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## The Neo Liberal State & Women's Rights

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**Abstract:** *As we live in an era of complex interdependence where sensibilities in one social setup have its reflections in the other it is important to understand the women's issues from that standpoint. It is true that globalization has opened up new vista and opportunities for women in society but at the same time the rolling back the frontiers of the state is responsible for robbing women from several of their fundamental constitutional rights. It is important for the state to remain proactive in protecting and strengthening the rights of women.*

'The Neo Liberal State & Women's Rights' is of great relevance not only for the developed but also for the developing societies. Conventionally the State is taken as an institution whose main objective is to enforce regulations so as to provide security to its citizens. The research would try to focus on the fact that even though citizenship rights have been given to women, in practice why is it that they have not been able to gain on substantial accounts. It is argued that equality under citizenship provisions in Indian Constitution fails to concretize it at ground level as it ignores differences which are because of both internal and external factors. Sex is an example of internal difference whereas poverty or social norms can be examples of external differences. The segregation of internal and external factors is strongly rooted in our social system and women are primarily treated as the second-class citizens and not fit for citizenship rights. With the advent of globalization and global trends such as multi culturalism, provisions regarding universal human rights, the connotation of citizenship has been redefined and retuned in the contemporary times. It is expected that women in the present global scenario will get opportunities to enhance their rights however feminists' scholars are doubtful and expressed their concern for having more regressive impacts on women across the globe. In this article sincere attempts have been made to examine these new trends through which women are deprived of their rights. Its objective is to show how the gains of feminism are under the threat of being rolled back.

The impact of neo-liberal globalization is not very encouraging as it has contributed largely in the reduction of the geo-political space for citizenship. It is believed that the domain of citizenship has suffered tremendously as the state rolled back its frontiers from the public and social sector. These changes have cascading impacts on women's citizenship rights particularly for women belonging to marginalized communities. Under neoliberal policies resources earlier disbursed on women's amelioration mainly in the arena of education, health and employment have all been cut off or reduced owing to governmental guidelines helpful of global capitalism. According to Jill Steans, "Women as vulnerable group are caught between neo-Liberal rhetoric which casts them as the 'new entrepreneurs' by devaluing traditional family roles and neo-conservative views which emphasize 'family values' and cast them as selfish and irresponsible if they do not fulfill their mothering roles." (Steans J. Gender and international relations)

The examination of neo-liberal policies gives rise to polarized wealth in society, which in turn has led to high unemployment and growing impoverishment thus having gendered. It has been observed that the cutback in services provided by the State such as education, employment, health and social security network primarily impacts women's opportunities of gaining employment. It also have extended impacts on women across the globe as they are primarily entrenched with family affairs and taking care of household chores which are not only exhausting but time consuming too. Another loophole of globalization is uneven spread of cost which leads towards the 'feminization of poverty'. Multinational agencies and corporations are continuously in search for cheap and cost effective labour which is often synonyms with women's labour. The increasingly competitive trading policies on roll since late 1980s and labour deregulation policies followed by many states have witnessed the upsurge of a mostly marginalized female work force. It is pertinent to mention that a core of skilled and professional workers is mainly male. Women in general are involved in poorly paid work, which includes jobs such as part time and outwork. This also significantly reflects several women's struggling between managing their domestic work as well as their paid work. Simultaneously, it also reflects the manipulation and concentration of women workers as cheap labour- or, more accurately as labour made cheap. It has been observed that in the call centers women are preferred as employers. Women as such not only demand less pay package but can easily be maneuvered. It has been also observed that the younger girls are preferred in the night shifts at the call centres as they act as an incentive 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 women are the victims.

A new form of governance emerged in the late 1990s that attempted to fuse the Welfare policies within the Neo Liberal framework. Also known by the name of 'Post Liberal State or the Third Way' it attempted to introduce changes in certain specific areas conventionally noted by feminist scholars 'as having bearing on the lives of women, such as, in public-funded childcare, and women-centered approaches to governance'(Steans J). In contrast to the Neo Liberal practices where gender issues had been more or less completely relegated to the background in terms of its priorities of governance, the post liberal system through its focus on various social investment welfare policies aimed at amelioration of children and childcare as well as work-life stability particularly for middle and working families, sexuality, violence against women, and maternity leave seemed to be a very refreshing move. It also stressed on the need of greater participation of women in politics. However even under this framework of governance there are fundamental ramifications for gender relations. The fact that social policy in the post-neoliberal state continues to be geared to the needs of the market as such the policies it pursues is targeted to generate an educated/employed citizenry fit for the new flexible, competitive labour market. The labor market on its part continues to exhibit structural inequities though it is constructed as the site where equality is played out. This results in putting greater pressure on women to participate regardless of family status. The shift toward equality of opportunity further undercuts discourses of substantive equality. It is not surprising therefore that the discourse on women's emancipation gets reduced to women's participation and in the process ignores the issues of structural disadvantages from which women suffer.

