintain balance between work and family. Sometimes family is cooperative but most of the time it happens that the demands for spending more time at work place to reach to the target disturbs the blissfulness of family.

**Respondent 11-** No stress and the work culture is conducive to the growth. I just have to maintain 100% accuracy as there is no scope of error in this sector.

**Respondent 12-** Very stressful because of the target oriented nature of the job and I need to do time management in advance. But it has not affected my personal life.

**Respondent 13-** Stressful as it is difficult to maintain balance between work and family. But the positive side of such stress or pressure is that we are equipped to work in tough condition and it make us mentally strong.

**Respondent 14-** It is not only stressful but at the same time boring also because of the repetitive nature of the job. I feel stressed because of receiving many calls the whole day.

**Respondent 15-** It is stressful- primarily due to target oriented nature of the job. Mental stress due to stringent deadlines and increasing work volumes.

**Respondent 16-** Ofcourse it is stressful. When lot of work is there we need to stretch and again next day too we have to report to the office on time. It often affects our health etc.

**Respondent 17-** It is not only stressful but also monotonous to work in the same atmosphere.

**Respondent 18-** It is not stressful rather it gives us sufficient time and incentives for leisure and recreation.

**Respondent 19-** For me it is stressful and demanding job.

**Respondent 20-** It is stressful and taxing job.

**Q.7** Do you find any external or internal issues in doing the jobs especially with reference to adapting to the needs and requirements of it?

**Respondent 1-** Having coming from a semi-rural set up initially I had problem in adjustment but slowly with the support of my team mates I cope up fast and adjusted well in the changed atmosphere.

**Respondent 2-** As for external issues –it is mainly related with commuting a long distance on daily basis. For internal issues- the work culture is very good, conducive and accommodating at the same time. So honestly speaking I did not face any such problem in my organization.

**Respondent 3-** Not aware of any such issues.

**Respondent 4-** did not face any such problem.

**Respondent 5-** Since I come from a different culture and semi- rural background so initially I had adjustment problem but with the help of other members in the office I adjusted well.

**Respondent 6-** I did not come across any such problem.

**Respondent 7-** Though there are external issues involved with commuting and travelling late in the night. But with technological revolution adequate mechanism has been ensured by the organization to deal with such difficult situation. There is grievance redressal mechanism and facilities of counselors. Alongwith it there is provision of security guards and bell (linked directly with the local police station) to monitor the movements of the cabs. All cabs are monitored through GPS also. Within the organization, we feel quite secure and management takes adequate steps to provide us harassment free atmosphere.



**Respondent 8-** No such issues involved in my case as I am born and bred in Delhi. So I am well aware of the corporate culture of BPOs and did not face any difficulty in adjustment.

**Respondent 9-** There are external issues involved in the form of travelling late in the night or early in the morning depending upon the work shift. Since I am from eastern part of India which is conservative in terms of preservation of culture so initially it was a kind of cultural shock for me but very soon I get adjusted to the system with the support of my cohorts.

**Respondent 10-** No such issues involved

**Respondent 11-** Ofcourse external challenge is to travel a long distance on daily basis particularly in night and internal challenge is to maintain coordination in the organization.

**Respondent 12-** Initially it was difficult to convince family members to allow me to take job in a back end office and for me many young females in India are facing similar problems. I do not come across any internal issues till date as the work culture is very homogenous and encouraging.

**Respondent 13-** Not come across any such problem.

**Respondent 14-** No internal or external issue involved.

**Respondent 15-** For me it is very lucrative and conducive.

**Respondent 16-** No such issues involved.

**Respondent 17-** Not heard of any such problem.

**Respondent 18-** No such issues involved.

**Respondent 19-** Not heard of any such problem.

**Respondent 20-** Not faced any such situation till date.

**Q.8** In your view and speaking from either personal experience or your observations, what psycho-social impacts (I elaborated a bit on this to the interviewees to explain what it actually meant) do jobs at call centers have on female workers?

**Respondent 1-** My job is demanding as the result it often creates stress in my mind. Along with it I have to take care of my elderly parents and unmarried sisters at home. Sometimes, I face sleep disorders and anxiety due to pressure at work place.

**Respondent 2-** I have not experienced it yet and not heard about any such psycho-social impacts on female workers yet.

**Respondent 3-** As a female we have to carry additional responsibility at home and this gets double when we have to accomplish our tasks within stipulated time period. There are often disturbances in familial life as the result I feel depressed.

**Respondent 4-** I have not experienced such disorders. Since I am new to this profession but I often heard about the stress, disruption in family life, sleep disorders, mental stress, anxiety, faulty eating habits, smoking i.e. the use of tobacco.

**Respondent 5-** I have experienced it in the form of mental stress and erratic sleep schedule. Initially it was difficult to cope up with such situation but now I have adapted myself to the situation.

**Respondent 6-** Not experienced yet but I observe these types of tendencies present in my other colleagues. Perhaps it is too early for me to comment on this aspect.

**Respondent 7-** Yes, Psycho-social impact could be irritation if sleep is not sound. One of my friend developed psychological problems which finally culminated in the disruption of their marital life.

**Respondent 8-** Atmosphere is very conducive and friendly that there is hardly any scope for developing such tendencies.

**Respondent 9-** Not sure about it. Though one of my friends developed some problems like sleep disorders which is due to refuting the cycle of nature but touchwood! I have not experienced any disorder till date. Sometimes I get backache but this may be because of my wrong sitting position.

**Respondent 10-** As per my observation, there is psycho-social impacts and I am not exempted from it. We have faced several problems/issues and tried to tackle it through gained experience. Problems keep cropping up but at the same time it gives us courage to face it in more constructive and positive manner. Each problem is tackled by us in more experienced and better way.

**Respondent 11-** There is a saying- 'balance work as life is a myth' and it applies with it. There are so many internal and external issues involved and faced by women. For example, family care, timing issues as BPOs works go on the basis of 24x7.

**Respondent 12-** No such issues have been experienced so far.

**Respondent 13-** Neither heard nor experienced any such problem.

**Respondent 14-** No such issues arose in my case because of the positive atmosphere of office.

**Respondent 15-** I have faced external impediments in the form of travelling long distance on daily basis. Though cab facilities are provided by the company but on many occasions I have to travel alone with the driver to and from. Many a times it happens that I pretend that I am talking to my relatives or friends on phone. So of course psychological insecurity is there till you reach home safely.

**Respondent 16-** Not faced any such problem. But yes-psycho-social impacts can be related to stress in the work place.

**Respondent 17-** I have not experienced any such problem till date. My seniors are very supportive and whenever I face any work related difficulty, I do not feel hesitant in contacting them.

**Respondent 18-** Not heard of any psychological issue. I am passionate about my work and enjoy working in team.

**Respondent 19-** Not heard of any such issues.

**Respondent 20-** Sometimes there are health issues such as musculoskeletal disorders, obesity problem because of constantly sitting on chair and working on computer. I heard about one of my friend developed psychosocial issues and it led to disruption in their family life. One of my friend got so disturbed that he started taking tobacco and alcohol.

**Q.9** Does it, or does it not, create work-life imbalances for you?

**Respondent 1-** Yes it has created imbalances in many ways. Our social circle has reduced and we are not getting time to interact with family and friends.

**Respondent 2-** Yes as I am working in a night shift, there is sleep disorder and I often feel irritated and don't want to talk to anybody in the family. It has disturbed my food habits too and I have gained weight too.

**Respondent 3-** Yes. Our daily routine has been changed. We do not sleep in night. On weekends, we keep doing washing of cloths and cleaning of house. There is nothing called recreational activity in our life.

**Respondent 4-** No, There is nothing call imbalance and we are required to create right balance to enjoy life.

**Respondent 5-** Yes. The chances of work like imbalance is there but I am cautious and take due care in maintaining balance between the two

**Respondent 6-** Yes. Sometimes, it is difficult to maintain balance at both front. But with right attitude and encouragement from friends and family I am successful in managing both.

**Respondent 7-** For me it is like adventure which I am enjoying a lot.

**Respondent 8-** Yes at times there is work-life imbalance due to the hectic schedule.

**Respondent 9-** Yes. At times the work create work life imbalances for me. Imbalance between study and job as the result give less time to the family.

**Respondent 10-** No Imbalances. It is also true that the social circles become limited as there is no time left for social interaction.

**Respondent 11-** Till date, I have not experienced imbalance in my personal and professional life. Sometimes, we do face some issues for example, not able to attend family functions or something like that. But it is all part of life. It is up to the individual how he/she manages public and private sphere. Sometimes, we have to make sacrifices to make life better.

**Respondent 12-** There is chances of imbalance particularly with me as I am living in a conservative joint family.

**Respondent 13-** Not experienced any such problem as my family members understand the nature of my job and they are very much supportive and cooperative too.

**Respondent 14-** Yes there is work life imbalances but one has to cope up and learn to live with it.

**Respondent 15-** No such experience.

**Respondent 16-** Not experienced anything like this

**Respondent 17-** Not heard of it yet.

**Respondent 18-** I do not believe in work life imbalance theory. Work never creates imbalance in life. Rather if you keep on working your life would become simple and straight and less complicated. At the same times it inculcates in me the feeling of self-confidence.

**Respondent 19-** I have not come across any such problem.

**Respondent 20-** Ofcourse. There is work life imbalance because of timing issues.

**Q.10** What kinds of social stigmas or taboos (in 'traditional' societies like India) do you experience or fear experiencing when working in a sector that requires you to travel and work during night times especially?

**Respondent 1-** Night shifts are still not perceived right and considered unsafe for women.

**Respondent 2-** Working in night shift is still considered as taboo in our society.

**Respondent 3-** Our profession is not looked up with dignity and considered as good job.

**Respondent 4-** Working continuously and coming home late from office is not considered as good.

**Respondent 5-** I live with my in laws and they want me to back home by evening. So for them, working in night is a kind of demeaning job.

**Respondent 6-** Even now days, some people think it as not a good job. They think what kind of work they did in night.

**Respondent 7-** Feeling of pride instead of shame in the face of family members. In neighbourhood area, it is still considered not good for girls to work I night shift or come back home from work early in the morning.

**Respondent 8-** Initially family members were not happy but now they understand the nature and requirements of our jobs. So they are okay with it.

**Respondent 9-** People in the local vicinity were looking at us with disrespect but now their attitudes are changing.

**Respondent 10-** In India there is a tendency that if women work in the night they must be of loose character. So sometime I hear lewd comments from people in locality but with it I have developed my tolerance level too.

**Respondent 11-** There no social stigma attached with call center's job as long as I am earning and contributing economically in the family things are alright with me.

**Respondent 12-** I don't want to work in night shift. Being a girl I don't feel this is safe for women.

**Respondent 13-** As the result of my job I am able to contribute economically in my family and it has made our life comfortable.

**Respondent 14-** I have fixed working hours and I am clear that I will not work in night shift.

**Respondent 15-** I have not experienced any social stigma and taboos related to my job yet.

**Respondent 16-** I have not faced these types of issues.

**Respondent 17-** There is alternative arrangement of shifts in my case. For two weeks I work in night shifts and for the rest two weeks in day time. It helps me in maintaining balance with work and family.

**Respondent 18-** For me initially it was difficult to convince my parents to allow me to work in night shifts but now they are comfortable and happy with me and my job.

**Respondent 19-** India is changing fast and people are changing their opinion about the professions of girls. So I did not face any such problem yet.

**Respondent 20-** There is taboos which we as women must need to break. We can do it with collective efforts only. Initially people in the neighbourhood areas were apprehensive about our profession but now they understand and see it as any other respectful job.

**Q.11** Did you (and where applicable, other family members) take a part time or full time job?

**Respondent 1-** For my family members it is part time job.

**Respondent 2-** It is a full time job for my family members.

**Respondent 3-** Full time job for my family members.

**Respondent 4-** As I work for eight hours in a day so my family members think it as full time job.

**Respondent 5-** It is full time job for my family members.

**Respondent 6-** It is part time job as I come back home early in the morning after finishing night shift. There is expectation on the part of my family members and they want me to do household chores after reaching home.