The State and its policies impact women in gendered specific ways is an idea that has been long realized and accepted both by theorists and activists ranging from Jane Addams to Elizabeth Cady Stanton to Simone de Beauvoir and Carole Pateman. Over a period of time the Feminist critic of state has taken many forms and shapes however, virtually all streams of feminist thought converge on the argument that the welfare and neoliberal forms of states—have specific adverse effects and gendered implications (Connell 1990; Kingfisher 1996, 2002; Orloff 1996)

Writings on the gendered implications of the state policies are widely dispersed with no unanimity on what constitutes a feminist analysis of state. For instance, Ann Orloff in her article “Gender in the Welfare State.” Published in *Annual Review of Sociology*, (1996, 52), outlined the feminist analysis of welfare state as one that takes “gender relations into account as both causes and effects of various social, political, economic and cultural processes and institutions” that produce “. . . gender differentiation, gender inequalities and gender hierarchy in a given society.”

Contrary to the widely held belief that linked gender studies in the 1970s and 80s to the issue of control of sexuality or women’s labour, gender related researches in the contemporary times look into to a series of conducts through which gender is formed and structured so that the societal mechanism and policies of exclusions as well as inclusions have context-specific implications. In some of the contemporary writings, gender analysis of state has also focused on intersecting differences or “intersectionality” (Dietz 2003; Fraser 1997). Similarly attempts have been made to look into areas and issues such as sexuality, income, race, and ethnicity and their role in the marginality and oppression of women. In her seminal work ‘Justice and the Politics of Difference’ (1990) Iris Marion Young has analyzed the patriarchal character of the state with reference to its practices. Gender relations in such a perspective have been looked from the frame of the policies of free market state or in terms of the redistributive strategies that attempt to address the problems of women’s inequality (Young 1990).

In the context of the free market system studies have focused on the ways and means through which the neo liberal state routinely and significantly resets the norms, relations, and hierarchies of production and reproduction, which in turn results in gendered consequences. By de-regularizing labour laws and creating casual jobs the market state creates a new kind of underpaid strata of citizens and even though it is lauded for creating new opportunities in reality it ends up creating a new underclass of feminized jobs and workers. As the result, it further replaces the family wage system by individual wage workers. Nancy Fraser in her work ‘Justice Interrupts: Critical Reflections on the Post Socialist Condition’ (1997) in particular has been very critical of the neo-liberal 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 (2002) has argued that as the labor market was gendered and racialized; globally, a feminized periphery emerged comprising people of color, migrants, working class women, illegal workers.

Alongside the growing inequalities in the labor market, much has also been written about the retraction of public support for care work (of children, of the sick, and of the elderly), so that individuals, usually women, and households carried the burden of care work. Finally, where women were supported by the state through welfare, the criterion for being a recipient of state support was tied to stringent commitments to enter the labor market (Kingfisher 1996).

Recent research (e.g., McDowell 2001, 2005, 2006; McDowell et al. 2005) has highlighted that the welfare to work policy approaches of the neoliberal decade has had implications for gender and class-based participation in the labor market. There is a greater class divide among women, as highly educated women find it easier to compete alongside men for the better paid jobs in contrast to the conditions at the lower end of the income scale (McDowell 2006).

The neo liberal state has also been held responsible for restructuring the form and accountabilities in the public and the private spheres. In a well argued essay entitled ‘Shifting the Boundaries: Gender and the Politics of Restructuring’ Janine Brodie (1994) has argued that the global economic reform has sought to “shrink” the public space—what she calls “the realm of political negotiation” or the public space of the democratic nation-state. As the state rescinds its role as adjudicator of social equity, gender justice is thrust into the private sector and the private sphere and mediated through the processes of the market— re-igniting private patriarchy in the domestic space and in market influenced spaces of society. The Neo liberal state has also been responsible for de-gendering individuals and holding everyone accountable for their own wellbeing (Brodie 2002; Kingfisher 2002). In this neoliberal environment, the individual enacts citizenship in two ways; as a worker (the citizen-worker) and as a consumer (Carney, Ramia, and Yeatman 2001; Needham 2003). The state, in turn, 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), a historical, and outside of social relations and responsibilities, constrained only by the limitations placed on themselves (Clarke 2004; Kingfisher 2002).