**Respondent 7-** It is full time job for my family members.

**Respondent 8-** It is full time job for my family members.

**Respondent 9-** It is full time job for my family members.

**Respondent 10-** It is full time job for my family members.

**Respondent 11-** It is full time job for my family members.

**Respondent 12-** My family members consider it as part time job and it is quite ironical that same amount of time spent by my brother in day time in office is considered as full time job by them.

**Respondent 13-** My family members think it as part time job as I am continuing my studies through distance learning programme. They think that it is a part of earn and learn process.

**Respondent 14-** It is part time job for my family members.

**Respondent 15-** Since I work in day shift so it is full time job for my family members.

**Respondent 16-** It is full time job for my family members.

**Respondent 17-** It is full time job for my family members.

**Respondent 18-** For my family members it is part time job and they think that I am doing this job to earn money for my own monthly expenditures.

**Respondent 19-** It is part time job for my family members as I spend day time at home relaxing and taking care of family members.

**Respondent 20-** It is full time job for my family members.

**Q.12** Has it (your job) resulted in you having a stronger say in household management?

**Respondent 1-** Yes to some extent.

**Respondent 2-** Yes absolutely I have strengthened my position in my family.

**Respondent 3-** Yes My position in my family is important because I am also earning.

**Respondent 4-** Yes. Indeed.

**Respondent 5-** Yes, In many important issues before taking final decision my opinion is sought.

**Respondent 6-** Yes the feeling that I am also earning has strengthened my position in the family. Before taking any decision on financial matters like sale-purchase, investment etc.my family members ask my opinion too.

**Respondent 7-** Yes – it has enhanced my value in the family.

**Respondent 8-** It is more or less same. Since I am the eldest child in the family so earlier also they were involving me in all familial decisions.

**Respondent 9-** It is same in the sense that earlier also they were taking my consent and opinion and at present also they are banking on me.

**Respondent 10-** Yes. It has added value to my life.

**Respondent 11-** Yes. It has strengthened my position in the family.

**Respondent 12-** Yes. After earning salary on monthly basis I am in the position to contribute positively and it has improved my status in the family. Everybody in my locality look at me as role model since I come from a rural background.

**Respondent 13-** Yes. It has strengthened my position in the family and participation is considered important on every matter in the family.

**Respondent 14-** Yes. Definitely.

**Respondent 15-** Yes. It has improved.

**Respondent 16-** Yes. It is better now.

**Respondent 17-** Yes. It is better and strengthening day by day.

**Respondent 18-** Yes. I am always consulted regarding all major familial matters.

**Respondent 19-** Yes. I am feeling empowered and having greater say in the decision making process of my family.

**Respondent 20-** Yes. It has strengthened my position in my family and local vicinity as women are not educated there. So they give my example to little girls and inspire and motivate them to study.

**Q.13** To your knowledge, or according to your perception of things, how do female employees at call centers compare themselves with the jobs and career prospects of women employees working in other sectors? For example, is it regarded as a 'good job' relative to other jobs and careers open to women or not?

**Respondent 1-** Since jobs under call centers are contractual so there is constant insecurity. It is a good job but given the chance and choice I would prefer to take government or public sector jobs.

**Respondent 2-** I am happy with my job so I never thought on these issues.

**Respondent 3-** In other sectors, particularly in government office there is security of tenure and provisions of leaves. In call center there is no such provisions and we take leave then there is cut in our salaries.

**Respondent 4-** It is a good job for beginners (young graduates) because they are getting good salary and not have familial responsibility. But after some time there is stagnation in these types of jobs as job avenues are less and scope of promotion is nil. All higher managerial positions are held by men. So after spending 10 years in this sector all of a sudden women feel themselves stagnated and consequently jobless. Since they are simple graduate so it becomes difficult for them to compete with younger lots in the job market. As the result they end up getting lower paid jobs.

**Respondent 5-** Given the opportunity, I will prefer to take government job as there is security of tenure there.

**Respondent 6-** These types of thought never came to my mind. I do see my aunt working as a teacher in a school. When I compare her job with mine I can see there is remarkable

difference as there is provision of leave, promotion, pay protection etc. So I think government jobs are better than our kinds of jobs.

**Respondent 7-** I think women prefer government jobs only and it suits their interests too.

**Respondent 8-** I do not compare my job with government job because in any types of job you have to work and earn money for self-independence.

**Respondent 9-** As women do not compare much with other women who are working in other sectors. I cannot say it is a good or bad job but much improvements and employers friendly atmosphere needed to be created.

**Respondent 10-** I do not believe in comparing the two sectors as I have opted this job to earn money and finance my educational expenditures.

**Respondent 11-** For me call center's job is reasonably good. We do not compare with others as every woman is getting rewarded for her own contribution in her field and gets recognition accordingly.

**Respondent 12-** Government jobs are considered more respectful when I compared it with the jobs in private sectors.

**Respondent 13-** When I compare myself with any government employees, I found myself in a better place as there are scope for creativity is more in private sector than government jobs.

**Respondent 14-** For me call center's job are better than government job as I get chances and opportunities for my personality developments.

**Respondent 15-** Call center is a place where women starts her career. In call centers, woman has to make her place individually. Women have to adjust and works in shifts. There is at ability and social recognition in government sectors whereas in private sector, there is instability.

**Respondent 16-** No idea about the nature of jobs in other sectors and I never compare my work with other sectors. As I am qualified and well capable/equipped in my field.

**Respondent 17-** I am happy with the kind of job I am doing and do not compare it with other sectors.

**Respondent 18-** I do not compare my jobs with other kind of jobs. Altogether it is a good job and there is nothing derogatory or bad related to call center's job. So no scope to compare it with any other professions.

**Respondent 19-** Government sector is more lucrative and stable but it is difficult to get jobs in government sectors. In private sectors, since the market is open so one can easily find jobs in the private sectors and with personal caliber one can always ride higher career wise.

**Respondent 20-** Government is recognized and considered more respectful compare to jobs in private sectors. Given the opportunities, I will not mind switching over to government sector as it is more incentive oriented and secured jobs.

**Q.14** What kind of career mobility and economic rewards do you have?



**Respondent 1-** Since I have gained experience so obviously I will be better placed

**Respondent 2-** Good incentives and increments and also chances of getting rewards

**Respondent 3-** It is intensive bound and I am looking at myself in a better place

**Respondent 4-** We get annual bonus and awards, non-monetary perks based on performance. Career mobility/flexibility in terms of role and no constrain on domain.

**Respondent 5-** Roles are not restricted and varieties of options are available if one wants to switch over the job.

**Respondent 6-** We get incentives on monthly basis depending upon the performance.

**Respondent 7-** After gaining experience the door of opportunities are always open for me.

**Respondent 8-** In terms of career mobility there is several scope as my analytical and managerial skills have improved. With economic independence, there are chances of greater involvement in decision making at home and consequently greater autonomy.

**Respondent 9-** Yes there are chances of career mobility. If you perform well you will be rewarded accordingly.

**Respondent 10-** There is career mobility in the sense that after gaining experience in one office I can always utilize it in exploring new jobs and innovations for me. Though I am not sure about the economic rewards.

**Respondent 11-** I started my job in the back end office at the monthly salary of 9000 Rs. but within one year I got promotion as well as raise in my salary. At present, I am getting a monthly salary of 25000 Rs.

**Respondent 12-** Within one year and six month I got promotion twice as well as raise in salary. I am sure the experiences gained in this office would help me in getting better package in some other office.

**Respondent 13-** I am not aware of such terms like career mobility and reward.

**Respondent 14-** I am sure the experiences gained here would help me in getting a good carrier.

**Respondent 15-** Yes as I get annual increment and promotion too.

**Respondent 16-** Yes. Periodically I get rewards for the job done as this sector is performance oriented.

**Respondent 17-** Yes there is chances of rewards in the form of bonus and leisure packages. If I continue in this sector I am sure I will be promoted on the basis of my performance.

**Respondent 18-** I am new to this sector and have never thought on these lines.

**Respondent 19-** Ofcourse we are rewarded and through gained experiences there are greater chances of career mobility.

**Respondent 20-** I get annual bonus and there are provisions for getting different rewards at market place is also there.

**Q.15** What kind of grievance redressals mechanisms exist within your organization? Are you aware of grievance redressal mechanism from the agencies of the state?

**Respondent 1-** What is that. I have not heard about it. In case of any discomfit we share it with our senior female colleagues.

**Respondent 2-** There is no such provision in this office. If we face any problem then duly deliberate on it with our seniors or team leaders.

**Respondent 3-** Yes there is grievance redressal mechanism in our office and I am aware of it. There is list of contact with numbers in case of any emergency. I am aware of national and State Commission for women.

**Respondent 4-** Since I am associated with human resource department so I know about Internal Complaints Committee, Ombudsman, Special Wing to address employee grievances.

**Respondent 5-** No I do not know anything about such organization.

**Respondent 6-** Yes I know there is an ombuds person in our office.

**Respondent 7-** Yes I know about the existence of such institution in our office. There is also local thana (police station) where we can always approach with our grievances.

**Respondent 8-** No I am not aware.

**Respondent 9-** I have not heard about such organization.

**Respondent 10-** Not heard about it.

**Respondent 11-** Not aware about the existence of such organization.

**Respondent 12-** Our office is a very safe place and if we suffer from any problem I approach my boss.

**Respondent 13-** Not heard about grievance redressals mechanism. We approach local thana (police station) in case of any problem.

**Respondent 14-** Existence of these types of mechanism is not known to me.

**Respondent 15-** Never heard about it.

**Respondent 16-** There is provision of offices such as grievance redressal office and we have got the contact number of the concern persons whom we can approach in case of any problem or distress.

**Respondent 17-** Never heard about such provision.

**Respondent 18-** Never heard about it.

**Respondent 19-** Not aware of any such mechanism.

**Respondent 20**– Never heard about such provision.

**Q.16** Are you aware of any future safety and security nets available to women working in BPOs?

**Respondent 1**- Not aware

**Respondent 2**- Not aware

**Respondent 3**- Not aware

**Respondent 4**- It is true that the office is located in basement but management take good care of us as employees and soon we are moving to some other building.

**Respondent 5**- We are safe and secure in this office and I never heard about any safety or security nets for women working in BPOs.

**Respondent 6**- Not aware

**Respondent 7**- Not aware

**Respondent 8**- Not aware

**Respondent 9**- What security net? This atmosphere is very safe and adequate steps are taken to ensure our safety.

**Respondent 10**- Do not know what you are asking.

**Respondent 11**- Not aware

**Respondent 12**- Not aware

**Respondent 13**- Not heard about it. Are you asking me about the police station?

**Respondent 14**- What security net you are talking about. I am very happy working in this office.

**Respondent 15**- I am not aware about such organization.

**Respondent 16**- I am not heard about the existence of any such organization.

**Respondent 17**- Never thought about it.

**Respondent 18**- Not aware

**Respondent 19**- Not know

**Respondent 20** - Not aware

**Q.17** Are you aware of the role of international institutions (for example, the ILO) in regulating your conditions of work? What expectations do you have from international institutions that regulate the conduct of transnational businesses like the one you work in?

**Respondent 1**- I am not aware of it.

**Respondent 2-** I am not aware of it.

**Respondent 3-** I have not heard about any such provisions.

**Respondent 4-** I am not keen in knowing anything and why are you asking these questions.

**Respondent 5-** I want that the international organizations must intervene to make our service conditions better.

**Respondent 6-** If the intervention is for the betterment of employees it is good.

**Respondent 7-** I am happy with the directives of the State that private sectors are also covered under maternity benefits scheme. It is indeed boon for the female employees.

**Respondent 8-** I am not aware of any such regulation.

**Respondent 9-** If through interventions job security is provided to the women employees then it is considered as the welcome step and I will be happy with it.

**Respondent 10-** Yes greater involvement and intervention is required on the part of the international organizations and the state as an agency respectively to minimize exploitation.

**Respondent 11-** It would be in the benefits of the employees if the activities of the BPOs monitored and regulated by the international organization and State.

**Respondent 12-** This ideas sounds very good but how would it be feasible and who would be the mediator. The State or some other agencies?

**Respondent 13-** I never thought about it.

**Respondent 14-** If it is for the betterment of employees I would be happy.

**Respondent 15-** Yes. Indeed greater intervention is required to make private sector consistent and uniform in its functions.