Feminist Scholars have held the Neo liberal State responsible for eclipsing gender as a point of debate. It has been argued that by focusing on governance and stressing on managerialism the Neo Liberal State very conveniently evades its social responsibilities. Works of John Clarke, Davies, Annette, and Robyn Thomas etc stress that by emphasizing on the principles of minimalism, cost-effectiveness, transparency, and accountability the Neo Liberal state valorize masculinist values of competition, rationality, target orientation, and institutional loyalty (Clarke 2004; Davies and Thomas 2002; Hopton 1999). Similarly the Neo liberal state has been ridiculed for promoting contractualism between unequal partners (Pateman 1989).

### The Indian Context

In the Indian context, the plight of women gets reflected in the works of Naila Kabir. In her book entitled, ‘Women’s Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development’ Kabir accepts the argument that gender equality leads to economic development however contends that it is not true the other way round. Arguing further Kabir notes that formal regular waged work has the greatest transformative potential for women, but this potential has remained limited because of the lack of creation of decent jobs, and because of segmentation of labour markets. Her work in particular is focused on the constraints and choices that determine gendered patterns of labor market outcomes, both in terms of labor force participation as well as the segmented nature of the occupational structure.

In her book ‘Patriarchy and Accumulation on a World Scale’ (1988) Maria Mies has assessed women’s role within the International Division of Labor (IDL), which she refers to as a sexual division of labor. With the rise of multinational corporations (MNCs) and the global economy, women’s labor has been increasingly exploited, for women are viewed as docile, low wage, flexible workers with low visibility and little power. Drawing extensively on field research in this case on the Lace workers of Narsapur Maria Mies contends that societal outlook also plays an important role in blocking women’s empowerment. In case a woman belongs to high caste she is not supposed to be working in the field as it is taken as low in terms of dignity of labour. As such these women have no other option but to take up lace making as it accords a higher sense of status. But the problem is that because Lace making is performed within the four walls of the house it does not contribute to the rise in status of women. At most it is taken as a part time job even when it contributes to a rise in the household income. Mies argues 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 viewed as work.

Jayati Ghosh in her draft paper on 'Globalization and Women in India: Some macro Considerations' (2005) says that the relationship between economic development and social living conditions particularly of women is a complex one. It has been increasingly accepted that economic development does not always lead to alleviation in standard of living and opportunities for all. It does not necessarily create improvements in the socio economic status of women. Ghosh emphasizes that in India as well as in other Asian countries in recent times the ability of women's movement to fight for greater rights and empowerment of women have been conditioned by broader economic processes which have determined the explicit participation of women in the labour market. That is why the material conditions of women remain so crucial to understanding the social and political aspects of both inequality and empowerment.

Concerns about Women's position also figures in the work of Chandra Talpade Mohanty. In her book 'Feminism Without Borders: Decolonizing Theory, Practicing Solidarity' Mohanty attempts to outline some of the most urgent issues confronting contemporary feminism. Her work is a well-argued critique of globalization and urges a reorientation of transnational feminist practice toward anti-capitalist struggles. The work explores the in which gender matters in the racial, class, and national formations of globalization. The work very lucidly portrays the lives of women workers across societies such as India, the United Kingdom, and the United States.

Renana Jhabvala and Shalini Sinha in their article 'Liberalization and the Women Worker' published in the 'Economic and Political Weekly' published (May 2002) observed that throughout the economy women tend to hold lower level positions than men even when they have sufficient skills to perform in higher levels jobs. Although most women in India work and contribute to the economy in some way or the other much of their work is not documented or recognized as work. The majority of the women work under inferior working conditions and often in shifts with negative implications for 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 the 1990s there was excitement about the increase in Female work participation but within the decade it was clear that it did not improve the status of women and that the rate of participation had not improved considerably.

The inadequacy of the Neo-Liberal tradition as well as its new variant is a subject that needs to be examined. Other way is not just addressing the issues affecting women in general but more so its contributions in perpetuating it further. It would attempt to demonstrate how the concept of citizenship is being redefined in the wake of globalization, multi-culturalism and universality of human rights by including class and race both within and beyond the borders of the nation-state and ignoring gender as a primary criterion of structural disadvantage.

The examination of these new trends through which women are deprived of their rights is pertinent to analysed. It has been proved how the gains of feminism are under the threat of being rolled back. The State should attempt to develop an emancipatory thought and the required institutional networks to effectively deal with the gendered practices. It is also required to explore the dilemmas inherent of liberalism and the focus on the extent to which its variants such as Cosmopolitanism can accommodate both contextual and global institutional and policy compulsions in solving the problem.

An attempt to uncover alternative socio-cultural practices must be made across the developed and developing societies to accommodate gender sensibilities in order to ensure that the benefits of citizenship rights are not rolled back with the emergence of globalization. This could also be helpful in ensuring and sketching the outlines of an equalitarian and democratic outlook that can be recommended as an emancipator feminist ideology. The structural adjustment and requirements should be made so that the existing Global institutions are effective in achieving the goals of a better and humane world.

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