**Respondent 16-** Yes. It is very positive and constructive ideas on the part of the state and international organization to intervene and regulate the affairs of BPOs.

**Respondent 17-** I have not heard about the existence of any such monitoring agency.

**Respondent 18-** This whole concept is alien to me.

**Respondent 19-** It is indeed a good idea to ensure efficiency to the system.

**Respondent 20-** If by doing so human touch is provided to the system and our organization I would be happy with it.

## **Appendix 2- Interview with women workers under MGNREGA at AJMER (Transcribed)**

**Q.1** Is there a difference in the wages paid to male and female workers?

**Respondent 1-** There is no difference in wages paid to male and female. Since work is assigned in group and in a group of 5 there is a provision of keeping one male (if available) so the male worker as well as the elderly people in the group do lesser hours of work but yet get similar wages as the wages is equally distributed in the group.

**Respondent 2-** There is no discriminations on the basis of sex.

**Respondent 3-** There is no discrimination in the wages of male and female workers.

**Respondent 4-** No difference in wages but male workers are at upper age as they prefer to relax at site as the works are carried well by women workers in group.

**Respondent 5-** I have not heard or seen any such wage related discrimination.

**Respondent 6-** I have not seen any wage related discrimination among MGNREGA workers.

**Respondent 7-** As men are most of the time semi-skilled so they get different types of work assignment and since women are unskilled in general so they accept unskilled manual jobs. So discrimination is there but for doing same types of jobs there is no such discrimination on the issue of wages.

**Respondent 8-** I am not aware of any discrimination in wages for the same types of work done.

**Respondent 9-** There is no discrimination on wages for the same work done.

**Respondent 10-** Equal wages are given to male and female workers.

**Respondent 11-** I have not witnessed any wage related discrimination on the basis of sex.

**Respondent 12-** I have never realized any such discrepancies at work sites.

**Respondent 13-** These types of things are quite unheard of.

**Respondent 14-** I am not aware of any discriminatory practices among us (MGNREGA Workers) on the basis of sex.

**Respondent 15-** Workers work in group of five and in each group there is provision to add one male. So generally man in the group evades from work and prefers to sleep or sit on the shade. But wages are distributed equally among all labourers in the group.

**Respondent 16-** Such types of incidents are unseen and unheard in context of MGNREGA Workers.

**Respondent 17-** We work in a group of 5 workers and each group has at least one male member. I have seen distribution of wages in equal manner for the work done irrespective of gender.

**Respondent 18-** I have not heard about any difference in wages for the same amount of work done.

**Respondent 19-** I am not aware about any wage related discrimination as there is provision of equal pay for equal work by the government.

**Respondent 20-** There is no discrimination on wages on the basis of gender.

**Q.2** What kind of job security has been embedded under MGNREGA and is this extended to you?

**Respondent 1-** There is no assured job security under MGNREGA as it depends upon the availability of works for development and engagement of minimum 50 workers at a site.

**Respondent 2-** Atleast we get job for 100 days in a year.

**Respondent 3-** There is no job security under MGNREGA. We have applied for job as daily wage workers but it is not provided to us on regular basis.

**Respondent 4-** There is no security of job.

**Respondent 5-** There is no job security under MFNREGA.

**Respondent 6-** There is lack of job security for full 100 days. It depends upon the volume of work.

**Respondent 7-** There is no assured job security on daily basis.

**Respondent 8-** There is no job security.

**Respondent 9-** There is no security under MGNREGA.

**Respondent 10-** There is no job security.

**Respondent 11-** There is no job security or assurance for the same.

**Respondent 12-** There is security of at least earning some money.

**Respondent 13-** There is job security.

**Respondent 14-** There is scope to earn some money.

**Respondent 15-** There is no job security.

**Respondent 16-** There is scope to generate additional income through MGNREGA.

**Respondent 17-** There is scope to have extra income.

**Respondent 18-** There is job security.

**Respondent 19-** There is no job security.

**Respondent 20-** This is a means of earning some money.

**Q.3** What worksite facilities have been made available to you and other female workers under the MGNREGA scheme?

**Respondent 1-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 2-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 3-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 4-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 5-** Water facilities, medical kit and provision of sheds are available at the site.-

**Respondent 6-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 7-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 8-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 9-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 10-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 11-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 12-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 13-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 14-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 15-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 16-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 17-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 18-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 19-** Water facilities, medical kit and provision of sheds are available at the site.

**Respondent 20-** Water facilities, medical kit and provision of sheds are available at the site.

**Q.4** In your view, have employment opportunities for women under MGNREGA resulted in:

- a) A general improvement in your familial living conditions – yes (unanimous)
- b) An improvement in your dignity and the way you are treated by the male members of your family particularly? – yes (definitely)
- c) Has it resulted in you having a greater say in household decisions? – *yes (All of them were feeling empowered).*

- d) Has it resulted in you becoming a '**shadow worker**' (Shadow workers are those who do a tremendous amount of work but always in the back ground and receive very little credit.) - Since it is considered as additional income in the family and women are expected to finish household work before going for the site. So in 90% (18 women workers) of the cases women have emerged as the shadow workers but in 10% (2 women workers) cases women are able to assert their position within the household as the result it has definitely brought remarkable changes in the life style of the workers.
- e) Has MGNREGA employment given you financial security and independence? – MGNREGA mandates that a third of all workers under the programme should be women. In 60% cases earnings has made them confident and give them incentives to work but they are not feeling financially secure with this meager earning. They wanted it to be extended for 365 days and wages should be raised. They also show their inclination to learn skills to raise their job prospects in the market. They have narrated a story through which in a given situation an unskilled girl turned out to be semi-skilled and constructed toilet under the vicinity of her home as part of the sanitation drive launched by existing central government known as Swakshata abhiyaan. As such, it has resulted in providing financial security as many female workers have purchased ornaments and land by the earned money from MGNREGA. Consequently, it helps them in becoming an independent person.

**Q.5** What do you see as the specific barriers to the participation of women in MGNREGA?

**Respondent 1-** Covering long distance

**Respondent 2-** Lack of state sponsored transport facilities

**Respondent 3-** Time spent in travelling and on reaching the site

**Respondent 4-** Travel time and cost involve in tickets

**Respondent 5-** Coping up with mates at work site and no provision of paalana (chreche) at work site.

**Respondent 6-** Work pressure at work site, commuting and again doing household work.

**Respondent 7-** There is no adequate arrangement for the proper care of children as the result I cannot be available for work.

**Respondent 8-** Too much pressure of work at site and home i.e. daily chores.

**Respondent 9-** Bad attitude of the male mate and partiality in giving works to the labour

**Respondent 10-** Difficulty in travelling

**Respondent 11-** Household management and the lack of adequate measures to take care of the small children.

**Respondent 12-** Erratic behavior of the male mate

**Respondent 13-** Lack of proper transport facilities.



**Respondent 14-** Lack of Paalana (chreche) at the work site and in the absence of any support at home I cannot leave my small children at home. So I am not able to do MGNREGA work.

**Respondent 15-** Prevalent social norms which see it as a stigma doing manual labourer works

**Respondent 16-** Presence of mate and his erratic behavior with the workers.

**Respondent 17-** Additional responsibility of the household works impedes them to work at MGNREGA sites.

**Respondent 18-** Travel time and lack of adequate transport facilities.

**Respondent 19-** Travelling a long distance on daily basis.

**Respondent 20-** Travelling a long distance and also additional work at their own field. Due to migration of labour it is the responsibility of the female to manage and take care of their field, household works, small children and travel a long distance and work at MGNREGA site.

**Q.6** Do you feel that you are working in an exploitation-free environment? –

**Respondent 1-** Yes

**Respondent 2-** Yes

**Respondent 3-** Yes

**Respondent 4-** Yes

**Respondent 5-** Yes

**Respondent 6-** Yes

**Respondent 7-** Yes

**Respondent 8-** Yes

**Respondent 9-** Yes

**Respondent 10-** Yes

**Respondent 11-** Yes

**Respondent 12-** Yes

**Respondent 13-** Yes

**Respondent 14-** Yes

**Respondent 15-** Yes

**Respondent 16-** Yes

**Respondent 17-** Yes

**Respondent 18-** Yes

**Respondent 19-** Yes

**Respondent 20-** Yes

Yes. (They all were unanimous). The overall working conditions are quite conducive and they are working in an exploitation free environment.

Though 10% of women have heard about sporadic sexual exploitation incidents but they have not experienced it. They were conscious about the redressal mechanism and knew whom to approach if such type of incidents happened.

Elderly women during my interaction opined to teach such culprits lesson by their own before reporting matter to the local thaana (police-station). Rests were pretty assured that the government authorities are quite vigilant related to such incidents and keep organizing RAATRI-CHAUPAL to respond to the grievances of MGNREGA workers.

**Q.7** Do you know of occasions when the presence of contractors has dissuaded women from taking work under MGNREGA?

**Respondent 1-** No. Contractors are not present at site.

**Respondent 2-** No interaction with contractors.

**Respondent 3-** Nothing to do with contractors.

**Respondent 4-** Not heard of any such incident.

**Respondent 5-** Never heard of.

**Respondent 6-** We deal directly with mates and Sarpanch (Chief of village) of the village. So there is no involvement of contractors in our works.

**Respondent 7-** I have not seen contractors ever present on site.

**Respondent 8-** No such things happen.

**Respondent 9-** I know contractors are involved with the supply of materials but workers have no interaction with the contractors. So why to feel dissuaded?

**Respondent 10-** Never seen contractor present on site.

**Respondent 11-** I work as manual labourer and my work is to dig the land. I am accountable to the mates and hence I have no interaction with the contractors.

**Respondent 13-** Never seen contractors dealing directly with the workers. Government officials are vigilant and provide us comfortable space to work.

**Respondent 14-** Since it is a community work and carried on in groups so no role of contractors with our works.

**Respondent 15-** Contractors are there to supply materials at site but I don't have to do anything with them. So no question of dissuasion with the presence of contractors

**Respondent 16-** Neither seen nor heard of any discouragement on the part of the female MGNREGA workers in the presence of local contractors.

**Respondent 17-** I have not seen contractors ever present on the work sites.

**Respondent 18-** I have not dealt directly or indirectly with the contractors for MGNREGA works. It is done at the administration (block) level and after survey and application process for job is completed, works are allocated to us. We report directly to the mate and it would be wonderful if female mates are allotted to us at work sites.

**Respondent 19-** I have not seen contractor present at site during work hours. We report at site at 7am and finish our works by 4pm. It is mate present at site who keeps account of our works and the contractors have no role to play.

**Respondent 20-** I never had any interaction with the contractors at work site. So never got such feeling.

They all were unanimous in the view that the involvement of contractors is nil and they are dealing with the mates-an intermediary between local authorities and MGNREGA workers.

Since the contractors are associated with providing resources and raw materials at the sites so they are not dealing with the women workers directly. As such there is no scope for the workers to get dissuaded with the presence of contractors at work site.

Q.8 Are payments made to you on regular basis or there is sometimes/often a delay in wage payment?

**Respondent 1-** It is made to me fortnightly (in 15 days)

**Respondent 2-** Generally the payment is made on time but whenever there is delay in payment, they compensate it adequately.

**Respondent 3-** Yes-payment is made on time.

**Respondent 4-** Yes it is done on time.

**Respondent 5-** Yes it is on time.

**Respondent 6-** No it is not done on time. (On further queries about the provision of compensation for delay in payment)-This woman worker showed ignorance.

**Respondent 7-** Yes it is on time.

**Respondent 8-** Payment is made on time.

**Respondent 9-** Yes it comes to my bank account (On queries about the amount which is fixed on daily basis by the government, this woman worker was blank)

**Respondent 10-** Yes it is on time.

**Respondent 11-** NO there is delay in payment but they compensate too.

**Respondent 12-** Sometimes there is delay in receiving payment but no compensation has been paid to us.

**Respondent 13-** Yes it is done on time.

**Respondent 14-** Payment is made on time.

**Respondent 15-** Payment is done in 15 days

**Respondent 16-** Payment is done on time.

**Respondent 17-** There is never any delay in receiving payment but the amount which comes to my account is very less than what it has been fixed up by government for the manual MGNREGA workers.

**Respondent 18-** Yes it is done on time.

**Respondent 19-** Yes it is made to me on time.

**Respondent 20-** Sometimes there is delay in the payment but I have not received any compensatory amount for the same.

80% said that the payment is done on time (generally every fortnight).

20% reported to have delay in payment, not full payment is made to them and also no compensation for the delay is given to them.

No first-hand information of such type of incidents and they have not experienced any such incident yet. Since women are working in groups so there are group solidarity and they are courageous enough to tackle such incidences collectively. On my deep queries that if it happened what would be their reaction, the women informed me that first they would teach the culprits lessons collectively (on their own- implying thrashing) and later on approach the local thaana (Police Station)

**Q.9** Have you (or other women, to your knowledge) witnessed or experienced corruption and exploitation under this or other state sponsored social security schemes you have been involved in?

**Respondent 1-** I have not heard about it. Everybody is good.

**Respondent 2-** I not heard or experienced till date.

**Respondent 3-** No one can dare to do that.

**Respondent 4-** I have heard about one incident of sexual exploitation of the native of adjoining village by the local contractor but I have not experienced any such incident till date.

**Respondent 5-** We work in a group so no such thing is possible.

**Respondent 6-** I am not aware of any such incidents.

**Respondent 7-** We come from same locality so nobody can think to exploit us.

**Respondent 8-** The behavior of mate is sometimes erratic and he does partiality. Apart from it I have not noticed anything wrong happening at work sites.

**Respondent 9-** I know a woman in my village who had faced some problem similar to it but frankly speaking I have not experienced any such incident till date.

**Respondent 10-** I have not experienced anything like this.

**Respondent 11-** I have neither notice any incident of corruption or exploitation of women workers. Hours are fixed and everybody is expected to work in the same way.

**Respondent 12-** Quite not possible at worksite.

**Respondent 13-** I have not heard about it.

**Respondent 14-** I am not aware of any such incidents.

**Respondent 15-** I am not aware of any such incidents.

**Respondent 16-** I have not heard of any instances of corruption or exploitation of workers by anybody.

**Respondent 17-** I have not heard about such types of incidents.

**Respondent 18-** No such instances has come to my notice or communicated to me by anybody.

**Respondent 19-** I am not aware of such incidents.

**Respondent 20-** I have not heard about these types of incidents at work sites.

Though 10% of women have heard about sporadic sexual exploitation incidents but they have not witnessed or experienced it. They were conscious about the redressal mechanism and knew whom to approach if such type of incidents happened.

**Q.10** Do you think that women really want such schemes to continue?

**Respondent 1-** Yes. This scheme has added nutritional values to my life.

**Respondent 2-** Yes as earner and contributor I am enjoying my elevated status in my family.

**Respondent 3-** Yes as earning through MGNREGA has increased my purchasing capacity.

**Respondent 4-** Yes because earning is an additional income in the family.

**Respondent 5-** Through the earned money I have purchased land in my village.

**Respondent 6-** Yes as now my husband is no longer violent towards me because he knows that I am also earning and I have my own identity in my village.

**Respondent 7-** Yes because through earned income I can buy green vegetables and serve it to my family members with roti (flat bread). Earlier we were eating Roti (flat bread) with green chilly only as I had no money to buy lentils or vegetables from the market.

**Respondent 8-** Yes as it has enhanced my dignity in the family. Now everybody takes my opinion before taking any big (financial) decisions related to the sale and purchase of land or ornament.

**Respondent 9-** Yes as earning through MGNREGA is an additional income so I have made ornaments for the marriage of my daughter.

**Respondent 10-** Yes because it helps me in interacting with the women of the nearby villages and share and understand their problems.

**Respondent 11-** Yes as it is an additional source of income for me so I can use this money for the education of my daughter.

**Respondent 12-** Yes the money earned through MGNREGA is used by me in purchasing two cows and now I am thinking to start a dairy business in my village.

**Respondent 13-** Yes as it has brought changes in the outlook of my family and now they value me in the family.

**Respondent 14-** Yes these types of scheme should not only be continued but implemented for 365 days as it has assured additional income in the family.

**Respondent 15-** Yes as now my husband is not only the sole bread earner rather I am also contributing to my family.

**Respondent 16-** Yes it has enhanced my dignity in the family and my in-laws and husband's attitudes towards me have changed.

**Respondent 17-** Yes it has increased my purchasing capacity and now I can afford green vegetables and lentils also with the main meal.

**Respondent 18-** Yes this type of schemes should be continued for more days and not only for 100 days as it has elevated my position in the family.

**Respondent 19-** Yes as it is an additional source of income for me so I can use this money for purchasing ornaments for me.

**Respondent 20-** Yes as it has elevated my dignity in the family.

Unanimously said “yes” – Indeed women are benefitting immensely and they want such types of schemes to be implemented for all 365 days (At present it is for 100 days only) as it helps them in generating money as well as enhancing their positions in society. Along with it they are also getting opportunities to enhance their position within family.

**Q.11** Is it a principal source of earning alternate income for women in rural Rajasthan?

**Respondent 1-** Additional source of income

**Respondent 2-** Additional source of income

**Respondent 3-** Additional source of income

**Respondent 4-** Additional source of income

**Respondent 5-** Additional source of income

**Respondent 6-** Principal source of income

**Respondent 7-** Additional source of income

**Respondent 8-** Additional source of income

**Respondent 9-** Additional source of income

**Respondent 10-** Additional source of income

**Respondent 11-** Principal source of income

**Respondent 12-** Additional source of income

**Respondent 13-** Additional source of income

**Respondent 14-** Principal source of income

**Respondent 15-** Additional source of income

**Respondent 16-** Principal source of income

**Respondent 17-** Principal source of income

**Respondent 18-** Additional source of income

**Respondent 19-** Principal source of income

**Respondent 20-** Additional source of income

For 30% of women-who are widow and elderly without any support system, it is principal source of earning whereas for the rest 70% who are married and their husbands are also earning as semi-skilled workers it is an alternative source of income.

**Q.12** What remedial measures would you want the state to undertake to make the scheme better?

**Respondent 1-** I am happy with the scheme but it could be made better if female mates are employed and training based programme is launched before employing workers into manual jobs. This would enhance the credibility of workers in the job market

**Respondent 2-** This scheme could be made better and worker friendly if transportation facilities are made available to the workers.

**Respondent 3-** It would be beneficial if day meals are also provided to us by government under the scheme with water facilities.

**Respondent 4-** This scheme would be more attractive if jobs are available to us for all 365 days.

**Respondent 5-** I am happy with the programme and I have no suggestion to make.

**Respondent 6-** Please convey the official to implement it for 365 days and raise the wage amount.

**Respondent 7-** The government must think to start training sessions to increase our capability.

**Respondent 8-** I want to learn some skills to enhance my capabilities but in the absence of adequate money I am not able to learn any skill. So if government intervenes and starts free training sessions for us which would be more beneficial.

**Respondent 9-** Officials should appoint female mates instead of male mates and raise our wage amount.

**Respondent 10-** At present this scheme gives job to one (or more) adult member of a family for 100 days only. If the provision is extended for two adult members in a family and each should be given 100 days of employment it would have made the scheme better.

**Respondent 11-** Along with raising the wage amount, this scheme should be implemented for 365 days.

**Respondent 12-** Government should impart training to enhance skills.

**Respondent 13-** Wages are not adequate so I think the government must increase the amount.

**Respondent 14-** State must start skill enhancement programme and trained individual workers in enhancing their skills to meet the demands of the job market.

**Respondent 15-** What suggestion? Earlier we had no work and no money to survive but now with MGNREGA operational in our area, I am earning at least some money to meet my daily expenditures.

**Respondent 16-** I have no suggestion to make as I am happy with the scheme.

**Respondent 17-** They should increase the wage amount and 100 days existing employment scheme should be extended for more time in a year.

**Respondent 18-** I am happy with this initiative of government and wants the scheme to be implemented on 365 days basis.

**Respondent 19-** State can start skill enhancement programme for the workers and think about increasing the capacity of the manual labourer.

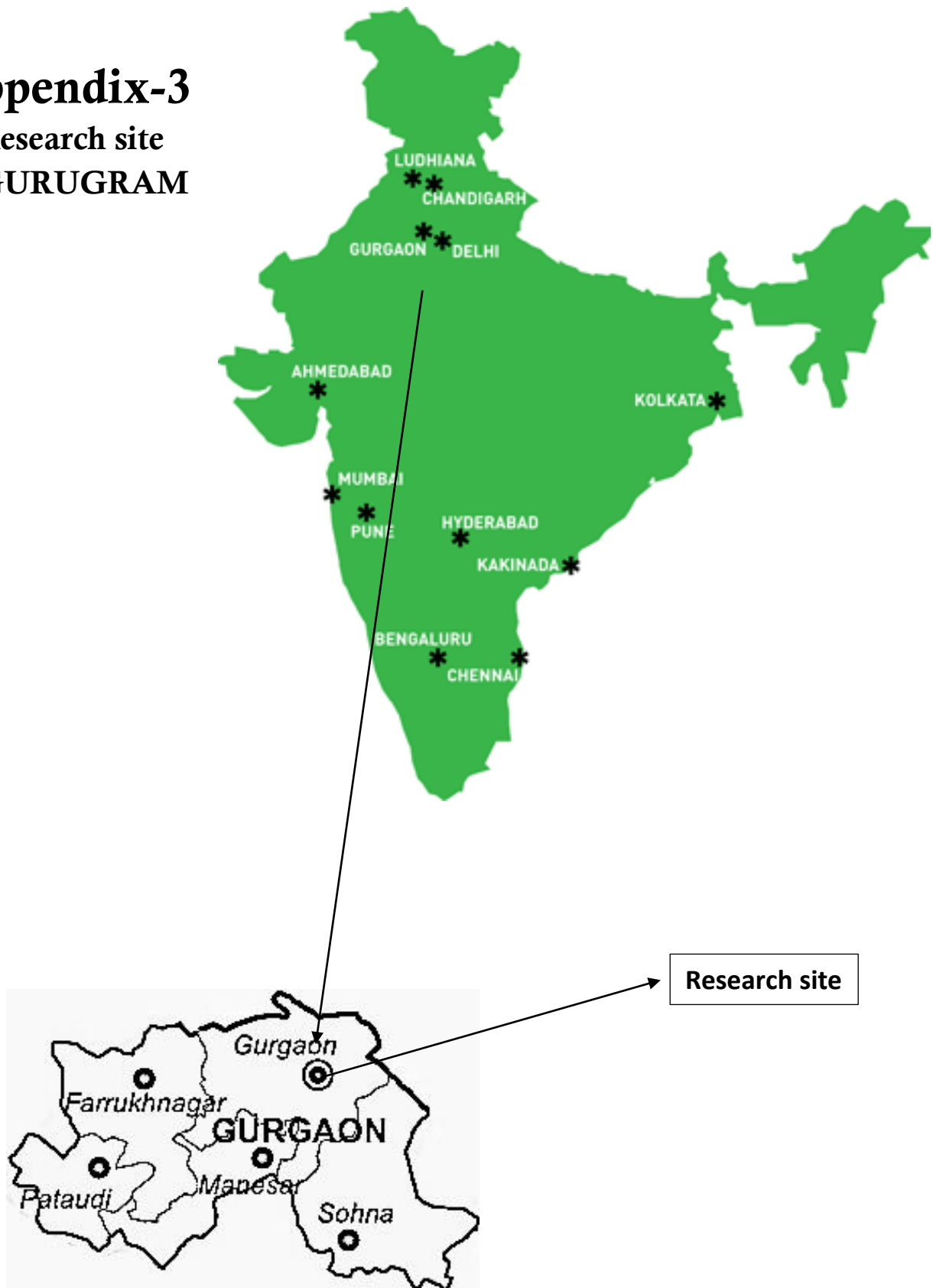
**Respondent 20-** The state must implement it on the basis of 365 days, raise the wage amount and appoint and depute female mates instead of male mates.



## Appendix-3

Research site

GURUGRAM



## Appendix-4

Research site – 2

PISANGAN & KEKRI (AJMER)

